



# NEW CANEY ISD

## EMPLOYEE HANDBOOK

**2018-2019**

NEW CANEY INDEPENDENT SCHOOL DISTRICT

21580 Loop 494

New Caney, Texas

77357 281-577-8600

[www.newcaneyisd.org](http://www.newcaneyisd.org)

*It is the policy of the New Caney Independent School District not to discriminate on the basis of race, color, national origin, sex, age, or disability in its general and vocational programs, services and activities, or its employment practices. Lack of English skills will not be a barrier to admission and participation in all educational and vocational programs. For more information about your rights or grievance procedures, contact the Title IX Coordinator, 21580 Loop 494, New Caney, Texas 77357, and/or the Section 504 Coordinator, 21580 Loop 494, New Caney, Texas 77357, 281-577- 8600.*

## **DISCLAIMER STATEMENT**

In the event that any of the following policy statements summarized in this handbook should conflict with district policy, the official New Caney ISD policy manual, adopted by the Board Members, remains the authoritative reference. **Any policy change(s) adopted during the life of this handbook will take precedence over any conflicting statement(s) in this handbook.**

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

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. Changes will be communicated through email and revisions to the handbook online. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. District policies can be accessed online at [www.newcaneyisd.org](http://www.newcaneyisd.org).

New Caney Independent School District is an equal opportunity employer and does not discriminate against persons because of age, race, color, religion, disability, sex (including pregnancy), genetic information, ethnic or national origin, veteran or military status or any other legally protected status in providing educational services in compliance with the nondiscrimination requirements of Section 504 of the Rehabilitation Act of 1973.

## **ABOUT NEW CANEY ISD**

The New Caney Independent School District is located approximately 30 miles northeast of Houston in East Montgomery County serving the residents in the Porter, New Caney and Kingwood communities.

The District houses approximately **15,000** students in ten elementary schools in grades pre-kindergarten through fifth grades, four middle schools serving sixth through eighth grades, two high schools serving ninth through twelfth grades, early college high school, and one alternative education center with students in grades first through twelfth.

The District is the fourth largest employer in Montgomery County with a history of steady growth in housing and business development. Parent and community involvement is committed to ensuring student success.

## **DISTRICT MAP**

A campus directory and map of district building locations is available on the district's website at: [www.newcaneyisd.org](http://www.newcaneyisd.org).

## **BOARD MEMBERS**



**Chad Turner**  
*President*



**Creg Mixon**  
*Vice President*



**Elizabeth Rhoden Harrell**  
*Secretary*



**Ty Trout**  
*Assistant Secretary*



**Beth Prykryl**  
*Member*



**Wendy Allen Sharp**  
*Member*



**Ricky Warwick**  
*Member*

The Board Members are elected by the citizens of the District to represent the community's commitment to a strong educational program for the District's students. Board members are elected by position and serve three-year terms. Members serve without compensation, must be qualified voters, and must reside in the district. Policies BA, BB, BD, BE, BBB

The regular meetings of the Board shall be held on the third Monday of each month at 6:30 p.m. When determined necessary and for the convenience of the Trustee, the Board President may change the date or time of a regular meeting. The notice for that meeting shall reflect the changed date or time. POLICY BE (LOCAL).

The Board usually meets in the Community Room located at the Texan Drive Stadium, 21360 Valley Ranch Parkway, Porter, TX, 77365.

A written notice of regular and special meetings will be posted at least 72 hours before the scheduled meeting time. Employees should express any grievances and concerns to their supervisor(s) prior to contacting a Board Member.

## **SUPPORT DIRECTORY**

### **Central Administration Building**

Kenn Franklin, Superintendent  
Matt Calvert, Deputy Superintendent  
Kristi Shofner, Exec. Director of Instruction  
Brandy Fain, Exec. Director of Finance  
Steve Freeman, Exec. Director of Human Resources  
Scott Castleberry, Exec. Director of Student/Staff Services  
Brent Sipe, Exec. Director of Sports Activities/Facilities  
Michele Dykstra, Exec. Director of Education Foundation  
Scott Powers, Exec. Director of Public Relations  
Dr Mark Weatherly, Director of Secondary Instruction  
Karen Smithson, Director of Elementary Instruction  
Jeanie Reed, Director of Digital Learning  
Warren Stripling, Director of Career and Technical Education  
Dr Yolanda Rios, Director of Bilingual/ELL/Migrant  
Kelly Renschler, Director of Marketing/Multimedia  
Loree Munro, Director of Advanced Academics  
Patrick Paris, Director of Fine Arts  
Kelly James, Director of Accountability, Assessment and Special Programs  
Doug Bonsal, Director of Staff Services  
Laura Sunosky, Director of Student Services  
Merredith Hunt, Director of Accounting/Budget  
Sonya Ray, Director of Payroll  
John Kirkham, Director of Purchasing  
Dan Casteel, Director of Information Systems  
Brande Bass, Director of Federal/Special Programs  
Trina Persson, Director of Recruitment and Retention

21580 Loop 494  
New Caney, TX 77357  
Tel: 281-577-8700  
Fax: 281-354-2639  
Fax: 281-354-1878 (HR)

### **Child Nutrition**

Debbie Needham, Director of Child Nutrition  
Kimberly Ziarko, Assistant Director of Child Nutrition

20383 FM 1485 W  
New Caney, TX 77357  
Tel: 281-577-8690  
Fax: 281-399-3833

### **Construction/Facility Planning**

Richard Gates, Director of Construction  
Michelle Marable, Director of Facility Planning

22784 U.S. Hwy 59 S  
Porter, TX 77365  
Tel: 281-577-8622

### **Operations/Maintenance/Support Services**

Mike Milling, Exec. Director of Operations  
Blake Carroll, Director of Support Services  
Paul Batchelder, Director of Facilities/Energy Management  
Tim Battenfield, Director of Maintenance

22784 U.S. Hwy 59 S  
Porter, TX 77365  
Tel: 281-354-1881  
Fax: 281-354-8811

### **Police Department**

Troy Wootton, Chief of Police

21026 Loop 494  
New Caney, TX 77365  
Tel: 281-577-8695  
Fax: 281-689-8822

### **Special Education**

Sarah Chase, Director of Special Education

20387 FM 1485 W  
New Caney, TX 77357  
Tel: 281-577-8670  
Fax: 281-399-8341

### **Technology Center**

Ben Rice, Director of Technology

20340 FM 1485 W  
New Caney, TX 77357  
Tel: 281-577-8650

### **Transportation Department**

Josh Rice, Director of Transportation  
Ernest Nelson, Assistant Director of Transportation

21026 Loop 494  
New Caney, TX 77357  
Tel: 281-577-8680

## **CAMPUS DIRECTORY**

**New Caney High School**  
David Loyacano, Principal

21650 Loop 494  
New Caney, TX 77357  
Tel: 281-577-2800  
Fax: 281-354-0186

**Porter High School**  
Jeremy Harris, Principal

22625 Sandy Lane  
Porter, TX 77365  
Tel: 281-577-5900  
Fax: 281-577-9175

**Infinity Early College High School**  
Patricia Beal, Principal

21250 Eagle Drive  
New Caney, TX 77357  
Tel: 281-577-2890

**Keefer Crossing Middle School**  
Cesar Condarco, Principal

20350 FM 1485 W  
New Caney, TX 77357  
Tel: 281-577-8840  
Fax: 281-399-9859

**White Oak Middle School**  
Everett Simons, Principal

24161 Briar Berry Lane  
Porter, TX 77365  
Tel: 281-577-8800  
Fax: 281-354-5186

**Woodridge Forest Middle School**  
Bridgett Heine, Principal

4540 Woodridge Parkway  
Porter, TX 77365  
Tel: 281-577-8880  
Fax: 281-577-8871

**New Caney Middle School**  
Eric Holton, Principal

22784 U.S. Hwy 59 S  
Porter, TX 77365  
Tel: 281-577-8860  
Fax: 281-354-8725

**Bens Branch Elementary**  
Catherine Olano, Principal

24160 Briar Berry Lane  
Porter, TX 77365  
Tel: 281-577-8700  
Fax: 281-354-4296

**Brookwood Forest Elementary**  
Malinda King, Principal

25545 Sorters Road  
Porter, TX 77365  
Tel: 281-577-8820

**Crippen Elementary School**  
Crystal Mayes, Principal

18690 Cumberland Blvd  
Porter, TX 77365  
Tel: 281-577-8740  
Fax: 281-354-6823

**Dogwood Elementary**  
Kerry Hamilton, Principal

600 Dogwood Ln  
New Caney, TX 77357  
Tel: 281-577-2960

**Kings Manor Elementary School**  
Stacey Paine, Principal

21111 Royal Crossing Dr  
Kingwood, TX 77339  
Tel: 281-577-2940  
Fax: 281-359-6391

**New Caney Elementary School**  
Gail London, Principal

20501 FM 1485 W  
New Caney, TX 77357  
Tel: 281-577-8720  
Fax: 281-399-2174

**Oakley Elementary School**  
Erica Gruber, Principal

22320 Loop 494  
New Caney, TX 77357  
Tel: 281-577-5970  
Fax: 281-577-0001

**Porter Elementary School**  
Sheri Bonsal, Principal

22256 Ford Rd  
Porter, TX 77365  
Tel: 281-577-2920  
Fax: 281-354-7583

**Sorters Mill Elementary School**  
Hollie Hanks, Principal

23300 Sorters Rd  
Porter, TX 77365  
Tel: 281-577-8780  
Fax: 281-354-0164

**Tavola Elementary School**  
Sheri Lowe, Principal

18885 Winding Summit Dr  
New Caney, TX 77357  
Tel: 281-577-2900  
Fax: 281-399-9946

**Valley Ranch Elementary School**  
Nicole Jones, Principal

21700 Valley Ranch Crossing  
Porter, TX 77365  
Tel: 281-577-8760  
Fax: 281-399-9209

**The Learning Center (Alternative School)**  
Jack Dumesnil, Principal

20419 FM 1485 W  
New Caney, TX 77357  
281-577-2850

**Credit Recovery Center**  
Jennie Good, Coordinator

21250 Eagle Dr  
New Caney, TX 77357  
Tel: 281-577-2860

## **I. MISSION STATEMENT**

Graduate students who are equipped to thrive in the REALITY of their future.

### **VISION**

Preparing our learning community for the REALITY of tomorrow.

### **MOTTO**

Educational Excellence for a Changing Tomorrow.

### **CORE VALUES**

WE BELIEVE that our students and staff must be:

**Responsible Citizens**

**Effective Communicators**

**Academically Prepared**

**Lifelong Learners**

**Interpersonal Collaborators**

**Thinking with Innovation**

**Yes minded!**

## **II. DISTRICT GOALS**

1. NCISD will increase the achievement of all students and prepare all students for post-secondary education and the workplace through high quality, student-centered programs.
2. NCISD will provide a safe and orderly environment that promotes student learning for all students.
3. NCISD will engage in proactive planning and visioning to respond to the changing educational needs of the District and to maximize our resources.
4. NCISD will increase opportunities for parent/community involvement in all educational processes of our district.

### **OTHER PUBLICATIONS**

Except for the New Caney ISD Policy Manual, adopted by Board Members, the District's Employee Handbook supersedes all personnel-related documents. In the event that any of the statements summarized in these subordinate documents should conflict with the Employee Handbook, The Employee Handbook remains the authoritative reference. Other personnel-related District documents include but are not limited to:

- Bus Operator's Manual
- Extra-Curricular Activities
- Purchasing Manual
- EDGAR Manual
- Student Activity Funds Manual
- District Budget Guide
- Payroll Manual
- Electronic Timekeeping Procedures
- Business Office Manual
- Administrator Guidelines and Procedures for Employee Absences
- Human Resources Administrator Manual Acceptable Use Guideline (Computers)
- Substitute Handbook
- Child Nutrition Handbook
- Maintenance Handbook
- Athletic Handbook
- Employee Dress Code
- NCISD Compensation Plan
- Advanced Academics Handbook

Employees accept responsibility for reviewing, understanding, and following any changes or updates in the **Parent/Student Handbook & Student Code of Conduct** which is posted on the district's website.

This handbook is not a contract of employment. Any individual may voluntarily leave the employment of the New Caney ISD upon proper notice or may be terminated at any time and for any reason as long as there is not violation of federal, state, or local law. The handbook is an overview of our policies and benefits. Its content is subject to change at any time at the discretion of the Executive Director of Human Resources.

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# I. EMPLOYMENT

## A. EQUAL EMPLOYMENT OPPORTUNITY

Policies DAA, DIA

The District does not discriminate against any employee or applicant for employment because of race, color, religion, gender, sex (including pregnancy), national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Additionally, the district does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities. The District is committed to taking all other actions that are necessary to ensure equal opportunity for persons with disabilities in accordance with the ADA and any other applicable federal, state, and local laws.

Reasonable accommodation is available to an employee with a disability when the disability affects the performance of job functions. Employment decisions in the New Caney ISD are based on the merits of the situation in accordance with defined criteria, not the disability of the individual. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as job assignments, classifications, job descriptions, and organizational structure.

The District is committed to not discriminating against any qualified employee or applicant because the person is related to or associated with a person with a disability.

Employees with questions or concerns about discrimination based on sex, including sexual harassment, should contact Doug Bonsal, the District's Title IX Coordinator. Employees with questions or concerns about discrimination on the basis of a disability should contact Steve Freeman, the District's ADA/Section 504 Coordinator. Questions or concerns relating to discrimination on the basis of any other reason, including race, color, religion, national origin, age, or military status, should be directed to the Superintendent.

## B. APPLICATION FOR EMPLOYMENT

Anyone seeking employment with the District and current employees seeking available positions should go to the New Caney ISD website and complete an application online at [www.newcaneyisd.org](http://www.newcaneyisd.org)

## C. JOB VACANCY ANNOUNCEMENT

Policy DC

Announcements of job vacancies by position and location are posted on the District's website at [www.newcaneyisd.org](http://www.newcaneyisd.org) under the Careers tab.

## D. HIRING

**Teachers** - The selection process normally begins at the Principal's office and is based on (1) the number of authorized positions and (2) the needs of the campus. The principal will inform Human Resources of selection decisions. The Superintendent has the responsibility to make hiring recommendations for contractual personnel to the Board of Trustees. The Board has the authority to make hiring decisions for contractual personnel, based on the Superintendent's recommendations. However, pursuant to Texas Education Code Section 11.1513(A)(2), the Board may delegate final hiring authority to the Superintendent. At the September Board meeting, the Superintendent will notify the Board of all contractual personnel hired during the summer months pursuant to the authority.

**Other District Employees** - Supervisors will inform Human Resources of the need to post a vacancy in their department after a termination or resignation has been received and approved by the Superintendent. Positions will be filled after the normal application and screening process. The supervisor will inform Human Resources of selection decisions. The Superintendent has the final authority to employ and dismiss noncontractual employees on an at-will basis

## **E. CRIMINAL HISTORY BACKGROUND CHECKS**

Policies DBAA, DH

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. Criminal history information is privileged and confidential. The District does not release the computerized criminal history record to applicants or employees.

### **Possession of Firearms and Weapons**

Policies FNCG, GKA, DH

Employees, including those with a license to carry a handgun, must strictly adhere to all state, federal laws, and board policy; including, but not limited to, possession of a firearm in a school building. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other district provided parking area, provided the handgun or firearm or ammunition is properly stored and not in plain view. 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 immediately.

## **F. CONTRACT AND NONCONTRACT EMPLOYMENT**

Policy DC Series

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

**Probationary Contracts** - Nurses and full-time professional employees new to the District and employed in positions requiring SBEC certification must receive a probationary contract during their first year of employment. Former employees who are hired after a two-year lapse in district employment or employees who move to a position requiring a new class of certification also may be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period will be three school years (i.e., three one-year contracts) with an optional fourth school year if the Board of Trustees determines it is doubtful whether a term or continuing contract should be given.

**Term Contracts** - Full-time professionals employed in positions requiring certification and nurses will be employed by term contracts after they have successfully completed the probationary period. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract. Employment policies can be accessed online at [www.newcaneyisd.org](http://www.newcaneyisd.org).

**Non-Certified Professional and Administrative Employees** - Employees in professional and administrative positions that do not require SBEC certification (such as non-instructional administrators) are employed by Non-Chapter 21 contracts that are not subject to the procedures for nonrenewal or termination under the Texas Education code. Such contracts shall not be governed by the provisions of Chapter 21 of the Education Code.

**Paraprofessional and Auxiliary Employees** - Support employees are employed at-will and receive notification of the required duty days and holidays for their position on an annual basis. Employment may be terminated at any time by either the employee or the District. 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.

## **G. DISMISSAL OR NONRENEWAL OF CONTRACT EMPLOYEES**

### Policy DF Series

Employees on probationary or term contracts can be dismissed during the school year according to the procedures outlined in district policies. Employees on probationary or term contracts can be terminated or nonrenewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing.

The timelines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee's certification is revoked for misconduct. Information on the timelines and procedures can be found in the DF series policies that are provided to employees online.

### **NON-CHAPTER 21 CONTRACTS**

The Board may decide by vote or inaction not to offer any employee on a contract not governed by Chapter 21 of the Education Code further employment with the District beyond the term of the contract for any reason or no reason. An employee may be dismissed for good cause before the completion of the term fixed in his or her contract.

### **DISMISSAL OF NONCONTRACT EMPLOYEES**

#### Policy DCD

Noncontract employees are employed at-will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the District to dismiss any employee for reasons of race, color, religion, sex, gender, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the District process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, DGBA (LOCAL)).

## **H. REPORTS TO TEXAS EDUCATION AGENCY**

### Policy DF

The dismissal or resignation of a certified employee must be reported to the Division of Investigations at TEA if there is evidence that the employee was involved in any of the following:

- Any form of sexual or physical abuse of a minor or any other illegal conduct with a student or a minor
- Soliciting or engaging in sexual contact or a romantic relationship with a student or minor
- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of district or school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on a district property or at a school sponsored event
- Violating assessment instrument security procedures

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

## **REPORTS CONCERNING COURT-ORDERED WITHHOLDING**

The District is required to report the termination of employees that are under court order or writ of withholding for child support or spousal maintenance. Notice of the following must be sent to the support recipient and the court or, in the case of child support, the Texas Attorney General Child Support Division:

- 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

### **I. ASSIGNMENTS/REASSIGNMENTS**

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).

### **J. TRANSFERS**

Policy DK

**Professional Employees** - A personnel action form (PAF) from the Principal's office or Human Resources should be submitted no later than the last business day of April of the current school year. Transfer requests will be considered only when filed on this form. Transfers also may be made at the initiative of the Superintendent, an administrator, or the teacher. A request for transfer does not guarantee that such a transfer will be approved. Any employee may request reassignment within the District to another position for which he or she is qualified. All employees are subject to reassignment by the Superintendent.

#### **Teacher Transfer Request Steps**

1. Teacher initiates request for a transfer with the campus administration (must meet NCLB "highly qualified" requirements).
2. The campus principal will provide a personnel action form for the teacher.
3. Teacher completes and returns the form to the principal between March 1 and the last business day of April of the current school year.
4. Principal signs form, notifies Human Resources by phone of the request and forwards the original, completed copy to the Executive Director of Human Resources.
5. Before consideration of transfer request, the receiving principal would need to interview and recommend approval of the transfer (signature required on personnel action form).
6. Action will be taken with the request and the requesting teacher will be notified as soon as possible of the status, but no later than forty-five (45) days before the first day of instruction of the succeeding school year when possible.
7. The Superintendent must approve any exception to this procedure.

**Noncontract Employees** - Requests for transfer to same position or pay grade within a department and/or different campus/location will be considered. All requests should be made in writing and submitted through the requesting employee's immediate supervisor. The supervisor shall notify Human Resources in writing if the transfer has been approved.

**K. REDUCTION IN FORCE**

Policy DFF

The purpose of this provision is to provide for an orderly method for the separation of professional employees who are affected by a necessary reduction in force (RIF) and the orderly recall of eligible persons, if possible, at the earliest opportunity. A reduction in force may take place when the Board Members determine that financial exigency or a program change requires the discharge or nonrenewal of one or more employees. Such a determination constitutes sufficient cause for discharge or nonrenewal. When a reduction in force is to be implemented, the Superintendent may assist the Board Members by making recommendations to the Board Members regarding the employment areas to be affected.

**L. EMPLOYMENT AFTER RETIREMENT**

Policy DC

Employees who plan to retire are urged to provide the District with a minimum of two months' notice, in writing, to ensure time for processing appropriate pension forms.

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

If the District incurs expenses over and above those associated with hiring a non-retiree in a similar position with similar years of experience, the District may reduce the employee's pay to offset these expenses provided that the employee's pay does not fall below the state minimum.

**The District cannot assure full retirement benefits for any employee working for the District after retirement. Employees should rely on advice and information from TRS regarding their eligibility for retirement benefits. Personnel who separate from employment (including retirees) with NCISD will forfeit eligibility for longevity pay. Policy DEC (LOCAL)**

<b>Table 1 - NCISD Normal Workload</b>	
<b>Professional and Auxiliary</b>	<b>% of day worked</b>
3 hours	38%
3.5 hours	44%
3 Hours 55 min	49%
4 Hours	50%
4.5 Hours	56%
5 Hours	63%
5.5 Hours	69%
6 Hours	75%
6.5 Hours	81%
7 Hours	88%
7.5 Hours	94%
8 Hours	100%

## **M. RESIGNATIONS**

### Policy DFE (LOCAL)

**Contract Employees** - Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted electronically through the “staff” website. Contract employees may resign at any other time only with the approval of the Superintendent or the Board of Trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC). The Superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in Reports to Texas Education Agency. Information regarding a request for your records will be provided in the acknowledgement letter you receive upon acceptance of your electronic separation form. Employee electronic accounts will be disabled immediately after the last day worked and will be deleted completely 15 days after the last day worked.

The principal is required to notify the superintendent of an educator’s resignation following an alleged incident of misconduct for any of the acts listed in the *Reports to Texas Education Agency* section. The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in of the same acts.

**Noncontract Employees** - Noncontract employees may resign their position at any time. A written notice of resignation should be submitted electronically through the “staff” website. Information regarding a request for your records will be provided in the acknowledgement letter you receive upon acceptance of your electronic separation form. Employee electronic accounts will be disabled immediately after the last day worked and will be deleted completely 15 days after the last day worked.

All district keys, books, property, including intellectual property, and equipment, including electronic devices must be returned upon separation from employment.

## **N. EXIT FORM**

An exit interview shall be conducted, if possible, and an exit report shall be prepared for every employee who leaves employment with the District. Employees shall complete an exit interview as part of the exit process.



## II. COMPENSATION AND BENEFITS

### A. SALARIES, WAGES, AND STIPENDS

Policies DEA, DEAA

Employees are paid in accordance with administrative guidelines and an established pay structure. The District's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid semi-monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid based on an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek.

Nonexempt 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. These assignments may be discontinued at any time for any reason or no reason, by either party. The assignment of these duties shall not create any expectation of continued assignment to that same duty or any other duty. Nonexempt employees who are assigned supplemental duties will be compensated on an hourly basis including overtime compensation when necessary.

Nonexempt employees who receive additional duties for additional pay are not subject to Local Government Code §187.001 hearing requests. NCISD may establish an additional stipend for additional unexpected duties that are not within the scope of the exempt employee's assignment that may be paid at a per diem rate. As long as the duties are not those that the exempt employee is responsible for in the current assignment, the stipend is not subject to a §187.001 hearing.

The district may deduct any overpayments from one or more paychecks.

Employees should contact Human Resources for more information about the District's pay schedules or their own pay.

### B. TEAMS EMPLOYEE SERVICE CENTER

It is the responsibility of the employee (not the District) to verify, on an annual basis, the accuracy of their salary information, years in the District and years in TRS. This information is available through the TEAMS Employee Service Center. The District will correct errors for the current school year only, if reported in writing by November 1st, for current employees, or thirty-one (31) days after employment for new hires. Employees may contact the District's Compensation Coordinator for more information.

#### Instructions for TEAMS Employee Service Center (New Employee Access)

1. New Caney ISD website [www.newcaneyisd.org](http://www.newcaneyisd.org) > Staff Only
  - b. Username: Network Username
  - c. Password: Network Password
2. TEAMS Employee Service Center (New Employee Access)
  - a. Login: Network Username
  - b. Password: Network Password

Payroll questions or information: Email - Amy Coffman @ [acoffman@newcaneyisd.org](mailto:acoffman@newcaneyisd.org)

Certifications and degrees: Email - Shirley Sherrouse @ [ssherrouse@newcaneyisd.org](mailto:ssherrouse@newcaneyisd.org)

Email - Erica McCarter @ [emccarter@newcaneyisd.org](mailto:emccarter@newcaneyisd.org)

Benefits and deductions: Email - Liz Jackson @ [ejackson@newcaneyisd.org](mailto:ejackson@newcaneyisd.org)

### C. PAY DISTRIBUTION

Employees will receive pay according to the District's payroll schedule. There are two options for payment. Option 1 is direct deposit. Option 2 is a bank card used as a debit card.

#### **D. ANNUALIZED COMPENSATION**

Policy DEA

The District pays all salaried employees over 12 months regardless of the number of months employed during the school year. Salaried employees will be paid in semi-monthly payments, beginning with the first pay period of the school year. Employees that separate after the last day of instruction will continue to receive paychecks through the end of the summer.

It is the practice of the District to annualize all full-time twelve (12) month auxiliary employees (e.g., child nutrition, custodial, maintenance, security, transportation) as well as full-time ten (10) and eleven (11) month auxiliary employees working in managerial/supervisory capacity. All ten (10) and eleven (11) month auxiliary employees working in non-supervisory positions will not be annualized. In addition, ten (10) and eleven (11) month nonexempt employees hired after January 1st, will not be annualized.

Please review your paycheck for errors. If you find a mistake, report it to your supervisor immediately. Your supervisor will assist you in taking the steps necessary to correct the error.

The District reserves the right to withhold payment of an employee's paycheck, pending return of district property. Employees terminating or resigning their employment with the District shall return all items belonging to the District (e.g., uniforms, lists, information, assigned inventory and other property), within three (3) days of their last day of employment. The District may also request the return of district property during an employee's employment with the District.

#### **E. AUTOMATIC PAYROLL DEPOSIT**

Employees must have their paychecks electronically deposited into a designated checking, savings, or pay card account. Contact payroll for more information about the automatic payroll deposit service. Pay vouchers are available online in the TEAMS Employee Service Center.

#### **F. PAYROLL DEDUCTIONS**

Policy CFEA

All required deductions such as federal income tax, Teacher Retirement System of Texas (TRS), child support and spousal maintenance (if applicable), delinquent federal education loan payments (if applicable), and all authorized voluntary deductions, such as health insurance contributions will be withheld automatically from paychecks. Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance, annuities, disability insurance, professional organization dues, as well as approved retirement plans, or prepaid tuition programs. Employees also may request payroll deduction for United Way, NCISD Education Foundation, and the Houston Chronicle. See the Benefits Hub for additional supplemental deductions. Requests for these deductions or any changes to existing deductions shall be submitted in writing to the Employee Benefits Specialist. Salary deductions are automatically made for unauthorized or unpaid leave. Medicare tax is applicable only to employees hired in this district after March 31, 1986.

#### **Garnishments and Levies**

A garnishment is defined as an involuntary transfer of wages to a creditor or other agency assigned to collect a debt. Garnishments include child support, student loans, bankruptcy, etc. A levy is defined as an attachment or garnishment for a tax debt or court judgment. The NCISD Employee Benefits Specialist will notify an employee via certified mail that a garnishment or levy has been received and the deduction is to begin on the next pay day.

#### **G. WORKLOAD AND WORK SCHEDULES**

Policies DEAB, DK, DL

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

Each classroom teacher is entitled to at least 450 minutes within each two-week period for instructional preparation, including parent-teacher conferences, evaluating students' work, and planning. A planning and preparation period

under this section may not be less than 45 minutes within the instructional day. During a planning and preparation period, a classroom teacher may not be required to participate in any other activity (Texas Education Code 21.404). All activities during individual planning sessions must be directly related to instructional preparation.

### **Teacher Work Hours**

Teachers are required to be at work and on duty during established work hours as determined by the individual campus. Additionally, the District has an expectation that teachers will be available to attend reasonable school-related activities that may occur outside the established work day such as collaborative planning sessions, ARDs, staffing, faculty meetings, in-service meetings, school related sponsorships and the like. Teachers are categorized as learned professional employees and are therefore **exempt** from the Fair Labor Standards Act regarding overtime or compensatory time for working beyond 40 hours per week.

### **Paraprofessional and Auxiliary Employees**

Support employees are employed at-will and will be notified of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. See *Overtime Compensation* for additional information.

Specific workdays for employees shall be determined by the administration of the District, and all employees shall be subject to assignment and reassignment in the best interest of the District.

Work hour schedules for individuals, shifts, and departments are subject to change or adjustment, according to the needs arising or developing in the District, location or department. Paraprofessional and auxiliary employees shall work overtime as may be required by the administration.

On-duty days refer to those days employee work is authorized. All other days are referred to as non-paid vacation days. Compensation is authorized only for work performed during on-duty days; no compensation will be authorized for non-paid vacation days. Auxiliary employees are eligible for paid holidays according to the schedule provided by the Superintendent DED (LOCAL). Daily time schedules for all employees shall be determined by the Superintendent or designee.

Employee Work Calendars	
10 Month	178 - 201 Days
11 Month	202 - 219 Days
12 Month	220 - 242 Days

## **H. RECORDING WORK HOURS**

It is the intent of the District to comply with applicable laws that require the maintenance of records of the hours worked by our employees, to ensure that accurate records are kept of the hours you actually work (including overtime hours where applicable) and of the accrued leave time you have taken, and to ensure that you are paid in a timely manner. Non-exempt employees are required to record their time worked in the district's time clock system. All employees should enter absences into the Aesop system. Please ensure that your actual hours worked and leave time taken are recorded accurately. Falsification of a time record is a breach of district policy and is grounds for disciplinary action including termination of employment. Supervisors should ensure the accurate reporting of days worked and time worked. **The NCISD Work Schedule is available on the Human Resources Website.**

## **I. BREAKS FOR EXPRESSION OF BREAST MILK**

Policies DEAB, DG

The District supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk. A place, other than a multiple user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk will be provided.

A reasonable amount of break time will be provided when the employee has a need to express milk. For nonexempt employees, these breaks are unpaid and are not counted as hours worked. Employees should meet with their supervisor to discuss their needs and arrange break times.

## **J. OVERTIME COMPENSATION**

Policy DEAB

The District compensates overtime for nonexempt employees in accordance with federal wage and hourly laws. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. **Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor.** A non-exempt employee who works overtime without prior approval will be subject to disciplinary action.

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. For the purpose of calculating overtime, a workweek begins at 12:00 am Sunday and ends at 11:59 pm Saturday. Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours. Nonexempt employees that are paid for the hours set by the normal work schedule. Hours worked beyond the normal schedule up to 40 hours will be paid at a regular rate of pay.

### **Overtime Pay May Not Be Waived**

The overtime requirement may not be waived by agreement between the employer and employees. An agreement that only 8 hours a day or only 40 hours a week will be counted as working time also fails the test of Fair Labor Standards Act (FLSA) compliance. An announcement by the employer that no overtime work will be permitted, or that overtime work will not be paid for unless authorized in advance, also will not impair the employee's right to compensation for compensable overtime hours that are worked.

Employees may be compensated for overtime (i.e., hours beyond 40 in a workweek) at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

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

## **K. TRAVEL REIMBURSEMENT**

Policy DEE

An employee shall be reimbursed for reasonable, allowable expenses incurred in carrying out District business only with the prior approval of the employee's immediate supervisor. Reimbursement for authorized travel shall be in accordance with legal requirements. Accounting records shall accurately reflect that no state or federal funds were used to reimburse travel expenses beyond those authorized for state employees. For any authorized expense incurred, the employee shall submit a statement, with receipts to the extent feasible, documenting actual expenses and in accordance with administrative procedures.

## **L. GROUP INSURANCE BENEFITS THROUGH TRS-ActiveCare**

Policy CRD

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

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

TRS retirees who are enrolled in the TRS-Care (retiree health insurance program) are not eligible to participate in TRS-Active Care.

The insurance plan year is from September 1 through August 31. New hires have 31 days from the first day of employment to select health insurance coverage through TRS-ActiveCare. Current employees can make changes to their insurance coverage during open enrollment in August or when they experience a qualifying

event (e.g., marriage, divorce, birth). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are accessible to all employees on the NCISD website, Benefits & Leave Department webpage under the Employee Benefits tab. Benefit program information can be found on the District's benefits website [www.benefitsolver.com](http://www.benefitsolver.com).

Employees may contact the District's Employee Benefits Specialist for more information. New hires must access the District's benefits enrollment website [www.benefitsolver.com](http://www.benefitsolver.com) and electronically enroll or decline coverage before their 31 day open enrollment ends. Current employees must access the District's benefits enrollment website [www.benefitsolver.com](http://www.benefitsolver.com) and electronically enroll or decline coverage during annual open enrollment. An employee who fails to enroll or decline coverage will be required to sign a paper Declination in the Employee Benefits Specialist's office.

### **Affordable Care Act (ACA)**

The Affordable Care Act (ACA) requires the District as your employer to provide employees with written notice regarding the Health Insurance Marketplace; this notification is provided in the new hire packet and on the New Caney ISD website, Benefits & Leave Department webpage under the Employee Benefits tab.

### **Alternate Plan**

Employees working 20 hours or more per week that decline the TRS-Active Care Health Insurance may enroll during open enrollment for the District paid Alternate Plan. The Alternate Plan consists of Hospital Indemnity, Dental and Vision.

### **Supplemental Benefits**

Policy CRD

At their own expense, employees may enroll in supplemental insurance programs during open enrollment. Premiums for these programs may be paid through payroll deduction. Employees must enroll in the supplemental benefits during the August open enrollments for a September 1 effective date. All eligible employees must go to the District's enrollment website, [www.benefitsolver.com](http://www.benefitsolver.com), to complete the online insurance process each school year. This is a self-administered enrollment process. It is the employee's responsibility to enroll in the benefits of their choice within 31 days of their employment date. The District offers the following supplemental benefits:

- Accident
- Cancer
- Dental
- Health Savings Account
- Disability
- Medical Reimbursement Plans
- Child Reimbursement Plans
- Hospital Indemnity Plan (HIP)
- Identify Theft
- Voluntary Life
- AD&D
- Telehealth
- Vision

The District also provides and pays for group life insurance for each full-time employee. Open enrollment dates are announced in the summer of each school year. Additional information is available at the Benefits & Leave department webpage under Employee Benefits Tab. Employees may contact the District's Employee Benefits Specialist for more information.

### **Cafeteria Plan Benefits (Section 125)**

Policies CR, CRB, CRD

Employees are 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 pre-tax basis. A third-party administrator handles employee claims made on these accounts. New employees must accept or reject this benefit during their first 31 days of employment. All employees must accept or reject this benefit on an annual basis during the specified open enrollment periods in August, with a September 1 effective date for all benefits and will remain in effect during the entire plan year. Changes in benefit elections can occur only if you experience a qualifying event. You must contact and present proof of a qualifying event to your Employee Benefits Specialist within 30 days of your qualifying event to make a benefit election change.

The District reserves the right to amend or terminate any of these programs or to require or increase employee premium contributions toward any benefit at its discretion.

## **M. OTHER SUPPLEMENTAL BENEFITS**

403b & 457 Plans - Third Party Administrator TCG Administrators [www.region10rams.org](http://www.region10rams.org) - all employees are eligible to participate.

## **N. WORKER'S COMPENSATION**

The District, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The District has workers' compensation coverage from The Texas Association of School Boards Risk Management Fund. Specific benefits are prescribed by law depending on the circumstances of each case.

## **EMPLOYEE NOTICE OF ALLIANCE REQUIREMENTS**

### **Information, Instructions, Rights, and Obligations**

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

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

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

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

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

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

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

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

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

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

- **Who pays for the healthcare?**

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

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

## **How to File a Complaint**

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

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

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

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

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

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

### **In case of an emergency...**

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

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

### **Non-emergency care...**

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

### **Treatments Requiring Advance Approval**

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

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

- Inpatient hospital admissions
- Outpatient Surgical or ambulatory surgical services

- Spinal Surgery
- All non-exempted work hardening
- All non-exempted work conditioning
- Physical or occupational therapy except for the first twelve (12) visits if those visits were done within the first 6 months immediately following date of injury or date of surgery
- Any investigational or experimental service
- Psychological testing exceeding 3 hours with no more than four tests, such as MMPI2, BDI, BAI, P-3
- Repeat psychological testing
- Psychotherapy and cognitive/behavioral therapy greater than 6 visits, repeat psychological interviews and biofeedback
- Repeat diagnostic studies greater than \$350.
- All durable medical equipment (DME) in excess of \$500
- Chronic pain management and interdisciplinary pain rehabilitation
- Drugs not included in the TDI Division of Workers' Compensation Formulary
- All narcotic medications dispensed greater than 60 days
- Any treatment or service that exceeds the Official Disability Guidelines.

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

#### **Important Contact Information**

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

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

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.

All work related accidents or injuries should be reported immediately to the supervisor.

New Caney ISD has a Return to Work (RTW) program, which is designed to return an injured employee to the workplace as soon as medically possible. The WC/FMLA/Leaves Specialist is designated as the RTW coordinator.

Note: **Workers' compensation is not a form of leave.** The workers' compensation law does not require the continuation of the District's contribution to health insurance. CRD (LOCAL). An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.

#### **O. DRIVER'S LIABILITY**

The District carries liability insurance on all District vehicles. Drivers of New Caney ISD vehicles are subject to all traffic and other regulations of the State of Texas and New Caney ISD. Citations for driving violations issued by any law enforcement official remain the property of the driver. Any fines associated with the citation are to be paid by the driver, not the District.

#### **P. UNEMPLOYMENT COMPENSATION**

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 letters of reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact Human Resources.



**Q. TEACHER RETIREMENT SYSTEM**

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

Employees who plan to retire under TRS should notify TRS and Payroll 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 at [www.trs.texas.gov](http://www.trs.texas.gov).

### **III. LEAVES AND ABSENCES**

Policy DEC

#### **A. ABSENTEEISM AND TARDINESS**

The District expects all employees to assume diligent responsibility for their attendance and promptness. Recognizing, however, that illnesses and injuries may occur, the District has established sick leave, salary continuation, and benefit plans to compensate employees for certain time lost for legitimate medical reasons.

- Employees are expected to call in by phone and notify their supervisor or designee of an expected absence as soon as possible prior to the beginning of the work day.
- If the employee is unable to report to work or should need a substitute, the employee should give as much notice as possible to the supervisor. An employee who fails to report to work on time and who fails to notify her/his supervisor is considered “absent without notification.”
- An employee who is “absent without notification” for 1 or more consecutive days is considered to have abandoned her/his position and may be subject to disciplinary action including termination.
- An employee who will be absent for more than one day must keep the supervisor informed of her/his status by notifying the supervisor of the expected date of return.
- An employee, who reports to work after the established starting time, but within four hours of the beginning of work, will be considered tardy.
- An employee who leaves work before the scheduled ending time is considered to have left early.

**Excessive and/or a pattern of questionable absences will be reviewed by the supervisor. The outcome of the review may result in documentation, disciplinary action and/or recommendation for termination.**

**Please see Section IV (Employee Relations), O. (Examples of Offenses/Conditions Subject to Disciplinary Actions).**

#### **B. REPORTING ABSENCES**

Policy DEC (LOCAL)

All hourly employees must record hours worked by clocking in and out utilizing the district’s time clock system. Professionals and paraprofessionals will enter all absences in AESOP. If an employee takes Family Medical Leave (FML) due to the employee’s own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification. If the District will require certification of the employee’s ability to perform essential job functions, the District shall provide a list of essential job functions to the employee with the FMLA designation notice.

#### **School Business Absences**

Employee absences may not be approved as school business unless the function and purpose is directly related to their particular position. The employee’s supervisor must verify and approve all school business leave.

#### **C. STATE AND LOCAL LEAVE**

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

#### **Personal Leave**

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

### **Non-discretionary**

Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered non-discretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Non-discretionary may be used in the same manner as state sick leave. Non-discretionary leave will be granted to employees in the same manner as state sick leave for the following reasons:

1. Illness of the employee
2. Illness of a member of the employee's immediate family.
3. Family emergency.
4. Death in employee's immediate family.

### **Discretionary**

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

**Discretionary Leave** - may be taken at the individual employee's discretion, subject to limitations.

- A written request for use of discretionary personal leave shall be submitted to the immediate supervisor or designee in advance. The **Request for Discretionary Personal Leave** form is available on the **Benefit & Leave website under the Leave Information tab.**
- The immediate supervisor or designee shall approve or deny leave based on the effect of an employee's absence on the educational program, as well as availability and cost factor of substitutes. See DEC (LEGAL)
- Discretionary personal leave may not be taken for more than five (5) consecutive days.
- A discretionary leave calendar will be posted on the District's website.

### **Leave Proration**

If an employee separates from employment with the district before his or her last duty day of the year, or begins employment after the first duty day, state personal leave will be prorated based on the actual time employed. When an employee separates from employment before the last duty day of the school year, the employee's final paycheck will be reduced by the amount of state personal leave the employee used beyond his or her prorated entitlement for the school year. The Earned Leave Schedule is available for review on the Payroll website.

### **Local Leave**

Local leave for auxiliary employees is not provided. Leave may not be earned during the contract year (July 1 - June 30) until one day's work has been performed during that year. Local personal leave is available for use at the beginning of the year.

1. Ten-month employees shall earn three (3) local leave days per school year.
2. Eleven-month employees shall earn three and one-half (3.5) local leave days per school year.
3. Twelve-month employees shall earn four (4) local leave days per school year.

**Unpaid Extended Leave** - After all available state leave days have been exhausted, an eligible employee shall be granted in a school year a maximum of 20 work days of unpaid extended leave. Unpaid extended leave shall be used only for:

1. The employee's personal illness or injury, including pregnancy-related illness or injury;
2. Absences related to the illness or injury, including pregnancy-related illness or injury, of a member of the employee's immediate family; or
3. Adoption of a child by the employee.

An employee shall be eligible for unpaid extended leave when:

1. The employee has been employed by the District for at least 12 months;
2. The employee serves in a position that is not eligible for paid local leave; and either the circumstance of the employee's service with the District or the reason for absence prevent the employee from qualifying for FMLA leave.

A written request for unpaid extended leave must be accompanied by:

1. Medical certification of illness or injury; or
2. Documentation of the adoption of a child.

**All employees who are absent are required to use some type of leave as outlined in the employee**

**handbook.** Employees shall be charged leave as used even if a substitute is not employed. Available leave shall be used by the employee's choice, (Local leave, State Personal leave, or State Sick leave accumulated prior to the 1995-96 school year).

Paid leave for the current year shall be available for use at the beginning of the school year. Paid leave shall not be approved for more work days than have been accumulated in prior years plus those earned during current year. Information regarding the amount of leave available to an employee may be viewed on Employee Access Center.

When an employee who has used more leave than he or she has earned ceases to be employed by the District, the cost of the unearned leave days shall be deducted from the employee's final paycheck. Employees shall be docked in accordance with the Fair Labor Standards Act.

**Immediate Family** - For purposes of leave other than family and medical leave, immediate family is defined as the following:

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

For purposes of family and medical leave, the definition of family is limited to spouse, parent, son or daughter, and next of kin. The definition of these are found in Policy DECA(LEGAL).

**Medical Certification**

Policy DEC (LOCAL)

An employee shall submit medical certification of the need for leave if:

1. The employee is absent more than five (5) consecutive workdays because of personal illness or illness in the immediate family;
2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent;
3. The employee requests family and medical leave for the employee's serious health condition or that of a spouse, parent, or child; or
4. The employee requests family and medical leave for military caregiver purposes. In each case, medical certification shall be made by a healthcare provider as defined by the FMLA.

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

**D. CONTINUATION OF HEALTH INSURANCE**

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

Under TRS-Active Care rules, an employee is no longer eligible for insurance through the district after six months of unpaid leave other than FML. If an employee's unpaid leave extends for more than six months, the district will provide the employee with notice of COBRA rights.

## **E. SICK LEAVE BANK**

Policy DEC (LOCAL)

All professional or paraprofessional personnel of New Caney ISD who are in an allocated budgetary position (FTE), and who are eligible to earn at least one (1) local leave day prior to the last day of December in any year, are eligible to be Members of the Employee Sick Bank. Enrollment for the Sick Bank for the current school year will be done via the NCISD benefits website. Eligible employees interested in becoming a member of Sick Bank are required to enroll via the District's benefits enrollment website at [www.benefitsolver.com](http://www.benefitsolver.com). All eligible employees including previous members of the Sick Bank must accept or decline membership through the District's benefits enrollment website during open enrollment.

## **F. TEMPORARY DISABILITY LEAVE**

Policy DEC (LOCAL)

### **Certified Employees**

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

Employees must request approval for temporary disability leave. The leave request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days.

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

When an employee is ready to return to work, the Leave Specialist in Administration should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties. Certified employees returning from leave will be reinstated to the school to which they were previously assigned if an appropriate position is available. If an appropriate position is not available, the employee may be assigned to another campus, subject to the approval of the campus principal. If a position is not available before the end of the school year, the employee will be reinstated to a position at the original campus at the beginning of the following school year.

## **G. FAMILY AND MEDICAL LEAVE (FML) - GENERAL PROVISIONS**

Policies DECA (LEGAL), DEC (LEGAL), DEC (LOCAL)

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.

### **Leave Entitlement**

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

### **Benefits and Protections**

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

### **Eligibility Requirements**

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months
- Have at least 1,250 hours of service in the 12 months before taking leave: \*and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

**\*Special hours of service eligibility requirements apply to airline flight crew employees.**

### **Requesting Leave**

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection.

Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

### **Employer Responsibilities**

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

### **Enforcement**

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights. .

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

### **Local Family and Medical Leave Provisions**

Eligible employees can take up to twelve (12) weeks of unpaid leave in the 12-month period beginning on the first duty day of the school year measured forward from the date an individual employee's first FML begins.

#### **Use of paid leave**

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

#### **Combined leave for spouses**

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

#### **Intermittent leave**

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

#### **Fitness for Duty**

An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. If certification of the employee's ability to perform essential job functions is required, the district shall provide a list of essential job functions (e.g., job description) to the employee with the FML designation notice to share with the health care provider.

#### **Reinstatement**

An employee returning to work at the end of FML will be returned to the same position held when the leave began or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FML entitlement, and the district will maintain the employee's group health insurance and reinstate the employee at the end of the leave according to the procedures outlined in policy (see DECA (LEGAL)).

#### **Failure to return**

If at the expiration of FML, the employee is able to return to work but chooses not to do so, the district may require the employee to reimburse the district's share of the insurance premiums paid during any portion of FML when the employee was on unpaid leave. If the employee fails to return to work for a reason beyond the employee's control, such as a continuing personal or family serious health condition or a spouse being unexpectedly transferred more than 75 miles from the district, the district may not require the employee to reimburse the district's share of premiums paid.

#### **District contact**

Employees that require FML or have questions should contact the District Leave Specialist for details on eligibility, requirements, and limitations.

## **H. BEREAVEMENT LEAVE**

Policy DEC (LOCAL)

An employee shall be granted five days of bereavement leave upon the death of the employee's spouse or child and one day of bereavement leave upon the death of any other member of the employee's immediate family. Such leave shall be taken with no loss of pay or other paid leave. For the purpose of this policy, the term "immediate family" shall include spouse, son, stepson, son-in-law, daughter, stepdaughter, daughter-in-law, parents, stepparents, parents-in-law, siblings, step-siblings, siblings-in-law, grandparents, grandchildren, and any person who may be residing in the employee's household at the time of illness or death.

## **I. COMPLIANCE WITH A SUBPOENA**

Policy DEC

An employee shall be granted leave with pay, and without loss of accumulated leave, for jury duty or when complying with a valid subpoena to appear in court. The employee shall be required to present documentation to the supervisor upon return of the service. Failure to submit the proper documentation will result in the use of personal leave for the absence(s). The employee shall be allowed to retain any compensation of this service.

### **Truancy Court Appearances**

An employee who is a parent, guardian of a child, or a court-appointed guardian ad litem of a child who is required to miss work to attend a truancy court hearing may use personal leave or compensatory time for the absence. Employees who do not have paid leave available will be docked for any absence required because of the court appearance.

### **Religious Observance**

The district will reasonably accommodate an employee's request for absence for a religious holiday or observance. Accommodations such as changes to work schedules or approving a day of absence will be made unless they pose an undue hardship to the district. The employee may use any accumulated personal leave for this purpose. Employees who have exhausted applicable paid leave may be granted an unpaid day of absence.

## **J. MILITARY LEAVE**

### **Paid leave for military service**

Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave when engaged in authorized training or duty ordered by proper authority. Paid military leave is limited to 15 days each fiscal year. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

### **Reemployment after military leave**

Employees who leave the District to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g. National Guard or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the District will be reemployed provided they can be qualified to perform the required duties. Employees returning to work following military leave should contact Human Resources. In most cases, the length of federal military service cannot exceed five (5) years.

### **Continuation of health insurance**

Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact the District Employee Benefits Specialist at 281-577-8600 for details on eligibility, requirements, and limitations.

## **K. 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 incident involving an assault is a work-related injury, and should be immediately reported to Human Resources. An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person not-responsible for purposes of criminal liability.



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

## **IV. EMPLOYEE RELATIONS**

### **A. BOARD POLICY MANUAL**

The official Policy Manual of the New Caney ISD Board Members is online at [www.newcaneyisd.org](http://www.newcaneyisd.org) under About NCISD tab.

### **B. JOB DESCRIPTIONS**

Job descriptions have been developed for all positions. All employees should be provided with a copy of their appropriate job description. Additional copies are available through Human Resources. Positions and duties change from time to time; job descriptions will be revised to reflect these changes as soon as possible.

### **C. EMPLOYEE INVOLVEMENT**

Policies BQA, BQB

At both the campus and the district levels, New Caney 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 Deputy Superintendent.

### **D. 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 non-instructional personnel is designed to meet specific licensing requirement (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

### **E. CERTIFICATION AND LICENSES**

Policies DBA, DF

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

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

### **F. RECERTIFICATION OF EMPLOYMENT AUTHORIZATION**

Policy DC

At the time of hire all employees must complete the Employment Eligibility Verification Form (Form I-9) and present documents to verify identity and employment authorization.

Employees whose immigration status, employment authorization, or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact the Secretary of Records, in Human Resources Dept if you have any questions regarding verification of employment authorization.

## **G. PERFORMANCE EVALUATION**

Policy DN Series

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

## **H. HUMAN RESOURCES DEPARTMENT RECORDS**

Policy DBA, GBA

The District shall maintain current and complete personnel records of all employees according to TEA guidelines and local administrative requirements. Employees have the right to review their personnel files on an annual basis. Requests to review personnel files should be coordinated with Human Resources.

- **Until NCISD receives an employee's official service record, the employee will be placed at the minimum salary for the appropriate pay grade.**

### **Personnel Records**

Policy DBA, GBA

The District shall maintain current and complete personnel records of all employees according to TEA guidelines and local administrative requirements. Employees are required to provide a valid Social Security Card upon hire.

To ensure that your personnel file is up-to-date at all times, you agree to keep a current address on file with the District's Human Resources office. You agree that unless Texas Education Code chapter 21 requires a different notice method, you agree that the District may meet any legal obligation it has to give you written notice regarding your employment by hand-delivering the notice to you or by sending the notice by certified mail, regular mail, and/or express delivery service to your address of record with the District.

It is an employee's responsibility to ensure all information within the **TEAMS Employee Service Center** is updated and accurate. The login for TEAMS Employee Service Center is available in the staff section of the district's website. The employee should review "**MY PRIVACY FLAGS**" under personal information in the **TEAMS Employee Service Center**. Privacy flags include, home address, phone numbers, personal email, family members and contacts. Most district records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal email is confidential and may not be released without the employee's permission. Request for address change must be submitted in writing to the Secretary of HR Records.

The choice not to allow public access to this information may be made at **anytime** by reviewing and selecting the "**MY PRIVACY FLAGS**" in the **TEAMS Employee Service Center**.

### **Educators Must Update Their Mailing Address/Name Change**

In accordance with the Texas Administrative Code §230.431 (c) An applicant for or holder of an educator's certificate shall provide the SBEC a current United States mailing address. A certificate applicant or holder shall notify SBEC of a change of address within 45 calendar days of the effective date of such change, unless another rule under this title requires earlier notification.

An educator may update their address and phone number by logging into their Educator Profile on the TEA website at <https://secure.sbec.state.tx.us/SBECOnline/login.asp>

## **I. NOTIFICATION TO PARENTS REGARDING QUALIFICATIONS**

Policies DK, DBA

In schools receiving Title I funds, the District is required by the Every Student Succeeds Act (ESSA) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. ESSA also requires that parents be notified if their child has been assigned, or taught for four (4) or more consecutive weeks by a teacher who Does not meet applicable state certification or licensure requirements.

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

## **J. EMPLOYEE IDENTIFICATION CARD**

Digital photograph identification cards will be issued to all New Caney ISD employees. All employees shall wear the ID card upon reporting to work daily. Cards may be worn either with a clip (provided) or lanyard and must be visible at all times while on duty. Lost or stolen ID badges must be reported and replaced. The employee may be charged a three (\$3) dollar fee for replacement cards. ID cards are the property of NCISD and will need to be turned in upon termination of employment to the Supervisor.

## **K. DISTRICT COMMUNICATIONS**

Electronic mail (E-mail) is available for all employees, and each employee should check her/his email daily for important communication. An acceptable use guideline has been implemented and issued for all employees.

Throughout the school year, the Superintendent's office publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. All schools in our district have individual campus newsletters, or other written information, that go out on their respective campuses at specific times to advise students and their parents of important items.

### **Cellular Telephones**

Some staff members may be provided cellular telephones by the District to utilize as they address their job responsibilities and shall only be used for school district business.

## **L. WORKING WITH THE MEDIA**

Policy GBBA

The District recognizes the need to provide the community accurate and timely information concerning the objectives, achievements, needs, and conditions of district schools and the educational programs. District officials cooperate with news media to ensure complete and accurate coverage of Board meetings. Media activities are not allowed to disrupt the instructional program of the schools.

## **M. EMPLOYEE RECOGNITION**

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings, in the district newsletter and through special events and activities. All retiring employees, Teacher(s) of the Year, and REALITY Award winners will be recognized.

## **N. COMPLAINTS AND GRIEVANCES**

Policies DC, 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 Members have adopted an orderly grievance process. Employees are encouraged to discuss their concerns or complaints with their supervisors or an appropriate administrator at any time. On an informal basis, the District invites any employee to voice concerns to his or her supervisor, without fear of retaliation. Cases of retaliation should be referred to the Superintendent or designee.

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 Members. For additional information, contact Human Resources, or the entire policy may be reviewed on the District's website.

## **O. DISCIPLINARY PROCEDURES**

Policies DF (LEGAL), DFAA, DFAB, DFAC, DFBA, DFBB, DCD (LOCAL), DBAA, DH (LOCAL)

### **Professional Employees**

Disciplinary procedures for professional employees are outlined in Board Policies DFAA (LOCAL) (LEGAL) and DFAA (LOCAL) (LEGAL)

### **Auxiliary and Paraprofessional Employees**

In the event that an employee's performance or conduct falls below acceptable standards, his/her immediate supervisor shall be expected to follow the following guidelines where practicable DCD (LOCAL):

1. Supervisors should immediately contact/notify Human Resources and complete an Incident Notification Form if there is a reasonable suspicion of employee misconduct or unlawful activity (See Policies DF and DH)
2. Investigate the employee's performance or failure to perform
3. Confer with the employee
4. Document the employee's performance or failure to perform, and include, where practicable, the following:
  - a. A determination of the facts
  - b. Application of the facts to law, policy, rule, procedure or directive
  - c. A statement of appropriate disciplinary action, consistent with the seriousness and nature of the offense
  - d. Make suggestions for improvement if the disciplinary action is not a recommendation for termination
  - e. Issue appropriate directives to follow in the future

Failure to follow the above listed guidelines shall be no defense to receipt of an appropriate action by an employee whose performance, failure to perform, or conduct falls below acceptable standards. Disciplinary options are not necessarily administered in this order, nor limited to the following:

- |                               |                              |
|-------------------------------|------------------------------|
| 1. Counseling Session         | 5. Suspension with pay       |
| 2. Written counseling session | 6. Suspension without pay    |
| 3. Oral reprimand             | 7. Demotion or reassignment  |
| 4. Written reprimand          | 8. Termination of employment |

Counseling sessions and reprimands may be issued by an employee's immediate supervisor or higher authority in appropriate circumstances. Where disciplinary action beyond the issuance of a reprimand may be recommended against an employee, an appropriate director (see note below) shall schedule a conference with the employee to review the matter in question, including any written report submitted by the employee's immediate supervisor. After the scheduled conference time, the supervisor shall determine which of the following disciplinary actions, if any, shall be given or recommended. For purposes of discussion regarding disciplinary procedures, supervisor includes:

1. Professional administrator
2. Chief of Police
3. Accounting or Payroll supervisor
4. Transportation Area Coordinators
5. Building, grounds, custodial, child nutrition or vehicle maintenance supervisors

Directors have the authority to take any of the above-listed disciplinary actions against an employee, with the exception of suspension, demotion, reassignment, or termination of employment, and shall so notify Human Resources of action beyond an oral reprimand. Where appropriate, the director/supervisor shall recommend to the Superintendent or designee that the employee be suspended, demoted, reassigned, or that the employee's employment be terminated as a disciplinary measure.

The Superintendent and Deputy Superintendent have the authority to take any of the above-listed disciplinary procedures, where necessary and appropriate, including the authority to terminate employment. The Superintendent or Deputy Superintendent shall review all available information and any recommendation by the employee's director/supervisor before the employee is terminated. The Superintendent or Deputy Superintendent may require or offer a conference or hearing with the employee. The Superintendent or Deputy Superintendent may either accept or reject any recommendation of a director or supervisor, and may terminate or take any lesser disciplinary action based on the written record and any conference with the employee. The employee will be advised of any final decision.

#### **P. EXAMPLES OF OFFENSES/CONDITIONS SUBJECT TO DISCIPLINARY ACTIONS**

Employees shall strive to create an atmosphere that is conducive to the fulfillment of the educational mission of the District. All employees shall be expected to meet and maintain a reasonable level of performance and conduct. When an employee demonstrates an inability or failure to meet or maintain reasonable standards, appropriate corrective action shall be taken as soon as possible. Such action, whenever possible, shall be directed toward resolving personal and work-related problems which interfere with the employee's effectiveness. In appropriate cases, disciplinary action may be taken against employees who fail to meet or maintain such standards. The following non-exclusive examples of offenses/conditions for which an employee may be terminated, nonrenewed, suspended or placed on probation are:

1. Deficiencies pointed out in observation reports, appraisals or evaluation, supplemental memoranda, or other communications
2. Failure to report any arrest, indictment, conviction, no contest or guilty plea, or other adjudication for any felony, any crime involving moral turpitude, or other offense listed at Policy DH (LOCAL)
3. Conviction of or deferred adjudication for any felony, any crime involving moral turpitude, or other offense listed at DH (LOCAL); and conviction of a lesser included offense pursuant to a plea when the original charged offense is a felony
4. Intentionally or knowingly harming or threatening to harm another in retaliation for, or on account of, the service of such other person as a public servant, witness, prospective witness or informant
5. Assaulting anyone on school property or at any school-related event or during any work period. Any of the following actions constitute an assault:
  - a. Intentionally, knowingly, or recklessly causing bodily injury to another
  - b. Intentionally or knowingly threatening another with imminent bodily injury
  - c. Intentionally or knowingly causing physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative
6. Stealing or misappropriation of district property or the property of other employees.
7. The abuse, misuse, or deliberate destruction (malicious mischief) or damaging of district property or the property of other employees
8. Altering or tampering with government documents, time cards, sign-in/out rosters, dishonest time reporting or other report documents relative to attendance, promptness, performance, departures or arrivals
9. Employees shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:
  - a. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate
  - b. Alcohol or any alcoholic beverage
  - c. Any abusable glue, aerosol paint, or any other chemical substance for inhalation
  - d. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs

- An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance
10. Any illegal possession, use, manufacture, or distribution of a controlled substance, a drug, a dangerous drug, hallucinogen, or other substances regulated by state statutes shall result in a possible recommendation of proposed nonrenewal of an employee's term contract and termination of employment

11. Except as provided at Education Code 38.011 (b), a District employee may not:
  - a. Knowingly sell, market, or distribute a dietary supplement that contains performance-enhancing compounds to a primary or secondary education student with whom the employee has contact as part of the employee's duties
  - b. Knowingly endorse or suggest the ingestion, intranasal application, or inhalation of a dietary supplement that contains performance-enhancing compounds by a primary or secondary student with whom the employee has contact as part of the employee's duties

An employee who violates items 12a or 12b commits a Class A misdemeanor offense
12. According to the provisions of TEC 38.016 district employees are prohibited by state law from doing the following:
  - a. Recommend that a student use a psychotropic drug
  - b. Suggest a particular diagnosis
  - c. 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.
13. Insubordination, including (but not limited to) the following examples:
  - a. Refusal to perform an assigned task (NOTE: refusal to perform an assigned task that is immoral, illegal or unreasonably unsafe is not an act of insubordination)
  - b. Refusal to report to an assignment
  - c. Leaving the job without proper authorization
  - d. Absent from assigned job site without proper leave or authority
  - e. Intentionally failing to follow the instruction of an assigned supervisor or foreman
  - f. Any other action or failure to act demonstrating an unwillingness to submit to lawful authority
  - g. Failure or refusal to comply with policies, orders and directives of the Board or the Superintendent and/or assistants
  - h. Refusal to sign acknowledgement of receipt of a district document.
14. Disorderly, disruptive or immoral conduct on district premises.
15. Creating or contributing to a hostile environment in the workplace.
16. Making or publishing of false, vicious, or malicious statements concerning any employee or supervisor of the District.
17. Making, presenting, or using any record or document with knowledge of its being false and with the intent that it be taken as a genuine governmental record.
18. Making false statements during investigations or when applying for employment, promotion, or a workers' compensation claim, regardless of when the falsification is discovered.
19. Performing work, either full or part-time, either for pay or otherwise, for an employer or for himself/herself, in violation of medical restrictions when the employee is off-duty due to illness or injury.
20. Falsifying or misrepresenting his/her physical condition or disability as worse than it is when the employee is off-duty due to illness or injury.
21. Failing or refusing to follow the instructions of the treating physician when the employee is off-duty due to illness or injury.
22. Failing to report for an examination or treatment as directed by the treating physician or by the District representative when the employee is off-duty due to illness or injury.
23. Refusing to return to regular or restricted duty when authorized by a treating physician and offered by the District.
24. Falsifying or refusing to give testimony concerning accidents involving district vehicles, job related injuries, or other accidents and/or incidents under official investigation.
25. Failure to report a personal job related injury and/or accident to the supervisor within two (2) hours of the occurrence.
26. Health conditions or mental incapacity which interferes with the employee's performance of regular duties or pose a threat to the employee or others (except as prohibited by ADA).
27. Use of profanity in the course of performing any duties of employment, whether on or off school premises, in the presence of students, staff, or members of the public, if reasonably characterized as unprofessional.
28. Failure to maintain an effective working relationship, or maintain good rapport, with parents, the community, or colleagues.
29. Horseplay, dangerous pranks or other scuffling, running, throwing things, disregard for the safety and comfort of others, and gross or habitual carelessness or recklessness
30. Disregarding safety or security guidelines including wearing appropriate attire and shoes.
31. Accidents while on duty where driver is determined to be at fault by local law enforcement or by Department of Public Safety.
32. Failure to maintain a valid driver's license if operating a school district vehicle.

33. Driving a district or personal vehicle during working hours with a revoked or suspended driver's license
34. Possession of any pornographic or sexually explicit materials on district property.
35. Removal of district property from the District without proper authorization, examples of which include:
  - a. District vehicles
  - b. District equipment and/or supplies
  - c. District employee lists, records or official information of any nature
36. Unauthorized use of district property for personal purposes.
37. Theft or unauthorized destruction of property from co-workers, students or the District.
38. Failure to meet regular and predictable attendance requirements as set forth by the campus or the district (excessive absences), habitual tardiness or lack of promptness in responding for assigned duties.
39. An employee who is "absent without notification" for 1 or more consecutive days.
40. Failure of the employee to use his or her best efforts in carrying out any one or more professional duties and responsibilities.
41. Unsatisfactory performance of assigned duties.
42. Engaging in conduct constituting harassment.
43. Romantic or inappropriate social relationships between students and district employees are prohibited.
44. Conduct or behavior which rises to the level of "good cause" as may be determined by the Superintendent or designee (Deputy Superintendent).
45. Any activity, school connected or otherwise that, because of publicity given it, or knowledge of it among students, faculty, and community, impairs or diminishes the employee's effectiveness in the District.
46. Violating or failing to follow any of the standards, requirements and/or prohibitions set out in this administrative policy or in official Board policy.
47. Failing a physical examination if required by State or Federal law (i.e., bus drivers).
48. Failure to report known illegal activities to your supervisor and/or proper authorities.
49. Failure to use available technology appropriately.
50. Failure to complete certification requirements, and failure to comply with reasonable District requirements regarding advanced coursework or professional improvement and growth
51. Repeated or continuing neglect of duty.
52. Physical or verbal abuse of students, parents, or coworkers.
53. Final conviction of any misdemeanor that impacted, or may impact, performance of one's job.
54. Intentionally or knowingly harming or threatening to harm another in retaliation for, or on account of, the service of such other person as a public servant, witness, prospective witness, or informant.
55. Inability to maintain discipline in any situation in which the employee is responsible for the oversight and supervision of students.
56. Conducting personal business during school hours when it results in neglect of duties.
57. Failure to comply with reasonable district requirements regarding advanced coursework or professional improvement and growth.
58. Failure to provide fitness for duty certification when required to do so.
59. Any attempt to encourage or coerce a child to withhold information from the child's parent or from other district personnel.
60. Violating assessment instrument security procedures.
61. Inefficiency, incompetency, or inability to perform assigned duties.
62. Failure to work in a spirit of cooperation and teamwork.
63. Failure to report student complaints of sexual harassment, abuse, neglect or bullying as outlined in Policies FFG (LEGAL), FFH, FFI (LOCAL).
64. Use of a computer, school mail, or any other means of communication in a manner that is harassing, offensive, or disruptive to school operations.
65. Failure to cooperate with a district or campus investigation.
66. Failure to maintain confidentiality.
67. Failure to observe all safety rules and keep work area clean and orderly.

As mentioned elsewhere in this handbook, all auxiliary and paraprofessional employment relationships with the District are on an at-will basis. Although the District hopes that its relationship with employees is long-term and mutually rewarding, the District reserves the right to terminate an employment relationship at any time.



## V. EMPLOYEE CONDUCT AND WELFARE

### A. STANDARDS OF CONDUCT

Policy DH

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

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

The Educators' Code of Ethics adopted by the Texas Education Agency, which all district employees must adhere to, is reprinted below.

### B. TEXAS EDUCATORS CODE OF ETHICS

#### **Purpose and Scope**

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

#### **Enforceable Standards**

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

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

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

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

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

**Standard 1.5** The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional

judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.

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

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

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

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

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

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

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

**Standard 1.13** The educator shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.

**Standard 1.14** The educator shall not assist another educator, school employee, contractor, or agent in obtaining a new job as an educator or in a school, apart from the routine transmission of administrative and personnel files, if the educator knows or has probable cause to believe that such person engaged in sexual misconduct regarding a minor or student in violation of the law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Employee Arrests, Indictments, Convictions and Other Adjudications**

Policies DH, DBAA (LOCAL)

An employee shall notify his or her principal or immediate supervisor within three (3) calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony, any offense involving moral turpitude and any of the other offenses listed below:

1. Crimes involving school property or funds
2. Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator
3. Crimes that occur wholly or in part on school property or at a school-sponsored activity
4. Crimes involving moral turpitude, which shall include, but shall not be limited to
  - Dishonesty, fraud, deceit, theft, misrepresentation
  - Deliberate violence
  - Base, vile or depraved acts that are intended to arouse or gratify the sexual desire of the actor
  - Drug - or alcohol-related offenses; or
  - Acts constituting abuse under the SBEC rules
  - Crimes involving any felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution or conspiracy to transfer, sale, distribute any controlled substance
  - Felonies involving driving while intoxicated (DWI)

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

Examples of offenses that involve moral turpitude include, but are not limited to;

- Arson
- Forgery
- Public Lewdness
- Prostitution
- Theft
- Sexual Offenses
- Swindling
- Any crime involving assault of, or indecency with, a child
- Drug - or alcohol - related offenses

The District shall obtain, interpret, and respond to criminal history information on employees in accordance with the law, local policy, and the administrative regulations. (See Policy DBAA)

### **C. DRESS CODE**

Policy DH (LOCAL)

An employee's dress and grooming shall be clean, neat, in a manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors and approved by the Superintendent. The dress code can be located on p.66 of the New Caney ISD Employee Handbook.

#### **D. PERSONAL RELATIONSHIPS AT WORK**

When relatives or persons involved in a dating relationship work in the same area of an organization, it may cause problems at work. In addition to claims of favoritism and morale issues, personal conflicts from outside can sometimes carry over to work.

For purposes of this handbook, we define a relative as any person who is related to you by blood or marriage, or whose relationship with you is similar to that of a relative. A dating relationship is defined as a relationship that might reasonably be expected to lead to a consensual "romantic" or sexual relationship. This policy applies to all employees regardless of their gender or sexual orientation.

The New Caney ISD also reserves the right to take quick action if an actual or potential conflict of interest arises involving relatives or persons involved in a dating relationship who are in positions at any level (higher or lower) in the same authority that may affect the review of employment decisions.

If two employees become relatives, or start a dating relationship and one of them supervises the other, the one who is the supervisor is required to inform the Superintendent about the relationship. The New Caney ISD will then ask the two employees to decide which one of them is to be transferred to another available position. If they do not make that decision within 30 calendar days, the New Caney ISD will decide which one will be transferred or, if necessary, terminated from employment.

There may also be situations when there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct reporting relationship or authority involved. In that case, The New Caney ISD may separate the employees by reassignment or termination of employment. If you are in a close personal relationship with another employee, we ask that you avoid displays of affection or excessive personal conversation at work.

#### **E. CONFLICT OF INTEREST**

Policies CB, DBD

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

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

Employees should contact their supervisor for additional information.

#### **F. GIFTS AND FAVORS**

Policy DBD

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

#### **G. 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
- Failure to provide financial records required by federal, state or local entities
- Failure to disclose conflicts of interest as required by law or District policy
- Any other dishonest act regarding the finances of the District
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards

A locked box is located at the main entrance of the administration building for the anonymous reporting of fraud. Also, an employee may make an anonymous report regarding security and fraud issues to safeschools@newcaneyisd.org.

#### **H. USE OF TECHNOLOGY EQUIPMENT**

Procedures governing use of district technology equipment, software, and internet access are addressed under a separate Acceptable Use Guideline available at the end of this document. Electronic mail transmissions and other use of the District Systems are not confidential and can be monitored at any time to ensure appropriate use. The Employee Technology Usage Form covers employee financial responsibility for district technology, this form is now included in the Acceptable Use Guidelines. A complete copy of the form is found at the end of this handbook.

#### **I. PURCHASING PROCEDURES**

Policy CH

Purchasing for the District shall be made on the basis of price and quality. When quality is equal, purchase shall be made from the firm offering the best and lowest price. Specifications for proposed purchase shall be such as to obtain maximum competition.

Expenditure of budgeted funds shall be made in accordance with district purchasing guidelines. No employee or group may open an account with a creditor or financial institution in the name of the District, purchase, agree to purchase, or in any way commit district funds except via procedures approved by the Superintendent, his designee (Deputy Superintendent) or the Executive Director of Finance. Violation of these procedures will be considered insubordination and the employee or group may be subject to disciplinary action, including reimbursement of purchase price and termination of employment.

Employees shall not sign documents indicating receipt of property on behalf of the District unless, in fact, the property has been received. Exceptions to these procedures must be approved by the Superintendent or designee (Deputy Superintendent) in coordination with the Executive Director of Finance.

No employee or outside organization may use the District's name, documents, or tax exempt status to avoid personal payment of sales tax.

**All purchases of Technology Equipment (i.e. printer, computers, monitors, cameras, TVs, etc.) will be shipped to the Technology Building located at the following address:**

**New Caney ISD Technology Department  
20340 FM 1485  
New Caney, Texas 77357**

**This is to facilitate proper inventory and setup of said equipment**

## **J. INVENTORY OF DISTRICT PROPERTY**

District property is inventoried regularly. Inventories of selected district property may occur at any time. Employees and groups are expected to participate in any inventory of district property assigned to them.

Employees are responsible for reporting to their supervisor and the business office, any damage or disappearance of district property assigned to them.

Employees moving to a different campus within the District are responsible for creating a work order for the technician at their new campus to ensure their devices are moved to the proper location within the inventory system and configured appropriately.

## **K. SALE OR DISPOSAL OF DISTRICT PROPERTY**

Policy CI (LOCAL)

No employee may sell, exchange (trade in), or dispose of district property without first receiving approval from the Superintendent or designee.

Employees and other parties may submit bids for obsolete or surplus district property by submitting a written request through the maintenance department. No district property may be sold, however, unless it is certified in writing to be obsolete or surplus and approved for sale by administrators designated by the Superintendent prior to the completion of sale. All documentation and monies related to the sale will be forwarded to the Finance Department.

Disposal of Technology Equipment will be handled through the Technology Inventory and Procurement Manager. A work order must be submitted to the campus technician for pickup of all Technology Equipment to be recycled.

## **L. OUTSIDE EMPLOYMENT**

Policy DBD

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

## **M. FINANCIAL POSITIONS IN PTA/BOOSTER CLUBS**

While employees are encouraged to participate in PTA, booster clubs, and other outside organizations that support students and district activities, no full-time district employee is permitted to sign checks on behalf of these organizations. The purpose of this restriction is to protect the financial interests of the District.

No outside organization may use the District's or school's name, documents, or tax exempt status to avoid payment of sales tax.

## **N. DISCRIMINATION, HARASSMENT AND RETALIATION**

Policies DH, DIA

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

Individuals who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or the district's Title IX Coordinator (Scott Castleberry, Executive Director of Student/Staff Services). If the campus principal, supervisor, or district official is the subject of a complaint, the complaint should be made directly to the Superintendent. A complaint against the Superintendent may be made directly to the Board.

## **Bullying**

### Policy FFI

“Bullying” means engaging in written or verbal expression, expression through electronic means or physical conduct that occurs on school property, at a school-sponsored or school-related-activity, or in a vehicle operated by the district that:

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

Conduct described in the definition of “bullying” is considered bullying if the conduct:

1. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
2. Interferes with a student's education or substantially disrupts the operation of a school.

Bullying is prohibited by the district and could include hazing, threats, taunting, teasing, assault, demands for money, confinement, destruction of property, theft of valued possessions, name-calling, rumor-spreading, and ostracism. In some cases, bullying can occur through electronic methods, called “cyberbullying”

## **Reporting Procedures**

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, counselor, principal, or another district employee as soon as possible. Reports may be made through the link provided on the District's and campuses website.

The administration will investigate any allegations of bullying and will take appropriate disciplinary action if an investigation indicates that bullying has occurred. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying.

Any retaliation against a student who reports an incident of bullying is prohibited.

A copy of the District's policy is available in the principal's office, superintendent's office, and on the District's website. Procedures related to reporting allegations of bullying may also be found on the District's website.

A student or parent who is dissatisfied with the outcome of an investigation may appeal through policy FNG (LOCAL).

## **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 from school, must submit documentation to the attendance office within 72 hours. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

## **Harassment of Students**

### Policies DF, DH, FFG, FFH, FFI

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 appropriate district official. All allegations of prohibited harassment or abuse of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See Reporting Suspected Child Abuse for additional information.

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

1. Behavior, gestures, expressions, communications, or pattern of communication with a student that is unrelated to the educator’s job duties and that may reasonably be interpreted as encouraging the student to form an ardent or exclusive emotional attachment to the educator, including statements of love, affection, or attention. When evaluating whether communications constitute the solicitation of a romantic relationship, the following may be considered
  - a. The nature of the communications
  - b. The timing of the communications
  - c. The extent of the communications
  - d. Whether the communications were made openly or secretly
  - e. The extent to which the educator attempted to conceal the communications
  - f. If the educator claims to be counseling a student, TEA staff may consider whether the educator’s job duties including counseling, whether the educator reported the subject of the counseling to the student’s guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate law enforcement agencies and
  - g. Any other communications tending to show that the educator solicited a romantic relationship with a student.
2. Making inappropriate comments about a student’s body.
3. Making a sexually demeaning comment to a student.
4. Making comments about a student’s potential sexual performance.
5. Requesting details of a student’s sexual history.
6. Requesting a date.
7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.
8. Inappropriate hugging, kissing, or excessive touching.
9. Suggestions that a romantic relationship is desired after the student graduates, including post- graduation plans for dating or marriage.
10. Any other acts tending to show that the educator solicited a romantic relationship with the student, including providing the student with drugs.

#### **O. ASSOCIATIONS AND POLITICAL ACTIVITIES**

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, and hours of employment or conditions of work.

Use of district resources, including work time, for political activities is prohibited.

#### **P. USE OF MEDICATION**

All employees who serve in safety-sensitive positions and who are using a prescription or nonprescription drug that might adversely affect their ability to perform their duties safely must notify their supervisors prior to the start of the work period. The appropriate supervisor may require the employee to provide a doctor’s statement regarding any safety concerns arising from the employee’s use of the drug while serving in the position in question. For purposes of the foregoing requirements, a safety-sensitive position is defined as follows:

1. Any position that involves the operation or use of a district bus or other motor vehicle.
2. Any position that involves the operation of any potentially dangerous equipment.
3. Any position that involves the handling or use of hazardous substances.

The foregoing requirements are intended to protect the safety of all persons, including students, parents, employees, and visitors.



## **Q. ALCOHOL AND DRUG ABUSE PREVENTION**

Policy DH

New Caney ISD is committed to maintaining an alcohol-and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the workplace and at school-related or school-sanctioned activities on or off school property. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. The district's policy regarding employee drug use follows Policy DH - <https://pol.tasb.org/Policy/Code/914?filter=DH>

### **Drug-Free Workplace Notice**

Policies, DH, DHE, DI (EXHIBIT)

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace.

Employees who violate the prohibition shall be subject to disciplinary sanctions. Sanctions may include:

- Referral to drug and alcohol counseling or rehabilitation programs;
- Referral to employee assistance programs;
- Termination from employment with the District; and
- Referral to appropriate law enforcement officials for prosecution.

As a condition of employment, an employee shall:

- Abide by the terms of this notice; and
- Notify the Superintendent, in writing, if the employee is convicted for a violation of a criminal drug statute occurring in the workplace. The employee must provide the notice in accordance with Policy DH (LOCAL).

[This notice complies with the requirements of the federal Drug-Free Workplace Act (41 U.S.C. 702).]

## **R. REPORTING SUSPECTED CHILD ABUSE**

Policy FFG

All employees are required by state law to report any suspected child abuse or neglect, as defined by Texas Family Code 26.001, 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.

Reports to Child Protective Services can be made to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to, or rely on, another person to make the report. Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the District is prohibited from retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

Employees are also required to make a report if they have cause to believe that an adult was a victim of abuse or neglect as a child and they determine in good faith that the disclosure of the information is necessary to protect the health and safety of another child or person with a disability.

An employee's failure to report suspected child abuse may result in prosecution as 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 Texas Educators' Code of Ethics.

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

Reporting the concern to the Principal does not relieve the employee of the requirement to report it to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. Interference with

a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited. All employees should read Policy FFG.

## **S. SEXUAL ABUSE AND MALTREATMENT OF CHILDREN**

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

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

## **T. REPORTING CRIME**

Policy DG

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

## **U. TOBACCO PRODUCTS, E-CIGARETTE, AND VAPORIZING DEVICE USE**

Policies DH, GRA, GNCD

State law prohibits smoking, using tobacco products and smokeless products, electronic cigarettes, and any other electronic vaporizing device on all district-owned property and at school-related or school-sanctioned activities, on or off school property. 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, using tobacco products or e-cigarettes while inside the vehicle. Notices stating that smoking is prohibited by law and punishable by a fine are displayed in prominent places in all school buildings.

## **V. SEARCHES AND ALCOHOL AND DRUG TESTING**

Policy DHE, CQ

Non-investigatory 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 technology resources, lockers, and private vehicles parked on district premises or work sites or used in district business.

### **Employees Required to have a Commercial Driver's License**

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

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, when an employee returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following accidents. Return-to-duty and follow-up testing will be conducted when 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 who 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 testing policies and related educational materials should contact the Director of Transportation.

**W. SAFETY**  
Policy CK Series

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

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

While driving on district business, employees are required to abide by all state and local traffic laws. Employees driving on district business are prohibited from texting and using other electronic devices that require both visual and manual attention while the vehicle is in motion. Employees will exercise care and sound judgment on whether to use hands-free technology while the vehicle is in motion.

Employees with questions or concerns relating to safety programs and issues can contact the Executive Director of Operations.

**X. WORK-RELATED INJURIES**

All injury accidents occurring while at work shall be reported within one (1) day of this injury and an accident report shall be completed. Delay in reporting may be detrimental to the employee's ability to receive full value of workers' compensation.

The District may fill a position if an employee is out more than twelve (12) weeks (the employee at this time is classified as an inactive employee). Upon full release from the doctor to return to work, the employee will be offered their position or an equivalent position. If no position is available, the employee will be considered for the first position available for which they are qualified.

**Y. SOLICITING**

No outside organization of any sort may solicit contributions of any type from students in the school.

**Z. HEALTH SAFETY TRAINING**  
Policies DBA, DMA

Certain employees who are involved in physical activities for students must maintain and submit to the District proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification. The Superintendent shall maintain complete and accurate records of the District's compliance and the District shall make available to the public proof of compliance for each person employed by or volunteering for the District who is required to receive safety training.

Directors, coaches, and sponsors are responsible for maintaining proof of compliance.

**AA. COPYRIGHTED MATERIALS**  
Policy CY

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

**BB. CHARITABLE CONTRIBUTIONS**

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

**CC. ASBESTOS MANAGEMENT PLAN**

Policy CKA

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

**DD. PEST CONTROL TREATMENT**

Policy CLB, DI

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

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

**EE. EQUAL EDUCATIONAL OPPORTUNITIES**

Policies FB, FFH, DAA, DIA

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

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

## VI. GENERAL PROCEDURES

### A. CALENDAR INFORMATION

The academic calendar for the current school year is provided on the District's website.

### B. SCHOOL CLOSINGS FOR BAD WEATHER/EMERGENCIES

Policies CKC, CK

The Superintendent or designee (Deputy Superintendent) has the authority to dismiss school for a part of a day or for longer periods of time, if necessary, in case of unusual or emergency situations. During actual emergency conditions, students and faculty will be retained at the school buildings unless otherwise directed by the Superintendent or designee (Deputy Superintendent). In case of torrential rainfall, school may be dismissed before flood waters cover bridges and low-lying areas in the District. If early dismissal is required, parents will be notified by radio and television. If severe weather conditions develop after the end of the school day, or before school opens, the next day, parents should listen to the following stations for announcements concerning dismissal of school: Radio stations KILT-610 AM/100 FM, KIKK-650 AM/95.7 FM, KPRC-950 AM, KSBJ-89.3 FM, KSTAR-99.7 FM, and KTRH-740 AM; TV stations KPRC-Channel 2, KHOU-Channel 11, KTRK-Channel 13, and KXLN-Channel 45.

Weather days are included in the school calendar. All unused weather days will be used as holidays during the school year.

Reference to school closings for bad weather/emergencies are found in the NCISD Crisis Management Procedures located in each campus/department main office.

Each school shall have effective emergency procedures that can be implemented on short notice and that will ensure optimum safety for students and school personnel.

### C. EMERGENCIES

Policies CKC, CKD

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

### D. SECURITY

Policy CLA (LEGAL)

Procedures have been implemented to ensure the safety and welfare of students, employees, and school property. The Board Members shall ensure the security of all students, employees, and property owned by the District.

To ensure the safety and welfare of students and employees, the following safety plan will be required across the district:

- Exterior doors will be locked. Classroom doors will be locked when closed or open
- Employee ID badges are worn and visible
- Supervision and monitoring in assigned locations is required

Employees are responsible for securing all campus and district facilities. Employees are expected to adhere to all campus/district facilities security and safety plans.

Disciplinary action may be taken against employees who fail to meet or maintain district expectations and/or policy regarding security and student safety.

Any breach of campus or district facilities (Allowing, assisting, promoting, or in any way or manner facilitating unauthorized entry) will result in appropriate disciplinary action by the supervisor.

#### **E. BUILDING AND FACILITY USE**

Policies DGA, GKD

The Board has chosen to exercise its authority to fix and collect rentals, rates, and charges from students and others for the occupancy or use of the District's gymnasiums, stadiums, or other recreational facilities, in such amounts and in such manner as determined by the Board Members. Requests for use of district facilities or equipment should be coordinated with the maintenance department and administration.

#### **F. CONFIDENTIALITY OF RECORDS**

Employees are required to protect sensitive and confidential information. Before departing in the evening, employees should lock all files and cabinets containing sensitive or confidential information.

#### **G. STUDENT RECORDS**

Policy FL (LOCAL)

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

The student handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the student's principal for assistance. Subpoenas for student records should be immediately forwarded to the Director of Communication & Community Relations.

#### **H. PARKING PERMITS**

Policy CLC

The Board Members may provide for the issuance and use of suitable vehicle registration and identification insignia. The Board Members may suspend the permit or bar any vehicle from driving or parking on any school property for the violation of any rule or regulation promulgated by the Board Members. Reinstatement of the privilege may be permitted and a reasonable fee assessed.

#### **I. VOLUNTEERS**

Policy GKG (LEGAL)

This section applies to a volunteer or person who has indicated, in writing, an intention to serve as a volunteer with the District or shared services arranged. [See DBAA for definitions and provisions regarding confidentiality, consumer credit reports, records retention, and criminal history record checks of employees]. This section does not apply to a person who volunteers or is applying to volunteer with the District or shared services arrangement if the person:

1. Is the parent, guardian, or grandparent of a child who is enrolled in the District or school for which the person volunteers or is applying to volunteer
2. Will be accompanied by a District employee while on a school campus; or
3. Is volunteering for a single event on the school campus

The District may obtain all criminal history record information that relates to an individual listed in this subsection.

A volunteer may not perform any volunteer duties until:

1. The volunteer has provided to the District a driver's license or another form of identification containing the person's photograph issued by an entity of the United States government; and
2. The District has obtained the Texas Department Public Safety (DPS) and may obtain from any other law enforcement agency, criminal justice agency, or private consumer reporting agency all criminal history record information that relates to a volunteer.

\*An employee shall be designated by the principal/supervisor to monitor the volunteer/visitor's entry, whereabouts while on campus, and exit.

## **J. VISITORS**

Policy GKC (LOCAL and LEGAL)

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.

Prominent notices shall be posted at each campus requiring all visitors to first report to the campus administrative office. This shall apply to parents, Board members, volunteers, social service workers, invited speakers, maintenance and repair persons not employed by the District, vendors, representatives of the news media, former students, and any other visitors.

Visits to individual classrooms during instructional time shall be permitted only with the principal's and teacher's approval and such visits shall not be permitted if their duration or frequency interferes with the delivery of instruction or disrupts the normal school environment.

The Superintendent, working with campus administrators, shall develop and implement procedures regarding campus visitors who are identified as sex offenders. These procedures shall address:

1. Parental rights;
2. Escort by District personnel;
3. Access to common areas of the campus;
4. Access to classrooms;
5. Drop off and release of students;
6. Eligibility to serve as volunteers; and
7. Any other relevant issues.

The District may require a person who enters a District campus to display the person's driver's license or another form of identification containing the person's photograph issued by a governmental entity.

The District may establish an electronic database for the purpose of storing information concerning visitors to District campuses. Information stored in the electronic database may be used only for the purpose of District security and may not be sold or otherwise disseminated to a third party for any purpose.

The District may verify whether a visitor to a District campus is a sex offender registered with the computerized central database maintained by the Department of Public Safety as provided by Code of Criminal Procedure 62.005 or any other database accessible by the District.

The Board shall adopt a policy regarding the action to be taken by the administration of a school campus when a visitor is identified as a sex offender. *Education Code 38.022*

Each district receiving assistance under the ESEA shall provide military recruiters the same access to secondary school students as is provided generally to post-secondary educational institutions or to prospective employers of those students. *20 U.S.C. 7908*

\*An employee should be designated by the principal/supervisor to monitor the volunteer/visitor's entry, whereabouts while on campus, and exit.

## VII. ACCEPTABLE USE GUIDELINE

### New Caney Independent School District Employee Handbook Electronic Communications System

The Internet is an electronic highway connecting millions of computers all over the world and millions of individual subscribers coordinated through a complex association of government agencies and regional and state networks. Teachers, students and staff have access to worldwide information resources through the use of the internet. The District's goal in providing these services is to promote educational excellence in the schools by facilitating research, resource sharing, and innovation, and communication.

The smooth operation of the District Technology System relies upon the proper conduct of the end users who must adhere to strict guidelines. These guidelines are specified in the Acceptable Use Guideline (AUG) so that each user is aware of the responsibilities that he or she is about to undertake. Guidelines are considered the same as rules in this instance.

The use of the District Technology System is a privilege, not a right. Should a District user violate any of these provisions, his or her account may be terminated, future access may be denied, and disciplinary actions may be taken. In addition, all users are held responsible for understanding that the inappropriate use of the communication system may be a violation of state, federal, and local laws, including but not limited to: Section 1030 of Title 18 of the United States Code Fraud and Related Activity in Connection With Computers, as well as the Texas Computer Crimes Statute, Section 1, Chapter 33.02 of Title VII of the Texas Penal Code, Breach of Computer Security and Section 16.04 of Title IV of the Texas Penal Code Unlawful Access to Stored Communications. Violations can lead to investigation and prosecution by law enforcement agencies. Under State Statute S41.001, Parental Liability, parents can also be held responsible for damage caused by a minor child.

For the purpose of this document, any reference to the District System will refer to the District's networks, Internet or any configuration of hardware and software. Throughout this document the District System includes but is not limited to the following:

- Chromebooks and tablets
- Computer hardware and peripherals
- Device monitoring systems
- Digitized information including stored text, data files, email, digital images, and video and audio files
- District filtered Wi-Fi
- District provided Internet access
- Email accounts
- Internally or externally accessed databases, applications, or tools (Internet or District server based)
- Servers
- Software including operating system software and application software
- Telephones, cellular telephones, and voicemail technologies and
- New technologies as they become available.

#### **Liability**

With access to computers and people all over the world also comes the availability of materials that may not be considered to be of educational value in the context of the school setting. The District will strictly enforce rules that restrict access to objectionable material. The District will make every effort to filter and block inappropriate material; however, on a global network, it is impossible to control all materials. The District believes that the valuable information available on the worldwide network far outweighs the possibility that users may see or access materials that are not consistent with the educational goals of the District. Opinions, advice, services and all other information available on the Internet are for informational purposes and are not guaranteed to be correct. Users are urged to seek professional advice for specific individual situations.

New Caney ISD does not warrant the functions or services of the District Technology System. Resources are provided on an "as is, as available" basis. Staff, students, and community members agree to indemnify and hold harmless New Caney Independent School District for any liability arising out of any violation of The Acceptable Use Guidelines (AUG).



## **Acceptable Use Guideline**

Policy CQ (LOCAL)

Access to the District's Technology System is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations governing use of the system and shall agree in writing to allow monitoring of their use and to comply with such regulations and guidelines. Noncompliance may result in suspension of access or termination of privileges and other disciplinary action consistent with District policies. [See DH, FN Series, FO Series, and the Student Code of Conduct]. Violations of law may result in criminal prosecution as well as disciplinary action by the District

The New Caney Independent School District makes a variety of communications and information technologies available to students and employees through Network/Internet access. These technologies, when properly used, promote educational excellence in the District by facilitating resource sharing, innovation, and communication. Illegal, unethical, or inappropriate use of these technologies can have dramatic consequences, harming the District, its students, and its employees.

These Acceptable Use Guidelines are intended to minimize the likelihood of such harm by educating New Caney ISD students and employees and setting standards. Network/Internet access is available to students, teachers, and staff in the New Caney Independent School District as a privilege, not a right. The expectations of the District are that all network users will comply with the guidelines outlined below:

### **Personal Use of District Electronic Resources**

The district's technology resources, including its networks, computer systems, email accounts, devices connected to its networks, and all district-owned devices used on or off school property are primarily for instructional and administrative purposes and in accordance with administrative regulations.

Limited personal use of the District's technology resources shall be permitted if the use:

1. Imposes no tangible cost on the District
2. Does not unduly burden the District's technology resources
3. Has no adverse effect on an employee's job performance or on a student's academic performance

### **Bring Your Own Technology**

New Caney ISD is now allowing staff the option to Bring Your Own Technology (BYOT). Staff may use a personal device in place of (or along with) their district assigned devices if they choose. New Caney ISD reserves the right to deny access to personal devices due to potential harm to the District Technology System including personal printers.

**If a personal device is damaged or stolen while on NCISD property, NCISD is not liable for the replacement or repair of any personal device. NCISD will not be responsible for working on employee's personal devices or any damage to employee's personal devices. All data and/or SMS/MMS (texting) charges are the responsibility of the employee and will not be reimbursed by NCISD.**

Employees understand that for their personal devices to be compatible with the NCISD BYOT initiative, some software may need to be installed on the devices. Employees will only have access to the faculty and guest wireless services that NCISD has provided. Employees will not have access to the wired network. Employees should understand that Internet access on personal devices will still be filtered by the NCISD content filter when they are connected to the faculty or guest wireless services. Employees using personal devices on the NCISD wireless networks are governed by the NCISD Acceptable Use Guidelines.

### **Overview**

The District expects that teachers will blend thoughtful use of the Internet throughout the curriculum and will provide guidance and instruction to students in its use at all times that students utilize the Internet. The District also expects

the prudent exercise of good judgment by administration, support staff, and teachers while using the District System in the day-to-day administration of their employment with New Caney ISD and in the classroom environment.

As much as possible, student access to Internet resources will be structured in ways that point to those resources that have been evaluated prior to use by the District's Digital Learning Department. While students will be able to move beyond those resources to others that have not been previewed by staff, they shall be provided with guidelines and lists of resources particularly suited to learning objectives.

### **Internet Filter**

NCISD uses a web filter to manage access to various inappropriate locations for both students and staff. However, even with a filter, there may still be sites accessible via the Internet that contains material that is illegal, defamatory, inaccurate, or controversial. Although the District will attempt to limit access to objectionable materials by using software, controlling all materials on the Internet is impossible. Teachers are expected to monitor student Internet use and in the best interest of all students and staff please report inappropriate Internet sites not filtered to the Technology Department administration.

### **Email and Chat**

Electronic communications such as email and chat are District services provided by public funds. The District's Communication System is for instructional and administrative use. Sending jokes, chain letters, etc. via email is considered an inappropriate use of the District System. Electronic mail transmissions and other use of the District System by employees shall not be considered confidential and are archived as records for an indefinite period of time. Electronic Communications may be monitored at any time by designated District staff to ensure appropriate use. This monitoring may include activity logging, virus scanning, and content scanning.

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

Any correspondence sent via email or chat must follow the same District guidelines as is used for other correspondence distribution.

Records retention guidelines apply to electronic communications and must be followed. Electronic communications are viewed as public documents and can become part of a legal process. Care should be given to the tone of all communications. Also, grammar and spelling should be checked before an email is sent. Be mindful of the unique forwarding properties associated with email.

#### **Photos:**

Adding a picture to your email is allowable, and actually recommended, as it helps to identify you to those that might be trying to contact you. Please remember that the picture will be seen by ALL (including students and parents) and therefore should be a professional photo.

#### **Signatures:**

Email is a representation of New Caney ISD. All signatures should be professional.

### **Electronic Storage**

The District has provided network users with access to network storage location for files. The storage area provides a place where school-related products can be stored from year to year. To enforce the AUG and to maintain the integrity of the network, shared network space and any District storage space will be monitored by District staff. Inappropriate files such as games, music, inappropriate images, and files that consume storage space will be deleted. External electronic storage devices are subject to monitoring if used with District resources.

### **Network Behavior and Security**

District System users are responsible for their actions in accessing available resources. The following standards will apply to all users of the District System:

- All users are responsible for the proper use of their account at all times System users may not use another person's account without written permission from a campus administrator or District-level administrator;
- The System may not be used for illegal purposes, in support of illegal activities, or for any other activity prohibited by District policy; and
- Users may not redistribute copyrighted programs or data without the written permission of the copyright holder or designee. Such permission must be specified in the document or must be obtained directly from the copyright holder or designee in accordance with applicable copyright laws, District policy, and administrative regulations
- If a user identifies or has knowledge of a security problem on the **District System**, such as filtering software not working, the user should immediately notify the **Technology Department**. The security problem should not be shared with others. Attempting to bypass security and filtering software is prohibited.
- Attempts to log on to the **District System** impersonating a system administrator or NCISD employee may result in revocation of the user's access to the **District System**.

### **Inappropriate Use**

Inappropriate use includes, but is not limited to, those uses that violate the law, that are specifically named as violations below, that violate the rules of network etiquette, or that hamper the integrity or security of the District System.

### **Inappropriate Language**

Using obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language in electronic communication is prohibited. Sending messages that could cause danger or disruption, personal attacks, including prejudicial or discriminatory attacks, are prohibited.

### **Commercial Use**

Use of the District System for commercial, income-generating or "for-profit" activities, product advertisement, or political lobbying is prohibited. Sending unsolicited junk mail or chain letters is prohibited. Use of the system for promoting activities or events for individuals or organizations not directly affiliated with or sanctioned by the District is prohibited.

### **Employee Responsibility**

Technology Usage Form is located at the end of this document

The Employee Technology Usage Form is now incorporated in the District Acceptable Use Policy. This agreement is separate from the Employee's contract for employment and the Employee is not required to accept the agreement as a condition of employment; however, issuance of District-owned electronic textbooks and/or technological equipment is conditioned upon acceptance of this agreement.

Per the Agreement, financial responsibility extends to any technology equipment that is personally checked out to the Employee for use in their professional duties. Most district devices are covered by an Accidental Damage Protection policy which covers one accidental break per year, per device; the Employee will benefit from this policy with the first accidental break being at no cost to them. Damage beyond the first accident will incur costs based on the manufacturer's most current cost of parts or replacement of device. All intentional or neglectful damage or loss will be fully the responsibility of the Employee, at the most current cost of parts or replacement of devices.

Employee must return all technology equipment prior to the last full day of work. Employee agrees that his or her last salary payment is conditioned upon receipt of all technology equipment; if not returned the District can deduct the value of the equipment from the Employee's last paycheck.

Employee agrees to use reasonable care in the operation and handling of the technology equipment and peripherals as well as keeping the device secure when not in use. Under no circumstances should the device be left unattended in a vehicle; electronic devices are sensitive to extreme temperatures. Devices should be kept dry and away from sinks, pools and bathtubs and otherwise avoid water damage. Care should be taken to prevent the device from being damaged while in a backpack, book bag, briefcase or purse.

Special care should be taken to prevent device from being lost or stolen. In the event of a lost or stolen device, the Technology department should be notified immediately but not later than 24 hours after the device goes missing. For stolen devices, a police report must be filed within 48 hours with the appropriate county or city police department. It is the employee's responsibility to provide a hard copy of the police report to the Technology department within 15 business days of filing a police report. Lost devices are the responsibility of the employee as referenced in Employee Technology Usage Form.

Examples of Manufacture current cost

<p>Dell Latitude 3570 Laptop</p> <ul style="list-style-type: none"> <li>● Total replacement \$875.00</li> <li>● LCD \$95.00</li> <li>● Charger \$60.00</li> </ul>	<p>Dell Latitude 5175 tablet</p> <ul style="list-style-type: none"> <li>● Total replacement \$800.00</li> <li>● LCD \$395.00</li> <li>● Charger \$22.00</li> </ul>
<p>These prices are the most current from the manufacturer but are subject to change at any time.</p>	

**Vandalism/Mischief**

- Vandalism and mischief are prohibited. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the District System. This includes, but is not limited to, the creation or propagation of computer viruses. Any interference with the work of other users, with or without malicious intent, is construed as mischief and is strictly prohibited;
- Deleting, examining, copying, or modifying files and/or data belonging to other users, without their permission, is prohibited;
- Forgery of electronic mail messages is prohibited. Reading, deleting, copying, or modifying the electronic mail of other users without their permission is prohibited, unless permitted by District policy;
- Deliberate attempts to exceed, evade, or change resource quotas are prohibited. The deliberate causing of network congestion through mass consumption of system resources is prohibited; and
- Unauthorized disclosure, use, and dissemination of personal information regarding students and employees are prohibited.

**Transmitting/Storing Confidential Information**

Teachers, staff, and students may not redistribute or forward confidential information (i.e. educational records, directory information, personnel records, etc.) without proper authorization. Confidential information should never be transmitted, redistributed, or forwarded to outside individuals who are not expressly authorized to receive the information. Revealing such personal information as home addresses or phone numbers of users or others is prohibited. In order to reduce the loss of confidential information due to theft or misplacement, student/staff confidential information should not be stored on portable devices such as memory sticks or on hard drives. This information should be stored on the server.

**Modification of Computer**

Modifying or changing computer settings and/or internal or external configurations without appropriate permission is prohibited. Physical personalization of District devices with any material including, but not limited to, such things as stickers, paint, vinyl or markers is prohibited, whether removable or not.

Transmission of any material in violation of any U.S. or state law is prohibited. This includes, but is not limited to: copyrighted material, threatening, harassing or obscene material, or material protected by trade secret. Any attempt to break the law through the use of a NCISD District System account may result in litigation against the offender by the proper authorities. If such an event should occur, NCISD will fully comply with the authorities to provide any information necessary for the litigation process.

Any attempt to violate the provisions of these guidelines may result in revocation of the user's access to the District System, regardless of the success or failure of the attempt. In addition, disciplinary action consistent with the

District's employment policy and/or appropriate legal action, which may include restitution, may be taken. District administrators will make the final determination as to what constitutes inappropriate use. The System Administrator or other administrators will make the final determination as to what constitutes inappropriate use. The System Administrator or other administrator may deny, revoke, or suspend access as necessary, pending the outcome of an investigation.

### **Campus District or Organizational Websites**

New Caney ISD web pages and hyperlinks from these pages must not contain information that is in violation of (or promotes the violation of) any District policy or regulation, nor any local, state, or federal regulation or law. Web pages that contain time-sensitive information, such as calendars, school events, staff information, etc., must be updated on a scheduled basis. Web pages must be checked periodically to make sure that links are current and operable.

### **External Links**

Extreme caution should be used when adding a link to an external web page. In all cases where an external link (link to a site external to NCISD domain) is used, special precautions should be made to ensure the appropriateness and the trustworthiness of the site. It is the responsibility of the person who authorized the links to check them frequently and to verify the site.

### **Professional Use of Communications with Students**

Electronic communications includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), electronic forums (chat rooms), video sharing websites, editorial comments posted on the Internet, wikis, and social network/media networks such as Instagram, Twitter, and Facebook, and all forms of telecommunication such as landlines, cell phones, and web-based applications. Other options include District approved communications such as, Google Apps for Education and Google+ Communities.

The District realizes that part of 21<sup>st</sup> century learning is adapting to the changing methods of communication. The importance of teachers, students, and parents engaging, collaborating, learning, and sharing in these digital environments is part of 21<sup>st</sup> century learning. In an effort to maximize the effectiveness of these tools while at the same time maintaining a high level of professional expectations, NCISD has set forth the following procedures for employee usage of online social media:

- Personal online social media may not be associated with professional online social media;
- All communication via various media by staff, parents, and students will be appropriate and professional;
- The employee does not have a right to privacy with respect to communication with students and parents; and the employee continues to be subject to applicable state and federal laws, local policies, administrative guidelines, and the Educators' Code of Ethics including compliance with Family Educational Rights and Privacy Act, copyright laws, open records request, etc.

### **Professional Online Social Media/Networking Accounts**

Social media accounts to be used for professional purposes, as either closed sites or open sites, and for either pedagogical or informational purposes, must be associated with a school district issued email address and have been approved by the school principal or supervisor.

### **Closed Networking Sites**

Employees who maintain a social networking site for the sole purpose of communicating with students and parents, such as a team, club, or class site, must:

- Have principal/supervisor approval
- Have written parent permission from each student invited to the site kept on file in accordance with record retention policies
- Keep the site private and accessible only to students, parents, and administration
- Must use a professional account as defined above
- Must provide school and/or district administration with account access (usernames and passwords) or coordinate the account with district managed accounts.

## **Open Networking Sites**

Employees who maintain a social networking site for the purpose of disseminating information publicly (for example a social media site that may be followed by members of the public as well as students and/or staff) must:

- Have principal/supervisor approval
- Must use a professional account as defined above
- Must provide school and/or district administration with account access (usernames and passwords) or coordinate the account with district managed accounts.

## **Text Messaging**

Communication with students through the use of text messaging is only permitted by staff members who have extracurricular responsibilities and their students over which the employee is responsible. All communication must:

- Be professional and appropriate; and
- Be limited to matters within the scope of the employee's professional responsibilities.

## **Personal Use of Electronic Media Communications**

Policy CQ, DH

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

Employees in a public school system are responsible for modeling and teaching high standards of decency and civic values. District employees must model the character they are expected to teach, both on and off the worksite. This applies to material which is posted on personal websites and other Internet sites, such as Facebook, Twitter, Instagram, Snapchat, etc.,. If an employee posts messages or pictures which diminish the employee's professionalism or discredits the employee's capacity to maintain the respect of students and parents, it will impair the employee's ability to effectively perform his or her job. This type of material includes, but is not limited to, text or pictures involving hate speech, nudity, obscenity, vulgarity, conduct illegal for a minor, or sexually explicit content. Please be aware that such conduct may be grounds for termination or other disciplinary action. Employees who maintain private social networking sites for their private use should not share that site with students.

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

An employee who uses the District Technology System for personal purposes shall observe the following:

- The employee may not set up or update the employee's personal social network page(s) using the District's System;
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.
- The employee shall not use the District's logo or other copyrighted material of the District without express, written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on district business unless the employee first obtains written approval from the employee's immediate

supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.

- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purposes of communicating with students;
- The employee may not post student names, photographs, or videos in which students appear on personal online social media;
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators’ Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
  - Confidentiality of student records; [See Policy FL]
  - Confidentiality health and personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law; [See Policy DH (EXHIBIT)]
  - Confidentiality of District records, including educator evaluations and private email addresses; [See Policy GBA]
  - Copyright law; [See Policy EFE] and Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH (EXHIBIT)]

See *Electronic Communications between Employees and Students*, below, for regulations on employee communication with students through electronic media.

### **Electronic Communications between Employees and Students**

#### Policy DH

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may use electronic communications with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. Electronic communications between all other employees and students who are enrolled in the district are prohibited. Employees are not required to provide students with their personal phone number or email address.

An employee is not subject to the provisions regarding electronic communications with a student to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee’s child, or a member or participant in the same civic, social, recreational, or religious organization. An employee who claims an exception based on a social relationship shall provide written consent from the student’s parent. The written consent shall include an acknowledgement by the parent that:

- The employee has provided the parent with a copy of this protocol
- The employee and the student have a social relationship outside of school;
- The parent understands that the employee’s communication with the student are exempt from district regulation; and
- The parent is solely responsible for monitoring electronic communications between the employee and the student.

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

- **Electronic communications** means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes email, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website;
- **Communicate** means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee’s personal social network page or a blog) is not a communication; however, the employee may be subject to District regulations on personal electronic communications. See Personal Use of Electronic Media, above. Unsolicited contact from a student through electronic means is not a communication; and
- **Certified or licensed employee** means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with

students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

An employee who communicates electronically with students shall observe the following:

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
- The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics, including:
  - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records [See Policies CPC and FL]
  - Copyright law [See Policy EFE]
  - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student [See Policy DH]
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable administration and parents to access the employee's professional page.
- The employee does not have a right to privacy with respect to communication with students and parents.
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee shall notify his or her supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.



## VIII. EMPLOYMENT POLICIES

The following employment policies are available on the District's website at <https://pol.tasb.org/Home/Index/914> If you do not have access to a computer, you may request a copy from your campus/department supervisor.

DAA	Equal employment opportunity
DAB	Genetic nondiscrimination
DB	Employment Requirements and Restrictions
DBAA	Criminal history and credit reports
DBD	Conflict of interest
DC Series	Employment Practices
DC	Employment Practices
DE	Compensation and Benefits
DEA Series	Salaries and wages; incentives and stipends
DEC Series	Leaves and absences
DF	Termination of employment
DFAC	Return to probationary status
DFB Series	Termination of term contracts
DFD	Hearings before hearing examiner
DFE	Resignations
DFF	Reduction in force
DG	Employee rights and privileges
DGBA	Employee complaints
DH	Employee standards of conduct
DHE	Searches and drug/alcohol testing
DI	Employee welfare
DIA	Discrimination, harassment, and retaliation
DK	Assignments and schedules
DN Series	Performance appraisal
DFFA	Reduction in force due to financial exigency
DFFB	Reduction in force due to program change

The policies listed below set out district expectations and standards of conduct.

CLA	Security of students, employees, and property
CQ	Technology Resources and Acceptable Use
CY	Intellectual Property
FFG	Student Welfare - Child Abuse and Neglect
FFH	Student Welfare - Freedom From Discrimination, Harassment and Retaliation
GRA	Relations with Governmental Entities

Employees accept responsibility for reviewing, understanding, and following any changes or updates in the **Parent/Student Handbook & Student Code of Conduct** which is posted on the district's website.

The contents of this manual are not intended to create any contractual or other legal rights and are designed solely to be used as a guide for employees of New Caney ISD.

# Employee Technology Usage Form

## Agreement Regarding Electronic Textbook and Technological Equipment Usage

The BOARD OF TRUSTEES ("Board") of NEW CANEY INDEPENDENT SCHOOL DISTRICT ("District", hereby allows the undersigned professional Employee ") to use the District-owned electronic textbook(s) or technological equipment specified below, and Employee accepts on the following terms and conditions:

1. Employee assumes responsibility for employee's use of District-owned electronic textbook(s) and/or technological equipment. Employee shall be financially responsible for all items included in this agreement that are damaged, stolen, misplaced, lost, or not returned as a result of use off school property or outside of a school-sponsored event. As consideration for Employee's assumption of financial responsibility, Employee shall be allowed to use the electronic textbook or technological equipment for limited personal use in accordance with the District's policies, including CQ (Legal) and (Local), and DH (Legal) and (Local).
2. Employee must satisfactorily return or account for all electronic textbooks or technological equipment included in this agreement by last full day of work. Employee agrees that his or her last salary payment is conditioned upon receipt from Employee of all items in this contract, and that if the equipment is not returned, then the District can deduct the value of the equipment from the employee's last paycheck.
3. This agreement pertains to the following electronic textbook(s) and/or technological equipment and Employee acknowledges and agrees to assume financial responsibility for each item in the following amounts:
4. Employee is advised by the Board to consider obtaining appropriate insurance to cover the financial responsibility assumed by Employee in this contract.
5. Employee understands that this contract is separate from the Employee's contract of employment. Furthermore, Employee is not required to accept this agreement as a condition of employment; however, issuance of District-owned electronic textbooks and/or technological equipment is conditioned upon acceptance of this agreement.
6. Employee shall comply with, and be subject to, state and federal law and District policies, rules, regulations, and administrative directives as they exist or may hereafter be amended pertaining to the use of electronic textbooks and technological equipment.
7. This contract is subject to all applicable federal and state laws, rules, and regulations. Invalidation of any portion of this contract under the laws of the State of Texas or of the United States shall not affect the validity of the remainder of the agreement.

## **NCISD EMPLOYEE DRESS CODE**

**All Employees:** It is the philosophy of New Caney ISD that there is a positive correlation between employee/student grooming and the learning climate. The Student/Parent Handbook outlines appropriate dress guidelines for students. It is the expectation that the dress code for employees is aligned with the expectations of appropriate dress as identified in the student handbook. As a general rule, dress and grooming shall be clean, neat, and appropriate for the employee's gender, assigned duty, and job capacity and in accordance with any other standards as established by the supervisor at all school related activities. Any form of dress, jewelry or hair that attracts undue attention, disrupts school, or distracts from the learning process, is not acceptable.

**Adherence:** Principals and Administrative Supervisors are delegated the authority and bear the responsibility for ensuring compliance with this policy and are expected to counsel and/or discipline employees whom they supervise on professional appearance in conformance with this policy. In addition, a principal or administrative supervisor may deviate from this policy to meet the needs of a specific department/school/work sites/assigned duty or capacity for an appropriately specified purpose. The principal or administrative supervisor must approve temporary deviations due to special events such as Spirit Day. Spirit Day is defined as: one day per week when it is permissible to wear jeans, tennis shoes, and approved spirit shirts, which have school colors and contain a school logo. Jeans should not be unduly faded, ripped, or frayed. Pins and other accessories cannot substitute for the school logo. If you choose not to participate in school spirit day, regular school attire must be worn.

### **SHIRTS/BLOUSES**

- May be long or short sleeve
- Dress shirt, polo shirt, banded collar with button closure, turtleneck (mock) blouses and sweaters must be of sufficient length so that when the arms are raised above the head, there will be no skin or undergarments visible
- Shall be appropriately sized, neither too tight or baggy; spandex is not permitted
- Necklines shall not reveal cleavage
- Sleeveless blouses or dresses are permitted unless undergarments are exposed
- Shells or tank tops must be worn with jackets, sweater, or shirt
- Backless or strapless blouses are not permitted
- T-shirts with district or campus logos are permitted on designated spirit day ONLY

### **PANTS/SLACKS**

- Dress pants, including Docker style, shall be appropriately sized, neither too tight or baggy, nor revealing undergarments
- Spandex, shorts, and overalls are not permitted in the classroom setting
- Capri/cropped slacks are acceptable if no shorter than below the knee
- Warm up/wind suits/sweatpants are permitted based on your teaching assignment
- Hospital scrubs should be approved by the employee's supervisor
- Leggings shall not be worn as slacks
- No holes, fraying or patches by design or wear
- Denim jeans on designated spirit day ONLY

### **DRESSES/SKIRTS**

- Length of skirts and dresses no more than 2 inches above the knee.
- Slits in skirts may not be above mid-thigh and allow one to walk, stoop, kneel and sit with modesty neither too tight or baggy - no spandex permitted
- Neckline shall meet the criteria of a blouse
- Backless or strapless dresses are not permitted

### **SHOES**

- Shall wear appropriate footwear
- Dress shoes, mules, or dress sandals are appropriate; rubber flip flops or shower shoes are not permitted

### **BODY PIERCINGS/JEWELRY**

- Ears are the only exposed areas of the body on which pierced jewelry may be worn
- Jewelry worn on the job must be conservative, in good taste, appropriate to working attire, and not conflict with job related safety standards

### **TATTOOS**

- Tattoos should be of limited visibility for employees that have direct contact with students, parents, and the community and will be evaluated on a case by case basis by the employee's supervisor.
- Shall not reflect or suggest in any manner drugs, alcohol, tobacco, sex, vulgar language, gang affiliations, violence, death, or satanic ideology

### **FACIAL HAIR/HAIR COLOR**

- Neatly trimmed beards and mustaches
- Hair coloring must be natural. Extreme hairstyles such as mohawks, unnatural hair colors, shave designs or notches are prohibited