



United ISD

Policy Review Session – Summary Packet

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PROPOSED REVISIONS

Vision

United, we empower student to become responsible global leaders.

Mission Statement

We are United in providing engaging and meaningful experiences that allow our student to reach their full learning potential.

~~United, we inspire all students to become responsible world citizens by pursuing excellence through life-long learning.~~

BOARD MEMBERS
ELECTIONS

BBB
(LOCAL)

PROPOSED REVISIONS

Membership	The Board shall consist of seven members.
Method of Election	Election of Board members shall be by single-member districts.
Election Date	General election of Board members shall be on the November uniform election date.
Terms and Election Schedule	Board members shall be elected for four-year terms, with elections conducted biennially, as follows:
Districts 3, 5, and 6	The election for single-member districts 3, 5, and 6 shall be held in 2018, 2022 , 2026, <u>2030, 2034</u> , and in four-year intervals thereafter.
Districts 1, 2, 4, and 7	The election for single-member districts 1, 2, 4, and 7 shall be held in 2020, 2024 , 2028, <u>2032, 2036</u> , and in four-year intervals thereafter.
Method of Voting	To be elected, a candidate must receive more votes than any other candidate for the single-member district.
Plurality	

PROPOSED REVISIONS

**Public Information
Coordinator**

After Election or
Appointment

After a Violation

The public information specialist ~~director of communications~~ shall fulfill the responsibilities of the public information coordinator and shall receive, on behalf of Board members, the training specified by Government Code 552.012. [See GBAA]

A Board member who receives written notice from the attorney general that the member must complete Public Information Act (PIA) training described by GBAA(LEGAL) following the District's failure to comply with a PIA requirement shall complete the training within the timelines described in law. The completion of the training in response to such a notice cannot be delegated.

**Reporting
Continuing
Education Credit**

The Board President shall announce the status of each Board member's continuing education credit. The announcement shall be made annually at the last regular Board meeting before the District's uniform election date, whether or not an election is held. The announcement shall be reflected in the meeting minutes and, when necessary, posted on the District's website in accordance with law.

PROPOSED REVISIONS

Meeting Place and Time	Board meetings shall be held during a time that is outside of typical work hours. [See FA(LEGAL)] The notice for a Board meeting shall reflect the date, time, and location of the meeting.
Regular Meetings	Regular meetings of the Board shall normally be held on the third Wednesday of each month at 6:00 p.m. When determined necessary and for the convenience of Board members, the Board President may change the date, time, or location of a regular meeting with proper notice.
Workshops	Board workshops shall normally be held on the second Wednesday of each month at 6:00 p.m. with proper notice. When determined necessary and for the convenience of Board members, the Board President may change the date, time, or location of a workshop with proper notice.
Special or Emergency Meetings	The Board President shall call special meetings at the Board President's discretion or on request by three members of the Board. The Board President shall call an emergency meeting when it is determined by the Board President or three members of the Board that an emergency or urgent public necessity, as defined by law, warrants the meeting.
Agenda	The deadline for submitting items for inclusion on the agenda is the fourth<u>fifth</u> business day before regular meetings and the fourth<u>fifth</u> business day before special meetings.
Deadline	
Preparation	In consultation with the Board President, the Superintendent shall prepare the agenda for all Board meetings. The Superintendent shall include on the preliminary agenda of a regular or special meeting all topics that have been timely submitted by at least three Board members, and on the preliminary agenda of a Board workshop all topics that have been timely submitted by at least two Board members. The Superintendent shall have the authority to request items to be included on the agenda for any meeting. Before the official agenda is finalized for any meeting, the Superintendent shall consult the Board President to ensure that the agenda and the topics included meet with the Board President's approval. In reviewing the preliminary agenda, the Board President shall ensure that any topics the Board or at least three Board members have requested to be addressed are either on that agenda or scheduled for deliberation at an appropriate time in the near future. The Board President shall not have authority to remove from the

BOARD MEETINGS

BE
(LOCAL)

agenda a subject requested by at least three Board members without specific authorization from those Board members.

Notice to Members

Members of the Board shall be given notice of regular and special meetings at least four business days prior to the scheduled date of the meeting and at least one hour prior to the time of an emergency meeting.

Closed Meeting

Notice of all meetings shall provide for the possibility of a closed meeting during an open meeting, in accordance with law.

The Board may conduct a closed meeting when the agenda subject is one that may properly be discussed in closed meeting. [See BEC]

Order of Business

The order of business for regular Board meetings shall be as set out in the agenda accompanying the notice of the meeting. At the meeting, the order in which posted agenda items are taken may be changed by consensus of Board members.

Rules of Order

The Board shall observe the parliamentary procedures as found in *Robert's Rules of Order, Newly Revised*, except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present.

Record Vote

Voting on any item shall be a record vote by show of hands or roll call, as directed by the Board President. Any member may abstain from voting on an item, and a member's vote or failure to vote shall be recorded in the minutes. [See BDAA(LOCAL) for the Board President's voting rights]

Consent Agenda

When the agenda is prepared, the Board President shall determine items, if any, that qualify to be placed on the consent agenda. A consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote.

Minutes

Board action shall be carefully recorded by the Board Secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the Board President and the Board Secretary.

[See CPC regarding retention of records.]

BOARD MEETINGS

BE
(LOCAL)

**Discussions and
Limitation**

Discussions shall be addressed to the Board President and then the entire membership. Discussion shall be directed solely to the business currently under deliberation, and the Board President shall halt discussion that does not apply to the business before the Board.

The Board President shall also halt discussion if the Board has agreed to a time limitation for discussion of an item, and that time limit has expired. Aside from these limitations, the Board President shall not interfere with debate so long as members wish to address themselves to an item under consideration.

PROPOSED REVISIONS

Limit on Participation

Audience participation at a Board meeting is limited to the portion of the meeting designated to receive public comment in accordance with this policy. At all other times during a Board meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless requested by the presiding officer.

Public Comment

Public comment shall occur at the beginning of the meeting. [See FA]

Regular Meetings ~~Board Workshops~~

At regular Board meetings ~~Board workshops~~, the Board shall permit public comment ~~on District-related matters~~, regardless of whether the topic is an item on the agenda posted with notice of the meeting.

Board Workshops ~~Regular~~ and Special Meetings

At Board workshops and all other Board meetings, public comment shall be limited to items on the agenda posted with notice of the meeting.

Procedures

Individuals who wish to participate during the portion of the meeting designated for public comment shall sign up with the presiding officer or designee before the meeting begins, as specified in the Board's procedures on public comment, and shall indicate the agenda item or topic on which they wish to address the Board.

No speaker's comments shall exceed three minutes; however, a non-English speaker whose comments require the assistance of a translator shall not exceed six minutes.

Meeting Management

When necessary for effective meeting management or to accommodate large numbers of individuals wishing to address the Board, the presiding officer may adjust the time allotted to each speaker. However, no individual shall be given less than one minute to make comments.

Board's Response

Specific factual information or recitation of existing policy may be furnished in response to inquiries, but the Board shall not deliberate or decide regarding any subject that is not included on the agenda posted with notice of the meeting.

Complaints and Concerns

The presiding officer or designee shall determine whether an individual addressing the Board has attempted to solve a matter administratively through resolution channels established by policy. If not, the individual shall be referred to the appropriate policy to seek resolution:

- Employee complaints: DGBA
- Student or parent complaints: FNG

BOARD MEETINGS
PUBLIC PARTICIPATION

BED
(LOCAL)

- Public complaints: GF

Disruption

The Board shall not tolerate disruption of the meeting by members of the audience. Speakers or others who use insulting, profane, threatening, or abusive language during any Board meeting shall be ruled out of order by the presiding officer. If, after at least one warning from the presiding officer, any individual continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the individual removed from the meeting.

**Electioneering
Prohibited**

No electioneering shall be permitted on behalf of or against an individual running for political office, and no literature pertaining to any form of electioneering shall be permitted during the meeting.

**Signs / Printed
Materials**

Signs or placards brought to a Board meeting shall not be allowed inside the Board room. Additionally, any citizen wishing to distribute printed handout materials to the Board or audience shall do so before or after the public comment, but not during.

PROPOSED POLICY

District-Level Committee	In compliance with law, the District shall establish a District-level committee to advise the Board or its designee in establishing and reviewing the District improvement plan [see BQ], as well as the District's educational goals, performance objectives, and major District-wide classroom instructional programs. The committee shall approve District-wide staff development. [See DMA]
Board's Designee	The Superintendent shall serve as the Board's designee and shall regularly consult with the committee.
Meetings	The chairperson of the committee shall set its agenda and shall schedule at least two meetings per year, including the public meeting required by law.
Communications	The Superintendent shall ensure that the District-level committee establishes communication strategies to periodically obtain broad-based community, parent, and staff input and provide information to those persons regarding the recommendations of the committee.
Composition	The committee shall be composed of members who shall represent campus-based professional staff, District-level professional staff, parents, businesses, and the community. When practicable, professional staff representation shall include a representative with the primary responsibility for educating students with disabilities. For purposes of this policy, District-level professional staff shall be defined as professionals who have responsibilities at more than one campus, including, but not limited to, central office staff.
Selected Representatives	Parent, community member, and business representatives shall be selected in accordance with this policy and administrative regulations.
<i>Parents</i>	The committee shall include at least two parents of students currently enrolled in the District. The Superintendent shall, through various channels, inform all parents of District students about the committee's duties and composition and shall solicit volunteers.
<i>Community Members</i>	The committee shall include at least two community members selected by a process that provides for adequate representation of the community's diversity. The Superintendent shall use several methods of communication to ensure that community residents are informed of the committee and are provided the opportunity to participate and shall solicit volunteers. Community representatives must reside in the District.

PLANNING AND DECISION-MAKING PROCESS
DISTRICT-LEVEL

BQA
(LOCAL)

<i>Business Representatives</i>	The committee shall include at least two business representatives selected by a process that provides for adequate representation of the community's diversity. The Superintendent shall use several methods of communication to ensure that area businesses are informed of the committee and are provided the opportunity to participate and shall solicit volunteers. Business representatives do not need to reside in or operate businesses in the District.
Professional Staff Elections	Professional staff representatives shall be nominated and elected in accordance with this policy and administrative regulations. Classroom teacher representatives shall comprise at least two-thirds of the total professional staff representation on the committee and shall be nominated and elected by all professional staff. At least one campus-based nonteaching professional representative shall be nominated and elected by all professional staff. At least one District-level professional representative, other than the Superintendent, shall be nominated and elected by the District-level professional staff. An employee's affiliation or lack of affiliation with any organization or association shall not be a factor in either the nomination or election of the employee to the committee. [See DGA] A nominee must consent before the person's name may appear on a ballot. Election of the committee shall be held at a time determined by the Board or its designee.
Terms	All representatives shall serve staggered two-year terms and shall not be limited as to the number of consecutive terms they may serve on the committee.
Vacancy	A vacancy during a term shall be filled for the remainder of the term by election or selection as appropriate for the category.

PLANNING AND DECISION-MAKING PROCESS
CAMPUS-LEVEL

BQB
(LOCAL)

PROPOSED POLICY

**Campus-Level
Committees**

In compliance with law, each campus shall establish a campus-level committee to ensure that effective planning and site-based decision-making occur to direct and support the improvement of student performance for all students. The committees shall assist the principal, as the Board's designee, in establishing and reviewing the goals, performance objectives, and major classroom instructional programs of each campus.

Each committee shall assist with the development, evaluation, and revision of the respective campus improvement plan and shall approve campus staff development needs identified in the campus improvement plan [see BQ and DMA].

Meetings

The principal shall be responsible for the agenda and shall schedule at least two meetings per year, including the public meeting required by law.

Communications

The principal shall ensure that the campus-level committee establishes communication strategies to periodically obtain broad-based community, parent, and staff input and provide information to those persons regarding the recommendations of the committee.

Composition

The committee shall be composed of members who shall represent campus-based professional staff, District-level professional staff, parents, businesses, and the community. When practicable, professional staff representation shall include a representative with the primary responsibility for educating students with disabilities. For purposes of this policy, District-level professional staff shall be defined as professionals who have responsibilities at more than one campus, including, but not limited to, central office staff.

**Selected
Representatives**

Parent, community member, and business representatives shall be selected in accordance with this policy and administrative regulations.

Parents

The committee shall include at least two parents of students currently enrolled in the District. The principal shall, through various channels, inform all parents of campus students about the committee's duties and composition and shall solicit volunteers.

*Community
Members*

The committee shall include at least two community members selected by a process that provides for adequate representation of the community's diversity. The principal shall use several methods of communication to ensure that community residents are informed of the committee and are provided the opportunity to participate and shall solicit volunteers. Community representatives must reside in the District.

PLANNING AND DECISION-MAKING PROCESS
CAMPUS-LEVEL

BQB
(LOCAL)

<i>Business Representatives</i>	The committee shall include at least two business representatives selected by a process that provides for adequate representation of the community's diversity. The principal shall use several methods of communication to ensure that area businesses are informed of the committee and are provided the opportunity to participate and shall solicit volunteers. Business representatives do not need to reside in or operate businesses in the District.
Professional Staff Elections	Professional staff representatives shall be nominated and elected in accordance with this policy and administrative regulations. Classroom teacher representatives shall comprise at least two-thirds of the professional staff representation on the committee and shall be nominated and elected by all professional staff assigned to the campus. At least one campus-based nonteaching professional representative shall be nominated and elected by all professional staff assigned to the campus. At least one District-level professional representative shall be nominated and elected by District-level professional staff. An employee's affiliation or lack of affiliation with any organization or association shall not be a factor in either the nomination or election of the employee to the committee. [See DGA] A nominee must consent before the person's name may appear on the ballot. Election of the committee shall be held at a time determined by the Board or its designee.
Terms	All representatives shall serve staggered two-year terms and shall not be limited as to the number of consecutive terms they may serve on the committee.
Vacancy	A vacancy during a term shall be filled for the remainder of the term by election or selection as appropriate for the category.

PROPOSED REVISIONS

Investment Authority

The ~~assistant superintendent for business/finance or other~~ person designated by Board resolution annually shall serve as the investment officer of the District and shall invest District funds in accordance with the Public Funds Investment Act, the District's approved investment policy, and generally accepted accounting procedures. All investment transactions except investment pool funds and mutual funds shall be settled on a delivery versus payment basis.

Approved Investment Instruments

From those investments authorized by law and described further in CDA(LEGAL) under Authorized Investments, the Board shall permit investment of District funds, including bond proceeds and pledged revenue to the extent allowed by law, in only the following investment types, consistent with the strategies and maturities defined in this policy:

1. Obligations of, or guaranteed by, governmental entities as permitted by Government Code 2256.009.
2. Certificates of deposit and share certificates as permitted by Government Code 2256.010.
3. Fully collateralized repurchase agreements permitted by Government Code 2256.011.
4. A securities lending program as permitted by Government Code 2256.0115.
5. Banker's acceptances as permitted by Government Code 2256.012.
6. Commercial paper as permitted by Government Code 2256.013.
7. No-load mutual funds, except for bond proceeds, and no-load money market mutual funds, as permitted by Government Code 2256.014.
8. A guaranteed investment contract as an investment vehicle for bond proceeds, provided it meets the criteria and eligibility requirements established by Government Code 2256.015.
9. Public funds investment pools as permitted by Government Code 2256.016.

Safety

The primary goal of the investment program is to ensure safety of principal, to maintain liquidity, and to maximize financial returns within current market conditions in accordance with this policy. Investments shall be made in a manner that ensures the preservation of capital in the overall portfolio, and offsets during a 12-month

OTHER REVENUES
INVESTMENTS

CDA
(LOCAL)

period any market price losses resulting from interest-rate fluctuations by income received from the balance of the portfolio. No individual investment transaction shall be undertaken that jeopardizes the total capital position of the overall portfolio.

**Investment
Management**

In accordance with Government Code 2256.005(b)(3), the quality and capability of investment management for District funds shall be in accordance with the standard of care, investment training, and other requirements set forth in Government Code Chapter 2256.

**Liquidity and
Maturity**

Any internally created pool fund group of the District shall have a maximum dollar weighted maturity of 180 days. The maximum allowable stated maturity of any other non-capital project or non-bond proceeds individual investment owned by the District shall not exceed one year from the time of purchase. The maximum allowable stated maturity of any capital project or bond proceeds individual investment owned by the District shall not exceed the lesser of the anticipated expenditure date or three years from the time of purchase, whichever is sooner. The Board may specifically authorize a longer maturity for a given investment, within legal limits.

The District's investment portfolio shall have sufficient liquidity to meet anticipated cash flow requirements.

Diversity

The investment portfolio shall be diversified in terms of investment instruments, maturity scheduling, and financial institutions to reduce risk of loss resulting from overconcentration of assets in a specific class of investments, specific maturity, or specific issuer.

**Monitoring Market
Prices**

The investment officer shall monitor the investment portfolio and shall keep the Board informed of significant changes in the market value of the District's investment portfolio. Information sources may include financial/investment publications and electronic media, available software for tracking investments, depository banks, commercial or investment banks, financial advisers, and representatives/advisers of investment pools or money market funds. Monitoring shall be done at least quarterly, as required by law, and more often as economic conditions warrant by using appropriate reports, indices, or benchmarks for the type of investment.

**Monitoring Rating
Changes**

In accordance with Government Code 2256.005(b), the investment officer shall develop a procedure to monitor changes in investment ratings and to liquidate investments that do not maintain satisfactory ratings.

Funds/Strategies

Investments of the following fund categories shall be consistent with this policy and in accordance with the applicable strategy defined below. All strategies described below for the investment of a

OTHER REVENUES
INVESTMENTS

CDA
(LOCAL)

particular fund should be based on an understanding of the suitability of an investment to the financial requirements of the District and consider preservation and safety of principal, liquidity, marketability of an investment if the need arises to liquidate before maturity, diversification of the investment portfolio, and yield.

Operating Funds Investment strategies for operating funds (including any commingled pools containing operating funds) shall have as their primary objectives preservation and safety of principal, investment liquidity, and maturity sufficient to meet anticipated cash flow requirements.

Custodial Funds Investment strategies for custodial funds shall have as their primary objectives preservation and safety of principal, investment liquidity, and maturity sufficient to meet anticipated cash flow requirements.

Debt Service Funds Investment strategies for debt service funds shall have as their primary objective sufficient investment liquidity to timely meet debt service payment obligations in accordance with provisions in the bond documents. Maturities longer than one year are authorized provided legal limits are not exceeded.

Capital Project Funds Investment strategies for capital project funds shall have as their primary objective sufficient investment liquidity to timely meet capital project obligations. Maturities longer than one year are authorized provided legal limits are not exceeded.

Safekeeping and Custody The District shall retain clearly marked receipts providing proof of the District's ownership. The District may delegate, however, to an investment pool the authority to hold legal title as custodian of investments purchased with District funds by the investment pool.

Sellers of Investments Prior to handling investments on behalf of the District, a broker/dealer or a qualified representative of a business organization must submit required written documents in accordance with law. [See Sellers of Investments, CDA(LEGAL)]

Representatives of brokers/dealers and representatives with distributors of investment pools shall be registered with the Texas State Securities Board and must have membership in the Securities Investor Protection Corporation (SIPC) and be in good standing with the Financial Industry Regulatory Authority (FINRA). Distributors of investment pools shall also be a registrant in good standing with the Municipal Securities Rulemaking Board (MSRB).

Soliciting Bids for CDs In order to get the best return on its investments, the District may solicit bids for certificates of deposit in writing, by telephone, or electronically, or by a combination of these methods.

Interest Rate Risk

OTHER REVENUES
INVESTMENTS

CDA
(LOCAL)

To reduce exposure to changes in interest rates that could adversely affect the value of investments, the District shall use final and weighted-average-maturity limits and diversification.

The District shall monitor interest rate risk using weighted average maturity and specific identification.

Internal Controls

A system of internal controls shall be established and documented in writing and must include specific procedures designating who has authority to withdraw funds. Also, they shall be designed to protect against losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the District. Controls deemed most important shall include:

1. Separation of transaction authority from accounting and recordkeeping and electronic transfer of funds.
2. Avoidance of collusion.
3. Custodial safekeeping.
4. Clear delegation of authority.
5. Written confirmation of telephone transactions.
6. Documentation of dealer questionnaires, quotations and bids, evaluations, transactions, and rationale.
7. Avoidance of bearer-form securities.

These controls shall be reviewed by the District's independent auditing firm.

**Performance
Measurement**

Weighted average yield to maturity shall be the portfolio performance measurement standard for all investment reporting.

Annual Review

The Board shall review this investment policy and investment strategies not less than annually and shall document its review in writing, which shall include whether any changes were made to either the investment policy or investment strategies.

Annual Audit

In conjunction with the annual financial audit, the District shall perform a compliance audit of management controls on investments and adherence to the District's established investment policies.

PROPOSED REVISIONS

Fiscal Year	The District shall operate on a fiscal year beginning September 1 and ending August 31.
Budget Planning	Budget planning shall be an integral part of overall program planning so that the budget effectively reflects the District's programs and activities and provides the resources to implement them. In the budget planning process, general educational goals, specific program goals, and alternatives for achieving program goals shall be considered, as well as input from the District- and campus-level planning and decision-making committees. Budget planning and evaluation are continuous processes and shall be a part of each month's activities.
Budget Meeting	The annual public meeting to discuss the proposed budget and tax rate shall be conducted as follows: 1. The Board President shall request at the beginning of the meeting that all persons who desire to speak on the proposed budget and/or tax rate sign up on the sheet provided. 2. Prior to the beginning of the meeting, the Board may establish time limits for speakers. 3. Speakers shall confine their remarks to the appropriation of funds as contained in the proposed budget and/or the tax rate. 4. No officer or employee of the District shall be required to respond to questions from speakers at the meeting.
Authorized Expenditures	The adopted budget provides authority to expend funds for the purposes indicated and in accordance with state law, Board policy, and the District's approved purchasing procedures. The expenditure of funds shall be under the direction of the Superintendent or designee who shall ensure that funds are expended in accordance with the adopted budget.
Budget Amendments	The Board shall amend the budget when a change is made increasing any one of the functional spending categories or increasing revenue object accounts and other resources.
<u>Fund Balance</u>	<u>To keep the District in a strong financial position, it is the goal of the Board to maintain a fund balance of the general operating fund at an adequate level.</u> <u>The District shall strive to maintain an assigned and unassigned fund balance in the general operating fund at or near three months' operating expenditures.</u>

ANNUAL OPERATING BUDGET

CE
(LOCAL)

Financial Policy and Objectives

~~In order to meet its mission, the District depends on its property tax collections for the majority of its funding. Additionally, the District receives limited state aid and grant revenues. The District receives its revenues at various intervals during the year, and the majority of its revenue is received through tax collections in late January and February of each year.~~

~~The District recognizes the importance of maintaining its financial integrity; therefore, it has developed this policy to support its mission and its goals and objectives.~~

Financial Stability

~~In seeking to fulfill its mission, the District shall maintain a high level of financial stability and shall not compromise a long term financial integrity to achieve short term benefits.~~

Funds from Operations

~~The District's general fund shall provide adequate funding to support the following:~~

- ~~1. Cash flow needs;~~
- ~~2. Quality instructional programs;~~
- ~~3. Bond ratings;~~
- ~~4. Unfunded state mandated costs;~~
- ~~5. Changes in state funding formulas that impact cash flow; and~~
- ~~6. Unanticipated extraordinary costs.~~

Revenue

~~The District's revenue levels shall be evaluated annually with the administration's recommendations giving consideration to the following:~~

- ~~1. Cash flow needs;~~
- ~~2. Bond ratings;~~
- ~~3. Operating requirements;~~
- ~~4. Current business conditions, including the local economy;~~
- ~~5. Economic projections, including property values, the state's economy, legislative issues, and the like;~~
- ~~6. Student growth assumptions; and~~
- ~~7. The projected level of expenditures.~~

ANNUAL OPERATING BUDGET

CE
(LOCAL)

General Operating Fund

All expenditures from the general fund shall maintain the following priorities of obligation:

Expenditures

- Payments of all legal and reasonable expenditures relating to maintenance and operations of the District's general fund.
- Payment to special revenue funds that require a matching amount for federal or state grants, including the child nutrition fund and the construction fund.

Minimum Amount

The general fund shall maintain a balance of one month's projected expenditures.

Debt Service Fund

The debt service fund shall maintain a minimum balance of at least ten percent of the District's annual bond payment requirement, net of any state assistance.

Reporting

The District shall prepare financial operations reports in accordance with the following:

- Monthly financial reports shall be provided to the Board.
- An annual financial plan (budget) detailing revenues and expenditures shall be provided for the Board's approval prior to July 1 of each fiscal year.
- An annual audit shall be conducted by an external professional auditing firm that includes the necessary details to reconcile the District's financial operations for the year. The audit report shall be submitted for review and approval by the Board after the end of the fiscal year.

Order of Expenditure

The order of spending and availability of the fund balance shall be to reduce funds from the listed areas in the following order: restricted, committed, assigned, and unassigned. Negative amounts shall not be reported for restricted, committed, or assigned funds.

Definitions

Fund Balance

Fund balance shall mean the gross difference between governmental fund assets and liabilities reflected on the balance sheet.

Fund Balance of the General Fund

The fund balance of the general fund, one of the governmental types, is of primary significance because the general fund is the primary fund, which finances most functions in the District. The fund balance of the general fund shall mean the gross difference between general fund assets and liabilities reflected on the balance sheet.

The five classifications of fund balance of the government types are as follows:

ANNUAL OPERATING BUDGET

CE
(LOCAL)

Nonspendable Fund Balance	1. Nonspendable fund balance shall mean the portion of the gross fund balance that is not expendable (such as inventories) or is legally earmarked for a specific use (such as the self-funded reserves program). Examples of fund balance reserves for which fund balance shall not be available for financing general operating expenditures include, but are not limited to, inventories, prepaid items, deferred expenditures, and long-term receivables.
Restricted Fund Balance	2. Restricted fund balance shall include amounts constrained to a specific purpose by the provider, such as a grantor. Examples may include, but are not limited to, child nutrition programs, technology programs, construction programs, and resources from other granting agencies.
Committed Fund Balance	3. Committed fund balance shall mean that portion of the fund balance that is constrained to a specific purpose by the Board. The Board's commitment may be modified or rescinded by a majority vote in a scheduled meeting. Board commitments cannot exceed the amount of fund balance that is greater than the sum of nonspendable and restricted fund balances since that practice would commit funds that the District does not have. Board commitments must occur before the end of the reporting period with amounts to be determined subsequently. Examples may include, but are not limited to, construction and renovations; land purchases; and potential litigation, claims, and judgments.
Assigned Fund Balance	4. Assigned fund balance shall mean that portion of the fund balance that is spendable or available for appropriation but has been tentatively earmarked for some specific purpose by the Board, the Superintendent, or the Superintendent's designee. The Board delegates by formal action in a scheduled meeting specific persons or groups to assign certain fund balances. The Board may modify or rescind its delegation of authority by the same action. The authority to make assignments shall be in effect until modified or rescinded by the Board by majority vote in a scheduled meeting. In current practice, such plans or intent may change and may never be budgeted or may result in expenditures in future periods of time. Examples may include, but are not limited to, insurance deductibles, campus activity funds, outstanding encumbrances, program start-up costs, and other legal uses.
Unassigned Fund Balance	5. Unassigned fund balance shall include amounts available for any legal purpose. This portion of the total fund balance in the general fund is available to finance operating expenditures.

ANNUAL OPERATING BUDGET

CE
(LOCAL)

~~The unassigned fund balance shall be the difference between the total fund balance and the total of the nonspendable fund balance, restricted fund balance, committed fund balance, and assigned fund balance.~~

PROPOSED REVISIONS

Capitalization Threshold

The capitalization threshold for purposes of classifying individual capital assets shall be \$10,000.

The Superintendent shall determine the capitalization threshold for a group of assets, the individual cost of which does not exceed the capitalization threshold above but for which the cost in the aggregate is significant.

~~Fixed Asset Policy Objectives~~

~~The fixed asset policy of the District is established to safeguard the assets of the District by establishing perpetual inventory records and affixing inventory numbers to furniture and equipment. In the event that any policy statement contained herein conflicts with that required by TEA Financial Accountability System Resource Guide (FASRG), as amended, or applicable federal regulations, the FASRG and/or federal regulations shall be followed.~~

~~The fixed asset policy of the District shall be to:~~

- ~~1. Comply with generally accepted accounting principles as promulgated by the Governmental Accounting Standards Board (GASB) and as required by TEA FASRG.~~
- ~~2. Maintain appropriated stewardship of the location and value of fixed assets.~~

~~Fixed Assets Defined~~

~~For purposes of the District's financial statement, fixed assets shall be accounted for at cost or, if the cost cannot be practicably determined, at estimated cost. Donated fixed assets shall be recorded at their estimated fair value at the time received. Student activity purchases of fixed assets shall be accounted for at cost.~~

~~Fixed assets shall include land, buildings, improvements, furniture and equipment, and vehicles that:~~

- ~~1. Are not consumed as a result of use.~~
- ~~2. Have a useful life of at least one year and have for capital assets a per unit cost of \$5,000 or more, and for inventoried assets a per unit cost of less than \$5,000 and are high risk in nature. For enterprise funds, capital assets shall be defined as having a useful life of at least one year and a per unit cost of at least \$1,000.~~
- ~~3. Have a useful life of at least one year and are classified as follows:~~
 - ~~a. Capital assets shall have a per unit cost of over \$5,000 and shall be accounted, inventoried, and depreciated.~~

ACCOUNTING
INVENTORIES

CFB
(LOCAL)

- ~~b. Inventoried technology assets shall have a per unit cost of less than \$5,000, shall be accounted and inventoried, and shall be computerized in nature and composed of intricate circuitry.~~
- ~~c. Other inventoried assets shall have a per unit cost of over \$500 but less than \$5,000 and shall be accounted.~~

Inventory Control

~~The Superintendent and/or designee shall be responsible for establishing an accurate inventory of all school property, including land, buildings, improvements, furniture equipment, and vehicles. Administrative personnel shall be required to take a physical count of all such property at least annually. This inventory shall be updated and accounted for in the appropriate accounting records.~~

Depreciation

~~Administrative personnel shall adopt and maintain administrative procedures to establish estimated life and depreciation methods for applicable District capital assets.~~

Responsibility

~~The executive director of support services or designee is responsible for maintaining an accurate inventory for the District. Principals and department heads are responsible for accurate reporting of additions, retirements, and transfers according to approved procedures.~~

Audits

~~Records shall be maintained in a manner that will facilitate audits and shall provide a description, location, and value of individual assets and assets accounted for in groups. All records shall comply with the TEA FASRG, federal regulations pertaining to grant application requirements, and generally accepted accounting principles.~~

DELETE POLICY

District Police Department	To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a District police department and shall employ and commission police officers.
Supervisory Authority	The chief of police shall be accountable to and shall report to the Superintendent. In accordance with law, the Superintendent shall not delegate this supervisory responsibility.
Jurisdiction	The jurisdiction of District police officers shall include all territory within District boundaries, as well as all real and personal property outside the boundaries of the District that is owned, leased, or rented by the District, or is otherwise under the District's control.
Police Authority and Duties	Each District police officer shall have all the powers, privileges, and immunities of police officers on or off duty within the jurisdiction of the District. Subject to limitations in law, each District police officer shall: 1. Protect the safety and welfare of any person in the jurisdiction of the District and protect the property of the District. 2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, District police officers may serve search warrants in connection with District-related investigations in compliance with the Texas Code of Criminal Procedure. 3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure. 4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary. 5. Enforce District policies, rules, and regulations on District property, in school zones, at bus stops, or at District functions. 6. Investigate violations of District policy, rules, and regulations as requested by the Superintendent and participate in hearings concerning alleged violations. 7. Carry weapons as directed by the chief of police and approved by the Superintendent. 8. Carry out all other duties as directed by the chief of police or Superintendent.

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

	A District police officer shall not be assigned routine classroom discipline or administrative tasks.
Limitations on Nonschool Employment	No officer commissioned under this policy shall provide law enforcement or security services for an outside employer without prior written approval from the chief of police and Superintendent. Each District police officer shall enforce all laws, including municipal ordinances, county ordinances, and state laws within another law enforcement agency's jurisdiction while working off duty or temporarily assigned to another agency.
Relationship with Outside Agencies	The District's police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into memoranda of understanding and other appropriate interlocal agreements that outline reasonable communication and coordination efforts among the department and the agencies. The chief of police and the Superintendent shall review the memoranda of understanding and other agreements at least once every year. All such agreements shall be approved by the Board.
Interlocal Agreement for Mutual Aid	While operating pursuant to an interlocal agreement for mutual aid or other support for another law enforcement agency, each District police officer shall perform the duties and have the authorities set out in the agreement, including enforcing all laws within the other agency's jurisdiction.
Video Monitoring	If available, video equipment shall be used on a District police car for safety purposes whenever the flashing lights on the car are in use.
Access to Recordings	Recordings shall be considered law enforcement records, shall remain in the custody of the chief of police, and shall be maintained as required by the department regulations manual and law. A parent or student who wishes to view a video recording in response to disciplinary action taken against the student may request such access under the procedures set out by law. [See FL(LEGAL)]
Body Worn Cameras	A District police officer shall use a body worn camera only when performing official law enforcement duties for the District and in accordance with the provisions of the District police department's body worn camera program. Each District police officer shall receive training on the program, including proper use and operation of cameras. Any District employee who has access to data from body worn cameras shall receive training on storage, retention, and release of recordings.
Training	Each District police officer shall receive at least the minimum amount of education and training required by law.

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

Department Regulations Manual	To carry out the provisions in this policy, the police department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services, including Department of Justice grant requirements for body worn cameras. The chief of police and the Superintendent shall review the manual annually and make any appropriate revisions.
Racial Profiling	The chief of police shall develop and implement regulations to ensure compliance with laws regarding racial profiling. A District police officer shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.
Use of Force	The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.
High-Speed Pursuit	A District police officer shall not engage in high speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high speed pursuits shall be addressed in the department regulations manual.
Complaints	Complaints against a District police officer shall be in writing on a form provided by the District and shall be signed by the person making the complaint. In accordance with law, the District shall provide to the police officer a copy of the complaint. Appeals regarding this complaint process shall be filed in accordance with DGBA, FNG, or GF, as appropriate. [See CKE(LEGAL) and CKEA(LEGAL)]
Security Officers Authorized to Possess Firearms	To implement the District's comprehensive safety programs, the District shall employ security officers as defined by Occupations Code Chapter 1702. To be authorized to carry a firearm, a security officer shall have completed the Department of Public Safety (DPS) Level III training course in order to be commissioned. The District shall comply with DPS rules for the employment of commissioned security officers. Security officers shall be accountable to and shall report to the chief of police.
Jurisdiction	The jurisdiction of security officers shall include all territory within District boundaries, as well as all real and personal property outside the boundaries of the District that is owned, leased, or rented by the District, or is otherwise under the District's control.
Authorization	Pursuant to its authority under state law, the Board shall authorize security officers to possess certain firearms in schools, at Board

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

~~meetings, and at school-sponsored or school-related events on District property, to the extent allowed by law. Each authorized security officer shall have immunities as provided by law.~~

~~Each specifically authorized security officer shall be approved by action of the Board. The Superintendent shall issue written authorization to each approved security officer. The written authorization shall specify the District premises and other property where the security officer is authorized to carry a firearm, as well as the means of carrying and storing the firearm.~~

Revocation

~~The Superintendent, as well as the Board, shall have the authority to revoke at any time a security officer's authorization to possess a firearm under this policy.~~

~~In addition, authorization for a security officer to possess a firearm under this policy shall be automatically revoked if the employee is placed on administrative leave or separates from employment with the District, regardless of the reason.~~

Duties

~~An authorized security officer shall not perform routine law enforcement duties unless the duty is performed in response to an emergency that poses a threat of death or serious bodily injury to a student, employee, or other individual on a District campus.~~

~~In addition to complying with the relevant DPS regulations, a security officer shall:~~

- ~~1. Act as necessary to protect the safety and welfare of any person in the jurisdiction of the District;~~
- ~~2. Maintain school security by patrolling campus hallways, completing door checks, and monitoring the perimeter of the campus throughout the day;~~
- ~~3. Routinely check exterior doors and interior classroom doors to ensure they are locked;~~
- ~~4. Complete weekly exterior door audits;~~
- ~~5. Inform campus administrators of malfunctioning cameras, doors, locks, gates, windows, etc., that require the submission of a work order for repair;~~
- ~~6. Assist with campus safety drills (i.e., fire, hold, secure, lock-down, evacuate, shelter);~~
- ~~7. Assist and coordinate with law enforcement personnel as needed;~~

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

	8. Notify the police, fire department, emergency responders, or other appropriate authority of any situation requiring immediate attention; and 9. Perform other tasks and carry out all other lawful duties as directed by the Superintendent or chief of police.
Handgun Licensees	Each security officer shall be required to maintain a current license to carry a handgun in accordance with state law.
Training	In addition to the training required by law and applicable DPS rules, each security officer assigned to a campus shall receive training in the following: 1. Student mental health, including suicide awareness; 2. Trauma-informed care; 3. Age-appropriate responses; 4. Child abuse identification and reporting; 5. Bullying, cyberbullying, harassment, and dating violence; 6. Special accommodations for students with disabilities (including behavior de-escalation techniques); 7. Confidentiality; and 8. Board policies and District regulations.
Permitted Weapons and Ammunition	Only District-approved firearms and ammunition shall be authorized for possession and use under this policy and the District's emergency operations procedures.
Implementation	The Superintendent shall ensure that procedures to implement this safety and security program are detailed in the District's emergency operations plan.

ADD POLICY

District Police Department	To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a District police department and shall employ and commission police officers.
Supervisory Authority	The chief of police shall be accountable to and shall report to the Superintendent. In accordance with law, the Superintendent shall not delegate this supervisory responsibility.
Jurisdiction	The jurisdiction of District police officers shall include all territory within District boundaries, as well as all real and personal property outside the boundaries of the District that is owned, leased, or rented by the District, or is otherwise under the District's control.
Police Authority and Duties	Each District police officer shall have all the powers, privileges, and immunities of police officers on or off duty within the jurisdiction of the District. Subject to limitations in law, each District police officer shall: 1. Protect the safety and welfare of any person in the jurisdiction of the District and protect the property of the District. 2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, District police officers may serve search warrants in connection with District-related investigations in compliance with the Texas Code of Criminal Procedure. 3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure. 4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary. 5. Enforce District policies, rules, and regulations on District property, in school zones, at bus stops, or at District functions. 6. Investigate violations of District policy, rules, and regulations as requested by the Superintendent and participate in hearings concerning alleged violations. 7. Carry weapons as directed by the chief of police and approved by the Superintendent. 8. Carry out all other duties as directed by the chief of police or Superintendent.

SECURITY PERSONNEL
COMMISSIONED PEACE OFFICERS

CKEA
(LOCAL)

	A District police officer shall not be assigned routine classroom discipline or administrative tasks.
Limitations on Nonschool Employment	No officer commissioned under this policy shall provide law enforcement or security services for an outside employer without prior written approval from the chief of police and Superintendent. Each District police officer shall enforce all laws, including municipal ordinances, county ordinances, and state laws within another law enforcement agency's jurisdiction while working off-duty or temporarily assigned to another agency.
Relationship with Outside Agencies	The District's police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into memoranda of understanding and other appropriate interlocal agreements that outline reasonable communication and coordination efforts among the department and the agencies. The chief of police and the Superintendent shall review the memoranda of understanding and other agreements at least once every year. All such agreements shall be approved by the Board.
<i>Interlocal Agreement for Mutual Aid</i>	While operating pursuant to an interlocal agreement for mutual aid or other support for another law enforcement agency, each District police officer shall perform the duties and have the authorities set out in the agreement, including enforcing all laws within the other agency's jurisdiction.
Video Monitoring	If available, video equipment shall be used on a District police car for safety purposes whenever the flashing lights on the car are in use.
<i>Access to Recordings</i>	Recordings shall be considered law enforcement records, shall remain in the custody of the chief of police, and shall be maintained as required by the department regulations manual and law. A parent or student who wishes to view a video recording in response to disciplinary action taken against the student may request such access under the procedures set out by law. [See FL(LEGAL)]
Body-Worn Cameras	A District police officer shall use a body-worn camera only when performing official law enforcement duties for the District and in accordance with the provisions of the District police department's body-worn camera program. Each District police officer shall receive training on the program, including proper use and operation of cameras. Any District employee who has access to data from body-worn cameras shall receive training on storage, retention, and release of recordings.
Training	Each District police officer shall receive at least the minimum amount of education and training required by law.

SECURITY PERSONNEL
COMMISSIONED PEACE OFFICERS

CKEA
(LOCAL)

Department Regulations Manual	To carry out the provisions in this policy, the police department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services. The chief of police and the Superintendent shall review the manual annually and make any appropriate revisions.
<i>Racial Profiling</i>	The chief of police shall develop and implement regulations to ensure compliance with laws regarding racial profiling. A District police officer shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.
<i>Use of Force</i>	The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.
<i>High-Speed Pursuit</i>	A District police officer shall not engage in high-speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high-speed pursuits shall be addressed in the department regulations manual.
Complaints	Complaints against a District police officer shall be in writing on a form provided by the District and shall be signed by the person making the complaint. In accordance with law, the District shall provide to the police officer a copy of the complaint. Appeals regarding this complaint process shall be filed in accordance with DGBA, FNG, or GF, as appropriate. [See CKE(LEGAL) and CKEA(LEGAL)]

PROPOSED REVISIONS

The Superintendent shall oversee the performance of records management functions prescribed by state and federal law:

- Records administrator, as prescribed by Local Government Code 176.001 and 176.0065. [See BBFA]
- Officer for public information, as prescribed by Government Code 552.201–.205. [See GBAA]
- Public information coordinator, as prescribed by Government Code 552.012. [See BBD]

Local Government Records Act

“Local Government
Record”

Records
Management
Officer

The term “local government record” shall pertain to all items identified as such by the Local Government Records Act.

The District tax assessor/collector ~~records management officer~~ shall serve as and perform the duties of the District’s records management officer as prescribed by Local Government Code 203.023 and shall administer the District’s records management program pertaining to local government records in compliance with the Local Government Records Act.

Notification

The records management officer shall file his or her name with the Texas State Library and Archives Commission (TSLAC) within 30 days of assuming the position.

Electronic Records

The records management officer shall develop procedures for the management of electronic records that comply with the District’s records control schedules and meet the minimum components required by law.

The procedures shall:

1. Specify the objectives of the electronic records management program;
2. Identify the responsibilities of employees who create, receive, or maintain electronic records;
3. Ensure the maintenance of electronic records until the expiration of the applicable retention period and final disposition; and
4. Ensure that electronic records that must be protected from unauthorized use or disclosure are appropriately protected as required by law, regulation, or other applicable requirements.

OFFICE MANAGEMENT
RECORDS MANAGEMENT

CPC
(LOCAL)

Records Control Schedules	The records management officer shall file with the TSLAC a written declaration that the District has adopted records control schedules that comply with records retention schedules issued by the TSLAC as provided by law.
Website Postings	The District's records management program shall address the length of time records will be posted on the District's website when the law does not specify a posting period.
Records Destruction Practices	All local government records shall be considered District property and any unauthorized destruction or removal shall be prohibited. The District shall follow its records control schedules, records management program, and all applicable laws regarding records destruction. However, the District shall preserve records, including electronically stored information, and suspend routine record destruction practices where appropriate and in accordance with procedures developed by the records management officer. Such procedures shall describe the circumstances under which local government records scheduled for destruction must be retained. Notification shall be given to appropriate staff when routine record destruction practices must be suspended and when they may be resumed.
Training	The records management officer shall receive appropriate training regarding the Local Government Records Act and shall ensure that custodians of records, as defined by law, and other applicable District staff are trained on the District's records management program, including this policy and corresponding procedures.

PROPOSED REVISIONS

(See pages 3-4)

Note: For Board member use of District technology resources, see BBI. For student use of personal electronic devices, see FNCE.

Availability of Access

For purposes of this policy, "technology resources" means electronic communication systems and electronic equipment.

Access to the District's technology resources, including the internet, shall be made available to students and employees primarily for instructional and administrative purposes and in accordance with administrative regulations.

Limited Personal Use

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; and
3. Has no adverse effect on an employee's job performance or on a student's academic performance.

Use by Members of the Public

Access to the District's technology resources, including the internet, shall be made available to members of the public, in accordance with administrative regulations. Such use shall be permitted so long as the use:

1. Imposes no tangible cost on the District; and
2. Does not unduly burden the District's technology resources.

Acceptable Use

The Superintendent shall develop and implement administrative regulations, guidelines, and user agreements consistent with the purposes and mission of the District and with law and policy.

Access to the District's technology resources is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations governing use of the District's technology resources 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.

TECHNOLOGY RESOURCES

CQ
(LOCAL)

Internet Safety

The Superintendent shall develop and implement an internet safety plan to:

1. Control students' access to inappropriate materials, as well as to materials that are harmful to minors;
2. Ensure student safety and security when using electronic communications;
3. Prevent unauthorized access, including hacking and other unlawful activities;
4. Restrict unauthorized disclosure, use, and dissemination of personally identifiable information regarding students; and
5. Educate students about cyberbullying awareness and response and about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms.

Filtering

Each District computer with internet access and the District's network systems shall have filtering devices or software that blocks access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors, as defined by the federal Children's Internet Protection Act and as determined by the Superintendent.

The Superintendent shall enforce the use of such filtering devices. Upon approval from the Superintendent, an administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purpose.

Monitored Use

Electronic mail transmissions and other use of the District's technology resources by students, employees, and members of the public shall not be considered private. Designated District staff shall be authorized to monitor the District's technology resources at any time to ensure appropriate use.

Disclaimer of Liability

The District shall not be liable for users' inappropriate use of the District's technology resources, violations of copyright restrictions or other laws, users' mistakes or negligence, and costs incurred by users. The District shall not be responsible for ensuring the availability of the District's technology resources or the accuracy, age appropriateness, or usability of any information found on the internet.

Record Retention

A District employee shall retain electronic records, whether created or maintained using the District's technology resources or using personal technology resources, in accordance with the District's record management program. [See CPC]

Electronically Signed Documents

At the District's discretion, the District may make certain transactions available online, including student admissions documents, student grade and performance information, contracts for goods and services, and employment documents.

To the extent the District offers transactions electronically, the District may accept electronic signatures in accordance with this policy.

When accepting electronically signed documents or digital signatures, the District shall comply with rules adopted by the Department of Information Resources, to the extent practicable, to:

- Authenticate a digital signature for a written electronic communication sent to the District;
- Maintain all records as required by law;
- Ensure that records are created and maintained in a secure environment;
- Maintain appropriate internal controls on the use of electronic signatures;
- Implement means of confirming transactions; and
- Train staff on related procedures as necessary.

Personal Recording Devices

Personal recording devices shall include camera phones, cameras, audio/tape recorders, video recorders, and any other electronic device capable of recording a human voice or image. Restrictions regarding the use of personal recording devices in District facilities and related activities on or off campus shall include the following:

1. All employees, including student workers, shall be prohibited from using recording devices to duplicate confidential information, including student records, personal records, and medical records. [See CQB, DBA, FFAC, and FL]
2. All employees, students, and visitors shall be prohibited from using recording devices in restrooms, locker rooms, dressing rooms, and other locations where people have a reasonable expectation of privacy. [\[See DH and FNCE\]](#)
- ~~3. Teachers and instructional personnel shall have the authority to impose restrictions on students regarding the use of recording devices in classrooms, laboratories, and other settings where instruction or testing occurs and shall provide written notification to students on the restrictions with use of recording devices in accordance with this policy. The restrictions shall be included in any syllabus and other District~~

~~publications, including the student handbook, distributed to students. [See FNCE]~~

~~4.3.~~ All employees shall be prohibited from using recording devices at any District facility or during work-related activities and meetings. [\[See also DH\]](#)

Exception	An employee or student with a disability shall be permitted to use personal recording devices as a reasonable accommodation. An employee requesting such an accommodation shall contact the District's human resources department. A student requesting such an accommodation shall contact student support services.
Secret Recordings Prohibited	The District prohibits the secret operation of personal recording devices by employees and students while on District property. This includes, but is not limited to, the use of personal recording devices concealed on or within an individual's person, clothing, or belongings. Additionally, parents of students shall be prohibited from concealing personal recording devices on or within his or her student's person, clothing, or belongings.
Notice of Criminal Penalty	The District hereby notifies all employees, students, and parents that, in accordance with the Texas Penal Code, it is a crime to record a conversation to which one is not a party.
Confiscation	An authorized District employee shall have the authority to confiscate a personal recording device used in violation of District policy. [See FNCE]
Discipline	Violations of the provisions regarding personal recording devices may result in disciplinary action, up to and including termination or expulsion.

INSURANCE AND ANNUITIES MANAGEMENT
WORKERS' COMPENSATION

CRE
(LOCAL)

DELETE POLICY

**~~Workers'
Compensation Offset
of Leave Benefits~~**

~~The Board has adopted the offset option provided by law [see CRE(LEGAL)] whereby an employee absent because of a job-related illness or injury may choose to:~~

- ~~1. Receive workers' compensation wage benefits only; or~~
- ~~2. Use available paid leave in proportional amounts to supplement workers' compensation wage benefits, up to the regular pre-injury weekly wage.~~

~~The employee shall indicate if he or she chooses to use available paid leave in this circumstance and, if so, may choose to discontinue use at any time.~~

~~An employee absent because of a job-related illness or injury shall be placed on family and medical leave, if applicable. [See DEC (LOCAL)]~~

**~~Fitness to Return to
Work~~**

~~Upon release from workers' compensation for regular or accommodated duty, the employee must report to the risk management office. The employee must obtain a work status report certifying the employee's fitness to return to work. If the release is for an accommodated duty position, the return to work shall be coordinated by the risk management department.~~

~~Except as required under leave of absence for the temporary disability law, an employee released from workers' compensation shall be considered for a position for which the employee is qualified, provided such a position is available. If no position for which the employee is qualified is available at the time the employee requests reinstatement, the employee shall be considered for a subsequent vacancy.~~

~~Failure of an employee to report to the District upon release from workers' compensation leave within three days or refusal to accept an offered position shall constitute resignation.~~

PROPOSED REVISIONS

Compliance with Law

The Superintendent shall establish procedures that ensure that all school facilities within the District comply with applicable laws and local building codes.

Construction Contracts

~~Unless otherwise determined by the Board, the project delivery/contract award method to be used~~ The Board designates the job-order contract method as the method to be used for each construction contract valued at or above the competitive purchasing threshold established in law. ~~shall be the job-order contract method.~~ To assist the Board, the Superintendent ~~shall~~ may recommend ~~the~~ an alternate project delivery/contract award method ~~that if~~ he or she determines an alternate method provides the best value to the District for a particular construction project. [See CV series generally and CBB(LEGAL) for requirements if federal funds are involved.]

For construction contracts valued at or above \$100,000, the Superintendent shall be authorized to execute the resulting contract after the Board has approved the proposal/bid. Lesser expenditures for construction and construction-related materials or services shall be at the discretion of the Superintendent and consistent with law and policy. [See also CH and CBB(LEGAL)]

Note: For provisions regarding delegation of authority for construction contracts in the event of a catastrophe, emergency, or natural disaster affecting the District, see CH(LOCAL).

Change Orders

Change orders permitted by law shall be approved ~~by the Board or its designee~~ prior to any changes being made in the approved plans or the actual construction of the facility.

Change orders valued at or above \$100,000 shall require Board approval. The Superintendent shall be authorized to approve change orders of a lesser amount.

~~The Superintendent is authorized to approve any change orders in an amount not to exceed \$25,000 prior to any changes being made in the approved plans or the actual construction of the facility, as well as any time extensions to construction contracts without Board approval.~~

Project Administration

All construction projects shall be administered by the Superintendent.

FACILITIES CONSTRUCTION

CV
(LOCAL)

The Superintendent shall keep the Board informed concerning construction projects and also shall provide information to the general public.

Final Payment

The District shall not make final payments for construction or the supervision of construction until the work has been completed and the Superintendent has accepted the work.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(LOCAL)

PROPOSED REVISIONS

Note: For conflicts of interest and gifts and gratuities related to federal grants and awards, see CB and CBB.

**Disclosure —
General Standard**

An employee shall disclose to his or her immediate supervisor a personal financial interest, a business interest, or any other obligation or relationship that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or with the best interest of the District.

Specific Disclosures
Substantial Interest

The Superintendent shall file an affidavit with the Board President disclosing a substantial interest, as defined by Local Government Code 171.002, in any business or real property that the Superintendent or any of his or her relatives in the first degree may have.

Any other employee who is in a position to affect a financial decision involving any business entity or real property in which the employee or any of his or her relatives in the first degree has a substantial interest, as defined by Local Government Code 171.002, shall file an affidavit with the Superintendent.

Interest in Property

The Superintendent shall be required to file an affidavit disclosing interest in property in accordance with Government Code 553.002.

Annual Financial
Management
Report

The Superintendent, as the executive officer of the District, shall provide to the District in a timely manner information necessary for the District's annual financial management report.

[See BBFA]

Gifts

An employee shall not accept or solicit any gift, favor, service, or other benefit that could reasonably be construed to influence the employee's discharge of assigned duties and responsibilities. [See CAA, CB, and CBB]

~~An employee shall report to his or her supervisor within 72 hours any gift, favor, service, or other benefit valued at more than \$25 and received from a vendor or potential vendor.~~

~~In the event the employee was unaware of his or her responsibility to report any gift, favor, service, or other benefit valued at more than \$25, the employee shall make the report within seven calendar days of when the employee knew or should have known about the duty to report.~~

~~An employee shall report the potential receipt of any gift, favor, service, or other benefit valued at more than \$25 before it is received whenever possible.~~

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(LOCAL)

~~An employee who is required to file a Conflicts Disclosure Statement (Form CIS) shall also file a separate District Conflict of Interest Disclosure form when reporting any gift, favor, service, or other benefit valued at more than \$25.~~

Endorsements

An employee shall not recommend, endorse, or require students to purchase any product, material, or service in which the employee has a financial interest or that is sold by a company that employs or retains the District employee during nonschool hours. No employee shall require students to purchase a specific brand of school supplies if other brands are equal and suitable for the intended instructional purpose.

Sales

An employee shall not use his or her position with the District to attempt to sell products or services.

**Nonschool
Employment**

An employee shall disclose in writing to his or her immediate supervisor any outside employment that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or with the best interest of the District.

Private Tutoring

An employee shall disclose in writing to his or her immediate supervisor any private tutoring of District students for pay.

**Personal Services
Performed by an
Administrator**

An administrator, as defined in law, shall not receive any financial benefit for the performance of personal services except as permitted by and in accordance with law.

An administrator, other than a Superintendent or an assistant superintendent, who wishes to seek Board approval to perform personal services permitted by law shall submit that request to the Superintendent in accordance with administrative regulations.

PROPOSED REVISIONS

Personnel Duties	The Superintendent shall define the qualifications, duties, and responsibilities of all positions and shall ensure that job descriptions are current and accessible to employees and supervisors.
<u>Posting Vacancies</u>	<u>The Superintendent shall establish guidelines for advertising employment opportunities and posting notices of vacancies. These guidelines shall advance the Board's commitment to equal opportunity employment and to recruiting well-qualified candidates. Current District employees may apply for any vacancy for which they have appropriate qualifications.</u>
<u>Applications</u>	<u>All applicants shall complete the application form supplied by the District. Information on applications shall be confirmed before a contract is offered for a contractual position and before hiring or as soon as possible thereafter for a noncontractual position.</u> <u>[For information related to the evaluation of criminal history records, see DBAA.]</u>
Superintendent's Authority Regarding Transfers and Reassignments	In accordance with DK(LOCAL) and notwithstanding the provisions addressing assignment and posting vacancies below, the Superintendent may appoint an employee to fill any vacant position, whether newly budgeted or currently existing, by a lateral transfer or reassignment when the employee's current position and the vacant position are of equal pay grade or level and require the same number of working days.
Posting Vacancies	The guidelines that follow for advertising employment opportunities and posting notices of vacancies shall advance the Board's commitment to equal opportunity employment and to recruiting well-qualified candidates. Current District employees are eligible to apply for any vacancy. The continuing need to improve the educational quality of the District makes it imperative that the best qualified person, as determined by the District, fill each position. [See DC(LEGAL)]
Contractual Vacancies	Subject to the provisions for campus-based administrative positions and Education Code 11.1513, notice of vacancies for contractual positions shall be advertised by posting public notices for not fewer than 10 school days. Posting shall be at the District's administrative offices, at each school campus, and on the District's internet website. Each principal/director shall further ensure posting in locations available to employees. For purposes of retaining and promoting current employees, employment opportunities for all professional vacancies in the position of assistant principal, associate

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~~principal, dean, director, or above shall be advertised in the District's human resources department, local and regional websites, and the District's administrative offices and school campuses.~~

~~The posting of vacancies for contractual positions shall include a current copy of the job description for the posted position. Any changes made to current job descriptions prior to posting must be approved by the Superintendent.~~

~~School employees shall be permitted to apply for any vacancy; however, the needs of the District, as determined by the District, shall prevail over any assignment or reassignment.~~

~~Interested candidates shall complete an application provided by the District and file it with appropriate documents in the office of human resources no later than the posted closing date in the announcement.~~

*Administrator
Vacancies*

~~The following procedures shall be followed for administrator vacancies in the position of assistant principal, associate principal, dean, director, or above:~~

- ~~1. All applications shall be reviewed by the human resources department to ensure that all required materials have been submitted.~~
- ~~2. Selection of finalists: A committee comprised of central office and/or campus personnel shall prescreen qualified personnel. Once the applications have been prescreened, the committee shall interview selected candidates, and a list of finalists shall be established for the appropriate central office supervisor.~~
- ~~3. Final selection: The appropriate central office supervisor shall conduct the interviews of finalists and make a recommendation to the Superintendent.~~
- ~~4. The Superintendent shall make recommendations to the Board until a recommendation is accepted.~~
- ~~5. Any exception to these provisions in employment must be specifically approved by the Board.~~

*Classroom
Teacher
Vacancies*

~~The following procedures shall be followed for classroom teacher vacancies:~~

- ~~1. All applications shall be reviewed by the human resources department to ensure that the applicant meets the District's criteria.~~
- ~~2. Once the applicant meets the criteria, he or she shall become part of the District's pool of qualified applicants.~~

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~~The process for final selection of classroom teachers shall be conducted as follows:~~

- ~~1. An interview committee comprised of the campus principal, site-based decision-making (SBDM) committee representatives, and other appropriate persons shall interview from the District's pool of qualified applicants.~~
- ~~2. The interview committee shall recommend a list of finalists to the campus principal.~~
- ~~3. The principal shall make a recommendation to the Superintendent.~~
- ~~4. If the vacancy is for the following academic year, the principal(s) shall be authorized to approve a teacher transfer to fill the vacant position pursuant to DK(LOCAL).~~

~~Summer School
Positions~~

~~When a teaching vacancy occurs for summer school classroom teaching positions, the human resources department shall review and determine the pool of qualified applicants from current District teachers for the specific vacancy. From the pool of qualified applicants, the campus or summer school principal may proceed to interview candidates from the pool. If the principal chooses not to make a recommendation from the pool of qualified applicants, the vacancy shall be advertised according to established procedures, and a selection shall be made as detailed in this paragraph.~~

~~Paraprofessional/
Auxiliary Positions~~

~~Notice of vacancies for all paraprofessional/auxiliary positions shall be advertised for five working days by posting a public notice in the District's administrative offices and school campuses. Each principal/director shall further ensure posting in locations available to employees. When necessary, all employment opportunities shall periodically be advertised through local and out-of-town news media.~~

~~Current employees shall be permitted to apply for a vacancy; however, the needs of the District, as determined by the District, shall prevail over any assignment or reassignment.~~

~~Interested candidates shall complete an application provided by the District and file it with appropriate documents in the office of human resources no later than the posted closing date.~~

~~The following procedures shall be followed for paraprofessional/auxiliary vacancies:~~

- ~~1. All applications shall be reviewed by the human resources department to ensure that the applicants meet the District's criteria.~~

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~~2. Applicants who meet the District's criteria shall become part of the District's pool of qualified applicants.~~

~~3. The campus principals and/or central office administrators shall interview from the District's pool of qualified applicants and make a recommendation to the human resources department.~~

Applications

~~All applicants shall complete the application form supplied by the District. Information in applications for contractual positions shall be verified before a contract is offered, and information in applications for noncontractual positions shall be verified before hiring.~~

~~[For information related to the evaluation of criminal history records, see DBAA.]~~

Applicant's Former Employment

~~Except as indicated below, an applicant seeking employment shall not be considered for employment by the District if he or she has been terminated or nonrenewed by any former employer, was asked to resign, resigned due to employee misconduct, has negative references, or has a "do not hire" recommendation from a prior employer or supervisor. The only exceptions that the District may take into consideration are when an employer severed the employment relationship due to:~~

~~1. A reason not caused or attributed to any misconduct by the employee, which said reason shall be documented by the previous employer, in writing. In the event that the previous employer does not provide documentation, then third-party documentation (Texas Workforce Commission documentation) shall be considered. Documentation must be provided to the District prior to interviewing/hiring.~~

~~2. Lay-off due to the employer's economic conditions.~~

~~3. A reduction in force.~~

~~4. A termination that occurred prior to the age of 18.~~

~~In addition to the exceptions noted above, and only for a position of assistant principal or below, the Superintendent shall have the authority to take other factors into consideration to determine whether the applicant is eligible for hire.~~

Criminal History Record Check — Applicants

~~Under authority of the Education Code, the District shall obtain the criminal history record for each applicant for employment with the District who, in the opinion of the District, is a serious candidate and who may be offered a position.~~

	The District shall not issue any applicant a written contract of employment until it has obtained a criminal history record and reviewed it under the guidelines of this policy. For the purposes of this policy, "conviction" shall include probation, deferred adjudication, a finding of guilt, or acceptance by the court of a plea of guilty or <i>nolo contendere</i>. A person shall not be denied employment solely on the basis of the deferred adjudication. Rather, the underlying facts that led to the deferred adjudication shall be examined prior to any recommendation to employ.
Confidentiality Requirement	Criminal history information is privileged and for the use of the District and the State Board for Educator Certification. No District employee shall release or disclose such information to a person other than the applicant, the legal review committee, or the Superintendent under penalty of law and/or discharge.
Moral Turpitude	No one convicted of a felony or any misdemeanor involving moral turpitude in the past ten years shall be considered for employment in the District if the nature of the crime is directly related to the duties and responsibilities of the position. Moral turpitude is an act of baseness, vileness, or depravity in the private or social duties outside the accepted standards of decency that shocks the conscience of an ordinary person. No one currently on probation, including deferred adjudication probation, for any offense shall be considered for employment, unless allowed by the legal review committee, in accordance with provisions below.
Arrests, Indictments, Convictions, and Other Adjudications	Conviction records shall constitute reliable evidence that a person engaged in the conduct alleged because the criminal justice system requires the highest degree of proof ("beyond a reasonable doubt") for a conviction. Therefore, excluding extraordinary circumstances, the District shall treat a conviction as proof of guilt. Arrest records standing alone shall not be considered reliable evidence that a person has actually committed a crime. However, an arrest record may trigger an inquiry into whether the conduct underlying the arrest occurred and justifies denial of employment or an adverse employment action. The review committee shall examine the surrounding circumstances, offer the employee an opportunity to explain, and, if the employee denies engaging in the conduct, make the follow-up inquiries necessary to evaluate his or her credibility. The review committee is not required to conduct an informal trial or an extensive investigation to determine the employee's guilt or innocence. However, the review committee shall

~~make simple inquiries that could shed light on the likelihood of the individual's guilt in committing the underlying offense.~~

~~Deferred adjudication involves an individual entering a plea of guilty or no contest, which the court finds to be substantiated by evidence of guilt. A grant of deferred adjudication shall be viewed as more indicative of a conviction. The review committee shall make inquiries into evidence substantiating guilt similar to the inquiries made when an arrest is reported.~~

~~Not guilty adjudications and withdrawn or dismissed charges indicate that a court, a jury, or a law enforcement authority did not have sufficient proof beyond a reasonable doubt, which may or may not be indicative of guilt. The employee shall be asked to explain, in writing, the circumstances and must provide a certified copy of the court paperwork showing the final disposition of every charge. The review committee may make additional inquiries into evidence substantiating guilt.~~

Felony

~~A felony is an offense designated as such in the Texas Penal Code. If the employee was convicted of a felony, the District must determine if the underlying offense relates to the duties and responsibilities of the position or if the conviction was for a non-reviewable felony. An employee may continue to be eligible for employment in the District if a felony conviction does not relate to the duties and responsibilities of the employee's position and was not for a nonreviewable offense. If a felony conviction does relate to the duties and responsibilities of the employee's position, then the review committee must consider the likelihood of recurrence of the employee's criminal behavior. A determination by the review committee that the employee's behavior shall not recur makes the employee eligible for continued employment; a finding to the contrary makes the employee ineligible for continued employment.~~

Class A and Class B Misdemeanors

~~Class A and Class B misdemeanors are those offenses designated as such in the Texas Penal Code. An employee may be eligible for continued employment if the conviction for a Class A or Class B misdemeanor is not related to duties and responsibilities of the employee's position. If the conviction does relate to the duties and responsibilities of the employee's position, the employee is ineligible for continued employment in the District if the review committee determines there is a high degree of likelihood for the recurrence of the behavior.~~

Class C Misdemeanor

~~Class C misdemeanors are those offenses designated as such in the Texas Penal Code. The District shall not employ anyone convicted of a Class C misdemeanor involving moral turpitude if the nature of the crime is directly related to the duties and responsibili-~~

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	ties of the projected position. If convicted of a Class C misdemeanor that does not involve moral turpitude, the employee is ineligible for continued employment in the District if the review committee determines there is a high degree of likelihood for recurrence of the behavior and if the nature of the crime is directly related to the duties and responsibilities of the projected position.
Multiple Offenses	An employee with multiple offenses that individually do not make him or her ineligible for employment may be deemed ineligible for continued employment when repetitious criminal behavior indicates a high degree of likelihood for recurrence of the behavior and if the nature of the crime is directly related to the duties and responsibilities of the projected position.
Unlisted Criminal History	If a criminal history record does not list an event reported by the employee, he or she shall be asked to explain, in writing, the circumstances for each reported incident. A certified copy of pertinent court paperwork showing final disposition of the charge must be included. The review committee may make additional inquiries.
Nondisclosure	In accordance with state law, an employee who has successfully completed a deferred adjudication and who has succeeded in having the criminal court grant an order of nondisclosure may thereafter deny the occurrence of the arrest and prosecution.
Juvenile Record	An employee shall not be asked to disclose the contents of confidential juvenile records unless the employee was adjudicated as an adult.
Legal Review Committee	The application of a person who has a criminal record that would preclude employment with the District using the criteria listed above shall be reviewed by the legal review committee as established by the District's human resources department. The school attorney shall serve in an advisory capacity.
Governing Criteria for Employment Decisions	In determining whether or not to recommend a waiver of the criminal history restrictions to employment, the legal review committee shall consider the following: 1. The relationship and seriousness of the crime. 2. The nature of the crime. 3. The nature of the job position. 4. The extent to which employment might offer an opportunity to engage in further criminal activity of the same type as that in which the person had previously been involved.

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	5. The relationship of the crime to the ability, capacity, or fitness required to perform the duties and the responsibilities of the position with the District. 6. The age of the person at the time of the commission of the crime. 7. The time elapsed since the person's last criminal activity. 8. The evidence of the person's rehabilitation or rehabilitative effort while incarcerated or following release. 9. If the person holds a professional license, the results of any action taken by the licensing authority. 10. The other evidence of the person's present fitness, including letters of recommendation from prosecutors, law enforcement or correctional officers involved in the prosecution, arrest, or custody of the person; law enforcement officers in the community where the person resides or any other persons in contact with the convicted person. 11. The individual's patterns of habitual criminal activity. 12. The publicity surrounding the actual crime. 13. The person's clear and present danger to other staff, students, or the general public. 14. Probable guilt or innocence. 15. The accuracy of the information the employee provided to the District. 16. The potential impact of the conduct on the educational environment. 17. Any extenuating circumstances.
Recommendation	If, after applying the criteria outlined above, the legal review committee believes that the applicant should be considered for employment, the committee shall jointly sign a recommendation to the Superintendent that such applicant is eligible for hire.
Superintendent's Decision	If the Superintendent approves the recommendation, the applicant shall be considered eligible for hire.
Failure to Disclose Information on Application	An applicant shall not be employed by the District if he or she fails to disclose information on the employment application or during questioning regarding any arrest, criminal conviction, crime, de-

**Criminal History
Background Check
— Employees**

~~ferred adjudication, or similar type of decree, or if he or she misrepresents any information regarding such arrest, criminal conviction, crime, deferred adjudication, or similar type of decree.~~

~~At least once annually, the District shall obtain criminal history records of Webb County and the counties contiguous to Webb County. The District may obtain this information from any other county when it has reason to believe that an employee has been convicted of a crime related to the employee's duties and responsibilities.~~

~~The District may suspend or terminate the employment of any person convicted of a felony or misdemeanor if the crime directly relates to the duties and responsibilities of the individual.~~

**Penalties for Failing
to Disclose Criminal
Information**

~~The legal review committee shall assess the records of employees found to have criminal records that would bar them from employment with the District. The committee shall use the following guidelines to determine if an employee should be recommended for termination based on his or her criminal record:~~

- ~~1. The omission by the employee to not disclose a prior criminal conviction that would bar him or her from employment when requested at the time of employment shall be presumed to be intentional. The District however, shall have the burden of proof.~~
- ~~2. If the employee was not asked to divulge any previous convictions as a prerequisite to employment, a recommendation for termination shall be based on the same criteria as required for applicants.~~
- ~~3. If a conviction involving a felony or misdemeanor involving moral turpitude is discovered subsequent to employment, a recommendation for termination shall be based on the same criteria as required for applicants as found above.~~

~~An employee shall notify the District's human resources office within three calendar days if he or she is arrested, indicted, convicted, pleads no contest, enters a guilty plea, or is granted other adjudication for any criminal offense. This notification shall be made in writing to the human resources office. Failure to make such notification may result in termination of employment.~~

~~Any employee placed on deferred adjudication may be recommended for termination based upon the underlying facts that led to the deferred adjudication. For the purposes of any termination hearing, the facts to which the individual pleaded in order to obtain the deferred adjudication shall be presumed to exist and be true and correct.~~

	The District may suspend or terminate the employment of any person convicted of a felony or misdemeanor if the crime directly relates to the duties and responsibilities of the individual or directly relates to or adversely affects the mission of the District. An employee under felony indictment that adversely affects the mission of the District shall be recommended for suspension without pay pending adjudication of his or her case. After notification of a proposed suspension without pay or employment termination, a contract employee may request a hearing in accordance with the DF series.
Employment of Contractual Personnel	The Superintendent has sole authority to make recommendations to the Board regarding the selection of contractual personnel in the position of associate principal, dean, or above. The Board retains final authority for employment of contractual personnel in the position of associate principal, dean, or above. If the Board rejects the Superintendent's recommendation for contractual personnel, the Superintendent shall make alternative recommendations for the Board's consideration at the next regular Board meeting, unless otherwise directed by the Board. The Board delegates to the Superintendent final authority for employment of all other contractual personnel. [See DCA, DCB, DCC, and DCE as appropriate]
Employment of Noncontractual Personnel	Note: For employment of a bus driver related to a Board member or the Superintendent, see DBE(LEGAL).
	The Board delegates to the Superintendent final authority to employ and dismiss noncontractual employees on an at-will basis. [See DCD]
Employment Assistance Prohibited	No District employee shall assist another employee of the District or of any school district in obtaining a new job if the employee knows, or has probable cause to believe, that the other employee engaged in sexual misconduct regarding a minor or student in violation of the law. Routine transmission of an administrative or personnel file does not violate this prohibition. [See CJ for prohibitions relating to contractors and agents and DHA(LEGAL) for the Educators' Code of Ethics.]
District Supervision Prohibition	No person shall be assigned to a campus or department where a member of his or her own family who is related by blood (consanguinity) within the third degree, or by marriage (affinity) within the second degree serves as an administrator. The provision of this

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DC
(LOCAL)

~~policy shall apply prospectively. [See DBE] Adopted or foster relationships shall be treated as natural relationships. For the purposes of this policy, the term “administrator” shall not mean school counselor, librarian, or coordinator.~~

**~~Exit Interviews and
Exit Reports~~**

~~An exit interview shall be conducted, if possible, and an exit report shall be prepared for every employee who leaves employment with the District.~~

PROPOSED REVISIONS

Contracts Required by Law

After any applicable probationary contract period required by the District, term contracts governed by Chapter 21 of the Education Code (educator term contracts) shall be provided to:

1. Any employees in positions required by statute to receive such contracts, including SBEC-certified employees serving full-time as principals, assistant principals, teachers, school counselors, diagnosticians, librarians, and athletic directors;
2. Full-time professional employees in other positions for which the District requires current SBEC certification; and
3. Full-time nurses.

For purposes of this policy, the District shall consider only full-time registered nurses to be eligible for educator term contracts.

No Certification Required

Educator term contracts shall also be provided for the following positions for which neither SBEC nor the District requires current SBEC certification: teachers of core academic courses hired under the District's innovation plan.

[For District employees hired under a continuing contract, see also DCC]

PROPOSED REVISIONS

Personnel not hired under a contract shall be employed on an at-will basis.

[For information regarding contractual employment, see DCA, DCB, DCC, and DCE, as appropriate]

Suspension

An at-will employee may be suspended with or without pay by the Superintendent ~~or designee~~ at any time the Superintendent ~~or designee~~ determines that the District's best interest will be served by the suspension.

Dismissal

At-will employees may be dismissed at any time for any reason not prohibited by law or for no reason, as determined by the needs of the District. At-will employees who are dismissed shall receive pay through the end of the last day worked.

Appeals of Employment Actions

A ~~suspended or~~ dismissed employee may appeal the dismissal in accordance with DGBA(LOCAL). ~~request to be heard by the Superintendent or designee within ten workdays of the date of termination or suspension. If the employee is not satisfied with the decision, the employee may appeal to the Board within seven workdays of receipt of the decision.~~

PROPOSED REVISIONS

Non-Chapter 21 Contracts

Non-Chapter 21 contracts shall be provided for positions included on the list approved by the Board. A non-Chapter 21 contract shall not be governed by Chapter 21 of the Education Code.

Any employee who was issued a Chapter 21 contract in lieu of a non-Chapter 21 contract prior to May 31, 2018, shall remain eligible for a Chapter 21 contract as long as there is no break in service with the District

~~The District shall employ on non-Chapter 21 contracts, not to be governed by Chapter 21 of the Education Code, the following positions: noncertified professionals and teachers with District-issued permits.~~

~~As of May 31, 2018, all current employees who have been issued a Chapter 21 term contract in lieu of a non-Chapter 21 contract shall not be affected.~~

Termination During Contract Term

In accordance with DCE(LEGAL), an employee may request a hearing before the Board to appeal discharge during the contract period.

An employee whose contract is not reissued at the end of the contract period may appeal in accordance with DGBA(LOCAL).

COMPENSATION AND BENEFITS
COMPENSATION PLAN

DEA
(LOCAL)

PROPOSED REVISIONS

The Superintendent shall recommend an annual compensation plan for all District employees. The compensation plan may include wage and salary structures, stipends, benefits, and incentives. [See also DEAA] The recommended plan shall support District goals for hiring and retaining highly qualified employees. The Board shall review and approve the compensation plan to be used by the District. The Board shall also determine the total compensation package for the Superintendent. [See BJ series]

Pay Administration

The Superintendent shall implement the compensation plan and establish procedures for plan administration consistent with the budget. The classification of each job title within the compensation plan shall be based on the qualifications, duties, and market value of the position.

Annualized Salary

The District shall pay all salaried employees over 12 months in equal monthly or semi-monthly installments, regardless of the number of months employed during the school year. Salaried employees hired during the school year shall be paid in accordance with administrative regulations.

Pay Increases

The Superintendent shall recommend to the Board an amount for employee pay increases as part of the annual budget.

*Midyear Pay
Increases*

Contract
Employees

A contract employee's pay may be increased after performance on the contract has begun only if authorized by the compensation plan of the District or there is a change in the employee's job assignment or duties during the term of the contract that warrants additional compensation. Any such changes in pay that do not conform with the compensation plan shall require Board approval. [See DEA(LEGAL) for provisions on pay increases and public hearing requirements]

Noncontract
Employees

The Superintendent may grant a pay increase to a noncontract employee after duties have begun because of a change in the employee's job assignment or to address pay equity. The Superintendent shall report any such pay increases to the Board.

**Position
Reclassification**

A position reclassification occurs when a position classification is changed to a higher or lower pay grade. The Superintendent shall have the sole authority to determine that a position reclassification is necessary in the best interest of the District. The Superintendent shall report all position reclassifications to the Board. After September 30, 2026, the reclassification of a position at the level of coordinator or above to a higher pay grade shall require Board approval.

Pay During Closing

During an emergency closure, all employees shall continue to be paid for their regular duty schedule unless otherwise provided by

COMPENSATION AND BENEFITS
COMPENSATION PLAN

DEA
(LOCAL)

Board action. Following an emergency closure, the Board shall adopt a resolution or take other Board action establishing the purpose and parameters for such payments. [See EB for the authority to close schools]

~~Premium Pay
During Disasters~~

~~Nonexempt employees who are required to work to mitigate the reason for an emergency closing shall be paid at the rate of one and one-half times their regular rate of pay for all hours worked up to 40 hours per week. All other nonexempt employees who are required to work during an emergency closing shall be paid their regular rate of pay.~~

~~Overtime for time worked over 40 hours in a week shall be calculated and paid according to law. [See DEAB] The Superintendent shall approve payments and ensure that accurate time records are kept of actual hours worked during emergency closings.~~

PROPOSED REVISIONS

Classification of Positions

The Superintendent or designee shall determine the classification of positions or employees as “exempt” or “nonexempt” for purposes of payment of overtime in compliance with the Fair Labor Standards Act (FLSA).

Exempt

The District shall pay employees who are exempt from the overtime pay requirements of the FLSA on a salary basis. The salaries of these employees are intended to cover all hours worked, and the District shall not make deductions that are prohibited under the FLSA.

An employee who believes deductions have been made from his or her salary in violation of this policy should bring the matter to the District’s attention, through the District’s complaint policy. [See DGBA] If improper deductions are confirmed, the District will reimburse the employee and take steps to ensure future compliance with the FLSA.

Nonexempt

Nonexempt employees may be compensated on an hourly basis or on a salary basis. Employees who are paid on an hourly basis shall be compensated for all hours worked. Employees who are paid on a salary basis are paid for up to and including a 40-hour workweek.

A nonexempt employee shall have the approval of his or her supervisor before working overtime. An employee who works overtime without prior approval is subject to discipline but shall be compensated in accordance with the FLSA.

Workweek Defined

For purposes of FLSA compliance, the workweek for District employees shall begin at 12:00 a.m. Monday and end at 11:59 p.m. Sunday.

Compensatory Time

At the District’s option, nonexempt employees may receive compensatory time off, rather than overtime pay, for overtime work. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay.

Accrual

Compensatory time earned by nonexempt employees may not accrue beyond a maximum of 60 hours. If an employee has a balance of more than 60 hours of compensatory time, the District shall require the employee to use the compensatory time.

Use

An employee shall ~~generally~~ use compensatory time within the duty year in which it is earned. Compensatory time shall be used by the employee prior to the use of any accumulated paid state or local leave. [See DEC(LOCAL)] The District may require the employee to use compensatory time when in the best interest of the District.

COMPENSATION PLAN
WAGE AND HOUR LAWS

DEAB
(LOCAL)

~~Employees shall be compensated (as allowed by law) for all hours worked. Further, if~~ an employee has any unused compensatory time remaining at the end of the duty year, the District shall allow ~~a maximum of eight hours of~~ limited compensatory time to carry over into the next duty year in accordance with administrative regulations and the employee's position.

~~The District may require the employee to use compensatory time when in the best interest of the District. Compensatory time shall be used by the employee prior to the use of any accumulated paid state or local leave. [See DEC(LOCAL)]~~

PROPOSED REVISIONS

(See page 3)

Leave Administration

The Superintendent shall develop administrative regulations, addressing employee leaves and absences to implement the provisions of this policy.

Definitions

The term "immediate family" is defined as:

Immediate Family

1. Spouse.
2. 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*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.

For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son or daughter, and next of kin are found in DECA(LEGAL).

Family Emergency

The term "family emergency" shall be limited to disasters and life-threatening situations involving the employee or a member of the employee's immediate family.

Leave Day

A "leave day" for purposes of earning, using, or recording leave shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time.

School Year

A "school year" for purposes of earning, using, or recording leave shall mean the term of the employee's annual employment as set by the District for the employee's usual assignment, whether full-time or part-time.

Daily Rate of Pay

The "daily rate" of a contract employee, including a teacher, school counselor, or librarian, shall be computed by dividing the employee's annual salary by the number of duty days in the employee's contract year.

Catastrophic Illness or Injury

A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Such conditions typically require prolonged hospitalization or

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph.

Note: For District contribution to employee insurance during leave, see CRD(LOCAL).

Availability

The District shall make state personal leave and local leave for the current year available for use at the beginning of the school year.

**State Leave
Proration**

If an employee separates from employment with the District before his or her last duty day of the school year or begins employment after the first duty day of the school year, state personal leave shall be prorated based on the actual time employed.

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for state personal leave the employee used beyond his or her pro rata entitlement for the school year.

Medical Certification

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

1. The employee is absent more than four 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; or
3. The employee requests FMLA leave for the employee's serious health condition; a serious health condition of the employee's spouse, parent, or child; or for military caregiver leave.

In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]

State Personal Leave

The Board requires employees to differentiate the manner in which state personal leave is used.

**Nondiscretionary
Use**

Nondiscretionary use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See DEC(LEGAL)]

Nondiscretionary use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Discretionary Use

Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.

*Request for
Leave*

In deciding whether to approve or deny a request for discretionary use of state personal leave, the supervisor shall not seek or consider the reasons for which an employee requests to use leave. The supervisor shall, however, consider the duration of the requested absence in conjunction with the effect of the employee's absence on the educational program and District operations, as well as the availability of substitutes.

Discretionary use of state personal leave shall not exceed two consecutive workdays.

Campus
Employees

A maximum of five percent of campus employees in each category shall be permitted to use discretionary leave at the same time.

Local Leave

Each employee shall earn paid local leave days per school year in accordance with administrative regulations and the following:

Months of Service Annually	Number of Days
10 months (183-193 days of service annually)	5 days
11 months (207-220 days of service annually)	6 days
12 months (at least 224 226 days of service annually)	7 days

Local leave shall accumulate without limit.

Local leave shall be used according to the terms and conditions of state personal leave. [See State Personal Leave, above]

Bereavement Leave

A full-time employee shall be granted three days of bereavement leave, per occurrence, upon the death of a member of the employee's immediate family. Such leave shall be taken with no loss of pay or other paid leave.

Sick Leave Bank

The District shall establish a sick leave bank that employees may join through contribution of local leave or state personal leave.

Leave contributed to the bank shall be solely for the use of participating employees. An employee who is a member of the bank may request leave from the bank if the employee experiences a catastrophic illness or injury and has exhausted all paid leave and any applicable compensatory time.

The Superintendent shall develop regulations for the operation of the sick leave bank that address the following:

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1. Membership in the sick leave bank, including the number of days an employee must contribute to become a member;
2. Procedures to request leave from the sick leave bank;
3. The maximum number of days per school year a member employee may receive from the sick leave bank;
4. The committee or administrator authorized to consider requests for leave from the sick leave bank and criteria for granting requests; and
5. Other procedures deemed necessary for the operation of the sick leave bank.

Appeal

An employee may appeal a decision regarding the sick leave bank in accordance with DGBA(LOCAL), beginning with the Superintendent or appropriate administrator.

Sick Leave Pool

An employee who has exhausted all paid leave, including sick leave bank days as applicable, as well as any applicable compensatory time and who suffers from a catastrophic illness or injury or is absent due to the catastrophic illness or injury of a member of the employee's immediate family may request the establishment of a sick leave pool, to which District employees may donate local leave or state personal leave for use by the eligible employee.

The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of days allowed under a pool, or exhausts all leave days donated to the sick leave pool.

The Superintendent shall develop regulations for the implementation of the sick leave pool that address the following:

1. Procedures to request the establishment of a sick leave pool;
2. The maximum number of days an employee may donate to a sick leave pool;
3. The maximum number of days per school year an eligible employee may receive from a sick leave pool; and
4. The return of unused days to donors.

Appeal

An employee may appeal a decision regarding the establishment or implementation of the District's sick leave pool in accordance with DGBA(LOCAL), beginning with the Superintendent or appropriate administrator.

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Military Leave

After all other paid leave is exhausted, an employee who is granted a leave of absence from work due to a voluntary or involuntary enlistment in the military to serve the country at war shall receive "differential pay" from the District for a period of 12 calendar months. For purposes of this policy, differential pay shall mean the normal daily wage earned by the employee for the position held prior to enlistment minus the employee's earned daily wage from the U.S. government. In order to receive differential pay, an employee must submit verification of his or her military earnings to the department of human resources. An employee who receives a higher daily wage from the government than from the District shall not be entitled to differential pay.

Mental Health Leave

A District peace officer or a full-time telecommunicator, as defined by law, who experiences a traumatic event in the scope of employment shall be granted a maximum of five days of mental health leave per traumatic event. Such leave shall be provided in accordance with administrative guidelines and shall not be deducted from the employee's pay or leave balance.

The Superintendent shall develop guidelines regarding mental health leave that address the following:

1. Circumstances or reasons under which an eligible employee may use mental health leave;
2. Procedures for requesting mental health leave and maintaining the anonymity of the requester;
3. The administrator authorized to approve requests for mental health leave; and
4. Other procedures deemed necessary for administering this provision.

Quarantine Leave

A District peace officer shall be granted quarantine leave when ordered by the local health authority or the peace officer's supervisor to quarantine or isolate due to possible or known exposure to a communicable disease while on duty. Such leave shall be provided in accordance with administrative guidelines and shall not be deducted from the employee's pay or leave balance.

The Superintendent shall develop guidelines regarding quarantine leave that address the following:

1. Continuation of all employment benefits and compensation for the duration of the leave;
2. Reimbursement for reasonable costs related to the quarantine; and

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3. Other procedures deemed necessary for administering this provision.

**Line of Duty Illness
or Injury Leave of
Absence**

Following a leave of absence with full pay as required by law, the District shall not extend the leave of absence for a police officer's line of duty illness or injury. In accordance with law, the police officer may use accumulated leave.

**Family and Medical
Leave**

The District shall make FMLA leave available to employees in accordance with DECA(LEGAL) and the following provisions.

**Concurrent Use of
Paid Leave**

FMLA leave shall run concurrently with applicable paid leave and compensatory time, as applicable, except as provided below.

Exception

A teacher shall notify the appropriate administrator if they choose not to use paid leave concurrently with FMLA leave for an absence related to pregnancy or the birth or adoption of child.

**Twelve-Month
Period**

For purposes of an employee's entitlement to FMLA leave, the 12-month period shall be measured backward from the date an employee uses FMLA leave.

**Combined Leave for
Spouses**

When both spouses are employed by the District, the District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The District shall limit military caregiver leave to a combined total of 26 weeks.

**Intermittent or
Reduced Schedule
Leave**

The District shall permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee.

**Certification of
Leave**

When an employee requests leave, the employee shall provide certification, in accordance with FMLA regulations, of the need for leave.

**Fitness-for-Duty
Certification**

In accordance with administrative regulations, when an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification.

**Leave at the End of
Semester**

When a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester.

**Temporary Disability
Leave**

**SBEC Certified
Employees**

Any full-time employee whose position requires educator certification by the State Board for Educator Certification or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.]

COMPENSATION AND BENEFITS
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	An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent as a request for temporary disability leave.
Other Employees	Temporary disability leave may also be granted to other eligible full-time employees for a maximum of 180 calendar days, upon approval from the Superintendent. In order to qualify for this type of an unpaid leave of absence, an employee must have worked 1,250 hours during the previous 12-month period from the date of the request for temporary disability leave. Applications for temporary disability leave shall be submitted in accordance with administrative procedures. Reinstatement to regular employment shall be on a position-available basis only. The District shall place the employee in an assignment and shall make its best effort to place the employee within five business days.
Reinstatement or Resignation	An employee reaching the end of the temporary disability leave period shall provide 30 calendar days' timely written notice of his or her intention to resume active duty or to request an extension of leave pursuant to the Americans with Disabilities Act (ADA). Failure to timely comply with the notification provisions shall constitute good cause for termination of contract employees, in accordance with law and District policies. [See DF policy series]
Reassignment Following Leave	Employees who are not certified by SBEC and who are returning from temporary disability leave after being absent 60 or fewer calendar days shall be returned to the same position. Unless otherwise prescribed by law, employees returning from temporary disability leave in excess of 60 calendar days shall be given priority for assignment to a comparable position as determined by the Superintendent based on the needs of the District.
Concurrent Use	The District shall require the employee to use temporary disability leave and paid leave, including any compensatory time, concurrently with FMLA leave.
Workers' Compensation	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.
	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.
Paid Leave Offset	The District shall permit the option for paid leave offset in conjunction with workers' compensation income benefits. [See CRE]

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Assault Leave	An employee who is physically assaulted during the performance of regular duties shall be entitled to assault leave in accordance with law.
Working While on Leave	With the exception of noncontract and paid vacation leave, while on any type of leave status with the District, the employee shall be prohibited from performing work in any capacity except as approved by the associate superintendent of human resources or designee as part of an approved return-to-work or transitional duty assignment at the District. Working during a leave of absence shall be considered a violation of the District's leave policy and may be grounds for immediate termination of an at-will employee or recommendation of termination for a contract employee.
Court Appearances	Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.
Payment for Accumulated Leave Upon Retirement	The following leave provisions shall apply to state and local leave accumulated beginning on the original effective date of this program. Effective July 1, 2026, an employee hired prior to the 2026-27 school year who retires from the District under the Teacher Retirement System of Texas (TRS), or the designated beneficiary of an otherwise eligible employee who passes away while employed by the District, shall be eligible for payment of state and local leave if the employee has at least 10 years of service with the District immediately preceding retirement. The rate of pay shall be established based on the District's approved base pay plan; stipends and extra duty pay shall not be included. The payment shall be a one-time-only benefit for the eligible employee. The payment rates established by the Board shall remain in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.
Professional Employee Rate	A professional employee shall receive payment for each day of state and local leave, to a maximum of 40 days of state leave and 40 days of local leave. If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee. Leave shall be paid according to the following prorated schedule:

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1. The first five days of state leave at 100 percent of the employee's daily base rate;
2. The next 10 days of state leave at 75 percent of the employee's daily base rate;
3. The next 25 days of state leave at 50 percent of the employee's daily rate; and
4. Up to 40 days of local leave at \$100 per day.

Paraprofessional
and Auxiliary
Employee Rate

A paraprofessional or auxiliary employee shall be reimbursed for each day of state and local leave, to a maximum of 80 days of leave. If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee. Leave shall be reimbursed according to the following prorated schedule:

1. The first 10 days of leave at 100 percent of the employee's daily base rate;
2. The next 15 days of leave at 75 percent of the employee's daily base rate; and
3. The next 55 days of leave at 50 percent of the employee's daily base rate.

Absence Reporting

With the exception of an approved leave of absence, an employee shall notify his or her immediate supervisor prior to an absence, or as soon as practical in the event of an emergency, so that a substitute can be secured if necessary. Notification to the employee's immediate supervisor shall be in accordance with administrative, campus, and department regulations. An employee shall also notify his or her immediate supervisor if the employee is going to be late for work for any reason. An employee who is absent beyond five consecutive workdays, except for vacation, shall apply for a leave of absence. Failure to apply for a leave of absence shall constitute grounds for disciplinary action up to and including termination.

**Excessive
Absences/Tardies**

When an employee's absences/tardies become a concern or when an employee establishes a pattern of absences/tardies or exceeds the annual number of state and local leave days an employee can earn, with the exception of approved leave, such absences/tardies shall be considered excessive. If absences/tardies are deemed excessive, the employee may be subject to disciplinary action, up to and including termination of employment.

An employee's excessive absences/tardies shall be subject to verification and referral for eligible leaves of absence by the District. If

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the absences/tardies are not approved, the employee may be subject to disciplinary action, up to and including termination of employment.

Supervisors shall report absences/tardies for individuals in excess of 15 workdays in a school year to the Superintendent or designee, who shall take whatever action is deemed appropriate. Such action may result in disciplinary action including termination of employment.

**Unauthorized
Absence**

An employee may be terminated when he or she is:

1. Released by a doctor to return to work but fails to contact the District's department of human resources to pursue a work assignment;
2. Unable to report to work and fails to request or extend a leave of absence; or
3. Unable to report to work and has no earned paid leave available and, if eligible to apply for leave of absence, does not request a leave.

Job Abandonment

An employee who is absent from work for three consecutive working days without notice and who cannot be reached by his or her immediate supervisor shall be deemed to have voluntarily resigned from the District and shall be separated from service with the District for job abandonment in accordance with this policy. [See DC, and DF series]

Sanctions for Abuse

All employee leave shall be provided for the specific purpose stipulated in this policy. It is not intended to be used as a vacation or for mere convenience. Except for discretionary use of state personal or local leave, documentation may be required for any absence at the discretion of the Superintendent. Abuse of the employee leave program, misrepresentation of the need to use leave, or falsification of a document from a health-care provider is a violation of District policy and may result in disciplinary action up to and including loss of pay, suspension, demotion, or termination of employment, in accordance with appropriate District policies. [See DCD and DF series]

**Neutral Absence
Control**

If an employee does not return to work after exhausting all available paid and unpaid leave, the District shall provide the employee written notice that he or she no longer has leave available for use. The District shall automatically pursue termination of an employee who has exhausted all available leave, regardless of the reason for the absence [see DF series]. The employee's eligibility for reasonable accommodations, as required by the Americans with Disabilities Act [see DAA(LEGAL)], shall be considered before termination.

COMPENSATION AND BENEFITS
EXPENSE REIMBURSEMENT

DEE
(LOCAL)

PROPOSED REVISIONS

**Prior Approval
Required**

An employee shall be reimbursed for reasonable, allowable expenses incurred in carrying out District business only with the prior approval of the employee's supervisor and in accordance with administrative regulations.

**Documentation
Required**

For any allowable expense incurred, the employee shall submit a statement, with receipts to the extent feasible, documenting actual expenses.

Exception

Expenses for meals associated with authorized overnight travel not related to a state or federal grant shall be paid to employees on a per diem basis. No receipts shall be required for expenses paid on a per diem basis.

TERMINATION OF EMPLOYMENT
RESIGNATION

DFE
(LOCAL)

PROPOSED REVISIONS

**General
Requirements**

All resignations shall be submitted in writing to the Superintendent or Board-appointed designee in accordance with this policy. The employee shall give reasonable notice and shall include in the letter ~~or the District's separation from employment form~~ a statement of the reasons for resigning. A prepaid certified or registered letter of resignation shall be considered submitted upon mailing.

~~An employee may submit a letter of resignation or the District's separation of employment form via U.S. Mail, fax, email, or hand-delivery to the Superintendent's office or the District's human resources department.~~

At-Will Employees

The Superintendent ~~or Board-appointed designee~~ shall be authorized to accept the resignation of an at-will employee at any time. The Superintendent may delegate to other administrators the authority to accept a resignation of an at-will employee.

Contract Employees

The Superintendent or Board-appointed designee shall be authorized to receive a contract employee's resignation effective at the end of the school year or submitted after the last day of the school year and before the penalty-free resignation date. If an employee provides a resignation to a supervisor who has not been designated by the Board to accept resignations, the supervisor shall instruct the employee to submit the resignation to the Superintendent or Board-appointed designee. The resignation requires no further action by the District and is accepted upon receipt by the Superintendent or Board-appointed designee.

The Superintendent or Board-appointed designee shall be authorized to accept a contract employee's resignation submitted or effective at any other time. If an employee provides a resignation to a supervisor who has not been designated by the Board to accept resignations, the supervisor shall instruct the employee to submit the resignation to the Superintendent or Board appointed designee. The Superintendent or Board appointed designee shall either accept the resignation or submit the matter to the Board in order to pursue sanctions allowed by law. ~~with an effective date during the contract term or after the penalty-free resignation period by providing the employee written notice of acceptance that includes the signature of the Superintendent or Board-appointed designee. The written notice shall be delivered to the employee via U.S. Mail, fax, email, or hand-delivery. No further action is needed by the Board if the Superintendent or Board-appointed designee accepts the resignation. If the resignation is not accepted, the Superintendent or Board-appointed designee shall submit the matter to the Board in order to pursue sanctions allowed by law.~~

TERMINATION OF EMPLOYMENT
RESIGNATION

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Board-Appointed
Designee

For purposes of this policy, the Board-appointed designees include the following: the associate superintendent of human resources, the director of employee relations, and the compensation administrator.

Withdrawal of
Resignation

Once submitted and accepted, the resignation of a contract employee may not be withdrawn without consent of the Superintendent.

EMPLOYEE RIGHTS AND PRIVILEGES
FREEDOM OF ASSOCIATION

DGA
(LOCAL)

PROPOSED REVISIONS

An employee's participation in community, political, or employee or organization activities shall be entirely voluntary and shall not:

1. Interfere with the employee's performance of assigned duties and responsibilities.
2. Result in any political or social pressure being placed on students, parents, or staff.
3. Involve trading on the employee's position or title with the District.

Political Materials in the Classroom

An employee shall not attempt to influence a student's selection of a particular candidate or position on a ballot issue. District teachers shall not assign points or grades to students for participation in national, state, or local campaigns.

Political Candidates and Officials ~~Non-District Award or Recognition~~

Employees shall not invite a candidate for a city, county, state, or federal political office to visit or speak at any District campus or any department during the three months preceding any election involving the candidate.

The Superintendent may cancel any visit or speaking engagement by a candidate for city, county, state, or federal political office in the best interest of the District. [\[See GKD\]](#)

~~Prohibited Use of District Property~~

~~An employee shall not use District property for any political efforts related to the election of public officials or a proposed public measure.~~

Personal or Partisan Political Participation

~~Employees receiving salaries that are either fully funded or partially funded with federal monies shall be prohibited from participating in political activities during the workday.~~

Federal and state law restricts the use of public monies for partisan political purposes, including school bond elections. Employees shall not participate in partisan political activities during [performance of assigned duties or responsibilities during](#) the workday or use District materials, supplies, email, or other resources to promote political candidates or causes.

Employees shall not display campaign materials in District facilities and shall not wear clothing or badges supporting a political candidate or political position during the workday.

Employees shall be permitted to display campaign stickers on personal vehicles parked on District property. However, the District shall not allow vehicles onto District property that display or carry signs that are not affixed to the vehicle's window or bumper.

EMPLOYEE RIGHTS AND PRIVILEGES
FREEDOM OF ASSOCIATION

DGA
(LOCAL)

Employees shall be required to use personal leave, vacation leave, or leave without pay in order to be off from work to participate in political activities as private citizens. In no way shall an employee's participation in political activities be construed as representing the position or interest of the District.

Political Materials

~~Materials that contain endorsements, advertising, or solicitation of a political nature shall not be posted in District facilities. Additionally, distribution of campaign literature or active promotion of political candidates shall not be permitted on District property at any time, including weekends. For purposes of this policy, campaign literature includes, but is not limited to, push cards, t-shirts, and caps.~~

PROPOSED REVISIONS

(See pages 4-5)

Complaints

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

Other Complaint Processes

Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process has been followed:

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability), shall be submitted in accordance with DIA.
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with DIA.
4. Complaints concerning instructional resources shall be submitted in accordance with the EF series.
5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with the CKE series.
6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.
7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.

Notice to Employees

The District shall inform employees of this policy through appropriate District publications and on the District’s website.

Informal Process

The Board encourages employees to discuss their concerns with their supervisor, principal, or other appropriate campus or District administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Filing Deadlines

If an employee has engaged in the informal process in an attempt to resolve the complaint with the District and has not reached a resolution during the process, the employee must file a complaint within 15 business days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance.

Deadline Extensions

All deadlines shall be strictly followed unless otherwise required by law or modified by mutual written consent.

Formal Process

An employee may initiate the formal process described below by timely filing a written complaint form.

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

The complaint form shall be filed with the lowest level administrator who has the authority to remedy the alleged problem. In most circumstances, the employee shall file Level One complaints with the campus principal for any complaint on a matter related to a campus. For a complaint that arises on a matter that is unrelated to a campus, the complaint shall be filed with the appropriate District-level administrator.

Prior to the Level One hearing, the employee shall have a mediation conference before a mediator assigned by the human resources department. At the mediation conference, the following shall be discussed:

1. The concern;
2. The justification or rationale for the concern;
3. The harm sustained or being sustained by the employee; and
4. The remedy sought for resolution.

If mediation is unsuccessful, a Level One hearing shall be held within 10 calendar days of the complaint initially being filed.

If the subject matter of the complaint requires a Board decision, is a complaint about a Board member, or is a complaint about the Superintendent, the complaint shall be initiated at the Board level. Mediation shall not apply for a complaint against a Board member or the Superintendent. A preliminary hearing to develop a record or

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	recommendation for the Board may be conducted by an appropriate administrator. If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.
Option to Continue Informal Process	Even after initiating the formal complaint process, the employee is encouraged to seek informal resolution of their concerns. An employee may withdraw a formal complaint at any time. A representative need not consent to the complaint being withdrawn by the complainant.
Notice of Complaint	A District employee against whom a complaint has been filed shall be provided notice of the complaint. The employee shall have sufficient opportunity to submit a written response to the complaint that shall be included in the record of the complaint.
Freedom from Retaliation	Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.
Whistleblower Complaints	Whistleblower complaints shall be filed within the time specified by law and may be made beginning at Level Two. Timelines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. [See DG] Complaints that do not meet the elements of a whistleblower grievance by law shall begin at Level One.
Complaints Against Supervisors	Complaints alleging a violation of law by a supervisor may be made to the Superintendent. Complaints alleging a violation of law by the Superintendent may be submitted directly to the Board or Board's designee.
Direct Communication with Board Members	Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.
General Provisions Filing	Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator

PERSONNEL-MANAGEMENT RELATIONS
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or designated representative no more than three calendar days after the deadline.

Scheduling
Hearings

The District shall make reasonable attempts to schedule hearings at a mutually agreeable time. If the employee fails to appear at a scheduled hearing, the District may hold the hearing and issue a decision in the employee's absence.

Decision

A "decision" shall mean a written communication to the employee from the appropriate administrator that provides an explanation of the basis of the decision, an indication of each document that supports the decision, and any relief or redress to be provided. A decision shall be issued on the merits of the concern raised in the complaint notwithstanding any procedural errors or the type of relief or redress requested.

The decision shall also include information regarding the filing of an appeal in accordance with this policy. After a hearing at Level Three, the decision shall include information on submitting an appeal to the commissioner.

A decision may be hand-delivered, sent by electronic communication to the employee's email address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed decisions shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Representative

"Representative" shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent the employee in the complaint process. If the employee designates more than one representative, only one representative shall be allowed to present during any level of the complaint process. Witnesses shall not be allowed during any level of the complaint process. The only parties that shall be allowed during a presentation at any level of the complaint process shall be the employee and one representative, if designated.

The employee may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three calendar days' notice to the District before a scheduled hearing, the District may reschedule the hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.

~~Representatives shall conduct themselves with common courtesy and respect for the rights of others. If, at any level, an employee or representative is deemed to be unruly, disrespectful, or disruptive~~

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~~to the hearing process, the grievance hearing shall be concluded, and the employee and representative shall be issued a decision based on the written record and oral arguments set forth by the employee and representative, as applicable.~~

Consolidating Complaints	To promote efficiency in addressing complaints, the appropriate administrator shall determine if separate or serial complaints arising from an event or series of related events shall be consolidated.
Costs Incurred	Each party shall pay its own costs incurred in the course of the complaint.
Complaint and Appeal Forms	Complaints and appeals under this policy shall be submitted on a form provided by the District. Copies of any documents that support the complaint should be included with the complaint form. If the employee does not have copies of these documents, copies may be presented at the Level One hearing. After the Level One hearing, the employee may supplement the record with additional documents or include additional claims.
Record	A record of each complaint hearing shall be created and retained in accordance with this policy. The record shall include documents submitted by the employee who filed the complaint, documents determined relevant by District personnel, and the decision.
Remand	A complaint or appeal form that is incomplete in any material aspect shall be refiled, if at Level One, and remanded at all other levels in order to develop an adequate record of the complaint. If an adequate record has not been developed, the appropriate administrator may remand the complaint to a lower level. The Board or Board committee may remand a complaint to a lower level if at the Board level of review an adequate record has not been developed.
Assignment of Hearing Officer	When a District employee is the subject of a complaint, the hearing shall be conducted by an administrator who is in a supervisory or higher organizational role. The District employee who is the subject of the complaint shall recuse themselves from reviewing the complaint at any level in the process.
Investigation	The District may conduct an investigation at any level in the complaint process. If the District and the employee mutually agree, all deadlines shall be suspended during an investigation.
AudioVideo Recording	As provided by law, an employee shall be permitted to make an audio recording of a hearing under this policy at which the substance

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of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.

The District prohibits video recording of a Level One or Level Two hearing; however, the District shall be responsible for securing a recording of the Level Three hearing. ~~employee, representative, if designated, and the hearing officer shall be prohibited from video recording the hearing. If the employee or his or her representative insist on video recording the hearing, the hearing officer may terminate the hearing at his or her discretion.~~

Complaint Levels

Level One

At Level One, the appropriate hearing officer shall hold a hearing with the employee within 10 calendar days after receipt of the written complaint. The hearing officer may set reasonable time limits for the hearing.

The hearing officer shall provide the employee a decision within 20 calendar days following the hearing. In reaching a decision, the hearing officer may consider information provided with the complaint form and any other relevant documents or information the hearing officer believes will help resolve the complaint.

Level Two

If the employee did not receive the relief requested at Level One or if the time for a decision has expired, the employee may request a hearing at Level Two to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within 20 calendar days of the date of the Level One decision or, if no decision has been communicated to the employee, within 20 calendar days of the Level One decision deadline.

After receiving notice of the appeal, the Level One hearing officer shall prepare and forward a record of the Level One complaint to the Level Two hearing officer and provide a copy of the Level One record to the employee.

The Level One record shall include:

1. The original complaint form and any attachments.
2. Any other documents submitted by the employee at Level One.
3. If the complaint is against a District employee, the written response of the District employee, if any.
4. The decision issued at Level One and any attachments.
5. All other documents relied upon by the Level One hearing officer in reaching the Level One decision.

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Level Three

The hearing officer shall hold a hearing within 10 calendar days after the appeal notice is filed. The hearing officer may set reasonable time limits for the hearing.

The hearing officer shall provide the employee a decision within 20 calendar days following the hearing. In reaching a decision, the hearing officer may consider the Level One record, any additional information provided prior to the Level Two hearing, and any other relevant documents or information the hearing officer believes will help resolve the complaint.

Recordings of the Level One and Level Two hearings, if any, shall be maintained with the Level One and Level Two records.

If the employee did not receive the relief requested at Level Two or if the time for a decision has expired, the employee may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within 20 calendar days of the date of the Level Two decision or, if no decision has been communicated to the employee, within 20 calendar days of the Level Two decision deadline.

Unless the Board delegates a committee in accordance with law, the Board shall hear the appeal of the Level Two decision.

After receiving notice of the appeal, the Board or Board committee shall hold a meeting to discuss the complaint no later than 60 calendar days after the date on which the Level Two decision was made.

The Superintendent shall inform the employee whether the Board or a Board committee will hear the appeal and of the date, time, and place of the meeting at which the complaint will be on the agenda for presentation to the Board or Board committee.

At least five business days before the Board or Board committee meeting, the Superintendent shall provide the employee a description of any information the Board intends to rely on that is not contained in the record created at the previous hearing levels, including any preliminary hearing.

The Superintendent shall provide the Board the record of the Level Two appeal. The employee may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.

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3. Any other documents submitted by the employee at Level Two.
4. The decision issued at Level Two and any attachments.
5. All other documents relied upon by the administration in reaching the Level Two decision.

The employee may request that the complaint be heard in open or closed meeting. The District shall honor that request unless the Texas Open Meetings Act or other applicable law requires otherwise. [See BE]

At the meeting, the presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the employee and administration to each make a presentation and provide rebuttal and an opportunity for questioning by Board members.

In addition to any other record of the meeting required by law, the Board or Board committee shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the employee or the employee's representative, any presentation from the administration, and questions from Board members with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board or Board committee shall then consider the complaint. It shall make a decision no later than 30 calendar days after the date of the Board or Board committee meeting at which the complaint was presented. The employee shall be provided a decision in accordance with this policy and state law.

PROPOSED REVISIONS

Each District employee shall perform his or her duties in accordance with state and federal law, District policy, and ethical standards. The District holds all employees accountable to the Educators' Code of Ethics. [See DHA(LEGAL)]

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

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

Violations of Standards of Conduct

Each employee shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to his or her status as a District employee. Violation of any policies, regulations, or guidelines, including intentionally making a false claim, offering a false statement, or refusing to cooperate with a District investigation, may result in disciplinary action, including termination of employment. [See DCD, DCE, and DF series]

~~Covered Activities~~

~~Each District employee has the responsibility to protect District assets and is expected to be alert to the potential for theft of property, theft of services, theft of anything of value, fraud, and financial impropriety. [See GAA]~~

~~Inappropriate Conduct~~

~~Examples of activities constituting inappropriate conduct include, but are not limited to, the following:~~

- ~~1. Misappropriation of activity funds or any funds collected by the District;~~
- ~~2. Misappropriation of District furniture, fixtures, or equipment;~~
- ~~3. Misappropriation of funds through fraudulent reporting on travel records;~~
- ~~4. Forgery or alteration of District checks;~~
- ~~5. Forgery or alteration of District purchase orders; and~~
- ~~6. Forgery or alteration of payroll time sheets.~~

~~Duty to Report~~

~~Any employee who knows or has reason to know of or suspects an occurrence of fraud, misappropriation, financial impropriety, or covered activity shall immediately notify his or her supervisor. If the employee has reason to believe that the supervisor may be involved, the employee shall immediately notify the department of human resources.~~

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~~The employee shall not discuss the matter with anyone other than his or her supervisor and/or the police department. Employees who knowingly make false allegations shall be subject to discipline up to and including dismissal.~~

Investigation Duties

~~During the investigation, employees should:~~

- ~~1. Direct all inquiries from suspected individuals, attorneys, or representatives to the department of human resources;~~
- ~~2. Not contact the suspected individual in an effort to determine facts or demand restitution;~~
- ~~3. Not discuss the case, facts, suspicions, or allegations with anyone outside the organization or those within the organization who do not have a legitimate need to know, unless specifically asked to do so by the department of human resources; and~~
- ~~4. Cooperate with the investigative process by answering questions, furnishing written statements, and volunteering information important to the investigation.~~

~~Throughout the course of an official District investigation or inquiry, every District employee has an affirmative duty to provide all relevant and factual information about the situation to his or her supervisor or any other District official investigating the matter.~~

~~An employee failing to volunteer such information shall receive a directive from an administrator to provide a statement. Failure to comply with the directive shall constitute insubordination, a violation that has grounds for disciplinary action up to and including termination. [See DCD, DCE, and DF series]~~

~~When directed by an administrator or a District investigator, an employee shall submit a notarized affidavit about his or her knowledge of the matter under investigation. Intentional falsification, misstatement, or the concealment of a material fact in connection with the investigation shall be grounds for disciplinary action up to and including termination. Additionally, providing false or incorrect statements under oath may subject the employee to a criminal charge of perjury.~~

Weapons Prohibited

The District prohibits the use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on District property at all times.

Exceptions

No violation of this policy occurs when:

1. Use or possession of a firearm by a specific employee is authorized by Board action [see the CKE series];

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2. A District employee who holds a handgun license in accordance with state law stores a handgun or other firearm in a locked vehicle in a parking lot, parking garage, or other parking area provided by the District, provided the handgun or other firearm is not in plain view; or
3. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]

**Electronic
Communication**

Use with Students

A certified employee, licensed employee, or any other employee designated in writing by the Superintendent or a campus principal may use electronic communication, as this term is defined by law, with currently enrolled students only about matters within the scope of the employee's professional responsibilities.

Unless an exception has been made in accordance with the employee handbook or other administrative regulations, an employee shall not use a personal electronic communication platform, application, or account to communicate with currently enrolled students.

Unless authorized above, all other employees are prohibited from using electronic communication directly with students who are currently enrolled in the District. The employee handbook or other administrative regulations shall further detail:

1. Exceptions for family and social relationships;
2. The circumstances under which an employee may use text messaging to communicate with individual students or student groups;
3. Hours of the day during which electronic communication is discouraged or prohibited; and
4. Other matters deemed appropriate by the Superintendent.

In accordance with ethical standards applicable to all District employees [see DHA(LEGAL)], an employee shall be prohibited from using electronic communications in a manner that constitutes prohibited harassment or abuse of a District student; adversely affects the student's learning, mental health, or safety; includes threats of violence against the student; reveals confidential information about the student; or constitutes an inappropriate communication with a student, as described in the Educators' Code of Ethics.

An employee shall have no expectation of privacy in electronic communications with students. Each employee shall comply with the District's requirements for records retention and destruction to

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the extent those requirements apply to electronic communication.
[See CPC]

Personal Use	All employees shall be held to the same professional standards in their public use of electronic communication, including cellular phones that cannot be used for personal purposes during instructional time, as for any other public conduct. If an employee's use of electronic communication, including cellular phones, takes away from instructional time; violates state or federal law or District policy; or 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.
Reporting Improper Communication	In accordance with administrative regulations, an employee shall notify his or her supervisor when a student engages in improper electronic communication with the employee.
Disclosing Personal Information	An employee shall not be required to disclose his or her personal email address or personal phone number to a student.
Prohibited Classroom Instruction or Activities	An employee is prohibited from intentionally or knowingly engaging in or assigning to another individual instruction, guidance, activities, or programming prohibited by law [see EMB].
Prohibited Diversity, Equity, and Inclusion Duties	An employee shall be subject to disciplinary action, including termination of employment, if the employee, intentionally or knowingly: • Engages in diversity, equity, and inclusion (DEI) duties. • Assigns to another individual DEI duties. [See BT(LEGAL)]
Social Transitioning	An employee shall be prohibited from assisting a District student with social transitioning, as the term is defined in law. This prohibition includes providing any information to a District student about social transitioning or guidelines intended to assist a District student with social transitioning.
Safety Requirements	Each employee shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.
Harassment or Abuse	An employee shall not engage in prohibited harassment, including sexual harassment, of: 1. Other employees. [See DIA] 2. Students. [See FFH; see FFG regarding child abuse and neglect.]

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

An employee shall report child abuse or neglect as required by law. [See FFG]

Relationships with Students

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

As required by law, the District shall notify the parent of a student with whom a District employee or person acting as a service provider for the District is alleged to have engaged in certain misconduct.

[See FFF for parent notification requirements and DHB and DHC for reporting requirements.]

Tobacco and Nicotine Products and E-Cigarettes

An employee is prohibited from possessing or using any type of tobacco product, e-cigarette, or any other electronic vaporizing device while on school property, in a District vehicle, or while attending an off-campus school-related activity. An employee is also prohibited from possessing or using any type of nicotine product, including nicotine pouches, regardless of whether the product contains tobacco, while on District property, in a District vehicle, or while attending an off-campus school-related activity.

For purposes of this policy, possessing these items shall not include having the prohibited items inside a personal vehicle parked on District property. In addition, an employee's supervisor is authorized to approve an exception to this policy for a smoking cessation product.

Alcohol and Drugs / Notice of Drug-Free Workplace

As a condition of employment, an employee shall abide by the terms of the following drug-free workplace provisions. An employee shall notify the Superintendent in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace in accordance with Arrests, Indictments, Convictions, and Other Adjudications, below.

An employee shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours ~~or~~ while on District property or at school-related activities during or outside of usual working hours:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug,

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hallucinogen, stimulant, depressant, amphetamine, or barbiturate.

2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.

An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

Exceptions

It shall not be considered a violation of this policy if the employee:

1. Manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities;
2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use; or
3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian.

Sanctions

An employee who violates these drug-free workplace provisions shall be subject to disciplinary sanctions. Sanctions may include:

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

Notice

Employees shall receive a copy of this policy.

**Videotaping of
Students**

~~An employee shall obtain written consent of a student's parent or guardian and from the campus principal before the employee may make or authorize the videotaping of a student or record or authorize the recording of a student's voice, unless the recording is made by a student for the purpose of facilitating classroom instruction.~~

Principal's Approval

~~The principal's written consent shall be obtained prior to videotaping or recording a student even when the law does not require the consent of a parent or guardian, such as when the videotape or recording is to be used for purposes of safety or for a purpose related to regular classroom instruction, as provided by law. [See FL]~~

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Exception	In the case of videotaping a deposition for an employee termination or grievance action, the only consent to be obtained in advance shall be that of the student's parent or guardian.
Care of Nonenrolled Children	An employee shall not bring his or her own child or another person's child to school for the purpose of child care or babysitting. Personnel are employed to perform District functions while on duty and shall not bring or care for a child who is not enrolled on the campus at that time to the building to remain during working hours of the regular school day or summer school, or after school hours if the employee is still performing work-related duties. In instances where an employee has been allowed to enroll his or her child at his or her campus, the principal may allow for the student to be cared for by his or her parent after school/work hours.
Arrests, Indictments, Convictions, and Other Adjudications	An employee shall notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee.
Criminal History Background Check	At least once annually, the District may obtain criminal history records of Webb County and the counties contiguous to Webb County. The District may obtain this information from any other county when it has reason to believe that an employee has been convicted of a crime in such county or from a police department, the Department of Public Safety, or the Texas Department of Corrections. [See DC] An employee under felony indictment shall be recommended for suspension without pay pending adjudication of his or her case.
Electronic Recording	An employee shall not electronically record by audio, video, or other means any conversation or meeting unless each person present has been notified and consents to being electronically recorded. Persons wishing to record a meeting shall obtain consent from anyone arriving late.
Conversations and Meetings	An employee shall not electronically record telephone conversations unless all persons participating in the telephone conversation have consented to be electronically recorded.
Telephone Conversations	These provisions are not intended to limit or restrict electronic recordings of publicly posted Board meetings, Board committee meetings, appeals and grievance hearings, or any other Board-sanctioned meeting recorded in accordance with Board policy.
Public or Other Open Meetings	These provisions are not intended to limit or restrict electronic recordings involving authorized investigations conducted by the police or the department of human resources.
Official Investigations	

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Job Duties

~~An employee shall not conduct private or personal activities during the workday in lieu of, or while conducting, his or her assigned job duties and responsibilities. Except as permitted by policy, an employee shall not conduct or participate in meetings or individual conferences related to a professional or employee association or organization in lieu of, or while conducting, his or her assigned job duties and responsibilities. [See also DGA and DMD]~~

Solicitation

~~Except as approved in advance by the Superintendent or permitted by District policy, commercial solicitation by an employee is prohibited on District property. "Commercial solicitation" for purposes of this policy shall mean:~~

- ~~1. Selling or attempting to sell products or services for personal profit on behalf of a commercial enterprise or for a purpose unrelated to the school or District;~~
- ~~2. Requesting contributions, pledges, or donations for a purpose unrelated to the school or District; or~~
- ~~3. Providing items or making announcements that endorse or market a personal or commercial enterprise or a product or service unrelated to the school or District either through personal contact, or by sending or causing to be sent a communication through the District's electronic, telephone, or mail system.~~

~~"Commercial solicitation" does not mean participation in an authorized District procurement process on behalf of the District or arranged on behalf of District employees.~~

~~An employee may neither meet nor make arrangements to meet on District property with persons conducting commercial solicitation.~~

~~An employee shall not engage in the sale of services, books, equipment, or other items by misrepresenting such services or items as being endorsed or recommended by the District or its officials. Such conduct is prohibited at all times on or off District property. An employee shall obtain consent from the Superintendent before engaging in the sale of services or items endorsed or recommended by the District or its officials. [See also DBD regarding outside employment and for-profit activities.]~~

**Distribution of
Nonschool Literature**

~~Duplicated, written, or printed materials, including handbills, petitions, photographs, pictures, films, audiotapes, and other visual or auditory materials concerning private or personal issues shall not be circulated, publicly displayed, emitted, or distributed on District property at any time unless permission has been obtained in accordance with District policy and only in the locations designated by principals or department supervisors. [See GKDA]~~

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Identification Badges

All District employees shall wear their District-issued identification badges in a clearly visible manner while at any District campus or facility. The badges must not be altered and must remain free of any item or material that covers any part of the front surface of the badge. A District employee that observes anyone on campus without a District-issued identification badge or visitor name badge shall inquire as to the person's reason for being at the location. A visitor without a visitor name badge shall be directed to the front office or front desk in order to obtain a visitor name badge. Any person who appears to present a security concern shall be reported immediately to law enforcement and District security.

The employee's picture on his or her identification badge shall be used as the picture on the employee's District email account.

**Electronic Building-
Access Cards**

Each District employee issued a District electronic building-access card shall be responsible for safeguarding the card against loss or theft. Should loss or theft occur, the employee shall immediately notify his or her supervisor so that the card can be deactivated.

The District shall replace an employee's lost or stolen electronic building-access card no more than two times. Following that, an employee shall pay a \$10 fee each time his or her card needs to be replaced.

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PROPOSED REVISIONS

**Statement of
Purpose**

~~The District's greatest resource is its children and personnel, whose continued safety and health the Board is dedicated to protect. The Board has determined that there is a compelling need to eliminate illegal and unauthorized drug use, including but not limited to, the use and/or effects of alcohol and its deleterious effects in the workplace.~~

~~Because of the Board's compelling interest in providing a drug-free school setting and workplace, the objectives of this policy shall be to:~~

- ~~1. Create a safe environment for District students;~~
- ~~2. Create a safe and healthy working environment for District employees, visitors, and members of the public;~~
- ~~3. Reduce the opportunities for accidental injuries;~~
- ~~4. Provide employees with access to confidential counseling and/or rehabilitation programs;~~
- ~~5. Protect the property of the District;~~
- ~~6. Comply with the contractual obligations of applicable city, state, and/or federal grants and regulations; and~~
- ~~7. Protect the reputation and credibility of the District and its school system.~~

**Reasonable
Suspicion Searches**

The District reserves the right to conduct searches when the District has reasonable cause to believe that a search will uncover evidence of work-related misconduct. ~~Accordingly, employees shall have no expectation of privacy when reasonable suspicion exists. District employees and their personal items, including but not limited to, their~~ The District may search the employee, the employee's personal items, work areas, lockers, and private vehicles on District premises or worksites used in District business. ~~shall be subject to search for prohibited/illegal drugs and/or weapons or other evidence of misconduct when reasonable suspicion of such exists. Searches that reveal a violation of the District's standards of conduct may result in disciplinary action. [See DH]~~

Limitations

~~Reasonableness of a search shall depend on all circumstances. Except as otherwise authorized by law or policy, any search shall be justified initially by a reasonable suspicion, and the scope and conduct of the search shall be reasonably related to the circumstances that give rise to a search. If the employee refuses to allow~~

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	a search of his or her belongings when there is reasonable suspicion to conduct the search, the District may take appropriate disciplinary measures up to and including termination.
Factors	Factors that may affect the reasonableness of the suspicion are: 1. Specific observations of the appearance, behavior, speech, or body odors of an employee; 2. Impairment of an employee's motor ability, emotional or mental acuity, or equilibrium; 3. The nature of any tip or information; 4. The reliability of an informant; 5. The degree of any corroboration; and 6. Other factors contributing to the suspicion.
Observations and Reporting	Observations taking place immediately preceding, during, or immediately after the period of the workday that the employee is on duty may be given greater weight. As soon as reasonably practical, the employee's supervisor shall prepare a record documenting the observations or the evidence with which the supervisor was presented leading to reasonable suspicion.
Testing	An employee may be required to submit to a drug or alcohol test if there is individualized reasonable suspicion of drug or alcohol use. An employee shall not be required to undergo a drug or alcohol test without an express directive from an administrator who has received training in the requirements for conducting a warrantless search when there is individualized suspicion to require such a test.
Ordering	On the occurrence of a condition that authorizes a drug test to be required based on reasonable suspicion, the employee's immediate supervisor, with concurrence of the assistant superintendent of human resources or designee, may order the employee to submit to a drug test. The test may require but is not limited to a breath, urine, blood, or saliva sample. The District shall pay all fees for District required testing at this stage. If the employee tests positive for alcohol or a prohibited drug, the employee may be suspended with or without pay and/or be subject to termination, subject to any required due process. During the suspension, the employee may use any eligible leave.
<u>Reasonable Suspicion Alcohol and Drug Testing</u>	<u>The District may remove an employee from duty and require testing if there is reasonable suspicion that the employee is under the influence of alcohol or drugs used in violation of District policy. The determination of reasonable suspicion may be based on specific</u>

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observations of the appearance, behavior, speech, or body odors of the employee whose motor ability, emotional equilibrium, or mental acuity seems to be impaired while on duty or other relevant information. Any employee who is asked to submit to drug or alcohol testing shall be given the opportunity to provide relevant information about prescription or nonprescription medications that may affect the screening.

A District employee who refuses to comply with a directive to submit to testing based upon reasonable suspicion shall be subject to disciplinary action, up to and including termination.

A District employee confirmed to have violated the District's policy pertaining to alcohol or drugs may be subject to disciplinary action. [See DF series and DH]

Note: The following provisions apply to employees who are covered by the federal Department of Transportation (DOT) rules.

**Federally Required
DOT Testing
Program**

In accordance with DOT rules, the District shall establish an alcohol and controlled substances testing program to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by the drivers of commercial motor vehicles, including school buses. The primary purpose of the testing program is to prevent impaired employees from performing safety-sensitive functions.

The Superintendent shall designate a District official who shall be responsible for ensuring that information is disseminated to employees covered under this testing program regarding prohibited driver conduct, alcohol and controlled substances tests, and the consequences that follow positive test results.

**Drug-Related
Violations**

The following constitute drug-related violations under the DOT rules:

1. Refusing to submit to a required test for alcohol or controlled substances.
2. Providing an adulterated, diluted, or a substituted specimen on an alcohol or controlled substances test.
3. Testing positive for alcohol, at a concentration of 0.04 or above, in a post-accident test.
4. Testing positive for controlled substances in a post-accident test.

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5. Testing positive for alcohol, at a concentration of 0.04 or above, in a random test.
6. Testing positive for controlled substances in a random test.
7. Testing positive for alcohol, at a concentration of 0.04 or above, in a reasonable suspicion test.
8. Testing positive for controlled substances in a reasonable suspicion test.

An employee who operates a commercial motor vehicle, including a bus, and commits a drug-related DOT violation as defined above shall not be eligible for reinstatement as a driver.

Alcohol Results
Between 0.02 and
0.04

In accordance with DOT rules, a driver tested under this policy and found to have an alcohol concentration of 0.02 or greater, but less than 0.04, shall be suspended from driving duties for at least 24 hours.

[In the event of a subsequent positive test result for alcohol of 0.02 or greater but less than 0.04, see the disciplinary consequences at District-Imposed Consequences, below.]

Reasonable
Suspicion DOT
Testing

Only supervisors specifically trained in accordance with federal regulations may, based upon reasonable suspicion, remove a driver from a safety-sensitive position and require testing for alcohol and/or controlled substances. The determination of reasonable suspicion shall be based on specific observations of the appearance, behavior, speech, or body odors of the driver whose motor ability, emotional equilibrium, or mental acuity seems to be impaired. Such observations must take place just preceding, during, or just after the period of the workday that the driver is on duty.

The observations may include indication of the chronic and withdrawal effects of controlled substances. Within 24 hours of the observed behavior, the supervisor shall provide a signed, written record documenting the observations leading to a controlled substance reasonable suspicion test.

District-Imposed
Consequences

In addition to the consequences established by federal law, a District employee confirmed to have violated the District's policy pertaining to alcohol or controlled substances, including a second or subsequent positive test result for alcohol of 0.02 or greater but less than 0.04, shall be subject to District-imposed discipline, as determined by his or her supervisor and the Superintendent. Such discipline may include any appropriate action from suspension without pay during the period of removal from safety-sensitive functions, up to and including termination of employment. [See DF series]

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In cases where a driver is also employed in a nondriving capacity by the District, disciplinary action imposed for violation of alcohol and controlled substances policies shall apply to the employee's functions and duties that involve driving. Additionally, upon recommendation of the employee's supervisor, disciplinary measures up to and including termination of employment with the District may be considered.

Note: The following provisions address the District's drug- and alcohol-testing program.

Employees Subject to District Drug and Alcohol Testing

Under its own authority, the District shall conduct random drug- and alcohol-testing of all new hires to the District and to the categories of employees listed below who are in positions where safety of students or staff is a concern, including but not limited to:

1. District police;
2. Maintenance and custodial staff;
3. Food service staff;
4. Transportation department mechanics and inspectors; and
5. Employees outside the transportation department who regularly transport students in a District vehicle or personal vehicle.

The Superintendent shall annually determine the list of employees in the random testing pool.

Searches of District Property

~~District-owned property is subject to search at all times. At least annually, notice shall be given to all employees that District vehicles, lockers for which personal locks have not been authorized, and other District property, including but not limited to classrooms, lockers, desks, computers, work areas, and closets are subject to search at all times.~~

Use of Dogs

~~Notice shall be given to all employees, at least annually, that all District facilities, equipment, and all privately owned vehicles parked on and around District premises or worksites, or used in District business, shall be subject to inspection by trained drug dogs, which may result in a search upon reasonable suspicion of the presence of any of the prohibited items listed above.~~

~~The District may use trained dogs to sniff out and alert for the presence of concealed prohibited items, including but not limited to:~~

- ~~1. Weapons;~~

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- ~~2. 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;~~
- ~~3. Alcohol or any alcoholic beverage;~~
- ~~4. Any abusable glue, aerosol paint, or any other volatile chemical substance for inhalation; or~~
- ~~5. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drugs.~~

~~If the dog alerts to an employee's motor vehicle or other belongings, reasonable suspicion shall be deemed to exist, and District administrators shall have the authority to search the employee's vehicle or other belongings, as the case may warrant. An administrator may also request a peace officer to conduct the search when the administrator is present for the search.~~

~~A peace officer may conduct a search when there is probable cause to do so. This policy is not to be interpreted to imply that probable cause does not exist when a dog alerts.~~

**Drug Screening New
Hires and Current
Employees**

~~At a time to be determined by the Superintendent or designee, all new hires or current employees who request reassignment as operators of motor vehicles, mechanics for such vehicles, or handlers of hazardous substances that, when not properly operated, maintained, or used, may reasonably result in serious bodily injury or property damage, shall be required to successfully pass a drug-screening test prior to employment or reassignment.~~

Definitions

~~For purposes of this policy, the following definitions shall apply:~~

- ~~1. Operator: Any District applicant for employment or current employee whose job duties and responsibilities include operating a motor vehicle on a frequent basis, including but not limited to bus drivers, maintenance workers, and support service drivers.~~
- ~~2. Mechanic: A District applicant or current employee whose job description includes the possibility of serving as a mechanic for motor vehicles in the District's transportation or maintenance departments.~~
- ~~3. Handler: A District applicant for employment or current employee whose job description includes the possibility, under normal operating conditions or foreseeable emergencies, of handling hazardous chemicals as defined by the Texas Health and Safety Code. It shall not apply to workers such as office~~

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	workers or accountants who encounter hazardous chemicals only in nonroutine, isolated instances.
	4. Safety sensitive position: Operator, mechanic, and handler as defined above, as well as positions published annually by the District as being safety sensitive.
Accidents Not Involving DOT Testing	Any operator, mechanic, or handler not covered by Department of Transportation (DOT) drug and alcohol testing regulations shall be required to take a drug or alcohol test following an accident in a motor vehicle or during the performance of another safety sensitive duty while at work or while conducting District business when the accident results in injury to a person or in damage or loss of property. The test sample shall be taken at the time of any medical treatment or as soon as possible after the accident.
	The testing shall be conducted by a certified laboratory chosen by the District. The laboratory shall be instructed to perform a second test in the event the first test is positive and to perform only tests relating to the presence of alcohol, prohibited drugs, or controlled substances; under no circumstances shall the laboratory be authorized to perform any additional tests.
Charges	An operator or mechanic who is criminally charged with selling drugs, possessing illegal drugs or alcohol, or using drugs shall be required to take a drug and/or alcohol test.
Random Drug / Alcohol Testing: Safety Sensitive Positions	The District shall conduct random alcohol and/or drug testing of employees in safety sensitive positions to prevent impaired employees from performing safety sensitive functions and for the continued health and safety of the District's students. [See Definitions, above]
	Annually, the District shall notify each employee assigned to a safety sensitive position of the employee's obligations regarding the random alcohol and drug testing program.
Screening Procedures	A certified laboratory chosen by the District shall conduct all alcohol and drug screening tests. In the event the first test is positive, the laboratory shall perform a second test on the sample to confirm the first test results. The laboratory shall take all necessary steps to ensure the reliability and confidentiality of the tests and shall be instructed to perform only tests relating to the presence of alcohol, prohibited drugs, or controlled substances. Under no circumstances shall the laboratory be instructed to perform any additional tests.
	Test results shall be placed in a sealed envelope in the employee's file. The results of the test shall be made known to the employee but shall otherwise be limited to those District employees or officers

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	involved in employment decisions with a need to know and other persons under a court order. The District shall endeavor to maintain the confidentiality of all test results. Such test results may, however, be used as evidence in due process hearings when properly introduced. Alcohol and drug screening may require, but is not limited to, breath, urine, blood, or saliva samples.
Fees	The District shall pay all fees for any drug test required by the District other than those required by the District's Employee Assistance Program (EAP) or other rehabilitation program.
Test Results	Test results showing the presence of a prohibited drug or the presence of the same or higher levels of alcohol and/or controlled substances that are prohibited in the District's DOT testing program shall constitute a violation under this policy. In the event a test result is positive, a second test using gas chromatography/mass spectrometry or a generally accepted scientifically equivalent method shall be conducted within 24 hours. The District shall require the testing laboratory to preserve all positive samples for not less than 90 days to allow accurate retesting.
Opportunity to Explain	Before action may be taken against any employee who tests positive for alcohol, prohibited drugs, or controlled substances, the employee shall be given the opportunity to explain such results and present medical evidence justifying the use of any therapeutic drugs. An employee shall be allowed, at the employee's expense, to retest any samples yielding a positive result. Any employee whose confirmation test is positive shall be informed within 72 hours of the District's receipt of final confirmation test results.
Violation of Policy	An employee shall be in violation of District policy and subject to disciplinary action up to and including termination when he or she: 1. Refuses to submit to a drug/alcohol test under this policy; 2. Has test results that meet or exceed the standards established for DOT testing. DOT standards shall not be limited to cases involving accidents; or 3. Possesses, uses, or is under the influence of alcohol, prohibited drugs, or controlled substances in the workplace. An employee need not be "legally intoxicated" to be considered under the influence of alcohol or drugs. [See DF]
Rehabilitation	Only those employees not subject to DOT regulations who receive a positive test result conducted through random testing and who continue to be employed by the District shall be:

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- ~~1. Referred to an EAP or shall enroll in another District-approved rehabilitation program, which shall provide counseling and measure treatment progress with further testing and monitoring.~~
- ~~2. Subject to retesting to be scheduled by the physician after 30 days of enrollment in a program.~~
- ~~3. Subject to frequent and unannounced testing for the presence of drugs or alcohol in accordance with the EAP or rehabilitation procedures.~~
- ~~4. Subject to random testing as frequently as monthly for a period of one year following successful completion of the rehabilitation program.~~
- ~~5. Terminated from employment following a second positive test result.~~

Note: ~~Breath, blood, saliva, or urine may be used for testing related to the rehabilitation program.~~

**Suspension of
Duties**

~~Mandatory participation in the EAP or other District-approved program shall require suspension of safety sensitive duties as defined by this policy until such time as the employee is cleared to resume such duties, but not sooner than 30 calendar days. During the suspension, other duties may be assigned outside the employee's normal job description. If an employee cannot be reassigned during this period, he or she may be suspended from employment pending the successful completion of the rehabilitation program. Suspension shall be without pay, subject to any required due process, for the initial 30 days. Thereafter, in the interest of supporting necessary rehabilitation extending beyond 30 days, the District may convert the suspension without pay, on a case-by-case basis, to suspension with pay for any or all of the period in which the employee is successfully undergoing necessary and extended rehabilitation.~~

~~The cost of participation in a rehabilitation program shall be the responsibility of the employee, and continued employment shall be contingent upon participation and successful completion of the program. The District's physician must also clear the employee to resume duties.~~

**Dismissal Under
Rehabilitation**

~~For any employee not subject to the DOT regulations, the District's Board shall afford the opportunity to undergo rehabilitation without termination of employment following a positive test result con-~~

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	ducted through random testing if the employee is successfully participating in a rehabilitation program described above. An employee who refuses to undergo rehabilitation or does not satisfactorily comply with the requirements of the rehabilitation program shall be subject to termination.
Consequences of Positive Test Results	In addition to the consequences established by federal law, a District employee subject to DOT requirements confirmed to have violated the District's policy pertaining to alcohol or controlled substances shall be subject to termination. [See DF series] Consequences for Violation of Prohibitions An employee subject to DOT requirements whose conduct is in violation of the alcohol and controlled substances prohibitions of this policy shall be terminated for: 1. Refusing to submit to a required test for alcohol or controlled substances. 2. Providing an adulterated, diluted, or a substituted specimen on an alcohol or drug test. 3. Testing positive for alcohol, at a concentration of 0.02 or above, in a postaccident test. 4. Testing positive for controlled substances in a postaccident test. 5. Testing positive for alcohol, at a concentration of 0.02 or above, in a random test. 6. Testing positive for controlled substances in a random test. 7. Testing positive for alcohol, at a concentration of 0.02 or above, in a required confirmation test. 8. Testing positive for controlled substances in a required confirmation test. 9. Testing positive for alcohol, at a concentration of 0.02 or above, in a reasonable suspicion test. 10. Testing positive for controlled substances in a reasonable suspicion test.
Privacy	In all aspects of administering the drug and alcohol testing program, the District shall respect the employee's privacy.

PROPOSED REVISIONS

Superintendent's Authority

All personnel are employed subject to assignment and reassignment by the Superintendent ~~or designee~~ when the Superintendent determines that the assignment or reassignment is in the best interest of the District. Reassignment shall be defined as a transfer to another position, department, or facility that does not necessitate a change in the employment contract of a contract employee. Any change in an employee's contract shall be in accordance with policy DC.

Assignment and transfer of professional staff members to positions in various District schools, divisions, or departments shall be a joint effort by administrators and shall be consistent with District-approved personnel actions. [See BQ series and DK(LEGAL)]

When possible, without violating contract obligations or policy provisions, the principal or department supervisor shall have input into the selection and placement of personnel. Assignments shall be made to budgeted or approved positions only. If a vacancy exists for which an employee returning from leave is qualified, the employee returning shall have priority in being assigned to the vacancy on the campus or department where last assigned. [See Right to Reinstatement in DECA(LEGAL)]

Supervision of Relatives Prohibited

No person shall be assigned to a campus or department where a member of his or her own family who is related by blood (consanguinity) within the third degree or by marriage (affinity) within the second degree serves as an administrator. [See DBE(EXHIBIT)] Adopted or foster relationships shall be treated as natural relationships. For the purposes of this policy, the term "administrator" shall not mean counselor, librarian, or coordinator.

Campus or Department Assignments Reassignment

~~Within Campus or
Department~~

The campus principal or department supervisor shall be responsible for the assignment and reassignment of all personnel to the specific grade, subject area, or position for which the employee is qualified in his or her area of certification or skill level within the campus or department. Requests from employees for changes in assignment at the campus or department shall be submitted in writing to the principal or department supervisor.

~~Transfer~~

~~The primary reason for transfers shall be for improvement of the District's instructional programs. Generally, an employee shall be considered eligible for transfer only after he or she has been assigned to a campus for three or more years; however, the Superintendent may approve an employee transfer request sooner if it is made on the basis of an extreme hardship. For purposes of this~~

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~~policy, extreme hardship may include, but not be limited to, physical or personal circumstances that necessitate transfer to another campus.~~

~~The Superintendent shall consider District needs and campus demographics in establishing an allowable maximum percentage of transfers per campus.~~

~~Principals shall submit recommendations to the District human resources department concerning personnel assignments at their respective schools.~~

~~All personnel may request a transfer to another employment position within the District. Individuals electing to seek assignments to other campuses, positions, locations, and the like shall complete the District transfer form, which shall be submitted to the campus administrator or department supervisor and then to the human resources department. The human resources department shall coordinate the transfer with the appropriate administrator. A transfer shall not be made during the school year except in unusual or exceptional cases, as approved by the Superintendent. The Superintendent shall make the final decision on all transfer requests and shall consider the District's needs and campus demographics in establishing the maximum allowable percentage of transfers. The Superintendent shall consider the following factors in approving or declining a transfer in the following order:~~

- ~~1. Identified needs of District campuses, departments, special assignments, and/or staffing management committee recommendations.~~
- ~~2. Analysis of the number of transfer requests.~~
- ~~3. Date of hire.~~
- ~~4. Employee certification.~~
- ~~5. Years of experience in the District.~~
- ~~6. Years of experience at the present campus.~~
- ~~7. Years of experience at the present grade or assignment.~~

~~During the spring semester, a designated date shall be announced, and the appropriate administrator shall furnish the Superintendent with a projection of estimated student enrollment for the next school year, as well as a projection of staff needs.~~

Professional/
Paraprofessional
Reassignment

~~The factors to be considered in the reassignment of professional and paraprofessional staff members shall be in the following order:~~

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- ~~1. Identified needs of District campuses, departments, special assignments, and/or staffing management committee recommendations.~~
- ~~2. Analysis of transfer volunteer requests.~~
- ~~3. Date of hire.~~
- ~~4. Employee certification.~~
- ~~5. Years of experience in the District.~~
- ~~6. Years of experience at the present campus.~~
- ~~7. Years of experience at the present grade or assignment.~~

~~Personnel may be reassigned at any time in the best interest of the District as determined by the Superintendent.~~

~~Shifts in student population, the opening of a new school, and/or budgetary necessity may cause decreases or reductions in personnel allocations or reassignment of personnel from a campus or department. The human resources department shall be responsible for determining the individuals who shall be reassigned with the approval of the Superintendent.~~

Principal's Approval

~~Procedures to be followed by the principal in approving staff assignments are:~~

- ~~1. Identify the campus personnel needs;~~
- ~~2. Notify the human resources department of campus needs;~~
- ~~3. Select qualified applicants from the pool of pre-screened applicants (i.e., those who have been screened and have met all requirements) provided by the human resources department;~~
- ~~4. Schedule and conduct interviews; and~~
- ~~5. Notify the human resources department in writing of his or her choice of applicants.~~

Supplemental Duties

Noncontractual supplemental duties for which supplemental pay is received may be discontinued by either party at any time. An employee who wishes to relinquish a paid supplemental duty may do so by notifying the Superintendent or designee in writing. Paid supplemental duties are not part of the District's contractual obligation to the employee, and an employee shall hold no expectation of continuing assignment to any paid supplemental duty.

Work Calendars and Schedules

Subject to the Board-adopted budget and compensation plan and in harmony with employment contracts, the Superintendent shall determine required work calendars for all employees. [See DC, EB]

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Daily time schedules for all employees shall be determined by the Superintendent ~~or designee~~ and principals.

Tardiness

~~Employees are expected to arrive at work at the time designated by their supervisors. Unexcused or excessive tardiness may result in disciplinary action, including termination of employment.~~

Employee Work Year

~~Full-time employees shall render service in accordance with the following provisions:~~

- ~~1. Beginning and ending work dates for each employee category shall be designated in the official salary notice.~~
- ~~2. Leave such as for personal illness, illness in the family, death in the family, and personal business shall be considered as leave with pay, as stipulated in DEC(LOCAL).~~
- ~~3. Holiday schedules for various employment periods shall be issued by the Superintendent.~~
- ~~4. A pay rate for each employee's workday shall be calculated from the annual pay scale.~~
- ~~5. Unless approved by the Superintendent or in emergency situations, employees shall work only the total number of days provided in the funding source for the position.~~

~~In cases of emergency, or when schools must close, the Superintendent is authorized to modify the above provisions within the constraints of the law.~~

Employee Work Schedules

~~Teachers shall be on duty at least seven hours and 45 minutes each day as determined by the school principal. A principal may require additional duty time for in-service training, staff meetings, and/or "parent/teacher nights" with as much notice as possible to the teachers, unless urgent circumstances arise that demand immediate attention.~~

~~Paraprofessional and auxiliary/classified personnel, with the exception of transportation and department of safety personnel, shall be on duty seven to eight hours each day, as determined by their individual job assignments and by the principal or department supervisor.~~

~~All other professional and support personnel shall be on duty a minimum of eight hours each day. Additional duty time shall be expected when necessary to accomplish individual jobs in a satisfactory and professional manner, as determined by the principal or department supervisor.~~

~~For purposes of guidance, the following minimums are suggested:~~

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- ~~1. Employees on Administrative/Professional Scale (pay grades 1-11) at least 40 hours per week.~~
- ~~2. Employees on Teacher Job Scale (teachers and nurses) at least seven hours and 45 minutes per day.~~
- ~~3. Paraprofessional Employees seven to eight hours per day, depending on position, with a weekly range of 35-40 hours.~~
- ~~4. Auxiliary/Classified Employees six to eight hours per day, depending on position, with a weekly range of 30-40 hours.~~

Appeals

~~Appeals shall be made in accordance with DGBA(LOCAL).~~

PROPOSED REVISIONS

Note: This local policy has been revised in accordance with the District's innovation plan. [See AF(LOCAL)]

In accordance with the District's innovation plan, the District shall establish guidelines in order for each campus to be responsible for their own staff development needs to ensure training remains flexible and responsive to campus needs and data aimed at improving student success.

~~The Superintendent shall recommend the District's professional development plan for all District employees. The Board shall annually review the professional development clearinghouse published by the State Board for Educator Certification (SBEC) and annually approve the District's professional development plan. The District's professional development plan must:~~

- ~~1. Be guided by the SBEC clearinghouse training recommendations;~~
- ~~2. Note any differences in the District's plan from the clearinghouse recommendations; and~~
- ~~3. Include a schedule of the required professional development for all District employees.~~

PERFORMANCE APPRAISAL
EVALUATION OF TEACHERS

DNA
(LOCAL)

PROPOSED REVISIONS

T-TESS

The District shall appraise teachers using the Texas Teacher Evaluation and Support System (T-TESS) in accordance with law and administrative regulations and upon approval of the Board.

The Board shall approve a list of certified appraisers who can appraise a teacher in place of the teacher's supervisor.

Annual Appraisal

District teachers shall be appraised annually.

Exception

Teachers who are eligible for less frequent evaluations in accordance with law [see DNA(LEGAL)] and the local criteria established in this policy shall be appraised in accordance with the provisions below.

Less-Than-Annual

Eligibility

In addition to meeting the eligibility requirements in state rules, to be eligible for less-than-annual evaluations under the T-TESS, a teacher shall:

1. Be employed on an educator term or continuing contract;
2. Hold SBEC certification;
3. Be assigned in his or her certification area;
4. Have been employed by the District for at least three years;
~~and~~
5. Have no areas of "improvement needed" noted on the Goal Setting Professional Development (GSPD) plan or reprimand issued regarding an instructional issue;-
6. Not be seeking Teacher Incentive Allotment (TIA) designation; and
- ~~5-7.~~ Not be participating in the Teacher Incentive Allotment (TIA) program.

Frequency

Eligible teachers shall be appraised every two years.

During any school year when a complete appraisal is not scheduled for an eligible teacher, either the teacher or the principal may require that an appraisal be conducted by providing written notice to the other party.

A teacher's supervisor shall have the authority to return a teacher to the annual appraisal cycle as a result of performance deficiencies documented in accordance with state rule.

PERFORMANCE APPRAISAL
EVALUATION OF TEACHERS

DNA
(LOCAL)

*Annual Review
Process*

In the years in which a T-TESS appraisal is not scheduled for an eligible teacher, the teacher shall participate in an annual review process that includes a GSPD plan and a student growth measure rating.

The annual review process shall produce a written document to be presented to the teacher, signed by the teacher and supervisor, and maintained in the personnel file.

PROPOSED REVISIONS

Note: Unless otherwise noted, the terms “video recording,” “video surveillance,” and “video monitoring” shall also include any associated audio recordings. In addition, the term “classroom” shall also include other special education settings subject to video and audio recording required by law.

To promote student safety, the District shall comply with requests for video and audio monitoring of certain special education classrooms as required by law. Regular or continual monitoring of video recordings shall be prohibited. Video recordings shall not be used for teacher evaluation or monitoring or for any purpose other than the promotion of student safety.

The Superintendent is responsible for coordinating the provision of equipment to campuses in compliance with the law.

The Superintendent shall ensure that administrative regulations are developed to implement this policy.

Requests

For Following Year

A parent of a student receiving special education services and whose placement for the following school year will be in a special education classroom eligible for video surveillance may request in writing that a video camera be placed in the classroom by the end of the current school year or by the 10th business day after the student’s admission, review, and dismissal (ARD) committee determines the student’s placement, whichever is later. If such a request is made, the campus shall begin operation of the camera by the deadlines in law.

For Current Year

Written requests from a parent, assistant principal, principal, staff member, or the Board shall be submitted and processed in accordance with the procedures in law.

Response

As required by law, the District shall provide a response to the requester not later than the seventh business day after receipt of the request.

Notice

Before a camera is activated, the principal ~~or designee~~ shall provide advance written notice to staff on the campus and to parents of the students assigned to or engaging in school activities in the classroom that video and audio surveillance will be conducted in the classroom.

Installation and Operation

The classroom subject to the request shall begin operation of video surveillance not later than the time frames required in law, except when the District is granted an extension of time.

SPECIAL EDUCATION
VIDEO/AUDIO MONITORING

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When the District has installed video cameras in a classroom as required by law, the District shall operate the cameras during the instructional day at all times when one or more students are in the classroom. For purposes of this policy, the instructional day shall be defined as the portion of a school day during which instruction is taking place in the classroom.

For the school year in which a campus receives a request for video and audio surveillance, the campus shall continue to operate and maintain any video cameras placed in the classroom for as long as the classroom continues to satisfy the requirements in Education Code 29.022(a). However, the campus may discontinue operation of the video camera during the year if the requester withdraws the request in writing and no request is submitted to continue the surveillance. Before a camera is deactivated, the principal shall provide advance written notice to staff on the campus and to parents of the students assigned to or engaging in school activities in the classroom that video and audio surveillance will be discontinued in the classroom and of the opportunity to request continued video and audio surveillance.

Video cameras must be capable of recording video and audio of all areas of the classroom, including a room attached to the classroom used for time out as defined by law. No visual monitoring, other than incidental coverage, shall be conducted of the inside of a bathroom or other area used for changing a student's clothes.

The District shall post notice at the entrance to a classroom in which video cameras are placed stating that video and audio surveillance is conducted in that classroom.

**Retention of
Recordings**

Video recordings shall be retained for at least three months after the date of the recording but may be retained for a longer period in accordance with the District's records management program, or as required by law. [See CPC]

**Confidentiality of
Recordings**

Video recordings made in accordance with this policy shall be confidential and shall only be released or viewed by the individuals and in the limited circumstances permitted by law. The following individuals shall have authority to view video recordings to the extent permitted by the Family Educational Rights and Privacy Act (FERPA):

1. A District employee or a parent of a student who is involved in an alleged incident documented by a recording and reported to the District;
2. Appropriate Department of Family and Protective Services (DFPS) personnel as part of an investigation of alleged abuse or neglect of a child;

SPECIAL EDUCATION
VIDEO/AUDIO MONITORING

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(LOCAL)

3. A peace officer, school nurse, District administrator trained in de-escalation and restraint techniques, or human resource staff member in response to a report of an alleged incident or an investigation of an employee or a report of alleged abuse committed by a student; and
4. Appropriate Texas Education Agency or State Board for Educator Certification personnel or their agents as part of an investigation.

For purposes of this policy, the term “human resource staff member” shall include the Superintendent, a principal, an assistant principal or other campus administrator, and any supervisory position within the District’s [special education department or](#) human resources office. If an individual listed in items 2-4, above, believes that a recording shows a violation of District policy or campus procedures, the individual may allow access to the recording by appropriate legal and human resources personnel designated by the District for the purpose of determining whether a policy or procedure has been violated.

Any person who suspects that child abuse or neglect has occurred shall report this suspicion as required by law and District policy.
[See FFG]

**Reporting an
Incident**

A person alleging that an incident, as defined by law, has occurred in a classroom in which video surveillance is conducted shall file a report on the form provided by the District with the principal ~~or designee~~ as soon as possible after the person suspects the alleged incident. If possible, an incident report form shall be filed within 24 hours of the facts giving rise to the allegation. The principal ~~or designee~~ shall promptly view, or direct an authorized individual to view, the video surveillance footage to identify the relevant portion of the recording. No later than 10 District business days after the report is filed, the principal or designee shall respond by notifying the person whether the alleged incident was recorded in the District’s video surveillance footage and shall initiate other steps as required by law, District policy, or local procedures.

Complaints

Complaints related to video and audio recordings under this policy shall be filed in accordance with DGBA, FNG, or GF, as applicable. A complainant who is dissatisfied with the outcome of the District’s complaint process may appeal in writing to the commissioner of education in accordance with Education Code 7.057 and 19 Administrative Code 103.1303. A parent, staff member, or District administrator may request an expedited review in accordance with 19 Administrative Code 103.1303.

PROPOSED REVISIONS

Relation to Essential Knowledge and Skills

The District shall establish instructional objectives that relate to the essential knowledge and skills for grade-level subjects or courses. These objectives shall address the skills needed for successful performance in the next grade or next course in a sequence of courses.

Assignments, tests, projects, classroom activities, and other instructional activities shall be designed so that each student's performance indicates the level of mastery of the designated District objectives.

Guidelines for Grading

The Superintendent or designee shall ensure that each campus or instructional level develops guidelines for teachers to follow in determining grades for students. These guidelines shall ensure that grading reflects a student's relative mastery of an assignment and that a sufficient number of grades are taken to support the grade average assigned. Guidelines for grading shall be clearly communicated to students and parents.

The District shall permit a student who meets the criteria detailed in the grading guidelines a reasonable opportunity to redo an assignment or retake a test for which the student received a failing grade.

Progress Reporting

The District shall issue grade reports/report cards every six weeks for students in elementary school and middle school and every nine weeks for students in high school on a form approved by the Superintendent or designee. Performance shall be measured in accordance with this policy and the standards established in EIE.

Interim Reports

Interim progress reports shall be issued for all students after the third week [for students in elementary school and middle school and for students in high school after the third week and the sixth week](#) of each grading period. Supplemental progress reports may be issued at the teacher's discretion.

Conferences

Each year, the District shall provide at least two opportunities for in-person conferences between each parent and the student's teacher. Additional conferences may be requested by a teacher or parent as needed.

Academic Dishonesty

A student found to have engaged in academic dishonesty shall be subject to grade penalties on assignments or tests and disciplinary penalties in accordance with the Student Code of Conduct. Academic dishonesty includes cheating or copying the work of another student, plagiarism, the use of artificial intelligence to complete an assignment in part or in whole unless approved by the classroom teacher [see CQD], and unauthorized communication between students during an examination. The determination that a student has

ACADEMIC ACHIEVEMENT
GRADING/PROGRESS REPORTS TO PARENTS

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(LOCAL)

engaged in academic dishonesty shall be based on the judgment of the classroom teacher or another supervising professional employee, taking into consideration written materials, observation, information from students, or the use of an artificial intelligence detection tool selected by the District.

PROPOSED REVISIONS

Consistent Application for Graduating Class

The District shall apply the same class rank calculation method and rules for local graduation honors for all students in a graduating class, regardless of the school year in which a student first earned high school credit.

Calculation

The District shall include in the calculation of class rank semester grades earned in all high school credit courses taken at any grade level ~~regardless of when the credit was earned.~~

The class rank calculation shall not include semester grades from a course that is retaken after a passing grade has been earned, and the new grade shall not be recorded on the transcript.

The calculation shall include failing grades.

Exclusions

The calculation of class rank shall exclude grades earned in a course for which a pass/fail grade is assigned.

Weighted Grade System

Categories

Tier 1

The District shall categorize and weight eligible courses as Tier 1 and Tier 2 in accordance with provisions of this policy and as designated in appropriate District publications ~~the Course Catalog.~~

Eligible Advanced Placement (AP) courses, dual credit courses completed in the District, Pre-AP courses, and locally designated advanced courses shall be categorized and weighted as Tier 1 courses.

Tier 2

All other eligible courses, including dual credit courses not completed in the District, shall be categorized and weighted as Tier 2 courses.

Weighted Numerical Grade Average

The District shall assign weights to semester grades of at least 70 earned in eligible courses and calculate a weighted numerical grade average, in accordance with the following:

Category	Weight
Tier 1	plus 10
Tier 1 AP course with AP test score of at least 3	add'l plus 5
Tier 2	plus 0

No points shall be added to failing final course average grades

The District shall record unweighted numerical grades on student transcripts and report cards.

High Quality Points (HQ) will be added to Tier 1 courses as stated above.

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CLASS RANKING

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*Credit by
Examination
Grade
Equivalencies*

When a student seeks course credit through credit by examination without prior instruction by taking an AP exam or a College-Level Examination Program (CLEP) exam the grade for a passing score shall be recorded on the student's transcript and used in the calculation of class rank in accordance with the following chart:

Grade	AP Exam	CLEP Exam
95	5	80
90	4	70
85	3	60

Transferred Grades

When a student transfers semester grades for courses that would be eligible under the Tier 2 category and the District has accepted the credit, the District shall include the grades in the calculation of class rank.

When a student transfers semester grades for ~~properly documented~~ courses that would be eligible to receive additional weight under the District's weighted grade system, the District shall assign weight to those grades based on the categories and grade weight system used by the District.

Students transferring into the District shall receive the numerical grade that was earned in the eligible courses at another school. Letter grades for eligible courses shall be recorded as follows:

Letter Grade	Numerical Grade
A+	98
A	95
A-	92
B+	88
B	85
B-	82
C+	78
C	75
C-	72
D+	68
D	65

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CLASS RANKING

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Letter Grade	Numerical Grade
D-	62
F	50

**Local Graduation
Honors**

For the purpose of determining honors to be conferred during graduation activities, the District shall calculate class rank in accordance with this policy and administrative regulations by using grades available at the end of the third nine-week grading period of the senior year. ~~The grade for the third nine-week grading period shall be used as the semester grade for this purpose.~~

For the purpose of applications to institutions of higher education, the District shall also calculate class rank as required by state law. The District's eligibility criteria for local graduation honors shall apply only for local recognitions and shall not restrict class rank for the purpose of automatic admission under state law. [See EIC(LEGAL)]

**Valedictorian and
Salutarian**

The valedictorian and salutarian shall be the eligible students who have the highest and second-highest rank, respectively. To be eligible for such recognition a student must:

1. Have been continuously enrolled in the same District high school for the six semesters immediately preceding graduation;
2. Have completed the foundation program with the distinguished level of achievement; and
3. Be graduating after four complete years of enrollment in high school.

Breaking Ties

In case of a tie, the District shall compute the ~~weighted GPA or~~ weighted numerical grade average, as applicable, to ~~a sufficient number of~~ the fifth decimal places ~~until the tie is broken.~~

Honor Graduates

The District shall recognize as an honor graduate each student who has completed the foundation program and has an overall weighted numerical grade average of at least 90.

Honor graduates shall be recognized in accordance with the following:

Recognition	Weighted Numerical Grade Average
Summa cum laude	At least 100
Magna cum laude	95–99
Cum laude	90–94

ACADEMIC ACHIEVEMENT
CLASS RANKING

EIC
(LOCAL)

**Highest-Ranking
Graduate**

The student meeting the local eligibility criteria for recognition as the valedictorian shall also be considered the highest-ranking graduate for purposes of receiving the scholarship certificate from the state of Texas.

DELETE POLICY

~~Generally, revisions of school zones shall occur with the opening of new schools, closing of schools, changes in student populations, or for other reasons requiring a shift in population at a school facility as recommended by the Superintendent and approved by the Board.~~

~~The attendance zones for individual schools shall be recommended by the Superintendent and approved by the Board. Students shall be expected to attend the school in their attendance zone except by assignment or transfer by the Board or its designee in writing in accordance with policy FDB(LOCAL).~~

PROPOSED REVISIONS

Persons Age 21 and Over

The District shall admit persons who are at least age 21 and under age 26 for the purpose of completing the requirements for a high school diploma.

~~The District shall not admit into its public schools any person age 21 or over unless otherwise required by law.~~

Registration Forms

The student's parent, legal guardian, or other person having lawful control shall annually complete registration forms. A student who has reached age 18 shall be permitted to complete these forms.

Proof of Residency

In accordance with administrative regulations, the parent, guardian, or other person having lawful control of the student under order of a court shall present proof of residency. The District may investigate stated residency as necessary.

Minor Living Apart

Person Standing in Parental Relation

A minor student residing in the District but whose parent, guardian, or other person having lawful control under a court order does not reside in the District shall present a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code assigning responsibility for the student in all school-related matters to an adult resident of the District.

Misconduct

A minor student living apart who has engaged in misconduct that results in any of the consequences found in Education Code 25.001(d) shall not be permitted to attend a District school.

Exceptions

Based on an individual student's circumstance, the Superintendent shall have authority to grant exceptions to the requirement for a power of attorney or authorization agreement and to the exclusion for misconduct.

Extracurricular Activities

The Superintendent shall determine whether a minor student living apart is present in the District for the primary purpose of participating in extracurricular activities.

Students Not Enrolled

A student enrolled in a private school, a charter school, or a home-school, shall not be eligible for concurrent enrollment in the District nor for participation in curricular or extracurricular activities, except as required by law. [See EEL and FM]

Nonresident Student in Grandparent's After-School Care

The parent and grandparent of a nonresident student requesting admission under Education Code 25.001(b)(9) shall provide to the Superintendent the required information on the grandparent's residency and complete a form provided by the District describing the extent of after-school care to be provided by the grandparent.

The Superintendent shall have authority to approve or deny such admissions requests in accordance with criteria approved by the Board.

“Accredited” Defined

For the purposes of this policy, “accredited” shall be defined as accreditation by TEA, an equivalent agency from another state, or an accrediting association recognized by the commissioner of education.

Grade-Level Placement

Accredited Schools

The parent, guardian, or other person having lawful control of a student enrolling in a District school from an accredited public, private, or parochial school shall provide evidence of the prior schooling outside the District. The student shall be placed initially at the grade level reached elsewhere, pending observation by the classroom teacher, guidance personnel, and the principal. On the basis of these observations and results of tests that may be administered by appropriate District personnel, the principal shall determine the final grade placement.

Nonaccredited Schools

A student enrolling in a District school from a nonaccredited public, private, or parochial school, including a homeschool, shall be placed initially at the discretion of the principal, pending observation by classroom teachers, guidance personnel, and the principal. Criteria for placement may include:

1. Scores on achievement tests, which may be administered by appropriate District personnel.
2. Recommendation of the sending school.
3. Prior academic record.
4. Chronological age and social and emotional development of the student.
5. Other criteria deemed appropriate by the principal.

Transfer of Credit

Accredited Texas Public Schools

Credit toward state graduation requirements earned in an accredited public school district in Texas shall be transferable and recognized by the District.

Other Accredited or Nonaccredited Schools

Before recognizing credit in a course earned in an accredited non-public school, an accredited school outside of Texas, or a nonaccredited school, appropriate personnel shall evaluate a student's records and transcript. The District may require the student to demonstrate mastery of the content or use alternative methods to verify course content for the award of credit.

Transition Assistance

In accordance with law, when a student who is identified as homeless or in substitute care enrolls in the District, the District shall assess the student's available records and other relevant information

to ensure credit, including proportionate credit, is awarded appropriately for all subjects and courses taken prior to enrollment.

[See EI]

Withdrawal

A parent or guardian wishing to withdraw a minor student shall present a signed statement that includes the reason for the withdrawal. A student who is 18 or older may submit a withdrawal statement without a parent's or guardian's signature.

[For District withdrawal of students no longer in attendance, see FEA(LOCAL).]

PROPOSED REVISIONS

Authority

The Superintendent is authorized to accept or reject any transfer requests, provided that such action is without regard to race, religion, color, sex, disability, national origin, or ancestral language.

A resident student who becomes a nonresident during the course of a semester shall be permitted to continue in attendance for the remainder of the semester.

A resident student in his or her final year of high school who becomes a nonresident shall be allowed to continue in attendance on a tuition-free basis until graduation.

Transfer Requests

A nonresident student wishing to transfer into the District shall file an application for transfer each school year with the Superintendent ~~or designee~~. Transfers shall be granted for one regular school year at a time.

Children of Nonresident Employees

A nonresident full-time employee may request that his or her child be admitted into District schools by filing a student transfer request with the Superintendent ~~or designee~~.

An employee may request that his or her child be assigned to the school where the parent works or to the campus in closest proximity to his or her employment site. Such requests shall be approved provided that space is available. If space is not available, the next closest campus shall be considered. ~~This benefit shall become void upon termination of employment, and the student shall be returned to his or her designated home campus or District.~~ [See FDB]

Factors

In approving transfers, the Superintendent ~~or designee~~ shall consider availability of space and instructional staff and the student's disciplinary history and attendance records.

Transfer Agreements

A transfer student shall be notified in the written transfer agreement that he or she must follow all rules and regulations of the District. Violation of the terms of the agreement may result in a transfer request not being approved the following year.

Participation in UIL Activities

A student who has an approved transfer and resides outside District boundaries may participate in UIL activities only in accordance with UIL guidelines.

Transportation

The District shall not provide transportation for transfer students, except as required by law.

Tuition

If the District charges tuition, the amount shall be set by the Board, within statutory limits.

ADMISSIONS
INTERDISTRICT TRANSFERS

FDA
(LOCAL)

Waivers	The Board may waive tuition for a student based on financial hardship upon written application by the student, parent, or guardian. [See FP]
Nonpayment	The District may initiate withdrawal of students whose tuition payments are delinquent.
Appeals	Any appeals shall be made in accordance with FNG(LOCAL) and GF(LOCAL), as appropriate.

PROPOSED REVISIONS

Students in violation of the compulsory attendance law shall be reported to the District attendance officer, who may institute court action as provided by law.

Excused Absences

In addition to excused absences required by law, the District shall excuse absences for the following purposes. A student shall be required to submit verification of these absences in accordance with administrative regulations.

Higher Education
Visits

The District shall excuse a student for up to two days during the student's junior year and up to two days during the student's senior year to visit an accredited institution of higher education.

Career Investigation

The District shall excuse a student for up to two days during the student's junior year and up to two days during the student's senior year to visit a professional's workplace for purposes of exploring the student's interest in pursuing a career in that professional's field.

Armed Services
Enlistment

The District shall excuse a student 17 years of age or older for up to four days during his or her enrollment in high school for activities related to pursuing enlistment in a branch of the U.S. Armed Services or Texas National Guard.

Early Voting or
Election Clerk

The District shall excuse a student for up to two days per school year to serve as an early voting or election clerk.

Learner or Driver's
License

The District shall excuse a student 15 years of age or older for one day during his or her enrollment in high school for each of the following:

- Visiting a driver's license office to obtain a learner license; or
- Visiting a driver's license office to obtain a driver's license.

[For extracurricular activity absences, see FM.]

Withdrawal for Nonattendance

The District may initiate withdrawal of a student under the age of 19 for nonattendance under the following conditions:

1. The student has been absent 10 consecutive school days;
and
2. Repeated efforts by the attendance officer and/or principal to locate the student have been unsuccessful.

[For District-initiated withdrawal of students 19 or older, see FEA(LEGAL).] ~~Each case shall be reviewed on an individual basis~~

ATTENDANCE
COMPULSORY ATTENDANCE

FEA
(LOCAL)

~~by the campus Attendance Review Committee (ARC), and the student may be withdrawn upon recommendation of the ARC and/or principal.~~

**Students Attending
Homeschools**

Students who are homeschooled are exempt from the compulsory attendance law to the same extent as students enrolled in other private schools.

Adequate documentation of homeschooling for withdrawal shall consist of either a statement of withdrawal in accordance with FD(LOCAL) indicating the date homeschooling began, or a signed and dated letter from a parent or guardian indicating that his or her child is being homeschooled and the date the homeschooling began.

The District may request from a parent or guardian a letter of assurance that a child is being educated using a curriculum designed to meet basic education goals of reading, spelling, grammar, mathematics, and a study of good citizenship.

Enforcing
Compulsory
Attendance

If a parent or guardian refuses to submit a requested statement or letter, or if the District has evidence that a school-aged child is not being homeschooled within legal requirements, the District may investigate further and, if warranted, shall pursue legal action to enforce the compulsory attendance law.

PROPOSED REVISIONS

Release from School

A student shall not be released from school at times other than regular dismissal hours except with the permission of the principal of the school. The teacher shall determine that such permission has been granted before allowing the student to leave.

Exception for Released Time Course

For purposes of this policy, a “released time course” shall have the same definition as provided in law. ~~A released time course is a course in religious instruction offered by a third party entity off campus.~~

A student shall be permitted to attend a released time course for at least one but not more than five hours a week, in accordance with the following requirements:

1. The parent or guardian has provided written consent for the student to attend the released time course;
2. The private entity offering the released time course maintains attendance records and will make those records available to the District;
3. The private entity, parent or guardian, or student assumes responsibility for transportation, including transportation for a student with a disability, to and from the location at which the released course is offered;
4. The private entity assumes liability for the student enrolled in the released time course while the student is under the private entity’s care; and
5. The student is responsible for any school work and assignments issued during the student’s absence from the District.

The District shall be prohibited from using District funds, excluding de minimis costs, to facilitate the student attending a released time course.

A private entity shall be prohibited from offering the released time course on District property unless the use is in accordance with policy GKD.

The District shall not interfere with a parent’s or guardian’s ability to request or access a released time course for the student.

PROPOSED REVISIONS

The District shall support the general wellness of all students by implementing measurable goals to promote sound nutrition and student health and to reduce childhood obesity.

[See EHAA for information regarding the District's coordinated school health program.]

Development, Implementation, and Review of Guidelines and Goals

The local school health advisory council (SHAC), on behalf of the District, shall review and consider evidence-based strategies and techniques and shall develop nutrition guidelines and wellness goals as required by law. In the development, implementation, and review of these guidelines and goals, the SHAC shall permit participation by parents, students, representatives of the District's food service provider, physical education teachers, school health professionals, members of the Board, school administrators, and members of the public.

[See BDF for required membership of the SHAC.]

Wellness Plan

The SHAC shall develop a wellness plan to implement the District's nutrition guidelines and wellness goals. The wellness plan shall, at a minimum, address:

1. Strategies for soliciting involvement by and input from persons interested in the wellness plan and policy;
2. Objectives, benchmarks, and activities for implementing the wellness goals;
3. Methods for measuring implementation of the wellness goals;
4. The District's standards for foods and beverages provided, but not sold, to students during the school day on a school campus;
5. The manner of communicating to the public applicable information about the District's wellness policy and plan; and
6. The manner of communicating the plan to District staff and students.

The SHAC shall review and revise the plan on a regular basis and recommend revisions to the wellness policy when necessary.

Nutrition Guidelines

Foods and Beverages Sold

The District's nutrition guidelines for reimbursable school meals and all other foods and beverages sold or marketed to students during the school day shall be designed to promote student health and reduce childhood obesity and shall be at least as restrictive as federal regulations and guidance, except when the District allows

STUDENT WELFARE
WELLNESS AND HEALTH SERVICES

FFA
(LOCAL)

	an exemption for fundraising activities as authorized by state and federal rules. [See CO and FJ]
Foods and Beverages Provided	The District shall establish standards for all foods and beverages provided, but not sold, to students during the school day. These standards shall be addressed in the District's wellness plan.
Wellness Goals	
Nutrition Promotion and Education	The District shall implement, in accordance with law, a coordinated school health program with a nutrition education component. [See EHAA] The District's nutrition promotion activities shall encourage participation in the National School Lunch Program, the School Breakfast Program, and any other supplemental food and nutrition programs offered by the District. The District establishes the following goals for nutrition promotion: The District's food service staff, teachers, and other District personnel shall consistently promote healthy nutrition messages in cafeterias, classrooms, and other appropriate settings. The District shall share educational nutrition information with families and the general public to promote healthy nutrition choices and positively influence the health of students. The District establishes the following goals for nutrition education: The District shall deliver nutrition education that fosters the adoption and maintenance of healthy eating behaviors. The District shall make nutrition education a District wide priority and shall integrate nutrition education into other areas of the curriculum, as appropriate. The District shall provide professional development so that teachers and other staff responsible for the nutrition education program are adequately prepared to effectively deliver the program.
Physical Activity	The District shall implement, in accordance with law, a coordinated health program with physical education and physical activity components and shall offer at least the required amount of physical activity for all grades. [See BDF, EHAA, EHAB, and EHAC] The District establishes the following goals for physical activity: The District shall provide an environment that fosters safe, enjoyable, and developmentally appropriate fitness activities for all students, including those who are not participating in physical education classes or competitive sports.

STUDENT WELFARE
WELLNESS AND HEALTH SERVICES

FFA
(LOCAL)

	— The District shall provide appropriate staff development and encourage teachers to integrate physical activity into the academic curriculum where appropriate. — The District shall make appropriate before-school and after-school physical activity programs available and shall encourage students to participate. — The District shall make appropriate training and other activities available to District employees in order to promote enjoyable, lifelong physical activity for District employees and students. — The District shall encourage parents to support their children's participation, to be active role models, and to include physical activity in family events. — The District shall encourage students, parents, staff, and community members to use the District's recreational facilities, such as tracks, playgrounds, and the like, that are available outside of the school day. [See GKD]
Other School-Based Activities	The District establishes the following goals to create an environment conducive to healthful eating and physical activity and to promote and express a consistent wellness message through other school-based activities: The District shall allow sufficient time for students to eat meals in cafeteria facilities that are clean, safe, and comfortable. — The District shall promote wellness for students and their families at suitable District and campus activities. — The District shall promote employee wellness activities and involvement at suitable District and campus activities.
Implementation	The director of health services shall oversee the implementation of this policy and the development and implementation of the wellness plan and appropriate administrative procedures.
Evaluation	The District shall comply with federal requirements for evaluating this policy and the wellness plan.
Public Notification	The District shall annually inform and update the public about the content and implementation of the wellness policy, including posting on its website copies of the wellness policy, the wellness plan, and the required implementation assessment.
Records Retention	The District shall retain all the required records associated with the wellness policy, in accordance with law and the District's records management program. [See CPC and FFA(LEGAL)]

PROPOSED REVISIONS

(See page 1)

Note: This policy addresses discrimination, including harassment, and retaliation against District students. For provisions regarding discrimination, including harassment, and retaliation against District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. Note that FFH shall be used in conjunction with FFI (bullying) for certain prohibited conduct.

Prohibited Conduct

In this policy, the term “prohibited conduct” includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]

Statement of Nondiscrimination

The District prohibits discrimination, including harassment, against any student. Discrimination is defined as treating a student or group of students differently from similarly situated students on the basis of race, color, religion, sex, gender, ~~sexual orientation, gender identity and expression~~, national origin, age, disability, or any other basis prohibited by law. One type of harassment this policy prohibits is dating violence, as defined below. Retaliation against anyone exercising their rights under this policy is a violation of District policy and is prohibited.

Harassment

Harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student’s race, color, religion, sex, gender, ~~sexual orientation, gender identity and expression~~, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

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

Harassment includes dating violence as defined by law and this policy.

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FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

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(LOCAL)

Examples	Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name calling, slurs, or rumors; cyberharassment; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.
Title IX Sexual Harassment	As required by law, the District shall follow the procedures below at Response to Title IX Sexual Harassment upon a report of sex-based harassment, including sexual harassment, gender-based harassment, and dating violence, when such allegations, if proved, would meet the definition of sexual harassment in an education program or activity and against a person in the United States under Title IX. [See FFH(LEGAL)]
Other Sexual Harassment By an Employee	Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when: 1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or 2. The conduct is so severe, persistent, or pervasive that it: a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or b. Creates an intimidating, threatening, hostile, or abusive educational environment. Romantic or other inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See DH]
By Others	Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

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

Examples

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

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

Gender-Based Harassment

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

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

Examples

Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; cyberharassment; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

Dating Violence

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. Dating violence also occurs when a person commits these

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acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense.

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

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

Examples

Examples of dating violence against a student may include physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the student's household. Additional examples may include destroying property belonging to the student, threatening to commit suicide or homicide if the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student's spouse or current dating partner, or encouraging others to engage in these behaviors.

**Reporting
Procedures**

Student Report

Any student who believes that he or she has experienced prohibited conduct and any person who believes that a student has experienced prohibited conduct should immediately report the alleged acts to a teacher, school counselor, principal, other District employee, or the appropriate District official listed in this policy.

Employee Report

Any District employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed in this policy and take any other steps required by this policy.

Definition of District
Officials

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

*Title IX
Coordinator*

Reports of discrimination based on sex, including sexual harassment, gender-based harassment, or dating violence, may be directed to the designated Title IX coordinator for students. [See FFH(EXHIBIT)]

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

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<i>ADA / Section 504 Coordinator</i>	Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator for students. [See FFH(EXHIBIT)]
<i>Superintendent</i>	The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.
Alternative Reporting Procedures	An individual shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent. A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.
Timely Reporting	To ensure the District's prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.
Notice to Parents	The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult. [For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.] When the District receives a report of prohibited conduct that includes dating violence, the appropriate District official shall immediately notify the parent or guardian of the student who has been identified in the report as the alleged victim or perpetrator.
Investigation of Reports Other Than Title IX	The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, including sexual harassment, gender-based harassment, and dating violence, see the procedures below at Response to Title IX Sexual Harassment. The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.
Initial Assessment	Upon receipt or notice of a report, the District official shall determine whether the allegations, if proved, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at Criminal Investigation.

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FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

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(LOCAL)

	If the District official determines that the allegations, if proved, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI.
Interim Action	If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District's investigation.
District Investigation	The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation. The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.
Criminal Investigation	If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.
Concluding the Investigation	Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation. The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.
<i>Notification of Outcome</i>	Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

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(LOCAL)

District Action <i>Prohibited Conduct</i>	If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.
Corrective Action	Examples of corrective action may include a training program for those involved in the report, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination, harassment, and retaliation.
<i>Bullying</i>	If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.
<i>Improper Conduct</i>	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.
Confidentiality	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.
Appeal	A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student or parent has the right to file a complaint with the United States Department of Education Office for Civil Rights.
Response to Title IX Sexual Harassment	For purposes of the District's response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).
General Response	When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to: • Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;

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(LOCAL)

- Consider the complainant's wishes with respect to supportive measures; and
- Explain to the complainant the option and process for filing a formal complaint.

The District's response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.

If a formal complaint is not filed or dismissed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and the Student Code of Conduct. The Title IX coordinator also reserves the right to sign a formal complaint, initiating the Title IX grievance process, if it would be deliberately indifferent not to investigate and respond to the prohibited conduct in accordance with Board policies and the Student Code of Conduct.

Title IX Formal
Complaint Process

To distinguish the process described below from the District's general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District's "Title IX formal complaint process."

The Superintendent shall ensure the development of a Title IX formal complaint process that complies with legal requirements. [See FFH(LEGAL)] The formal complaint process shall be posted on the District's website. In compliance with Title IX regulations, the District's Title IX formal complaint process shall address the following basic requirements:

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;
3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames

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for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;

6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;
8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;
9. A description of the supportive measures available to the complainant and respondent;
10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;
11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and
12. Other local procedures as determined by the Superintendent.

Standard of
Evidence

The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.

Retaliation

The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or participates in an investigation. The definition of prohibited retaliation under this policy also includes retaliation against a student who refuses to participate in any manner in an investigation under Title IX. In the absence of a formal complaint, allegations of retaliation shall be investigated under Investigation of Reports Other Than Title IX, above.

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Examples	Examples of retaliation may include threats, intimidation, coercion, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
False Claim	A student who intentionally makes a false claim or offers false statements in a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action in accordance with law.
Records Retention	The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records control schedules, but for no less than the minimum amount of time required by law. [See CPC] [For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]
Access to Policy and Procedures	Information regarding this policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and readily available at each campus and the District's administrative offices.

PROPOSED REVISIONS

(See page 3)

Note:	This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyber-bullying. For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.
Bullying Prohibited	The District prohibits bullying, including cyberbullying, as defined by state law. [See FFI(LEGAL)] Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.
Examples	Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.
Minimum Standards	In accordance with law, the Superintendent shall develop administrative procedures to ensure that minimum standards for bullying prevention are implemented.
Retaliation	The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.
Examples	Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
False Claim	A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.
Timely Reporting	Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

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**Reporting
Procedures**

Student Report

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

Employee Report

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the campus principal (if the employee works at a campus), his/her supervisor (if the employee does not work at a campus), or designee.

Report Format

A report may be made orally or in writing. Employees and students shall be provided a District form to reduce any oral report to writing. If the student refuses to reduce his/her oral report to writing on the District form provided, the principal or designee shall reduce the oral report to writing on the District form or provide other written documentation.

Initial Assessment

Upon receipt or notice of a report of bullying, the principal or designee shall determine whether the allegations, if proven, would constitute bullying as defined by state law. If so, the principal or designee shall immediately undertake an investigation as dictated by this policy. If the principal or designee determines that the allegations, if proven, would not constitute bullying as defined by state law, the investigation shall be concluded with no further action required by the campus investigation; however, if the alleged conduct is a violation of the District Student Code of Conduct, appropriate disciplinary action shall be taken against the perpetrator as dictated by the District's Student Code of Conduct.

Periodic Monitoring

The Superintendent shall periodically monitor the reported counts of bullying incidents, and that declines in the count may represent not only improvements in the campus culture because bullying declines but also declines in the campus culture because of a decline in openness to report incidents.

Notice of Report

When an allegation of bullying is reported and after the initial assessment determines that bullying may have occurred, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.

Prohibited Conduct

The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or

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discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

**Investigation of
Report**

The principal or designee shall conduct an investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

**Concluding the
Investigation**

Absent extenuating circumstances, the investigation should be completed within ~~10~~¹⁴ business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.

The principal or designee shall prepare written documentation pertaining to the investigation. The written documentation shall include information as to whether bullying occurred and, if so, whether the victim used reasonable self-defense. A copy of the written documentation shall be sent to the Superintendent or designee.

Notice to Parents

If an incident of bullying is confirmed after investigation, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

District Action

Bullying

If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.

Discipline

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

Corrective Action

Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.

Transfers

The principal or designee shall refer to FDB for transfer provisions.

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<i>Counseling</i>	The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.
Improper Conduct	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.
Confidentiality	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.
Appeal	A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.
Records Retention	Retention of records shall be in accordance with CPC(LOCAL).
Access to Policy and Procedures	This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

PROPOSED REVISIONS

(See pages 4 and 5)

Comprehensive System

The Superintendent shall develop and maintain a comprehensive system of student records and reports dealing with all facets of the school program operation and shall ensure through reasonable procedures that records are accessed by authorized persons only, as allowed by this policy. These data and records shall be stored in a safe and secure manner and shall be conveniently retrievable for use by authorized school officials.

Cumulative Record

A cumulative record shall be maintained for each student from entrance into District schools until withdrawal or graduation from the District.

This record shall move with the student from school to school and be maintained at the school where currently enrolled until graduation or withdrawal. Records for nonenrolled students shall be retained for the period of time required by law. No permanent records may be destroyed without explicit permission from the Superintendent. [See CPC]

Custodian of Records

The principal is custodian of all records for currently enrolled students. The records manager is the custodian of records for students who have withdrawn or graduated. The student handbook made available to all students and parents shall contain a listing of the addresses of District schools, as well as the Superintendent's business address.

Types of Education Records

The record custodian shall be responsible for the education records of the District. These records may include:

1. Admissions data, personal and family data, including certification of date of birth.
2. Standardized test data, including intelligence, aptitude, interest, personality, and social adjustment ratings.
3. All achievement records, as determined by tests, recorded grades, and teacher evaluations.
4. All documentation regarding a student's testing history and any accelerated instruction he or she has received, including any accelerated education plan developed for the student.
5. Health services record, including:
 - a. The results of any tuberculin tests required by the District.

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- b. The findings of screening or health appraisal programs the District conducts or provides. [See FFAA]
 - c. Immunization records. [See FFAB]
- 6. Attendance records.
- 7. Student questionnaires.
- 8. Records of teacher, school counselor, or administrative conferences with the student or pertaining to the student.
- 9. Verified reports of serious or recurrent behavior patterns.
- 10. Copies of correspondence with parents and others concerned with the student.
- 11. Records transferred from other districts in which the student was enrolled.
- 12. Records pertaining to participation in extracurricular activities.
- 13. Information relating to student participation in special programs.
- 14. Records of fees assessed and paid.
- 15. Records pertaining to student and parent complaints.
- 16. Other records that may contribute to an understanding of the student.

Access by Parents

The District shall make a student's records available to the student's parents, as permitted by law. The records custodian or designee shall use reasonable procedures to verify the requester's identity before disclosing student records containing personally identifiable information.

Records may be reviewed in person during regular school hours without charge upon written request to the records custodian. For in-person viewing, the records custodian or designee shall be available to explain the record and to answer questions. The confidential nature of the student's records shall be maintained at all times, and records to be viewed shall be restricted to use only in the Superintendent's, principal's, or school counselor's office, or other restricted area designated by the records custodian. The original copy of the record or any document contained in the cumulative record shall not be removed from the school.

Copies of records are available at a per copy cost, payable in advance. Copies of records must be requested in writing. Parents

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may be denied copies of records if they fail to follow proper procedures or pay the copying charge. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, upon written request of a parent, one copy of the record shall be provided at no charge.

A parent may continue to have access to his or her child's records under specific circumstances after the student has attained 18 years of age or is attending an institution of postsecondary education. [See FL(LEGAL)]

Access by School Officials

A school official shall be allowed access to student records if he or she has a legitimate educational interest in the records.

For the purposes of this policy, "school officials" shall include:

1. An employee, Board member, or agent of the District, including an attorney, a consultant, a contractor, a volunteer, a school resource officer, and any outside service provider used by the District to perform institutional services.
2. An employee of a cooperative of which the District is a member or of a facility with which the District contracts for placement of students with disabilities.
3. A contractor retained by a cooperative of which the District is a member or by a facility with which the District contracts for placement of students with disabilities.
4. A parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
5. A person appointed to serve on a team to support the District's safe and supportive school program.

All contractors provided with student records shall follow the same rules as employees concerning privacy of the records and shall return the records upon completion of the assignment.

A school official has a "legitimate educational interest" in a student's records when he or she is:

1. Working with the student;
2. Considering disciplinary or academic actions, the student's case, or an individualized education program for a student with disabilities;
3. Compiling statistical data;

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4. Reviewing an education record to fulfill the official's professional responsibility; or
5. Investigating or evaluating programs.

**Transcripts and
Transfers of Records**

The District may request transcripts from previously attended schools for students transferring into District schools; however, the ultimate responsibility for obtaining transcripts from sending schools rests with the parent or student, if 18 or older.

For purposes of a student's enrollment or transfer, the District shall promptly forward in accordance with the timeline provided in law education records upon request to officials of other schools or school systems in which the student intends to enroll or enrolls. [See FD(LEGAL), Required Documentation] The District may return an education record to the school identified as the source of the record.

**Records
Responsibility for
Students in Special
Education**

The [executive](#) director of special education shall be responsible for ensuring the confidentiality of any personally identifiable information in records of students in special education.

A current listing of names and positions of persons who have access to records of students in special education is maintained [electronically](#) ~~at the principals' and school support teams' offices.~~

**Procedure to Amend
Records**

Within 15 District business days of the record custodian's receipt of a request to amend records, the District shall notify the parents in writing of its decision on the request and, if the request is denied, of their right to a hearing. If a hearing is requested, it shall be held within 10 District business days after the request is received.

Parents shall be notified in advance of the date, time, and place of the hearing. An administrator who is not responsible for the contested records and who does not have a direct interest in the outcome of the hearing shall conduct the hearing. The parents shall be given a full and fair opportunity to present evidence and, at their own expense, may be assisted or represented at the hearing.

The parents shall be notified of the decision in writing within 10 District business days of the hearing. The decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision. If the decision is to deny the request, the parents shall be informed that they have 30 District business days within which to exercise their right to place in the record a statement commenting on the contested information and/or stating any reason for disagreeing with the District's decision.

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**Directory
Information**

Directory information for District students has been classified into two separate categories:

1. Items for use only for school-sponsored purposes; and
2. Items for all other purposes.

**School-Sponsored
Purposes**

For the following school-sponsored purposes—all District publications and announcements—directory information shall include student name; address; telephone listing; electronic mail address; photograph; major field of study; degrees, honors, and awards received; dates of attendance; grade level; most recent educational institution attended; participation in officially recognized activities and sports; weight and height of members of athletic teams; and enrollment status.

All Other Purposes

For all other purposes, ~~the District shall not release directory information except as required by law, for the purposes indicated above and for the following purposes and/or entities:~~

~~1. Disclosure relating to school-sponsored/school-affiliated purposes; and~~

~~2. Disclosure to the Texas Education Agency.~~

~~Additionally, the District shall not release directory information to any charter school as defined by state law.~~

**Video Surveillance
Recordings**

The Family Educational Rights and Privacy Act (FERPA) does not require the District to provide a parent or student with copies of video surveillance recordings depicting a student. A parent whose child is depicted in a video surveillance recording that constitutes an education record of that child may inspect the recording during regular District business hours through an open-records request.

[See FO~~(LEGAL)~~ and ~~(LOCAL)~~ for information regarding video and audio monitoring for safety purposes and EHBAF~~(LEGAL)~~ and ~~(LOCAL)~~ for information regarding special education video/audio monitoring.]

PROPOSED REVISIONS

Commencement Exercises

To be eligible to participate in commencement activities and ceremonies, a student shall meet all state and local graduation requirements, including all applicable state testing [see EI, EIF], ~~and comply with the District's Student Code of Conduct.~~

~~Graduation Addresses~~

~~Any student who engaged in misconduct in violation of the District's Student Code of Conduct, which resulted in assignment to DAEP or expulsion during any semester of the year in which the student is graduating, shall not be eligible for a speaking role of any kind during graduation ceremonies.~~

~~Achievement Recognition~~

~~Any student assigned to DAEP or JJAEP in grades 9–12 for committing an offense involving academic dishonesty as defined in the District's Student Code of Conduct shall not be eligible to have a speaking role or recognized for any academic or extracurricular achievement during graduation ceremonies. This includes, but is not limited to, recognition as valedictorian, salutatorian, class president, or having a class rank within the top ten students.~~

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PROPOSED REVISIONS

**Student Expression
of Religious
Viewpoints**

The District shall treat a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the District treats a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject and shall not discriminate against the student based on a religious viewpoint expressed by the student on an otherwise permissible subject.

**Student Speakers at
Nongraduation
Events**

The District hereby creates a limited public forum for student speakers at all school events at which a student is to publicly speak. For each speaker, the District shall set a maximum time limit reasonable and appropriate to the occasion.

For purposes of this policy, a "school event" is a school-sponsored event or activity that does not constitute part of the required instruction for a segment of the school's curriculum, regardless of whether the event takes place during or after the school day.

For purposes of this policy, "to publicly speak" means to address an audience at a school event using the student's own words.

**Introductory
Speakers**

Each year, the Superintendent ~~or designee~~ shall develop and implement the list of school events at which student speakers are offered an opportunity to publicly speak. The list of events at each campus shall be made available, by posting or otherwise, to the students attending that campus.

**Eligibility and
Selection**

Students are eligible to use the limited public forum if they:

~~1. Are in the highest two grade levels of the school,~~

~~2.1.~~ Volunteer, and

~~3.2.~~ Are not in and have never been assigned to an alternative disciplinary placement (DAEP or JJAEP).

Eligible students who wish to volunteer shall submit their names to the campus principal in accordance with administrative regulations.
~~during the first full week of instruction each semester.~~

~~The names of the students who volunteer to speak shall be randomly drawn until all names have been selected; the names shall be listed in the order drawn.~~

**Assignment of
Introductory
Speakers**

Each selected student shall be matched ~~chronologically~~ to the single event for which the student shall give the introduction. ~~The list of student speakers shall be chronologically repeated as needed, in the same order. If no students volunteer or if the selected~~

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~~speaker declines or becomes ineligible, no student introduction will be made at the event.~~

~~The District shall repeat the selection process at the beginning of each semester.~~

*Content of
Student
Introductions*

The subject of the student introductions shall relate to the purpose of introducing the designated event. The student must stay on the subject. The student may not engage in speech that:

- Is obscene, vulgar, offensively lewd, or indecent;
- Creates reasonable cause to believe that the speech would result in material and substantial interference with school activities or the rights of others;
- Promotes illegal drug use;
- Violates the intellectual property rights, privacy rights, or other rights of another person;
- Contains defamatory statements about public figures or others; or
- Advocates imminent lawless action and is likely to incite or produce such action.

The District shall treat a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the District treats a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject and shall not discriminate against the student based on a religious viewpoint expressed by the student on an otherwise permissible subject.

Disclaimer

For as long as there is a need to dispel confusion over the fact that the District does not sponsor the student's speech, at each event in which a student shall deliver an introduction, a disclaimer shall be stated in written or oral form, or both, such as, "The student giving the introduction for this event is a volunteering student selected on neutral criteria to introduce the event. The content of the introduction is the private expression of the student and does not reflect the endorsement, sponsorship, position, or expression of the District."

*Other Student
Speakers*

Certain students who have attained special positions of honor in the school have traditionally addressed school audiences from time to time as a tangential component of their achieved positions of honor, such as the captains of various sports teams, student council officers, class officers, homecoming kings and queens, prom kings and queens, and the like, and have attained their positions

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based on neutral criteria. Nothing in this policy eliminates the continuation of the practice of having these students, regardless of grade level, address school audiences in the normal course of their respective positions. The District shall create a limited public forum for the speakers and shall treat a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the District treats a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject and shall not discriminate against a student based on a religious viewpoint expressed by the student on an otherwise permissible subject.

**Student Speakers at
Graduation
Ceremonies**

Students who are graduating and who hold one of the following positions of honor shall be eligible to use the limited public forum: valedictorian and salutatorian.

**Other Student
Speakers**

In addition to the valedictorian and/or salutatorian speeches, the District may have other student speakers at graduation who have attained special positions of honor based upon neutral criteria as determined by the Superintendent ~~or designee~~, in consultation with the campus principal. For each speaker, the District shall set a maximum time limit reasonable and appropriate to the occasion and to the position held by the speaker. For this purpose, the District creates a limited public forum for these students to deliver the addresses. The subject of the addresses shall be related to the purpose of the graduation ceremony, marking and honoring the occasion, honoring the participants and those in attendance, and the student's perspective on purpose, achievement, life, school, graduation, and looking forward to the future.

The student shall stay on the subject, and the student shall not engage in speech that:

- Is obscene, vulgar, offensively lewd, or indecent;
- Creates reasonable cause to believe that the speech would result in material and substantial interference with school activities or the rights of others;
- Promotes illegal drug use;
- Violates the intellectual property rights, privacy rights, or other rights of another person;
- Contains defamatory statements about public figures or others; or
- Advocates imminent lawless action and is likely to incite or produce such action.

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The District shall treat a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the District treats a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject and shall not discriminate against the student based on a religious viewpoint expressed by the student on an otherwise permissible subject.

Disclaimer

A written disclaimer shall be printed in the graduation program that states, "The students who shall be speaking at the graduation ceremony were selected based on neutral criteria to deliver messages of the students' own choices. The content of each student speaker's message is the private expression of the individual student and does not reflect the endorsement, sponsorship, position, or expression of the District."

**Religious
Expression in Class
Assignments**

A student may express his or her beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of the student's submission. Homework and classroom work shall be judged by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the school. A student shall not be penalized or rewarded because of religious content. If a teacher's assignment involves writing a poem, the work of a student who submits a poem in the form of a prayer (for example, a psalm) should be judged on the basis of academic standards, including literary quality, and not penalized or rewarded because of its religious content.

**Freedom to Organize
Religious Groups
and Activities**

Students may organize prayer groups, religious clubs, "see you at the pole" gatherings, and other religious gatherings before, during, and after school to the same extent that students are permitted to organize other noncurricular student activities and groups. [See FNAB] Religious groups shall be given the same access to school facilities for assembling as is given to other noncurricular groups without discrimination based on the religious content of the groups' expression. If student groups that meet for nonreligious activities are permitted to advertise or announce the groups' meetings, for example, by advertising in a student newspaper, putting up posters, making announcements on a student activities bulletin board or public address system, or handing out leaflets, school authorities shall not discriminate against groups that meet for prayer or other religious speech. School authorities may disclaim sponsorship of noncurricular groups and events, provided the disclaimer is administered in a manner that does not favor or disfavor groups that meet to engage in prayer or other religious speech.

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Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the District or by a District-affiliated school-support organization shall not be sold, circulated, distributed, or posted on any District premises by any District student, except in accordance with this policy.

The District shall not be responsible for, nor shall the District endorse, the contents of any nonschool literature distributed by students.

For purposes of this policy, "distribution" means the circulation of more than 10 ~~ten~~ printed copies of material from a source other than the District.

Materials distributed under the supervision of instructional personnel as a part of instruction or other authorized classroom activities shall not be considered nonschool literature and shall not be governed by this policy.

[For distribution of nonschool literature by nonstudents, see GKDA]

~~The District's classrooms during the school day are provided for the limited purpose of delivering instruction to students in the courses and subjects in which they are enrolled. Hallways in school buildings are provided for the limited purpose of facilitating the movement of students between classes and allowing access to assigned lockers. Classrooms and hallways shall not be used for the distribution of any materials over which the school does not exercise control.~~

~~Each school campus shall designate an area where materials that have been approved for distribution by students in accordance with this policy may be made available or distributed. Campus principals may develop reasonable time, place, and manner restrictions regarding the distribution of materials at designated areas.~~

Limitations on Content

Nonschool ~~materials-~~literature shall not be distributed by student on District property if:

1. The materials are obscene, vulgar, or otherwise inappropriate for the age and maturity of the audience.
2. The materials endorse actions endangering the health or safety of students.
3. The materials promote illegal use of drugs, alcohol, or other controlled substances.

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- ~~3.4.~~ The distribution of such materials would violate the intellectual property rights, privacy rights, or other rights of another person.
- ~~4.5.~~ The materials contain defamatory statements about public figures or others.
- ~~5.~~ ~~The materials criticize Board members or school officials or advocate violation of school rules and fall within the standard described at Limitations on Expression at FNAA(LEGAL).~~
6. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.
7. The materials include hate literature or similar publications that scurrilously attacks ethnic, religious, or racial groups, ~~and similar publications~~ or contain content aimed at creating hostility and violence, and the materials would materially and substantially interfere with school activities or the rights of others if they fall within the standard described at Limitations on Expression at FNAA(LEGAL).
- 7.8. There is reasonable cause to believe that distribution of the nonschool literature would result in material and substantial interference with school activities or the rights of others.

Prior Review

All nonschool literature intended for distribution by students on school campuses or other District premises under this policy shall be submitted to the principal for prior review in accordance with the following:

1. Materials shall include the name of the person or organization sponsoring the distribution.
2. Using the standards found in this policy at Limitations on Content, the principal shall approve or reject submitted materials within two school days of the time the materials were received.

~~All written material over which the school does not exercise control and that is intended for distribution to students shall be submitted to the building principal or designee for prior review according to the following procedures:~~

- ~~1. In order to be considered for distribution, materials shall include the name of the organization or individual sponsoring the distribution.~~
- ~~2. Using the standards below at Limitations on Content, the principal or designee shall approve or reject submitted material within two school days of the time the material is received.~~

STUDENT EXPRESSION
DISTRIBUTION OF NONSCHOOL LITERATURE

FNA
(LOCAL)

~~3. The student may appeal the principal's decision in accordance with FNG(LOCAL), beginning at Level Two.~~

~~Students who fail to follow these procedures may be disciplined in accordance with the FO series and the Student Code of Conduct.~~

Exceptions to Prior Review

Prior review shall not be required for distribution of nonschool literature by District students only in the following circumstances:

1. Distribution of materials by a student to other attendees during a meeting of a noncurriculum-related student group authorized to meet at school during noninstructional time in accordance with FNAB(LOCAL); or
2. Distribution of nonschool materials in circumstances for which exceptions to prior review are authorized at GKDA(LOCAL).

Even when prior review is not required, all other provisions of this policy shall apply.

Time, Place, and Manner Restrictions

Each campus principal shall designate times, locations, and means by which nonschool literature that is appropriate for distribution, as provided in this policy, may be made available or distributed by students to students or others at the principal's campus.

The Superintendent shall designate times, locations, and means for distribution of nonschool literature by students at District facilities other than school campuses, in accordance with this policy.

Violations of Policy

Failure to comply with this policy regarding distribution of nonschool literature shall result in appropriate administrative action, including but not limited to confiscation of nonconforming materials, suspension of a noncurriculum-related student group's use of District facilities, and/or other disciplinary action in accordance with the Student Code of Conduct.

Appeals

Decisions made by the administration in accordance with this policy may be appealed in accordance with FNG(LOCAL).

STUDENT EXPRESSION
USE OF SCHOOL FACILITIES FOR NONSCHOOL PURPOSES

FNAB
(LOCAL)

PROPOSED REVISIONS

**Establishment of
Limited Open Forum**

For purposes of the Equal Access Act, the ~~Board has created the~~ District has established a limited open forum for secondary students ~~attending the District's secondary schools~~. Each District secondary school's campus shall offer an opportunity for noncurriculum-related student groups to meet on school premises during noninstructional time.

The District has not established a limited public forum for elementary school students to meet as noncurriculum-related student groups on school premises during noninstructional time. [See GKD for community access]

Sponsorship

Noncurriculum-related student groups shall not be sponsored by the District and shall in no way imply to students or to the public that they are school-sponsored. All letterheads, flyers, posters, or other communications that identify the group shall contain a disclaimer of such sponsorship.

District personnel shall not promote, lead, or participate in the meetings of noncurriculum-related student groups.

[For student activities sponsored by the District and having subject matter and purposes directly related to the school's curriculum, see FM]

Requests

To receive permission to meet on school premises during noninstructional time, interested students shall file a written request with the [principal] on a form provided by the District.

The students making the request shall indicate that they have read and understand the policies and rules governing nonsponsored, noncurriculum-related student groups and that the group will abide by those rules.

Approval

The [principal] shall approve or reject the request within seven school days, subject to the availability of suitable meeting space and without regard to the religious, political, philosophical, or other content of the speech likely to be associated with the group's meetings.

Approval to meet as a nonsponsored, noncurriculum-related group shall be granted for one school year at a time, subject to the provisions of this policy.

Meetings

The [principal] shall designate noninstructional time for meetings of nonsponsored, noncurriculum-related student groups and shall assign each approved group an appropriate location and time.

STUDENT EXPRESSION
USE OF SCHOOL FACILITIES FOR NONSCHOOL PURPOSES

FNAB
(LOCAL)

Employee Monitor

The principal shall assign a District employee to attend and monitor each student group meeting. Monitors shall be present at meetings and activities in a nonparticipatory capacity to maintain order and protect school property.

No employee shall be required to monitor meetings at which the content of the speech would be objectionable to the employee.

Announcements and
Publicity

All nonsponsored, noncurriculum-related student groups shall be given access on the same basis for making announcements and publicizing their meetings and activities, in accordance with guidelines developed by the [principal].

[For distribution of nonschool materials, see FNAA]

Violations

Failure of a student group to comply with applicable rules may result in loss of the right to meet on school premises.

In addition, students who violate applicable rules are subject to disciplinary action in accordance with the Student Code of Conduct.

Appeals

Decisions made by the administration in accordance with this policy may be appealed in accordance with FNG(LOCAL).

~~Each principal shall set aside noninstructional time before or after actual classroom instruction for meetings of noncurriculum-related student groups.~~

~~Students wishing to meet on school premises shall file a written request with the campus principal. The request shall contain a brief statement of the group's purposes and goals, a list of the group's members, and a schedule of its proposed meeting times. Requests shall be approved by the principal and Superintendent subject to availability of suitable meeting space and without regard to the religious, political, philosophical, or other content of the speech likely to be associated with the group's meetings. Notices of meetings may be posted in a manner determined by the principal.~~

~~Staff Participation
Prohibited~~

~~School personnel shall not promote, lead, or participate in the meetings of noncurriculum-related student groups. The principal may assign staff to monitor student meetings, as needed, and may establish reasonable written guidelines for the conduct of meetings to maintain order and discipline, protect the well-being of students and faculty, and ensure that student attendance is voluntary.~~

~~Violations~~

~~Failure of a noncurriculum-related student group to comply with applicable rules may result in loss of the right to meet on school premises. The principal shall report rule violations to the Superintendent.~~

STUDENT EXPRESSION
USE OF SCHOOL FACILITIES FOR NONSCHOOL PURPOSES

FNAB
(LOCAL)

~~Suspensions~~

~~Depending upon the seriousness of any rule violations, the Superintendent may suspend a noncurriculum-related student group's right to meet on school premises for the balance of the school year or some lesser time period.~~

~~If a determination to suspend a group occurs during the last reporting period of the school year, the suspension may extend through the end of the first semester of the next school year. Suspensions or warnings imposed by the Superintendent may be appealed to the Board in accordance with FNG.~~

PROPOSED REVISIONS

Purpose

The District's dress code is established to teach grooming and hygiene, instill discipline, prevent disruption, avoid safety hazards, and teach respect for authority.

General Guidelines

Students shall be dressed and groomed in a manner that is clean and neat and that will not be a health or safety hazard to themselves or others. The District prohibits any clothing or grooming that in the principal's judgment may reasonably be expected to cause disruption of or interference with normal school operations.

The District prohibits pictures, emblems, or writings on clothing that:

1. Are lewd, offensive, vulgar, or obscene.
2. Advertise or depict tobacco products, alcoholic beverages, drugs, or any other substance prohibited under FNCF(LEGAL).

~~In addition, the District establishes the following dress code requirements:~~

- ~~1. Oversized, baggie, or loose-fitting pants and pajama pants shall not be permitted;~~
- ~~2. Torn or ripped clothing of any kind shall not be permitted;~~
- ~~3. Shirts and blouses must have sleeves and collars and must cover the midriff. Clothes that in the principal's judgement are suggestive or indecent or which cause a distraction shall be prohibited. Examples include tank tops, camisole tops, muscle shirts, halter tops, tube tops, spaghetti straps, exposed backs or midriffs, and any sheer garments;~~
- ~~4. Undergarments must cover all private areas of the body and shall not be visible;~~
- ~~5. A garment may be no shorter than three inches above the knee;~~
- ~~6. Indecent or inappropriate patches, writings, or drawings on clothing, purses, bags, backpacks, personal belongings, or on the body shall be prohibited;~~
- ~~7. Clothing or accessories with inappropriate advertising or statements that are lewd, offensive, vulgar, obscene, or defamatory (i.e., alcoholic beverages, sex, tobacco, politics, drugs, gangs, weapons, ammunition, etc.) shall be prohibited;~~
- ~~8. Gang-related attire shall be prohibited;~~

STUDENT CONDUCT
DRESS CODE

FNCA
(LOCAL)

- ~~9. Long coats extending below mid thigh and outerwear garments must be sized appropriately;~~
- ~~10. All types of hoods, including a hood attached to a sweatshirt, shall not be worn in school buildings or on District property;~~
- ~~11. Head gear shall be prohibited;~~
- ~~12. Sunglasses shall not be worn in the school building;~~
- ~~13. Dangling chains, including chains attached to wallets, purses, footwear, or backpacks shall be prohibited;~~
- ~~14. Exposed or visible tattoos shall be covered at all times; and~~
- ~~15. Body piercing jewelry or accessories and mouth grills shall be prohibited.~~

The student and parent may determine the student's personal dress and grooming standards, provided that they comply with the general guidelines set out above and with the student dress code outlined in the ~~Student Code of Conduct and~~ student handbook.

Outerwear

~~For purposes of maintaining school safety, long coats extending below mid thigh, including but not limited to, trench coats, shall not be permitted.~~

~~In addition, for purposes of maintaining standardized dress, all sweatshirts, jackets, sweaters, and sweater vests must be worn over a standard dress approved shirt/blouse. Any outerwear garment shall be appropriately sized at the shoulders, sleeves, and length.~~

~~Students in prekindergarten, kindergarten, and grades 1–5 shall be allowed to wear outerwear garments such as jackets, sweaters, sweater vests, and sweatshirts with or without hoods/hoodies and with or without buttons or zippers in any color; however, students shall not be allowed to wear any type of hood/hoodie inside the school building.~~

~~Students at the secondary level shall be allowed to wear outerwear garments such as jackets, cardigans, or sweatshirts with or without hoods/hoodies, in any color. Students shall not be allowed to wear any type of hood/hoodie inside the school building. Official letterman jackets, school jackets, and school logos on outerwear garments shall be permitted provided such jackets or logos correspond with the school in which the garments are worn.~~

~~V-neck sweaters, crew neck sweaters, and sweater vests shall be allowed in the appropriate color, including navy, white, and the high school designated color.~~

STUDENT CONDUCT
DRESS CODE

FNCA
(LOCAL)

Footwear

~~Students shall be required to wear shoes with soles. Students shall not wear house/pajama slippers, flip-flops, athletic slides, or other footwear that constitutes a safety hazard. Students shall also be prohibited from wearing steel-toed boots/shoes, stilettos, and skate shoes to school.~~

Standardized Dress

In an effort to improve student learning and to facilitate a safe learning environment, ~~the District shall mandate student uniforms for the Board establishes standardized dress for all~~ students in pre-kindergarten-grade 8. ~~Student uniforms~~Standardized dress shall ensure that District and campus staff are able to easily identify students to better secure the campus.

~~Effective with the 2022–23 school year, the District shall require all prekindergarten–grade 8 students to wear a school uniform.~~ All clothing must adhere to District standards and be in an approved color as established in this policy and administrative regulations.

Definitions

For purposes of this policy and the District's standardized dress requirements, ~~"uniform"~~"standardized dress" means the specific kinds of articles of clothing commonly available at a variety of retail outlets that are required to be worn by prekindergarten-grade 8 students during normal school hours.

Implementation

~~Uniforms~~Standardized dress consisting of khaki, navy blue, or black solid shorts, skirts, skorts, jumpers, capris, and trousers with solid white or navy blue long- or short-sleeved blouses or shirts with collars shall be worn by prekindergarten-grade 8 students. A solid navy, white, or designated school color shall also apply to optional undershirts or turtlenecks.

**Uniform
Specifications**

~~Uniform specifications include the following:~~

- ~~1. Khaki, navy blue, or black solid shorts, skirts, skorts, capris, and jumpers that fit well and are not oversized or undersized. Attire must fit at the waist and must not sag.~~
- ~~2. Uniform pants/shorts, jeggings, joggers, skirts, capris, skorts, cargo/carpenter style shorts or pants, and skinny style pants shall be permitted. Leggings shall be permitted for students in prekindergarten–grade 5 only.~~
- ~~3. Oversized, baggie, or loose-fitting pants shall not be permitted. Jeans, denim pants, overalls, pajama style pants, or wide-legged style pants do not meet uniform requirements and shall not be permitted, except that jeans shall be permitted for students in prekindergarten–grade 8 on Fridays and any day of the week for students in grades 9–12.~~

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DRESS CODE

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(LOCAL)

- ~~4. Shorts, skirts, skorts, and jumpers/dresses must be no shorter than three inches above the knee. Slits on garments shall be no more than three inches above the knee.~~
- ~~5. Tights shall be allowed under attire that meets uniform specifications. Tights shall only be solid navy, black, or white; no embellishments shall be allowed.~~
- ~~6. Outwear garments shall be acceptable in any color.~~
- ~~7. Shirts must fit well and not be oversized or undersized. Shirts must have collars and may be polo style or dress style. Sheer shirts shall not be allowed.~~
- ~~8. Belts are recommended but not required.~~

Each prekindergarten-grade 8 student wearing standardized dress must also conform to all other dress code requirements as noted above at General Guidelines.

Exemption

Each student shall wear the approved school uniform unless the student's parent or guardian has requested and been granted an exemption in accordance with this policy and administrative regulations. ~~[See FNCA(LEGAL) and (EXHIBIT)]~~

A student who has been granted an exemption from standardized dress must adhere to the requirements above at General Guidelines.

Funding

The funding source for providing standardized dress items for economically disadvantaged students may include one or more of the following:

1. Donations, gifts, and grants;
2. Funds generated at the campus level by students, staff, or a school-support organization; and
3. Any other source approved by the Board.

Spirit Shirts

~~Students in all grade levels shall be permitted to wear school spirit or club/organization shirts with the designated name or mascot on any day of the week, provided that the shirt corresponds with the campus where the student is enrolled. All shirts must have sleeves and students must conform to all other dress code requirements in policy and administrative regulations.~~

Extracurricular Activities

The principal, in cooperation with the sponsor, coach, or other person in charge of an extracurricular activity, may regulate the dress and grooming of students who participate in the activity. Students who violate dress and grooming standards established for such an activity may be removed or excluded from the activity for a period

determined by the principal or sponsor, and may be subject to other disciplinary action, as specified in the Student Code of Conduct. [See FO series]

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

PROPOSED REVISIONS

Complaints

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

**Other Complaint
Processes**

Student or parent complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with FNG after the relevant complaint process has been followed:

1. Complaints alleging discrimination or harassment based on race, color, religion, sex, gender, national origin, age, or disability shall be submitted in accordance with FFH.
2. Complaints concerning dating violence shall be submitted in accordance with FFH.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with FFH.
4. Complaints concerning bullying or retaliation related to bullying shall be submitted in accordance with FFI.
5. Complaints concerning failure to award credit or a final grade on the basis of attendance shall be submitted in accordance with FEC.
6. Complaints concerning expulsion shall be submitted in accordance with FOD and the Student Code of Conduct.
7. Complaints concerning any final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted program shall be submitted in accordance with EHBB.
8. Complaints within the scope of Section 504, including complaints concerning identification, evaluation, or educational placement of a student with a disability, shall be submitted in accordance with FB and the procedural safeguards handbook.
9. Complaints within the scope of the Individuals with Disabilities Education Act, including complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability, shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook provided to parents of all students referred to special education.
10. Complaints concerning instructional resources shall be submitted in accordance with the EF series.

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11. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with the CKE series.
12. Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.
13. Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.
14. Complaints concerning disputes regarding a student's eligibility for free or reduced-priced meal programs shall be submitted in accordance with COB.

Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 calendar days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

**Extracurricular
Activity Complaints**

For a complaint concerning a student's participation in an extracurricular activity that does not involve a violation of a right guaranteed by Education Code Chapter 26, of a Board policy, or of a provision of Education Code Title II, the Level Two decision is final and may not be appealed to the Board.

**Notice to Students
and Parents**

The District shall inform students and parents of this policy through appropriate District publications and on the District's website.

Informal Process

The Board encourages students and parents to discuss their concerns with the appropriate teacher, principal, or other appropriate campus or District administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Filing Deadlines

After Informal
Process

If a student or parent has engaged in the informal process in an attempt to resolve the complaint with the District and has not reached a resolution during the process, the student or parent shall have the later of:

- Ninety calendar days to file a complaint from the date the student or parent first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint; or

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- Thirty calendar days to file a complaint from the date on which the District provided information to the student or parent regarding how to file a grievance.

[See Formal Process, below]

No Prior Informal Process

If the student or parent has not engaged in the informal process, the student or parent shall have no more than 60 calendar days from the date the student or parent first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance to file a complaint using the appropriate forms.

Deadline Extensions

All deadlines shall be strictly followed unless otherwise required by law or modified by mutual written consent.

Formal Process

A student or parent may initiate the formal process described below by timely filing a written complaint form.

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

The complaint form shall be filed with the lowest level administrator who has the authority to remedy the alleged problem. In most circumstances, students and parents shall file Level One complaints with the campus principal for any complaint on a matter related to a campus. For a complaint that arises on a matter that is unrelated to a campus, the complaint shall be filed with the appropriate District-level administrator.

If the subject matter of the complaint requires a Board decision, is a complaint about a Board member, or is a complaint about the Superintendent, the complaint shall be initiated at the Board level. A preliminary hearing to develop a record or recommendation for the Board may be conducted by an appropriate administrator.

A Board member shall be permitted to file a complaint under this policy, but, if the complaint is considered by the Board or Board committee, the Board member shall be prohibited from voting on the Board’s or Board committee’s decision.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

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Option to Continue Informal Process/ Withdrawal	Even after initiating the formal complaint process, the complainant is encouraged to seek informal resolution of their concerns. A complainant may withdraw a formal complaint at any time. A representative need not consent to the complaint being withdrawn by the complainant.
Notice of Complaint	A District employee against whom a complaint has been filed shall be provided notice of the complaint. The employee shall have sufficient opportunity to submit a written response to the complaint that shall be included in the record of the complaint.
Freedom from Retaliation	Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint.
General Provisions Filing	Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three calendar days after the deadline.
Scheduling Hearings	The District shall make reasonable attempts to schedule hearings at a mutually agreeable time. If a complainant fails to appear at a scheduled hearing, the District may hold the hearing and issue a decision in the complainant's absence.
Decision	A "decision" shall mean a written communication to the complainant from the appropriate administrator that provides an explanation of the basis of the decision, an indication of each document that supports the decision, and any relief or redress to be provided. A decision shall be issued on the merits of the concern raised in the complaint notwithstanding any procedural errors or the type of relief or redress requested. The decision shall also include information regarding the filing of an appeal in accordance with this policy. After a hearing at Level Three, the decision shall include information on submitting an appeal to the commissioner. A decision may be hand-delivered, sent by electronic communication to the complainant's email address of record, or sent by U.S.

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Mail to the complainant's mailing address of record. Mailed decisions shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Representative

"Representative" shall mean any person who or organization that is designated by the complainant to represent the complainant in the complaint process. A student may be represented by an adult at any level of the complaint. If the student or parent designates more than one representative, only one representative shall be allowed to present during any level of the complaint process. Witnesses shall not be allowed during any level of the complaint process. The only parties that shall be allowed during a presentation at any level of the complaint process shall be the student, parent/legal guardian, and one representative.

The complainant may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the complainant designates a representative with fewer than three calendar days' notice to the District before a scheduled hearing, the District may reschedule the hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.

Representatives shall conduct themselves with common courtesy and respect for the rights of others. ~~If at any level a student, parent/legal guardian, or representative is deemed to be unruly, disrespectful, or disruptive to the hearing process, the grievance hearing shall be concluded, and the student and/or parent and representative shall be issued a decision based on the written record and oral arguments set forth by the student or parent and representative, as applicable.~~

Consolidating
Complaints

To promote efficiency in addressing complaints, the appropriate administrator shall determine if separate or serial complaints arising from an event or series of related events shall be consolidated.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and
Appeal Forms

Complaints and appeals under this policy shall be submitted on a form provided by the District.

Copies of any documents that support the complaint should be included with the complaint form. If the complainant does not have copies of these documents, copies may be presented at the Level One hearing. After the Level One hearing, the complainant may supplement the record with additional documents or include additional claims.

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Record	A record of each complaint hearing shall be created and retained in accordance with this policy. The record shall include documents submitted by the complainant, documents determined relevant by District personnel, and the decision.
Remand	A complaint or appeal form that is incomplete in any material aspect shall be refiled, if at Level One, and remanded at all other levels in order to develop an adequate record of the complaint. If an adequate record has not been developed, the appropriate administrator may remand the complaint to a lower level. The Board or Board committee may remand a complaint to a lower level if at the Board level of review an adequate record has not been developed.
Assignment of Hearing Officer	When a District employee is the subject of a complaint, the hearing shall be conducted by an administrator who is in a supervisory or higher organizational role. The District employee who is the subject of the complaint shall recuse themselves from reviewing the complaint at any level in the process.
Investigation	The District may conduct an investigation at any level in the complaint process. If the District and the complainant mutually agree, all deadlines shall be suspended during an investigation.
Audio Video Recording	A student or parent shall be permitted to make an audio recording of a hearing under this policy in which the substance of the student or parent complaint is discussed. The student or parent shall notify all attendees present that an audio recording is taking place. The District prohibits video recording of a Level One or Level Two hearing; however, the District shall be responsible for securing a recording of the Level Three hearing. student, parent, or representative, if designated, and the hearing officer shall be prohibited from video recording the hearing. If the student or parent or representative insists on video recording the hearing, the hearing officer may terminate the hearing at his or her discretion.
Complaint Levels	
Level One	At Level One, the appropriate hearing officer shall hold a hearing with the complainant within 10 calendar days after receipt of the written complaint. The hearing officer may set reasonable time limits for the hearing. The hearing officer shall provide the complainant a decision within 20 calendar days following the hearing. In reaching a decision, the hearing officer may consider information provided with the complaint form and any other relevant documents or information the hearing officer believes will help resolve the complaint.

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Level Two

If the complainant did not receive the relief requested at Level One or if the time for a decision has expired, the complainant may request a hearing at Level Two to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within 20 calendar days of the date of the Level One decision or, if no decision has been communicated to the complainant, within 20 calendar days of the Level One decision deadline.

After receiving notice of the appeal, the Level One hearing officer shall prepare and forward a record of the Level One complaint to the Level Two hearing officer and provide a copy of the Level One record to the complainant.

The Level One record shall include:

1. The original complaint form and any attachments.
2. Any other documents submitted by the complainant at Level One.
3. If the complaint is against a District employee, the written response of the District employee, if any.
4. The decision issued at Level One and any attachments.
5. All other documents relied upon by the Level One hearing officer in reaching the Level One decision.

The hearing officer shall hold a hearing within 10 calendar days after the appeal notice is filed. The hearing officer may set reasonable time limits for the hearing.

The hearing officer shall provide the complainant a decision within 20 calendar days following the hearing. In reaching a decision, the hearing officer may consider the Level One record, any additional information provided prior to the Level Two hearing, and any other relevant documents or information the hearing officer believes will help resolve the complaint.

Recordings of the Level One and Level Two hearings, if any, shall be maintained with the Level One and Level Two records.

Level Three

With the exception of complaints regarding extracurricular activities, described above, if the complainant did not receive the relief requested at Level Two or if the time for a decision has expired, the complainant may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within 20 calendar days of the date of the Level Two decision or, if no decision has been communicated to the complainant, within 20 calendar days of the Level Two decision deadline.

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Unless the Board delegates a committee in accordance with law, the Board shall hear the appeal of the Level Two decision.

After receiving notice of the appeal, the Board or Board committee shall hold a meeting to discuss the complaint no later than 60 calendar days after the date on which the Level Two decision was made.

The Superintendent shall inform the complainant whether the Board or a Board committee will hear the appeal and of the date, time, and place of the meeting at which the complaint will be on the agenda for presentation to the Board or Board committee.

At least five business days before the Board or Board committee meeting, the Superintendent shall provide the complainant a description of any information the Board intends to rely on that is not contained in the record created at the previous hearing levels, including any preliminary hearing.

The Superintendent shall provide the Board the record of the Level Two appeal. The complainant may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. Any other documents submitted by the complainant at Level Two.
4. The decision issued at Level Two and any attachments.
5. All other documents relied upon by the administration in reaching the Level Two decision.

The complainant may request that the complaint be heard in open or closed meeting. The District shall honor that request unless the Texas Open Meetings Act or other applicable law requires otherwise. [See BE]

At the meeting, the presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the complainant and administration to each make a presentation and provide rebuttal and an opportunity for questioning by Board members.

In addition to any other record of the meeting required by law, the Board or Board committee shall prepare a separate record of the Level Three presentation. The Level Three presentation, including

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the presentation by the complainant or the complainant's representative, any presentation from the administration, and questions from Board members with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board or Board committee shall then consider the complaint. It shall make a decision no later than 30 calendar days after the date of the Board or Board committee meeting at which the complaint was presented. The complainant shall be provided a decision in accordance with this policy and state law.

DELETE POLICY

News Releases

District

~~The Superintendent shall serve as the primary spokesperson for the District on all matters of District-wide interest. If the Superintendent is unavailable to the news media, the Board President shall serve as the spokesperson for the District.~~

~~Should the Superintendent and the Board President be unavailable, the District's attorneys shall serve as spokespersons for the District.~~

~~News releases of a political or controversial nature, as well as those concerning the overall operation of District schools, or that involve more than one campus shall be made only by the Superintendent or designee.~~

~~Other news releases concerning athletic events, programs, and local campus activities shall be released to the news media by the public information officer.~~

School Board

~~The Board President shall serve as the primary spokesperson on behalf of the Board. Individual Board members shall not speak on behalf of the entire Board unless designated by a majority of the Board to do so. A Board member shall not be restricted from talking with the media so long as statements are clearly identified as individual opinions and not representative of other Board members or the entire Board.~~

Communications During a Crisis

~~In any crisis situation affecting the District or an individual campus, the Superintendent shall be the official District spokesperson and shall be responsible for all communication with the news media.~~

RELATIONS WITH PARENT ORGANIZATIONS

GE
(LOCAL)

PROPOSED REVISIONS

Parent Organizations	District-affiliated school-support organizations and booster organizations, and other parent groups, shall organize, fundraise or solicit donations, and function in a way that is consistent with the District's goals, philosophy, and objectives, Board policies, District administrative regulations, applicable UIL other governing association guidelines, financial and audit regulations, and the District's approved Parent Organization Guidelines. [See also CDC and CFC] Before engaging in fundraising or soliciting gifts, an organization or group shall notify the principal or other appropriate administrator identified in administrative regulations. [See CDC(LOCAL) for District acceptance of gifts and solicitations]
Use of District Facilities	District-affiliated school-support or booster organizations may use District facilities with prior approval of the appropriate administrator. Other parent groups may only use District facilities in accordance with policy GKD.
Parental Involvement	The Board recognizes that parent organizations and booster clubs are separate entities from the District but are mediums through which District personnel, parents, and other community members may strengthen ties with the school and District and work to enhance educational progress for all students.
Board Responsibility	The Board is responsible for the oversight of the District, including oversight of parent or booster organizations that use the District or a campus name or claim any connection with the District or a particular campus. The Board shall approve and recognize, through the Superintendent or designee, only those organizations that, in the opinion of the Superintendent or designee, follow the guidelines established herein and operate for the benefit of the school and its students or a particular student group or activity. These organizations must also comply with guidelines established by policy in order to continue to use the school or District name or claim any connection with the school or District.
Superintendent's Designee	If not designated otherwise, for purposes of this policy and campus-affiliated organizations, the Superintendent's designee shall be the principal of each campus.
General Guidelines	All District-affiliated parent and booster organizations shall comply with the following guidelines. Any organization operating under this policy that, in the opinion of the school administration, does not adhere to this policy or any regulation established by the school administration, shall cease to be recognized by the Board as a legitimate school-related club or organization and shall not be eligible to use school facilities or services except in accordance with GKD.

RELATIONS WITH PARENT ORGANIZATIONS

GE
(LOCAL)

~~Additionally, the organization shall not be eligible to use the District or campus names or claim any connection with the District or a particular campus.~~

~~Each organization shall:~~

- ~~1. Operate under a constitution and/or bylaws approved by the Superintendent or designee.~~
- ~~2. Maintain a current listing of officers and the designated check signers for each organization. The list shall be submitted to the Superintendent or designee.~~
- ~~3. Schedule all meetings through the Superintendent or designee.~~
- ~~4. Conduct all business in an open meeting with notification of meetings provided to the entire membership.~~
- ~~5. Report the minutes of the last meeting and the treasurer's report at each regularly scheduled meeting and submit a copy of both to the campus principal or designee.~~
- ~~6. Prohibit a student's benefit from any group activity to be dependent upon whether the student's parents or guardians are members of the parent group.~~
- ~~7. Follow all UIL booster club guidelines if the booster organization is for a UIL sanctioned group such as a music, fine arts, academic, or athletic group.~~
- ~~8. Make no attempt to have authority in directing or influencing District employees in the administration of their duties.~~
- ~~9. Ensure that the organization's sole function is to support the educational activities of the designated program area.~~
- ~~10. Understand that the Superintendent or designee has the authority to revoke the recognition of the group or no longer allow the continued association of any school program with a parent or community organization that has been judged to be disruptive to the educational activities or goals of the program or group, or fails to comply with Board policy and guidelines.~~

Liaison

~~Each organization shall have a District liaison designated in accordance with the District's Parent Organization Guidelines. The liaison shall follow appropriate guidelines for liaisons set forth in the Parent Organization Guidelines.~~

Fiduciary
Responsibility

~~The officers of the parent or booster organization shall be responsible for the proper administration of the organization's funds in ac-~~

RELATIONS WITH PARENT ORGANIZATIONS

GE
(LOCAL)

	cordance with federal and state law and District policy. The accounting and financial management procedures set forth in the District's Parent Group Guidelines shall apply for all District-affiliated parent and booster organizations and shall be followed at all times.
Ceasing Operations	Each organization's bylaws shall include provisions for disposal of funds and/or property to the District in case said organization disbands or ceases to operate. Exceptions shall be made for the PTA and other nationally affiliated organizations with bylaws and constraints regarding dispersal of funds.

PROPOSED REVISIONS

Complaints

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

Other Complaint Processes

Complaints by members of the public shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with GF after the relevant complaint process:

1. Complaints concerning instructional resources shall be submitted in accordance with the EF series.
2. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with the CKE series.

Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 calendar days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

Informal Process

The Board encourages the public to discuss concerns with an appropriate administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Filing Deadlines

If a member of the public has engaged in the informal process in an attempt to resolve the complaint with the District and has not reached a resolution during the process, the individual must file a complaint within 15 business days of the date the individual first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance.

Deadline Extensions

All deadlines shall be strictly followed unless otherwise required by law or modified by mutual written consent.

Formal Process

An individual may initiate the formal process described below by timely filing a written complaint form.

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

PUBLIC COMPLAINTS

GF
(LOCAL)

The complaint form shall be filed with the lowest level administrator who has the authority to remedy the alleged problem. In most circumstances, the individual shall file a Level One complaint with the campus principal for any complaint on a matter related to a campus. For a complaint that arises on a matter that is unrelated to a campus, the complaint shall be filed with the appropriate District-level administrator.

If the subject matter of the complaint requires a Board decision, is a complaint about a Board member, or is a complaint about the Superintendent, the complaint shall be initiated at the Board level. A preliminary hearing to develop a record or recommendation for the Board may be conducted by an appropriate administrator.

A Board member shall be permitted to file a complaint under this policy, but, if the complaint is considered by the Board or Board committee, the Board member shall be prohibited from voting on the Board's or Board committee's decision.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

Option to Continue
Informal Process/
Withdrawal

Even after initiating the formal complaint process, the complainant is encouraged to seek informal resolution of their concerns. A complainant may withdraw a formal complaint at any time. A representative need not consent to the complaint being withdrawn by the complainant.

Notice of Complaint

A District employee against whom a complaint has been filed shall be provided notice of the complaint. The employee shall have sufficient opportunity to submit a written response to the complaint that shall be included in the record of the complaint.

**Freedom from
Retaliation**

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

General Provisions
Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three calendar days after the deadline.

PUBLIC COMPLAINTS

GF
(LOCAL)

Scheduling
Hearings

The District shall make reasonable attempts to schedule hearings at a mutually agreeable time. If the complainant fails to appear at a scheduled hearing, the District may hold the hearing and issue a decision in the complainant's absence.

Decision

A "decision" shall mean a written communication to the complainant from the appropriate administrator that provides an explanation of the basis of the decision, an indication of each document that supports the decision, and any relief or redress to be provided. A decision shall be issued on the merits of the concern raised in the complaint notwithstanding any procedural errors or the type of relief or redress requested.

The decision shall also include information regarding the filing of an appeal in accordance with this policy. After a hearing at Level Three, the decision shall include information on submitting an appeal to the commissioner.

A decision may be hand-delivered, sent by electronic communication to the complainant's email address of record, or sent by U.S. Mail to the complainant's mailing address of record. Mailed decisions shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Representative

"Representative" shall mean any person who or organization that is designated by a complainant to represent the complainant in the complaint process. If the complainant designates more than one representative, only one representative shall be allowed to present during any level of the complaint process. Witnesses shall not be allowed during any level of the complaint process. The only parties that shall be allowed during a presentation at any level of the complaint process shall be the complainant and one representative, if designated.

The complainant may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the complainant designates a representative with fewer than three calendar days' notice to the District before a scheduled hearing, the District may reschedule the hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.

Representatives shall conduct themselves with common courtesy and respect for the rights of others. ~~If, at any level, a complainant or representative is deemed to be unruly, disrespectful, or disruptive to the hearing process, the grievance hearing shall be concluded, and the complainant and representative shall be issued a~~

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(LOCAL)

~~decision based on the written record and oral arguments set forth by the complainant and representative, as applicable.~~

Consolidating
Complaints

To promote efficiency in addressing complaints, the appropriate administrator shall determine if separate or serial complaints arising from an event or series of related events shall be consolidated.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and
Appeal Forms

Complaints and appeals under this policy shall be submitted on a form provided by the District.

Copies of any documents that support the complaint should be included with the complaint form. If the complainant does not have copies of these documents, copies may be presented at the Level One hearing. After the Level One hearing, the complainant may supplement the record with additional documents or include additional claims.

Record

A record of each complaint hearing shall be created and retained in accordance with this policy. The record shall include documents submitted by the complainant, documents determined relevant by District personnel, and the decision.

Remand

A complaint or appeal form that is incomplete in any material aspect shall be refilled, if at Level One, and remanded at all other levels in order to develop an adequate record of the complaint.

If an adequate record has not been developed, the appropriate administrator may remand the complaint to a lower level. The Board or Board committee may remand a complaint to a lower level if at the Board level of review an adequate record has not been developed.

**Assignment of
Hearing Officer**

When a District employee is the subject of a complaint, the hearing shall be conducted by an administrator who is in a supervisory or higher organizational role. The District employee who is the subject of the complaint shall recuse themselves from reviewing the complaint at any level in the process.

Investigation

The District may conduct an investigation at any level in the complaint process. If the District and the complainant mutually agree, all deadlines shall be suspended during an investigation.

**Audio/Video
Recording**

A complainant shall be permitted to make an audio recording of a hearing under this policy at which the substance of the complainant's complaint is discussed. The complainant shall notify all attendees present that an audio recording is taking place.

The [District prohibits video recording of a Level One or Level Two hearing; however, the District shall be responsible for securing a](#)

recording of the Level Three hearing ~~complainant, representative, if designated, and the hearing officer shall be prohibited from video recording the hearing. If the complainant or his or her representative insist on video recording the hearing, the hearing officer may terminate the hearing at his or her discretion.~~

Complaint Levels

Level One

At Level One, the appropriate hearing officer shall hold a hearing with the complainant within 10 calendar days after receipt of the written complaint. The hearing officer may set reasonable time limits for the hearing.

The hearing officer shall provide the complainant a decision within 20 calendar days following the hearing. In reaching a decision, the hearing officer may consider information provided with the complaint form and any other relevant documents or information the hearing officer believes will help resolve the complaint.

Level Two

If the complainant did not receive the relief requested at Level One or if the time for a decision has expired, the complainant may request a hearing at Level Two to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within 20 calendar days of the date of the Level One decision or, if no decision has been communicated to the complainant, within 20 calendar days of the Level One decision deadline.

After receiving notice of the appeal, the Level One hearing officer shall prepare and forward a record of the Level One complaint to the Level Two hearing officer and provide a copy of the Level One record to the complainant.

The Level One record shall include:

1. The original complaint form and any attachments.
2. Any other documents submitted by the complainant at Level One.
3. If the complaint is against a District employee, the written response of the District employee, if any.
4. The decision issued at Level One and any attachments.
5. All other documents relied upon by the Level One hearing officer in reaching the Level One decision.

The hearing officer shall hold a hearing within 10 calendar days after the appeal notice is filed. The hearing officer may set reasonable time limits for the hearing.

The hearing officer shall provide the complainant a decision within 20 calendar days following the hearing. In reaching a decision, the

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(LOCAL)

Level Three

hearing officer may consider the Level One record, any additional information provided prior to the Level Two hearing, and any other relevant documents or information the hearing officer believes will help resolve the complaint.

Recordings of the Level One and Level Two hearings, if any, shall be maintained with the Level One and Level Two records.

If the complainant did not receive the relief requested at Level Two or if the time for a decision has expired, he or she may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within 20 calendar days of the date of the Level Two decision or, if no decision has been communicated to the complainant, within 20 calendar days of the Level Two decision deadline.

Unless the Board delegates a committee in accordance with law, the Board shall hear the appeal of the Level Two decision.

After receiving notice of the appeal, the Board or Board committee shall hold a meeting to discuss the complaint no later than 60 calendar days after the date on which the Level Two decision was made.

The Superintendent shall inform the complainant whether the Board or a Board committee will hear the appeal and of the date, time, and place of the meeting at which the complaint will be on the agenda for presentation to the Board or Board committee.

At least five business days before the Board or Board committee meeting, the Superintendent shall provide the complainant a description of any information the Board intends to rely on that is not contained in the record created at the previous hearing levels, including any preliminary hearing.

The Superintendent shall provide the Board the record of the Level Two appeal. The complainant may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. Any other documents submitted by the complainant at Level Two.
4. The decision issued at Level Two and any attachments.
5. All other documents relied upon by the administration in reaching the Level Two decision.

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(LOCAL)

The complainant may request that the complaint be heard in open or closed meeting. The District shall honor that request unless the Texas Open Meetings Act or other applicable law requires otherwise. [See BE]

At the meeting, the presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the complainant and administration to each make a presentation and provide rebuttal and an opportunity for questioning by Board members.

In addition to any other record of the meeting required by law, the Board or Board committee shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the complainant or the complainant's representative, any presentation from the administration, and questions from Board members with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board or Board committee shall then consider the complaint. It shall make a decision no later than 30 calendar days after the date of the Board or Board committee meeting at which the complaint was presented. The complainant shall be provided a decision in accordance with this policy and state law.

PROPOSED REVISIONS

Access to District Property

Authorized District officials, including school resource officers and District police officers if applicable, may refuse to allow a person access to property under the District's control in accordance with law.

District officials may request assistance from law enforcement in an emergency or when a person is engaging in behavior rising to the level of criminal conduct.

Audio/Video Recordings

On District property, during regular school or business hours, the District prohibits unauthorized audio or visual recordings or transmission of audio or visual recordings of students or District employees. This provision shall not apply to photography, filming, or video recordings taken at a school-related activity that is open to the public.

~~Guidelines for the use of recording devices during the school day by students and District employees can be found in the Student Code of Conduct, student handbook, and employee handbook.~~

Ejection or Exclusion under Education Code 37.105

In accordance with Education Code 37.105, a District official shall provide a person refused entry to or ejected from property under the District's control written information explaining the right to appeal such refusal of entry or ejection under the District's grievance process.

A person appealing under the District's grievance process shall be permitted to address the Board in person within 90 calendar days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See FNG and GF]

Off-Campus Activities

Employees shall be designated to ensure appropriate conduct of participants and others attending a school-related activity at non-District or out-of-District facilities. Those so designated shall coordinate their efforts with persons in charge of the facilities.

Prohibitions

Tobacco and
E-Cigarettes

The District prohibits smoking and the use of tobacco products, e-cigarettes or other electronic vaporizing devices on District property, in District vehicles, or at school-related activities.

Weapons

The District prohibits the unlawful use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on all District property at all times.

Exceptions

No violation of this policy occurs when:

1. An individual who holds a handgun license in accordance with state law stores a handgun or other firearm in a locked vehi-

COMMUNITY RELATIONS
CONDUCT ON SCHOOL PREMISES

GKA
(LOCAL)

cle in a parking lot, parking garage, or other parking area provided by the District, as long as the handgun or other firearm is not in plain view; or

2. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]

PROPOSED REVISIONS

Prominent notices shall be posted at each campus requiring all visitors to first report to the campus main office. This shall apply to parents, 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 classroom environment.

Vendors and outside organizations shall schedule ~~District and campus~~ visits on District property through the Superintendent's office. Campus visits ~~by vendors~~ shall not be permitted during the instructional day.

[See BBE(LOCAL) for visits to District facilities by Board members.]

Registered Sex Offender on a School Campus

The Superintendent and campus administrators shall develop and implement procedures regarding a campus visitor who is registered as a sex offender. 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.

PROPOSED REVISIONS

The District has established a limited open forum for nonschool use of District facilities in accordance with this policy.

The District shall provide equal access to youth groups designated in federal law, including the Boy Scouts, as it provides to other nonschool users of District facilities. [See Patriotic Societies in GKD(LEGAL)]

Scope of Use

The District shall permit nonschool use of designated District facilities for educational, recreational, civic, or social activities when these activities do not conflict with school use or with this policy.

Approval shall not be granted for any purpose that would damage District property or to any group that has damaged District property.

Note: See the following policies for other information regarding facilities use:

- Use by employee professional organizations: DGA
 - Use of facilities for school-sponsored and school-related activities: FM
 - Use by noncurriculum-related student groups: FNAB
 - Use by District-affiliated school-support organizations: GE
-

Nonprofit Fund-Raising

The District shall permit nonprofit organizations to conduct fund-raising events on District property when these activities do not conflict with ~~school~~ District use or with this policy.

For-Profit Use

The District shall permit individuals and for-profit organizations to use its facilities for financial gain when these activities do not conflict with ~~school~~ District use or with this policy.

Campaign-Related Use

Except to the extent a District facility is used as an official polling place, District facilities shall not be available for use by individuals or groups for political advertising, campaign communications, or electioneering, as those terms are used in state law.

Scheduling

Requests for nonschool use of District facilities shall be considered on a first-come, first-served basis.

Academic and extracurricular activities sponsored by the District shall always have priority when any use is scheduled. [See FM] The Superintendent ~~or designee~~ shall have authority to cancel a scheduled nonschool use if an unexpected conflict arises with a District activity.

COMMUNITY RELATIONS
NONSCHOOL USE OF SCHOOL FACILITIES

GKD
(LOCAL)

Approval of Use	The Superintendent or designee is authorized to approve use of any District facility.
Exception	No approval shall be required for nonschool-related recreational use of the District's unlocked, outdoor recreational facilities, such as the track, playgrounds, tennis courts, and the like, when the facilities are not in use by the District or for a scheduled nonschool purpose.
Emergency Use	In case of emergencies or disasters, the Superintendent or designee may authorize the use of school District facilities by civil defense, health, or emergency service authorities.
Use Agreement	Any organization or individual approved for a nonschool use of District facilities shall be required to complete a written agreement indicating receipt and understanding of this policy and any applicable administrative regulations, and acknowledging that the District is not liable for any personal injury or damages to personal property related to the nonschool use.
Fees for Use	Nonschool users shall be charged a fee for the use of designated District facilities. The Superintendent or designee shall establish and publish a schedule of fees based on the cost of the physical operation of the facilities, as well as any applicable personnel costs for supervision, custodial services, food services, security, and technology services.
Exceptions	Fees shall not be charged when school buildings District facilities are used for public meetings sponsored by state or local governmental agencies. Except for additional costs incurred by the District in permitting use of the facilities, fees shall not be charged for use by District employee organizations. [See DGA]
Required Conduct	Persons or groups using school District facilities shall: 1. Conduct business in an orderly manner. 2. Abide by all laws and policies, including but not limited to those prohibiting the use, sale, or possession of alcoholic beverages, illegal drugs, and firearms, and the use of tobacco products on <u>e-cigarettes, or other electronic vaporizing devices on District</u> school property. [See GKA] 3. Make no alteration, temporary or permanent, to school property without prior written consent from the Superintendent.

COMMUNITY RELATIONS
NONSCHOOL USE OF SCHOOL FACILITIES

GKD
(LOCAL)

All groups using ~~school~~District facilities shall be responsible for the cost of repairing any damages incurred during use and shall be required to indemnify the District for the cost of any such repairs.

NONSCHOOL USE OF SCHOOL FACILITIES
DISTRIBUTION OF NONSCHOOL LITERATURE

GKDA
(LOCAL)

PROPOSED REVISIONS

(See page 2)

**Distribution of
Nonschool Literature
Permitted**

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the District or by a District-affiliated school-support organization shall not be sold, circulated, distributed, or posted on any District premises by any District employee or by persons or groups not associated with the District, except in accordance with this policy.

The District shall not be responsible for, nor shall the District endorse, the contents of any nonschool literature distributed on any District premises.

[See CPAB regarding use of the District's internal mail system and FNAA regarding distribution of nonschool literature by students.]

**Limitations on
Content**

Nonschool literature shall not be distributed on District property if:

1. The materials are obscene, vulgar, or otherwise inappropriate for the age and maturity of the audience.
2. The materials endorse actions endangering the health or safety of students.
3. The materials promote illegal use of drugs, alcohol, or other controlled substances.
4. The distribution of such materials would violate the intellectual property rights, privacy rights, or other rights of another person.
5. The materials contain defamatory statements about public figures or others.
6. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.
7. The materials are hate literature or similar publications that scurrilously attack ethnic, religious, or racial groups or contain content aimed at creating hostility and violence, and the materials would materially and substantially interfere with school activities or the rights of others.
8. There is reasonable cause to believe that distribution of the nonschool literature would result in material and substantial interference with school activities or the rights of others.

Prior Review

All nonschool literature intended for distribution on school campuses or other District premises under this policy shall be submitted to the principal for prior review in accordance with the following:

NONSCHOOL USE OF SCHOOL FACILITIES
DISTRIBUTION OF NONSCHOOL LITERATURE

GKDA
(LOCAL)

1. Materials shall include the name of the person or organization sponsoring the distribution.
2. Using the standards found in this policy at Limitations on Content, the principal shall approve or reject submitted materials within two school days of the time the materials were received.

Exceptions to Prior
Review

Prior review shall not be required for distribution of nonschool literature in the following circumstances:

1. Distribution of materials by an attendee to other attendees at a school-sponsored meeting intended for adults and held after school hours;
2. Distribution of materials by an attendee to other attendees at a community group meeting held in accordance with GKDA(LOCAL) or a noncurriculum-related student group meeting held in accordance with FNAB(LOCAL); or
3. Distribution for electioneering purposes during the time a school facility is being used as a polling place in accordance with state law [see BBBA].

All nonschool literature distributed under these exceptions shall be removed from District property immediately following the event at which the materials were distributed.

Even when prior review is not required, all other provisions of this policy shall apply.

Time, Place, and
Manner Restrictions

[Most nonschool literature shall be distributed or made available electronically on through appropriate District channels.](#)

Each campus principal shall designate times, locations, and means by which nonschool literature that is appropriate for distribution, as provided in this policy, may be made available or distributed to students or others at the principal's campus.

The Superintendent ~~or designee~~ shall designate times, locations, and means for distribution of nonschool literature at District facilities other than school campuses, in accordance with this policy.

Violations of Policy

Failure to comply with this policy regarding distribution of nonschool literature shall result in appropriate administrative action, including but not limited to confiscation of nonconforming materials and/or suspension of use of District facilities. Appropriate law enforcement officials may be called if a person refuses to comply with this policy or fails to leave the premises when asked. [See GKA]

NONSCHOOL USE OF SCHOOL FACILITIES
DISTRIBUTION OF NONSCHOOL LITERATURE

GKDA
(LOCAL)

Appeals

Decisions made by the administration in accordance with this policy may be appealed in accordance with the appropriate District complaint policy. [See DGBA or GF]

PROPOSED REVISIONS

Volunteers

The Superintendent shall appoint a District coordinator to administer and supervise volunteer programs at each campus.

The District shall use volunteers to provide assistance in areas that:

1. Support and enhance teaching and learning;
2. Support the welfare of the students and/or staff; and
3. Support the District in other areas of need.

Application

All prospective volunteers shall annually complete a School/Parent Volunteer application form provided by the District. Appropriate guidelines shall be established defining the qualifications, duties, and ethical and legal responsibilities of volunteers. ~~Pre-service training shall be provided for volunteers prior to placement in schools.~~

Criminal History Record Check

The District shall obtain the criminal history record for prospective volunteers when required by law or the District. Once received, the District shall determine the person's eligibility and inform approved volunteers when their services are to begin.

Authority of School Personnel

~~District V~~olunteers in the school shall work directly under the supervision of the campus principal or a District employee in accordance with administrative regulations. ~~or designee of the school to which the volunteer is assigned. Upon arriving at the school, volunteers shall register in the principal's office and shall follow the established guidelines for volunteers.~~

Training

Volunteers shall complete District training requirements prior to participating in the District's volunteer program.

Volunteers shall not operate a District-owned vehicle. All efforts that require the operation of a District-owned vehicle for a school-related program shall be undertaken by District employees.

Scope of Program

~~Partnership volunteers may offer their service individually or as part of an organizational project from groups such as, but not limited to, the following:~~

- ~~1. Parent Teacher Organizations (PTOs);~~
- ~~2. Parent Organizations/Booster Clubs;~~
- ~~3. Businesses;~~
- ~~4. Community organizations;~~
- ~~5. Professional associations;~~

COMMUNITY RELATIONS
SCHOOL VOLUNTEER PROGRAM

GKG
(LOCAL)

- ~~6.—Civic groups;~~
- ~~7.—District personnel;~~
- ~~8.—Religious community;~~
- ~~9.—Senior citizen groups;~~
- ~~10.—Universities and community colleges; and~~
- ~~11.—Student organizations.~~

~~Partnership volunteers may participate but are not limited to any one of the following types of programs:~~

- ~~1.—Mentors;~~
- ~~2.—Career Day speakers;~~
- ~~3.—Tutors;~~
- ~~4.—Clerical/technological assistance; and~~
- ~~5.—Advisory boards/committees.~~

Mentor

~~A mentor is defined as a volunteer whose relationship with a student is established outside the home classroom and whose contact time with a student places him or her in close proximity on a regular basis.~~

~~Each prospective partnership volunteer who will serve as a student mentor shall be required to sign a statement of consent allowing the District to obtain the volunteer's criminal history record. The criminal history record shall be received, reviewed, and approved by the assistant superintendent of human resources. Notification of release from volunteer service, when necessary, shall be made through the District coordinator for volunteer and community services.~~

**Central Office
Mentors**

~~The Board encourages central office staff to participate in the volunteer mentor program as an example for others in the community and directs the Superintendent or designee to develop reasonable operational guidelines to facilitate such participation. A criminal history check is not required for District employees.~~

Liability

~~No school volunteers shall be authorized to operate a school-owned motor vehicle. All efforts that require the operation of a motor vehicle for a school-related program shall be undertaken by District employees.~~