



**DRAFT**

**Personnel Handbook**

**2011 - 2012**

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## **Introduction**

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

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of district policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. District policies can be accessed on line at [www.tasb.org/policy/pol/private/252901/](http://www.tasb.org/policy/pol/private/252901/).

# Employee Handbook Receipt

Name \_\_\_\_\_

Campus/department \_\_\_\_\_

I hereby acknowledge receipt of a copy of the Graham ISD Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

Employees have the option of receiving the handbook in electronic format or hard copy.

To access the Employee Handbook in electronic format, go to [www.grahamisd.com](http://www.grahamisd.com) and click on the *Teachers & Staff* link. Then click on the *Employee Handbook 11-12* link to download the document in Microsoft Word Format.

Please indicate your choice by checking the appropriate box below:

☐ I choose to receive the employee handbook in electronic format and accept the responsibility for accessing according to the instructions provided.

☐ I choose to receive a hard copy of the employee handbook.

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

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

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

**I have read and understand the Employee Agreement for Acceptable use of the Electronic Communication System.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Note: This handbook includes two copies of this form. Please sign and date one and keep it.** Sign and date the other copy and forward it to the campus principal.

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## **District Information**

### **Board of Trustees**

*Policies BA, BB series, BD series, and BE series*

Texas law grants the board of trustees the power to govern and oversee the management of the district's schools. The board is the policy-making body within the district and has overall responsibility for the curriculum, school taxes, annual budget, employment of the superintendent and other professional staff, and facilities. The board has complete and final control over school matters within limits established by state and federal law and regulations.

The board of trustees is elected by the citizens of the district to represent the community's commitment to a strong educational program for the district's children. Trustees are elected by position and serve three year terms. Trustees serve without compensation, must be registered voters, and must reside in the district.

Current board members include:

- Peggy Sonnenberg      President
- Dori Cawley              Vice-President
- Meredith Lucas        Secretary
- Win Graham             Member
- Terry Bishop            Member
- David McClendon      Member
- Shannon Plowman      Member

The board usually meets on the third Tuesday of each month at various schools throughout the district at 6:30 p.m. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district Web site and at the GISD Central Office at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice.

All meetings are open to the public. In certain circumstances, Texas law permits the board to go into a closed session from which the public and others are excluded. Closed session may occur for such things as discussing prospective gifts or donations, real property acquisition, certain personnel matters including employee complaints, security matters, student discipline, or consulting with attorneys regarding pending litigation.

### **Tentative Board Meeting Schedule for 2011- 2012—TBD**

August 16, 2011  
September 20, 2011  
October 18, 2011  
November 15, 2011  
December 13, 2011  
January 17, 2012

February 21, 2012  
March 20, 2012  
April 17, 2012  
May 15, 2012  
June 19, 2012  
July 17, 2012



## **Administration**

Dr. Beau Rees – Superintendent  
Don Davis – Assistant Superintendent/Director of Finance/Title IX Coordinator  
Clay Wright – Director of Special Programs  
Ashley Stewart – Curriculum Director  
Kenny Davidson – Athletic Director  
Lucky Ingram – Band Director  
Jayne Beale – Technology Coordinator  
Benny Slater- Director of Maintenance and Transportation  
Robert Loomis – Graham High School Principal  
Lisa Budarf – Graham High School Assistant Principal  
Travis Armstrong – Graham High School Assistant Principal  
Shannon Bozeman – Graham High School Technology Specialist  
Gary Browning – Graham Learning Center Principal  
Karen McBride – Graham Learning Center Lead Teacher  
Joe Gordy – Graham Junior High School Principal  
Gary Browning – Graham Junior High School Assistant Principal  
James Wyatt – Woodland Elementary Principal  
Harper Stewart – Crestview Elementary Principal  
Greg Melton – Pioneer Elementary Principal

## **School Directory**

Administration	400 Third Street	549-0595
Athletic Office	1200 Brazos Street	549-4277
Individualized Instruction	1001 Kentucky Street	549-3399
Food Service Office	1000 Brazos Street	549-4011
Transportation/Maintenance	725 Tennessee	549-0460
Graham High School	1000 Brazos Street	549-1504
Graham Learning Center	701 Tennessee Street	549-7526
Graham Junior High	1000 Second Street	549-2002
Woodland Elementary	1219 Cliff Drive	549-4090
Crestview Elementary	1317 Old Jacksboro Road	549-6023
Pioneer Elementary	1425 First Street	549-2442
Region IX	301 N Loop 11 Wichita Falls, TX 76306	(940) 322-6928

**Graham Independent School District  
2011 -2012  
Contract Information**

Length of Contract Month/Day	Recommend District Timeline	Personnel Assignment of this Contract	
10 months – 187 days	8-12-11 thru 5-25-12	Classroom Teachers Speech Therapists Special Ed. Teachers Nurses AEP Elem. Aide	Nurse Aides Instructional Aides ISS Aides – HS,JH,WD Parents As Teachers Ed Records/Clinic Aide–JH
10 ½ months – 196days	8-4-11 thru 5-31-12	Librarians (certified) Coaches-JH (hired after 1995)	Library Aides
10 ¾ months – 201 days	8-1-11 thru 5-31-12	Assistant Band Director- HS Coaches-HS (and JH hired before 1995) Coaches-JH Coordinator	Band Director-JH
11 months – 207 days	8-1-11 thru 6-12-12	Elem. Principals JH Asst. Principals Diagnosticians Counselors-HS,JH,WD,CV VOE Teacher-HS Trainer-HS	JH & Elem. Secretaries Attend. Office Aide-HS Office Aides-HS,JH Apple Tech Teacher Band Director-HS
12 months – 226 days	7-4-11 thru 6-21-12	Superintendent Asst. Superintendent Director of Finance HS Principal HS Asst. Principal JH Principal Athletic Director Admin. Secretaries Technology Director	CV Elementary Principal CV Secretary HS Secretary Computer Technician Admin. PEIMS/Payroll clerk Special Ed. Secretary Admin. Accounts Payable Vocational Ag Teacher
12 months – 260 days (2 weeks of vacation)	9-1-11 thru 8-31-12	Maintenance Staff Custodial Staff	
12 months – 260 days (2 weeks of vacation)	7-1-11 thru 6-29-12	Transportation/Maintenance Director Energy/Custodial Director	

# **Employment**

## **Equal Employment Opportunity**

*Policies DAA, DIA*

The Graham ISD does not discriminate against any employee or applicant for employment because of race, color, religion, gender, national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Additionally, the district does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

Employees with questions or concerns about discrimination based on sex, including sexual harassment should contact the Superintendent or Don Davis at 549-0595, the district Title IX coordinator. Employees with questions or concerns about discrimination on the basis of a disability should contact Clay Wright at 549-3399, the district ADA/Section 504 coordinator. Questions or concerns relating to discrimination for any other reason should be directed to the Superintendent.

## **Job Vacancy Announcements**

*Policy DC*

Announcements of job vacancies by position and location are posted on a regular basis and on the district's Web site ([www.grahamisd.com](http://www.grahamisd.com)).

## **Employment After Retirement**

*Policy DC*

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed in limited circumstances on a full- or part-time basis without affecting their benefits, according to TRS rules and state law. Detailed information about employment after retirement is available in the TRS publication *Employment After Retirement*.

Employees can contact TRS for additional information by calling 800-223-8778 or 512-542-6400. Information is also available on the TRS Web Site ([www.trs.state.tx.us](http://www.trs.state.tx.us)).

## **Contract and Noncontract Employment**

*Policy DC series*

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

**Probationary Contracts.** Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive a probationary contract during their first year of employment. Former employees who are hired after at least a two-year lapse in district employment also may be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed as a teacher in public education for at least five of the eight years preceding employment with the district may not exceed one school year.

For those with less experience, the probationary period will be three school years (i.e., three one-year contracts) with an optional fourth school year if the board determines it is doubtful whether a term or continuing contract should be given.

**Term Contracts.** Full-time professionals employed in positions requiring certification and nurses will be employed by term contracts after they have successfully completed the probationary period. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract. Employment policies can be accessed on line or copies will be provided upon request.

**Noncertified Professional and Administrative Employees.** Employees in professional and administrative positions that do not require SBEC certification (such as non-instructional administrators) are employed by a one-year contract that is not subject to the provisions for nonrenewal or termination under the Texas Education Code.

**Paraprofessional and Auxiliary Employees.** All paraprofessional and auxiliary employees, regardless of certification, are employed at will and not by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

## **Searches and Alcohol and Drug Testing**

### *Policy DHE*

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

**Employees Required to Have a Commercial Driver's License.** Any employee whose duties require a commercial driver's license (CDL) is subject to drug and alcohol testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people, counting the driver; drivers of large vehicles; or drivers of vehicles used in the

transportation of hazardous materials. Teachers, coaches, or other employees who primarily perform duties other than driving are subject to testing requirements if their duties include driving a commercial motor vehicle.

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, when an employee returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following accidents. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs.

Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact Benny Slater, Director of Transportation at (940) 549-0460.

## **Health Safety Training**

*Policies DBA, DMA*

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification in first aid, cardiopulmonary resuscitation (CPR), and the use of an automated external defibrillator (AED), and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to Stacy Key, Graham ISD Head Nurse by September 1st.

## **Reassignments and Transfers**

*Policy DK*

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

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by May 1<sup>st</sup> of the previous year. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the personnel office and must be approved by the receiving supervisor.

## **Workload and Work Schedules**

*Policies DEA, DL*

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

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

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

## **Notification to Parents Regarding Qualifications**

*Policies DK, DBA*

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

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notification under NCLB is sent. Inappropriately certified or uncertified teachers include individuals serving on an

emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call the business office or contact their campus principal.

## **Outside Employment and Tutoring**

*Policy DBD*

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

## **Performance Evaluation**

*Policy DN series*

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

## **Employee Involvement**

*Policies BQA, BQB*

At both the campus and district levels, Graham ISD offers opportunities for input in matters that affect employees and influence the instructional effectiveness of the district. As part of the district's planning and decision-making process, employees are elected to serve on district- or campus-level advisory committees. Plans and detailed information about the shared decision-making process are available in each campus office or from Dr. Beau Rees, Superintendent (940) 549-0595.

## **Staff Development**

*Policy DMA*

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

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

## **Compensation and Benefits**

### **Salaries, Wages, and Stipends**

*Policies DEA, DEAA*

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time, or overtime pay for each hour worked beyond 40 in a work week. (See *Overtime compensation, p.18*)

All employees will receive written notice of their pay and work schedules before the start of each school year. Classroom teachers, full-time librarians, full-time nurses, and full-time counselors will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular or supplemental duties may be paid a stipend in addition to their salary according to the district's extra-duty pay schedule.

Employees should contact Don Davis, Director of Finance for more information about the district's pay schedules or their own pay.

### **Annualized Compensation**

*Policy DEA*

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

### **Paychecks**

All employees are paid monthly. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization. During summer breaks, paychecks will be mailed if they are not picked up by noon on payday. The District pays all employees on the 25<sup>th</sup> of each month. If the 25<sup>th</sup> falls on a Saturday or a Sunday, paychecks will be distributed on the Friday before. Each pay period has a specific cut-off date. These dates are posted on each campus.



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

**The schedule of pay dates for the 2011- 2012school year is as follows:**

	<u>CUT OFF DATE</u>	<u>PAY DATE</u>
September	9	23
October	7	25
November	4	22
December	2	16
January	6	25
February	10	24
March	2	23
April	6	25
May	11	25
June	8	25
July	6	25
August	10	24

### **Automatic Payroll Deposit**

Employees can have their paychecks electronically deposited into a designated account. A notification period of one month is necessary to activate this service. Contact Mary Wooldridge at 549-0595 for more information about the automatic payroll deposit service.

### **Payroll Deductions**

*Policy CFEA*

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

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

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; and annuities.

Employees also may request payroll deduction for payment of membership dues to professional organizations and contributions to United Way. Salary deductions are automatically made for unauthorized or unpaid leave.

## **Overtime Compensation**

*Policy DEA*

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor.

Overtime is legally defined as all hours worked in excess of 40 hours in a work week and is not measured by the day or by the employee's regular work schedule. Non-exempt employees that are paid on a salary basis are paid for a 40-hour work week and do not earn additional pay unless they work more than 40 hours. For the purpose of calculating overtime, a work week begins at 12:00 a.m. Saturday and ends at 11:59 p.m. Friday.

Employees may be compensated for overtime at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

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

## **Travel Expense Reimbursement**

*Policy DEE*

Before any travel expenses are incurred by an employee, the employee's supervisor and Don Davis, Director of Finance must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the district. Employees must submit receipts, to the extent possible, to be reimbursed for expenses other than mileage.

## **Health, Dental, and Life Insurance**

*Policy CRD*

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

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

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

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each spring. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact Mary Wooldridge (549-0595) for more information.

## **Supplemental Insurance Benefits**

*Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs for disability, life, cancer, dental, and vision. Premiums for these programs can be paid by payroll deduction. Employees should contact Mary Wooldridge (549-0595) for more information.

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

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

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

## **Workers' Compensation Insurance**

*Policy CRE*

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from Claims Administrative Services, effective August 31, 2001. Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to the campus principal and/or immediate supervisor. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits* for information on use of paid leave for such absences.

## **Unemployment Compensation Insurance**

*Policy CRF*

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact Wanda Cook at 549-0595.

## **Teacher Retirement**

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

Employees who plan to retire under TRS should notify Mary Wooldridge at 549-0595 as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web ([www.trs.state.tx.us](http://www.trs.state.tx.us)). See page 11 for information on restrictions of employment of retirees in Texas public schools.

## **Reimbursement for Tuition**

In August 1994, the Graham ISD Board of Trustees approved the providing of funds to assist employees seeking a Master's Degree, hours beyond a Master's or a Doctorate in their teaching field (if in a high need area) or additional endorsement/certification in certain areas of need (as determined by the administration). Those areas currently identified are English as a Second Language (ESL), Bilingual, Math, Special Education, and Counseling. Master's Degrees leading to administrative certification will not be considered.

GISD faculty taking and receiving credit for qualifying college work will be reimbursed \$150.00 for each three (3) semester hour course or \$200 for each four (4) semester hour course.

In order to receive this aid, employees must:

1. Have an approved degree plan or certification plan on file in the Business Office.
2. Meet with the Superintendent (or Assistant Superintendent) to receive prior approval of plan and coursework.
3. Complete the approved coursework.
4. Present a grade report awarding credit to the Business Office for reimbursement.

# **Leaves and Absences**

*Policies DEC, DECA, DECB*

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than 5 days should call Dr. Beau Rees, Superintendent for information about applicable leave benefits, payments of insurance premiums, and requirements for communicating with the district.

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

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

- Local Leave (2 days)
- State Sick Leave, if applicable
- State Personal Leave
- Remaining Local Leave

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification.

**Medical Certification** Any employee who is absent more than 5 days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and-in case of personal illness-the employee's fitness to return to work.

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

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

## **Personal Leave**

State law entitles all employees to five days of paid personal leave per year. Personal leave is earned at a rate of ½ day per month. A day of earned personal leave is equivalent to an assigned workday. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. There are two types of personal leave: nondiscretionary and discretionary.

**Nondiscretionary.** Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allows very little, if any, advanced planning. Nondiscretionary leave will be granted to employees in the same manner as state sick leave.

**Discretionary.** Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor one day in advance of the anticipated absence. The effects of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor. Discretionary personal leave will be granted on a first-come, first-served basis and will be subject to the following limitations:

- A maximum of 10% of campus employees in each job category will be permitted to take discretionary personal leave at the same time.
- Discretionary leave may not last more than two consecutive workdays.
- Discretionary leave may not be taken on the following key days:

<b>SCHEDULE LIMITATIONS</b>	Discretionary leave shall not be allowed on the day before a school holiday, the day after a school holiday, days scheduled for end-of-semester or end-of-year exams, days scheduled for TAKS tests, or professional or staff development days, except with the prior approval of the Superintendent.
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## **State Sick Leave**

State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas. State sick leave can be used only in whole day and half day increments, except when coordinated with family and medical leave taken on an

intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

Sick leave may be used for the following reasons only:

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

## **Local Leave**

*DEC (LOCAL)*

**GISD Policy states the following:**

### **LOCAL SICK LEAVE**

All employees shall earn five workdays of local sick leave per school year, at the same rate as state personal leave. Local leave shall accumulate to a maximum of 15 workdays and shall be taken with no loss of pay.

Local leave shall be used under the terms and conditions applicable to state sick leave accumulated prior to the 1995-96 school year. [See DEC (LEGAL)]

### **DONATING SICK LEAVE DAYS**

In extreme circumstances, employees may donate earned local leave days to another employee. Donated days shall be intended for critically ill employees and employees who have unexpected emergencies of a life-threatening and catastrophic nature. An employee may donate only two local leave days per contract year. Days offered for donation shall not be subtracted from a donor's local leave balance prior to actual use by the recipient. Employees in positions normally requiring 12 months of service shall not donate accumulated vacation days.

An employee shall have exhausted all accumulated state and local leave days before he or she is eligible to receive donated days. Employees in positions normally requiring 12 months of service shall not be required to use their vacation days before becoming eligible to receive donated days. An employee may receive a maximum of 20 donated days per contract year. Donated days shall be paid at the full salary of the employee to whom they have been donated.

### **USE AND RECORDING**

Sick leave shall be charged to either local sick leave or state leave at the discretion of the employee. The employee shall notify the payroll clerk of this decision as provided in

administrative regulation.

Leave used shall be recorded in increments of one half-day. Employees shall be charged leave as used even if a substitute is not employed.

Any leave taken for which leave balances are insufficient shall result in a deduction from the employee's paycheck commensurate with the amount of leave taken.

**AVAILABILITY** Paid leave for the current year shall be available for use at the beginning of the school year. Paid leave shall not be approved for more workdays than have been accumulated in prior years plus those to be earned during the current year.

When an employee who has used more leave than he or she has accumulated ceases to be employed by the District, the cost of the unearned leave days shall be deducted from the employee's final paycheck.

**MEDICAL CERTIFICATION** An employee absent more than five consecutive workdays because of personal illness or illness in the immediate family shall submit medical certification of the illness.

Medical certification shall be made by a health care provider as defined by the Family and Medical Leave Act. [See DEC (Legal)]

## **Family and Medical Leave (FML) – General Provisions**

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

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

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

**Military Family Leave Entitlements** Eligible employees with a spouse, son, daughter, or parent on active military duty and deployed to a foreign country may use their 12-



week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

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

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

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

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

**Definition of Serious Health Condition** A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatments by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**Use of Leave** An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically neces-

sary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

**Substitution of Paid Leave for Unpaid Leave** Employees may choose or employers may require use of accrued paid leave while taking FML. In order to use paid leave for FML, employees must comply with the district's normal paid leave policies.

**Employee Responsibilities** Employees must provide 30 days advance notice of the need to take FML when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FML was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

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

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

**Unlawful Acts by Employers** The FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right protected under the FMLA; discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

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

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

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

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

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

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

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

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

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

**District Contact** Employees that require FML or have questions should contact the central office personnel department for details on eligibility, requirements, and limitations.

## **Temporary Disability Leave**

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

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and

estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days.

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

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

## **Workers' Compensation Benefits**

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

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

## **Assault Leave**

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

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

against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

## **Jury Duty**

**GISD Local Policy states the following:**

**JURY DUTY** The District may not discharge, discipline, reduce the salary of, or otherwise penalize or discriminate against an employee because of the employee's compliance with a summons to appear as a juror. For each regularly scheduled workday on which a non-salaried employee serves in any phase of jury service, the District shall pay the employee the employee's normal daily compensation. An employee's accumulated personal leave may not be reduced because of the employee's service in compliance with a summons to appear as a juror.

*Education Code 22.006*

## **Other Court Appearances**

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use paid leave. Employees may be required to submit documentation of their need for leave for court appearances.

## **Military Leave**

**Paid Leave for Military Service.** Any employee who is a member of the Texas National Guard, Texas State Guard, or reserve component of the United States Armed Forces will be granted a paid leave of absence without loss of any accumulated leave for authorized training or duty orders. Paid military leave will not exceed 15 days each federal fiscal year (October 1-September 30). In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

**Reemployment after Military Leave.** Employees who leave the district to enter into the United States uniformed services or who are ordered to active state military duty (Texas National Guard or Texas State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed in the position they would have held if employment had not been interrupted or reassigned to an equivalent or similar position provided they can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment to Dr. Beau Rees, Superintendent. In most cases, the length of military service cannot exceed five years, and the employee must apply for reemployment within the period of time specified in law.

**Continuation of Health Insurance.** Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not

to exceed 24 months. Employees should contact Mary Wooldridge (940) 549-0595 for details on eligibility, requirements, and limitations.

## **Employee Relations and Communications**

### **Employee Recognition and Appreciation**

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

## **Complaints and Grievances**

*Policy DGBA*

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

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

### **Graham ISD Policy States the Following:**

PERSONNEL-MANAGEMENT RELATIONS:  
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA  
(LOCAL)

GUIDING  
PRINCIPLES  
INFORMAL  
PROCESS

The Board encourages employees to discuss their concerns and complaints through informal conferences with their supervisor, principal, or other appropriate administrator.

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

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.
FORMAL PROCESS	<p>If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>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.</p>
NOTICE TO EMPLOYEES	The District shall inform employees of this policy.
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 to the Superintendent or designee beginning at Level Two. Time lines 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 AGAINST SUPERVISORS	Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaints alleging a violation of law by the Superintendent may be made directly to the Board or designee.
COMPLAINTS	In this policy, the terms "complaint" and "grievance" shall have the same meaning. This policy shall apply to all employee complaints, except as provided below.
EXCEPTIONS	<p>This policy shall not apply to:</p> <ol style="list-style-type: none"> <li>1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability). [See DIA]</li> <li>2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violations of Title VII. [See DIA]</li> <li>3. Complaints concerning retaliation relating to discrimination and harassment. [See DIA]</li> <li>4. Complaints concerning instructional materials. [See EFA]</li> </ol>

5. Complaints concerning a commissioned peace officer who is an employee of the District. [See CKE]
6. Complaints arising from the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code. [See DFBB]
7. Complaints arising from 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. [See DFAA, DFBA, or DFCA, respectively]

## GENERAL PROVISIONS

### FILING

Complaint forms and appeal notices may be filed by hand-delivery, fax, or 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. Fax filings shall be timely filed if they are received on or before the deadline, as indicated by the date/time shown on the fax copy. 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 days after the deadline.

### RESPONSE

At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

### DAYS

"Days" shall mean District business days, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is "day zero." The following business day is "day one."

### 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 him or her in the complaint process.

The employee may designate a representative through written notice to the District at any level of this process. If the employee designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or 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.

## CONSOLIDATING COMPLAINTS

Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous



complaint.

When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.

#### UNTIMELY FILINGS

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

#### COSTS INCURRED

Each party shall pay its own costs incurred in the course of the complaint.

#### COMPLAINT FORM

Complaints under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.

A complaint form that is incomplete in any material aspect may be dismissed, but may be refiled with all the required information if the refiling is within the designated time for filing a complaint.

#### AUDIO RECORDING

As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.

#### LEVEL ONE

Complaint forms must be filed:

1. Within 15 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; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, employees on a school campus

shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

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.

The appropriate administrator shall investigate as necessary and hold a conference with the employee within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

The administrator shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator 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 response has expired, the employee may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The employee may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall hold a conference within

ten days after the appeal notice is filed. The conference shall be limited to the issues presented by the employee at Level One and identified in the Level Two appeal notice. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

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

### LEVEL THREE

If the employee did not receive the relief requested at Level Two or if the time for a response 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 ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

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

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

The Level Two record shall include:

1. The Level One record.
2. The written response issued at Level Two and any attachments.
3. All other documents relied upon by the administration in reaching the Level Two decision.

If at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas

Open Meetings Act and other applicable law. [See BE]

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 the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board 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 the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

## **Employee Conduct and Welfare**

### **Standards of Conduct**

*Policy DH*

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

Employees are expected to observe the following standards of conduct:

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action.
- Know and comply with department and district policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.

- Use district time, funds, and property for authorized district business and activities only.

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent first learns of the incident. See *Reports to the State Board for Educator Certification*, page 68 for additional information.

The *Educator's Code of Ethics*, adopted by the State Board for Educator Certification, which all districts employees must adhere to, is reprinted below:

## **Texas Educators' Code of Ethics**

### **Purpose and Scope**

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

### **Enforceable Standards**

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

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

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

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

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

**Standard 1.5** The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.

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

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

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

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

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

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

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

**Standard 1.13** The educator shall not consume alcoholic beverages on school property or during school activities when students are present.

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

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

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

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

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

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

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

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

### **3. Ethical Conduct Toward Students.**

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

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

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

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

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

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

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

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

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

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

### **Discrimination, Harassment, and Retaliation**

*Policies DH, DIA*

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees or students. While acting in the course of their employment, employees

shall not engage in prohibited harassment of other persons, including board members, vendors, contractors, volunteers, or parents. A substantiated charge of harassment will result in disciplinary action.

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

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

**GISD Policy states the following:**

EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION	DIA (LOCAL)
STATEMENT OF NONDISCRIMINATION	<p>Note: This policy addresses discrimination, harassment and retaliation involving District employees. In this policy, the term "employees" includes former employees and applicants for employment. For discrimination, harassment, and retaliation involving students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.</p> <p>The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy.</p>
DISCRIMINATION	<p>Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.</p>
HARASSMENT	<p>Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:</p> <ol style="list-style-type: none"> <li>1. Has the purpose or effect of unreasonably interfering with the employee's work performance;</li> <li>2. Creates an intimidating, threatening, hostile, or offensive work environment; or</li> <li>3. Otherwise adversely affects the employee's performance, environment or employment opportunities.</li> </ol>
EXAMPLES	<p>Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, gender identity, or need for workplace</p>



	<p>accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic or other stereotypes; or other types of aggressive conduct such as theft or damage to property.</p>
SEXUAL HARASSMENT	<p>Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:</p> <ol style="list-style-type: none"> <li>1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or</li> <li>2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.</li> </ol>
EXAMPLES	<p>Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, communication, or contact.</p>
RETALIATION	<p>The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.</p>
	<p>An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding harassment or discrimination is subject to appropriate discipline.</p>
EXAMPLES	<p>Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.</p>
PROHIBITED CONDUCT	<p>In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.</p>
REPORTING PROCEDURES	<p>An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.</p>
	<p>Alternatively, the employee may report the alleged acts to one of the District officials below.</p>
DEFINITION OF DISTRICT OFFICIALS	<p>For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent</p>
TITLE IX COORDINATOR	<p>Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The</p>

District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Don Davis  
Position: Assistant Superintendent  
Address: 400 Third Street, Graham, TX 76450  
Telephone: (940) 549-0595

ADA/SECTION 504  
COORDINATOR

Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Clay Wright  
Position: Director of Special Programs  
Address: 1000 Kentucky, Graham, TX 76450  
Telephone: (940) 549-1546

SUPERINTENDENT

ALTERNATIVE  
REPORTING  
PROCEDURES

The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws. An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

TIMELY  
REPORTING

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. Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the District's ability to investigate and address the prohibited conduct.

NOTICE OF  
REPORT

Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

INVESTIGATION OF  
THE REPORT

The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an

investigation.

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal or supervisor shall be involved in or informed of the investigation.

#### CONCLUDING 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.

Absent extenuating circumstances, 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.

#### DISTRICT ACTION

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

#### CONFIDENTIALITY

The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

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 complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA (LOCAL), beginning at the appropriate level.

#### RECORDS RETENTION

The complainant may have a right to file a complaint with appropriate state or federal agencies.

Copies of reports alleging prohibited conduct, investigation reports, and related records shall be maintained by the District for a period of at least three years. [See CPC]

#### ACCESS TO POLICY

This policy shall be distributed annually to District employees. Copies of the policy shall be readily available at each campus and the District administrative offices.

## Harassment of Students

*Policies DF, DH, FFG, FFH*

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. All allegations of prohibited harassment of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse, page 50*, and *Bullying, page 71* for additional information.

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

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

1. Behavior, gestures, expressions, communications, or a pattern of communication with a student that is unrelated to the educator's job duties and that may reasonably be interpreted as encouraging the student to form an ardent or exclusive emotional attachment to the educator, including statements of love, affection, or attraction. When evaluating whether communications constitute the solicitation of a romantic relationship, the following may be considered:
  - a. The nature of the communications;
  - b. The timing of the communications;
  - c. The extent of the communications;
  - d. Whether the communications were made openly or secretly;
  - e. The extent to which the educator attempted to conceal the communications;
  - f. If the educator claims to be counseling a student, TEA staff may consider whether the educator's job duties included counseling, whether the educator reported the subject of the counseling to the student's guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate law enforcement agencies; and
  - g. Any other communications tending to show that the educator solicited a romantic relationship with a student.
2. Making inappropriate comments about a student's body.
3. Making sexually demeaning comments to a student.
4. Making comments about a student's potential sexual performance.
5. Requesting details of a student's sexual history.
6. Requesting a date.

7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.
8. Inappropriate hugging, kissing, or excessive touching.
9. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.
10. Any other acts tending to show that the educator solicited a romantic relationship with the student, including providing the student with drugs and alcohol.

**Graham ISD Policy States:**

**STUDENT WELFARE:  
FREEDOM FROM DISCRIMINATION, HARASSMENT,  
AND RETALIATION**

**FFH  
(LOCAL)**

**STATEMENT OF  
NONDISCRIMINATION**

**Note:** This policy addresses discrimination, harassment, and retaliation involving District students. For provisions regarding discrimination, harassment, and retaliation involving District employees see DIA. For reporting requirements related to child abuse and neglect, see FFG. For provisions regarding bullying, see FFI.

**DISCRIMINATION**

The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, gender, national origin, disability, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy.

**PROHIBITED  
HARASSMENT**

Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, gender, national origin, disability, or on any other basis prohibited by law, that adversely affects the student.

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, gender, national origin, disability, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct:

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

**EXAMPLES**

Prohibited harassment includes dating violence as defined by this policy.

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 or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti

SEXUAL  
HARASSMENT BY  
AN EMPLOYEE

or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

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

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

Romantic or inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See DF]

BY OTHERS

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

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

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, communications, or contact.

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.

## DATING VIOLENCE

Dating violence occurs when one partner in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner.

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

For the purpose 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.

## RETALIATION

The District prohibits retaliation against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report, serves as witness, or otherwise participates in an investigation.

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding discrimination or harassment, including dating violence, is subject to appropriate discipline.

## EXAMPLES

Examples of retaliation include threats, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances, such as negative comments that are justified by a student's performance in the classroom.

## 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.

## REPORTING PROCEDURES

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

DEFINITION OF DISTRICT OFFICIALS	<p>Alternatively, a student may report prohibited conduct directly to one of the District officials below:</p> <p>For the purpose of this policy District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.</p>
TITLE IX COORDINATOR	<p>Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:</p>
ADA/SECTION 504 COORDINATOR	<p>Name: Don Davis  Position: Assistant Superintendent  Address: 400 Third Street, Graham, TX 76450  Telephone: (940) 549-0595</p> <p>Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:</p>
SUPERINTENDENT	<p>Name: Clay Wright  Position: Director of Special Programs  Address: 1000 Kentucky, Graham, TX 76450  Telephone: (940) 549-1546</p>
ALTERNATIVE REPORTING PROCEDURES	<p>The superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.</p> <p>A student 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.</p>
TIMELY REPORTING	<p>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.</p> <p>Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the District's ability to investigate and address the prohibited conduct.</p>
NOTICE OF REPORT	<p>Any District employee who receives notice that a student has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.</p>
NOTICE TO PARENTS	<p>The District official or designee shall promptly notify the parents of</p>



## INVESTIGATION OF THE REPORT

any student alleged to have experienced prohibited conduct by a District employee or another adult.

The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal shall be involved in or informed of the investigation.

## CONCLUDING 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.

Absent extenuating circumstances, 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.

## DISTRICT ACTION

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

## CONFIDENTIALITY

The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and

APPEAL	witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law. A student who is dissatisfied with the outcome of the investigation may appeal through FNG (LOCAL), beginning at the appropriate level. A student shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.
RECORDS RETENTION	Retention of records shall be in accordance with FB (LOCAL) and CPC (LOCAL).
ACCESS TO POLICY	Information regarding this policy shall be distributed annually to District employees and included in the student handbook. Copies of the policy shall be readily available at each campus and the District administrative offices.

## **Reporting Suspected Child Abuse**

*Policies DF, DG, DH, FFG, GRA*

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. Abuse is defined by SBEC and includes the following acts or omissions:

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

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

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

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

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

Reporting the concern to the principal does not relieve the employee of the requirement to report it to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

## **Child Sexual Abuse**

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

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

## **Technology Resources**

### *Policy CQ*

The district's technology resources, including its network access to the Internet, are primarily for administrative and instructional purposes. Limited personal use is permitted if the use:

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

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

Employees who are authorized to use the systems are required to abide by the provisions of the district's acceptable use policy and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary action. Employees with questions about computer use and data management can contact Jayne Beale at 521-9822.

### **Employee Agreement for Acceptable use of the Electronic Communications System**

You are being given access to the District's electronic communications system. Through this system, you will be able to communicate with other schools, colleges, organizations, and people around the world through the Internet and other electronic information systems/networks. You will have access to hundreds of databases, libraries, and computer services all over the world. With this opportunity comes responsibility. It is important that you read the District policy, administrative regulations, and agreement form and ask questions if you need help in understanding them. Inappropriate system use will result in the loss of the privilege of using this educational and administrative tool. Please note that the Internet is a network of many types of communication and information networks. It is possible that you may run across some material you might find objectionable. While the District will use filtering technology to restrict access to such material, it is not possible to absolutely prevent such access. It will be your responsibility to follow the rules for appropriate use.

#### **Appropriate Use**

- The account is to be used mainly for educational purposes, but some limited personal use is permitted.
- You will be held responsible at all times for the proper use of your account, and the District may suspend or revoke your access if you violate the rules.
- Remember that people who receive e-mail from you with a school address might think your message represents the school's point of view.

#### **Inappropriate Uses**

- Using the system for any illegal purposes.
- Disabling or attempting to disable any Internet filtering device.
- Encrypting communications to avoid security review.
- Tampering with anyone else's computer, files, or email
- Posting personal information about yourself or other (such as addresses and phone numbers).
- Downloading or using copyrighted information without permission from the copyrighted holder, including violating District software licensing agreements or

installing any personal software on District equipment without approval of the Technology Director.

- Personal, political use to advocate for or against a candidate, office-holder, political party, or political position.
- Forgery of electronic mail messages or transmission of unsolicited junk e-mail chain messages.
- Use related to commercial activities or for commercial gain.
- Advertisement for purchase or sale of a product.
- Wasting school resources through improper use of the computer system.
- Intentionally introducing a virus to the computer system.
- Posting messages or accessing materials that are abusive, racist, excessively violent, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- Gaining unauthorized access to restricted information or resources.

### **Consequences for Inappropriate Use**

- Suspension of access to the system;
- Revocation of the computer system account; or
- Other disciplinary or legal action, in accordance with the District's policies and applicable laws.
- This may also require restitution for costs associated with system restoration, hardware, or software costs.

### **ACKNOWLEDGEMENT**

**"I understand that my computer use is not private and that the District will monitor my activity on the computer system. I have read the District's electronic communications system policy and administrative regulations and agree to abide by their provisions. In consideration for the privilege of using the District's electronic communications system and in consideration for having access to the public networks, I hereby release the District, its operators, and any institution with which they have affiliated from any and all claims and damages of any nature arising from my use of, or inability to use, the system, including, without limitation, the type of damages identified in the District's policy and administrative regulations."**

Further information regarding Graham ISD's Electronic Communication Policies and Regulations may be found in Graham ISD Board Policy CQ (Legal) and CQ (Local).

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

*Policy CQ, DH*

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., You Tube), editorial comments posted on the Internet, and

social network sites (e.g., Facebook, MySpace, Twitter, LinkedIn). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.

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

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

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee shall not use the district's logo or other copyrighted material of the district without express, written consent.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
  - Confidentiality of student records. [See Policy FL]
  - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See Policy DH (EXHIBIT)]
  - Confidentiality of district records, including educator evaluations and private e-mail addresses. [See Policy GBA]
  - Copyright law [See Policy CY]
  - Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH (EXHIBIT)]

See *Use of Electronic Media with Students*, below, for regulations on employee communication with students through electronic media.

## **Use of Electronic Media with Students**

### *Policy DH*

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through electronic media with students who are currently enrolled in the district. The employee must comply with the

provisions outlined below. All other employees are prohibited from communicating with students who are enrolled in the district through electronic media.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization.

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

- *Electronic media* includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., Facebook, MySpace, Twitter, LinkedIn). *Electronic Media* also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*; however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.
- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

An employee who uses electronic media to communicate with students shall observe the following:

- The employee may use any form of electronic media **except** text messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility.
- The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable administration and parents to access the employee's professional page.

- The employee shall not communicate directly with any student between the hours of 4:00 p.m. and 8:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:
  - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
  - Copyright law [Policy CY]
  - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DF]
  - Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more currently-enrolled students.
  - Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.

An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.

## **Criminal History Background Checks**

*Policy DBAA*

Employees may be subject to a review of their criminal history record information at any time during employment. National criminal history checks based on an individual's fingerprints, photo, and other identification will be conducted on certain employees and entered into the Texas Department of Public Safety (DPS) Clearinghouse. This database provides the district and SBEC with access to an employee's current national criminal history and updates to the employee's subsequent criminal history.

## **Employee Arrests and Convictions**

*Policy DH*

An employee must notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, and any of the other offenses listed below:

- Crimes involving school property or funds
- Crimes involving attempt by fraudulent or unauthorized means to obtain or alter



any certificate or permit that would entitle any person to hold or obtain a position as an educator

- Crimes that occur wholly or in part of school property or at a school-sponsored activity
- Crimes involving moral turpitude

Moral turpitude includes the following:

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

## **Alcohol- and Drug-Abuse Prevention**

*Policies DH, DI*

Graham ISD is committed to maintaining an alcohol-and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the workplace and at school-related or school-sanctioned activities on or off school property. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. The district's policy regarding employee drug use follows:

### **Graham ISD Policy States:**

#### **EMPLOYEE STANDARDS OF CONDUCT**

DH  
(LOCAL)

All District employees shall perform their duties in accordance with state and federal law, District policy, and ethical standards. [See DH(EXHIBIT)]

All District personnel 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.

Employees wishing to express concern, complaints, or criticism about their working conditions, fellow employees, or operation of the District are expected to express them through the established channels of communication. [See DGBA]

<b>VIOLATIONS OF STANDARDS OF CONDUCT</b>	<p>Employees 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 their status as District employees. Violations of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCD and DF series]</p>
<b>ELECTRONIC MEDIA</b>	<p>Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), electronic forums (chat rooms), video-sharing Web sites, editorial comments posted on the Internet, and social network sites. Electronic media also includes all forms of telecommunication, such as landlines, cell phones, and Web-based applications.</p>
<b>USE WITH STUDENTS</b>	<p>In accordance with administrative regulations, a certified or licensed employee, or any other employee designated in writing by the Superintendent or a campus principal, may use electronic media to communicate with currently enrolled students about matters within the scope of the employee's professional responsibilities. All other employees are prohibited from using electronic media to communicate directly with students who are currently enrolled in the District. The regulations shall address:</p> <ol style="list-style-type: none"> <li>1. Exceptions for family and social relationships;</li> <li>2. The circumstances under which employees may use text messaging to communicate with students; and</li> <li>3. Other matters deemed appropriate by the Superintendent or designee.</li> </ol> <p>An employee shall comply with the District's requirements for records retention and destruction to the extent those requirements apply to electronic media [See CPC]</p>
<b>PERSONAL USE</b>	<p>Employees shall be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media 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, up to and including termination of employment.</p>
<b>SAFETY REQUIREMENTS</b>	<p>All employees shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.</p>
<b>HARASSMENT OR ABUSE</b>	<p>Employees shall not engage in prohibited harassment, including sexual harassment, of:</p> <ol style="list-style-type: none"> <li>1. Other employees [See DIA]</li> <li>2. Students [See FFH; see FFG regarding child abuse and neglect]</li> </ol> <p>While acting in the course of their employment, employees shall not engage in prohibited harassment, including sexual harassment, of other persons, including Board members, vendors, contractors, volunteers, or parents.</p>
<b>RELATIONSHIPS WITH</b>	<p>Employees shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a</p>

STUDENTS	District employee is always prohibited, even if consensual. [See FFH]
TOBACCO USE	Employees shall not use tobacco products on District premises, in District vehicles, or at school or school-related activities. [See also GKA]
ALCOHOL AND DRUGS	<p>Employees shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances while at school or school-related activities, regardless of time or place:</p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. Alcohol or any alcoholic beverage.</li> <li>3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.</li> <li>4. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering substances.</li> </ol> <p>An employee need not be legally intoxicated to be considered "under the influence" of a prohibited substance.</p>
EXCEPTIONS	An employee who manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities, or who uses a drug authorized by a licensed physician prescribed for the employee's personal use shall not be considered to have violated this policy.
NOTICE	<p>Each employee shall be given a copy of the District's notice regarding drug-free schools. [See DI(EXHIBIT)]</p> <p>A copy of this policy, a purpose of which is to eliminate drug abuse from the workplace, shall be provided to each employee at the beginning of each year or upon employment.</p>
ARRESTS, INDICTMENTS, CONVICTIONS, AND OTHER ADJUDICATIONS	<p>An employee shall notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:</p> <ol style="list-style-type: none"> <li>1. Crimes involving school property or funds;</li> <li>2. Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;</li> <li>3. Crimes that occur wholly or in part on school property or at a school-sponsored activity; or</li> <li>4. Crimes involving moral turpitude, which include: <ul style="list-style-type: none"> <li>&gt;Dishonesty; fraud; deceit; theft; misrepresentation;</li> <li>&gt;Deliberate violence;</li> <li>&gt;Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;</li> <li>&gt;Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;</li> <li>&gt;Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or</li> </ul> </li> </ol>

>Acts constituting abuse under the Texas Family Code.

**DRESS AND GROOMING**

The dress and grooming of District employees shall be clean, neat, in a manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors and approved by the Superintendent.

Graham ISD  
252901

**EMPLOYEE WELFARE**

**DI  
(LOCAL)**

**DRUG-FREE AWARENESS PROGRAM**

The District shall maintain a drug-free environment and shall establish, as needed, a drug-free awareness program complying with federal requirements. [See DH] The program shall provide applicable information to employees in the following areas:

1. The dangers of drug use and abuse in the workplace.
2. The District's policy of maintaining a drug-free environment. [See DH(LOCAL)]
3. Drug counseling, rehabilitation, and employee assistance programs that are available in the community, if any.
4. The penalties that may be imposed on employees for violation of drug use and abuse prohibitions. [See DI(EXHIBIT)]

**EMPLOYEE RESPONSIBILITY**

All fees or charges associated with drug/alcohol abuse counseling or rehabilitation shall be the responsibility of the employee.

Graham ISD  
252901

**EMPLOYEE WELFARE**

**DI  
(EXHIBIT)**

**DRUG-FREE WORKPLACE NOTICE**

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

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

- Referral to drug and alcohol counseling or rehabilitation programs;
- Referral to employee assistance programs;
- Termination from employment with the District; and

- Referral to appropriate law enforcement officials for prosecution.

As a condition of employment, an employee shall:

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

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

## **Tobacco Use**

*Policies DH, FNCD, GKA*

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

## **Fraud and Financial Impropriety**

*Policy CAA*

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

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

- Failing to provide financial records required by state or local entities
- Failure to disclose conflicts of interest as required by policy
- Any other dishonest act regarding the finances of the district

## **Conflict of Interest**

*Policy DBD*

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

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

## **Gifts and Favors**

*Policy DBD*

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

## **Copyrighted Materials**

*Policy CY*

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

## **Associations and Political Activities**

*Policy DGA*

The district will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization.

An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

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

## **Safety**

*Policy CK series*

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

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

Employees with questions or concerns relating to safety programs and issues can contact Don Davis, Assistant Superintendent, at 549-0595.

### **General Safety Rules – Claims Administrative Services**

On the job accident prevention is the responsibility of all the district's employees. It is the further responsibility of each employee to correct or report any unsafe condition or practice that he or she may observe.

Each supervisor is responsible for prevention of accidents to employees working under his/her supervision. It is the supervisor's responsibility to train employees to enable them to work safely and efficiently.

#### **General Safety Rules**

The following are some important general safety rules that each employee is required to follow, regardless of work assignments.

1. Lifting improperly is a major factor of the tremendous number of claims for back injuries. The following procedures must be followed:
  - a. Stand properly when lifting. Bend your knees and bring your body up with the load. Keep the load close to your body and keep your back straight.
  - b. Get help for heavy loads.
  - c. Take care when lifting. Lift properly and stay within your limitations.

2. Only qualified, designated employees should work on electrical wiring and equipment.
3. Horseplay or practical jokes will not be tolerated.
4. Good housekeeping is an aid to safety. All employees shall keep tools, equipment, and work areas clean and orderly.
5. Each employee should know the location of fire extinguishers in their work area. Employees should not fight fires that are beyond their fire training and limitations of the available fire fighting equipment. When in doubt, call professional help and evacuate to a safe area.
6. Gasoline will not be used as a washing or cleaning fluid. When cleaning solvent is required, use an approved cleaning solvent.
7. Material will be stored in a safe and orderly fashion. Flammable liquids should be stored in an approved Flammable Storage cabinet.
8. Clean up slipping hazards immediately.
9. Use caution when opening doors that serve two-way pedestrian traffic.
10. Use a stepladder or a step stool for high reaching.
11. Aisles and stairways are to be kept free and clear of boxes and tripping hazards.
12. While in a district vehicle, where provided by the manufacturer, seat belts are required to be worn at all times.
13. Obtain operating instruction for all equipment before attempting to operate any machinery with which you are not familiar; read operating instructions carefully.
14. After use put all tools and/or equipment back in their proper place.
15. Disconnect all electrical cords by grasping the plug and carefully disengaging; never yank by the cord.
16. Use handrails when using the stairways.
17. Material Safety Data Sheets must be available, at the point of use, to any person who requests this information.

## **Possession of Firearms and Weapons**

*Policies FNCG, GKA*

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

## **Visitors in the Workplace**

*Policy GKC*

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



## **Asbestos Management Plan**

*Policy CKA*

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

## **Pest Control Treatment**

*Policies CLB, DI*

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

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

## **General Procedures**

### **Bad Weather Closing**

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

KSWA-KWKQ - Graham  
Channel 3 - Wichita Falls, TX.  
Channel 6 - Wichita Falls, TX.  
WBAP News/Talk 820

### **Emergencies**

*Policies CKC, CKD*

All employees should be familiar with the safety procedures for responding to a medical emergency and the evacuation diagrams posted in their work areas. Emergency drills will be conducted to familiarize employees and students with safety and evacuation

procedures. Each campus is equipped with an automatic external defibrillator. Fire extinguishers are located throughout all district buildings. Employees should know the location of these devices and procedures for their use.

## **Purchasing Procedures**

*Policy CH*

All requests for purchases must be submitted to the GISD Purchasing Department on an official district purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact Suzie Wilson (940) 549-0595 for additional information on purchasing procedures.

## **Name and Address Changes**

It is important that employment records be kept up to date. Employees must notify the central office if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The forms to process a change in personal information can be obtained from Gail White (549-0595).

## **Personnel Records**

*Policy GBA*

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

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

The choice to not allow public access to this information may be made at anytime by submitting a written request to Dr. Beau Rees, Superintendent. New or terminating employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public.

## **Building Use**

*Policies DGA, GKD*

Employees who wish to use district facilities after school hours must follow established procedures. Dr. Beau Rees, Superintendent, is responsible for scheduling the use of facilities after school hours. Contact the central office to request to use school facilities and to obtain information on the fees charged.

# **Termination of Employment**

## **Resignations**

*Policy DFE*

**Contract Employees.** Contract employees may resign their position without penalty at the end of any school year if written notice is received 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the immediate supervisor and Superintendent. Contract employees may resign at any other time only with the approval of the superintendent or the board of trustees. Resignation without the consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

The superintendent will notify the State Board for Educator Certification (SBEC) when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in *Reports to the State Board for Educator Certification*, on page 63

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

## **Dismissal or Nonrenewal of Contract Employees**

*Policies DF AA, DF AB, DF BA, DF BB, DF CA, DF D, DF F*

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

## **Dismissal of Noncontract Employees**

*Policy DCD*

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, gender, national origin, age,

disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, page 30)

## **Exit Interviews and Procedures**

*Policies DC and CY*

Exit interviews will be scheduled for all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience. All district keys, books, property including intellectual property, and equipment must be returned upon separation from employment. The district may withhold the cost of any unreturned items from the final paycheck.(leave or delete?)

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

*Policy DF*

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

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

## **Reports Concerning Court-Ordered Withholdings**

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

- Termination of employment not later than the seventh day after the date of termination

- Employee's last known address
- Name and address of the employee's new employer, if known

## **Student Issues**

### **Equal Educational Opportunities**

*Policies FB, FFH*

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

Questions or concerns about discrimination of students based on sex, including sexual harassment should be directed to Dr. Beau Rees, Superintendent, (940) 549-0595, or to Don Davis, Assistant Superintendent (940) 549-0595, the district's Title IX coordinator. Questions or concerns about discrimination on the basis of a disability should be directed to Clay Wright, Director of Special Programs, at (940) 549-3399.

### **Student Records**

*Policy FL*

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records. The following people are the only people who have general access to a student's records:

- Parents: Married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating the parental rights
- The student (if 18 or older or emancipated by a court)
- School officials with legitimate education interests

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

### **Parent and Student Complaints**

*Policy FNG*

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

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

## **Administering Medication to Students**

*Policy FFAC*

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

## **Dietary Supplements**

*Policies DH, FFAC*

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

## **Psychotropic Drugs**

*Policy FFAC*

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

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

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

## Student Conduct and Discipline

*Policies in the FN series and FO series*

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

## Student Attendance

*Policy FEB*

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

## Bullying

*Policy FFI*

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

### Graham ISD Policy States:

STUDENT WELFARE  
FREEDOM FROM BULLYING

FFI  
(LOCAL)

BULLYING  
PROHIBITED

DEFINITION

**Note:** This policy addresses bullying of District students. For provisions regarding discrimination, harassment, and retaliation involving District students see FFH. For reporting requirements related to child abuse and neglect see FFG.

The District prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy.

Bullying occurs when a student or group of students engage in written or verbal expression or physical conduct that:

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

	environment for a student.
EXAMPLES	Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, and ostracism.
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 promptly report may impair the District's ability to investigate and address the prohibited conduct.
REPORTING PROCEDURES	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, counselor, principal, or other District employee. A report may be made orally or in writing.
NOTICE OF REPORT	Any District employee who receives notice that a student has or may have experienced bullying shall immediately notify the campus principal or designee.
INVESTIGATION OF REPORT	If a report is made orally, the campus principal or designee shall reduce the report to written form.
	The campus principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, and if so proceed under that policy instead.
	The campus principal or designee shall conduct an appropriate investigation based on the allegations in the report. The campus 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 ten District business days from the date of the report; however, the campus principal or designee shall take additional time if necessary to complete a thorough investigation.
	The campus principal or designee shall prepare a written report of the investigation, including a determination of whether bullying occurred, and send a copy to the Superintendent or designee.
DISTRICT ACTION	If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the District's Student Code of Conduct. [For information on student transfers due to bullying, see FDB.]
	The District may take action based on the results of an investigation, even if the District concludes that the conduct did not rise to the level of bullying under this policy.
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 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	Information regarding this policy shall be distributed annually to District



employees and included in the student handbook. Copies of the policy shall be readily available at each campus and the District's administrative offices.

## **Hazing**

*Policy FNCC*

Students must have prior approval from the principal or designee for any type of "initiation rites" of a school club or organization. While most initiation rites are permissible, engaging in or permitting "hazing" is a criminal offense. Any teacher, administrator or employee who observes a student engaged in any form of hazing, who has reason to know or suspect that a student intends to engage in hazing, or has engaged in hazing must report that fact or suspicion to the designated campus administrator.

Updated: June, 2011