



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC Second Reading of LOCAL Polices in TASB Update 103

SUBMITTED BY: Gloria S. Rendon **OF:** Associate Supt. for Administration

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: December 16, 2015

RECOMMENDATION:

It is recommended that the United ISD Board of Trustees approve Second Reading of LOCAL Polices in TASB Update 103.

BBFA (EXHIBIT) ETHICS – CONFLICT OF INTEREST DISCLOSURES
BF(LOCAL): BOARD POLICIES
CAA(LOCAL): FISCAL MANAGEMENT GOALS AND OBJECTIVES - FINANCIAL ETHICS
CB(LOCAL): STATE AND FEDERAL REVENUE SOURCES
CKE(LOCAL): SAFETY PROGRAM/RISK MANAGEMENT - SECURITY PERSONNEL
CO(LOCAL): FOOD SERVICES MANAGEMENT
DBD (EXHIBIT) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS - CONFLICT OF INTEREST
DBD(LOCAL): EMPLOYMENT REQUIREMENTS AND RESTRICTIONS - CONFLICT OF INTEREST
DH(LOCAL): EMPLOYEE STANDARDS OF CONDUCT
DIA(EXHIBIT): EMPLOYEE WELFARE - FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
DIA(LOCAL): EMPLOYEE WELFARE - FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
FEA(LOCAL): ATTENDANCE - COMPULSORY ATTENDANCE
FEC(LOCAL): ATTENDANCE - ATTENDANCE FOR CREDIT
GKA(LOCAL): COMMUNITY RELATIONS - CONDUCT ON SCHOOL PREMISES
GRA(LOCAL): RELATIONS WITH GOVERNMENTAL ENTITIES - STATE AND LOCAL GOVERNMENTAL AUTHORITIES

RATIONALE:

BUDGETARY INFORMATION:

BOARD POLICY REFERENCE AND COMPLIANCE:

(LOCAL) Policy Comparison Packet

Each marked-up (LOCAL) policy in this collection reflects an automated comparison of the updated policy with its precursor, as found in the TASB Policy Service records.

The comparison is generated by an automated process that shows changes as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow.

For further assistance in understanding changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

Please Note:

At **Update 103** you may see some duplicated margin notes in the policy comparison documents. They look like a tracked change where no clear change has taken place, like so:

~~MARGIN NOTE~~

MARGIN NOTE

This is an unintended side effect of Policy Service's recent migration to Word 2013, which revealed formatting issues in some margin notes that had not been apparent in earlier versions of Word. Fixing those formatting issues during Update 103 editing has now caused Word to annotate some margin notes where the wording itself hasn't changed, resulting in the effect described above.

We apologize for any inconvenience. If you would like assistance cleaning up the tracked changes in your local policy comparison documents, please contact TASB Policy Service, and we'll be glad to help.

Policy.Service@tasb.org

800-580-7529

512-467-0222

BOARD POLICIES

BF
(LOCAL)

Within the context of current law, the District shall be guided by Board-adopted written policies that are given appropriate distribution and are accessible to staff members, parents, students, and community residents.

ORGANIZATION

Legally referenced policies contain provisions from federal and state statutes and regulations, case law, and other legal authority that together form the framework for local decision making and implementation. These policies are binding on the District until the cited provisions are repealed, revised, or superseded by legislative, regulatory, or judicial action.

At each policy code the legally referenced policy and the Board-adopted local policy must be read together to further a full understanding of a topic.

TERMS

The terms "Trustee" and "Board member" are used interchangeably in the local policy manual. Both terms are intended to reflect all the duties and obligations of the office.

[See AB for District name terminology.]

HARMONY WITH LAW

Newly enacted law is applicable when effective. No policy or regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable law.

SEVERABILITY

If any portion of a policy or its application to any person or circumstance is found to be invalid, that invalidity shall not affect other provisions or applications of policy that can be given effect without the invalid provision or application; and to this end the provisions of this policy manual are declared to be severable.

POLICY DEVELOPMENT

Policies and policy amendments may be initiated by the Superintendent, Board members, school personnel, or community citizens, but generally shall be recommended for the Board's consideration by the Superintendent.

OFFICIAL POLICY MANUAL

The Board shall designate one copy of the local policy manual as the official policy manual of the District. The official copy shall be kept in the **central administration Superintendent's** office, and the Superintendent or designee shall be responsible for its accuracy and integrity and shall maintain a historical record of the District's policy manual.

ADOPTION AND AMENDMENT

Proposed local policies or amendments introduced and recommended to the Board at one meeting shall not be adopted until a subsequent meeting. Emergency adoption, however, may occur in one meeting if special circumstances demand an immediate response.

BOARD POLICIES

BF
(LOCAL)

Local policies become effective upon Board adoption or at a future date designated by the Board at the time of adoption.

TASB LOCALIZED
UPDATES

After Board review of legally referenced policies and adoption of local policies, the new material shall be incorporated into the official policy manual and into other localized policy manuals maintained by the District. If discrepancies occur between different copies of the manual ~~distributed throughout the District~~, the version contained in the official policy manual shall be regarded as authoritative.

United ISD
240903

ETHICS
CONFLICT OF INTEREST DISCLOSURES

BBFA
(EXHIBIT)

See the following pages for forms that may be used for compliance with disclosure requirements:

Exhibit A: Affidavit Disclosing Substantial Interest in a Business Entity or Real Property, as defined in Local Government Code 171.002 — 2 pages

Exhibit B: Affidavit Disclosing Interest in Property, under Government Code Chapter 553, Subchapter A — 1 page

ADDITIONAL DISCLOSURE: The conflicts disclosure statement required of members of the Board, the Superintendent, and, as applicable, other District employees by Local Government Code 176.003 is available on the Texas Ethics Commission website at <http://www.ethics.state.tx.us>.

EXHIBIT A

AFFIDAVIT DISCLOSING SUBSTANTIAL INTEREST
IN A BUSINESS ENTITY OR REAL PROPERTY

STATE OF TEXAS
COUNTY OF WEBB

I, _____ (*name*), as a local public official of
United Independent School District, make this affidavit and on my oath state the following:

1. I, or a person(s) related to me in the first degree, have a substantial interest in:
 - a business entity, as those terms are defined in Local Government Code Sections 171.001–.002, that would experience a special economic effect distinguishable from its effect on the public by a vote or decision of the Board.

or

 - real property for which it is reasonably foreseeable that the Board's action or my action will have a special economic effect on the value of the property distinguishable from its effect on the public.

2. The business entity or real property is

(*name/address of business or description of property*).

(*"I" or name of relative and relationship*) (have)(has) a
substantial interest in this business entity or real property as follows:
(*check all that apply*)

- Ownership of ten percent or more of the voting stock or shares of the business entity.
 - Ownership of ten percent or more of the fair market value of the business entity.
 - Ownership of \$15,000 or more of the fair market value of the business entity.
 - Funds received from the business entity exceed ten percent of _____ (*my, her, his*) gross income for the previous year.
 - Real property is involved and _____ (*I, she, he*) (have)(has) an equitable or legal ownership with a fair market value of at least \$2,500.
3. The statements in this affidavit are based on my personal knowledge and are true and correct.
 4. Upon the filing of this affidavit with the Board's official record keeper, I affirm that I shall abstain from participation in any decision involving this business entity or real property, unless permitted according to Local Government Code 171.004(c).

United ISD
240903

ETHICS
CONFLICT OF INTEREST DISCLOSURES

BBFA
(EXHIBIT)

Signed _____ (date)

Signature of official _____

Title _____

STATE OF TEXAS
COUNTY OF WEBB

Sworn to and subscribed before me on this _____ day of _____ (month),
_____ (year).

_____, Notary Public, State of Texas

United ISD
240903

ETHICS
CONFLICT OF INTEREST DISCLOSURES

BBFA
(EXHIBIT)

EXHIBIT B

AFFIDAVIT DISCLOSING INTEREST IN PROPERTY.

STATE OF TEXAS
COUNTY OF WEBB

I, _____ (name of affiant), (check one of the following)

- as an officer of, or
- as a Board candidate for,

United Independent School District make this affidavit and on my oath state the following:

1. I have a legal or equitable interest in property to be acquired with public funds, either by purchase or condemnation. The property is fully described as follows:
_____.
2. The nature, type, and amount of interest, including percentage of ownership, I have in the property is:
_____.
3. I acquired my interest in the property on _____ (date).
4. The information stated in this affidavit is personally known by me to be correct and contains the information required by Section 553.002, Government Code.

Signed _____ (date)

Signature of affiant _____

Office or public title _____

STATE OF TEXAS
COUNTY OF WEBB

Sworn to and subscribed before me on this _____ day of _____ (month),
_____ (year).

_____, Notary Public, State of Texas

NOTE: This affidavit must be filed with the county clerk(s) of the county or counties in which the property is located and of the county in which the public servant or candidate resides within ten days before the date on which the property is to be acquired by purchase or condemnation.

All ~~Trustees~~~~Board members~~, employees, vendors, contractors, **agents**, consultants, volunteers, and any other parties who are involved in the District's financial transactions shall act with integrity and diligence in duties involving the District's fiscal resources.

Note: See the following policies and/or administrative regulations regarding conflicts of interest, ethics, and financial oversight:

- Code of ethics:
for Board members—BBF
for employees—DH
- Financial conflicts of interest:
for public officials—BBFA
for all employees—DBD
for vendors—CHE
- Compliance with state and federal grant and award requirements: CB, CBB
- Financial conflicts and gifts and gratuities regarding ~~involving~~ federal funds: CB, CBB
- Systems for monitoring the District's investment program: CDA
- Budget planning and evaluation: CE
- Compliance with accounting regulations: CFC
- Activity fund management: CFD
- Criminal history record information for employees: DBAA, DC
- Disciplinary action for fraud by employees: DCD, DCE, and DF series

FRAUD AND
FINANCIAL
IMPROPRIETY

The District prohibits fraud and financial impropriety, as defined below, in the actions of its ~~Trustees~~~~Board members~~, employees, vendors, contractors, **agents**, consultants, volunteers, and others seeking or maintaining a business relationship with the District.

DEFINITION

Fraud and financial impropriety shall include but not be limited to:

1. Forgery or unauthorized alteration of any document or account belonging to the District.
2. Forgery or unauthorized alteration of a check, bank draft, or any other financial document.

FISCAL MANAGEMENT GOALS AND OBJECTIVES
FINANCIAL ETHICS

CAA
(LOCAL)

3. Misappropriation of funds, securities, supplies, or other District assets, including employee time.
4. Impropriety in the handling of money or reporting of District financial transactions.
5. Profiteering as a result of insider knowledge of District information or activities.
6. Unauthorized disclosure of confidential or proprietary information to outside parties.
7. Unauthorized disclosure of investment activities engaged in or contemplated by the District.
8. Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the District, except as otherwise permitted by law or District policy. [See CB, DBD]
9. Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment.
10. Failure to provide financial records required by federal, state, or local entities.
11. Failure to disclose conflicts of interest as required by law or District policy.
12. Any other dishonest act regarding the finances of the District.
1. **Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards.**

FINANCIAL CONTROLS
AND OVERSIGHT

Each employee who supervises or prepares District financial reports or transactions shall set an example of honest and ethical behavior and shall actively monitor his or her area of responsibility for fraud and financial impropriety.

FRAUD PREVENTION

The Superintendent or designee shall maintain a system of internal controls to deter and monitor for fraud or financial impropriety in the District.

REPORTS

Any person who suspects fraud or financial impropriety in the District shall report the suspicions immediately to any supervisor, the Superintendent or designee, the Board President, local law enforcement, or the 24-hour fraud and ethics hotline.

Reports of suspected fraud or financial impropriety shall be treated as confidential to the extent permitted by law. Limited disclosure may be necessary to complete a full investigation or to comply with

FISCAL MANAGEMENT GOALS AND OBJECTIVES
FINANCIAL ETHICS

CAA
(LOCAL)

	<p>law. All employees involved in an investigation shall be advised to keep information about the investigation confidential.</p>
PROTECTION FROM RETALIATION	<p>Neither the Board nor any District employee shall unlawfully retaliate against a person who in good faith reports perceived fraud or financial impropriety. [See DG]</p>
FRAUD INVESTIGATIONS	<p>In coordination with legal counsel and other internal or external departments or agencies, as appropriate, the Superintendent, Board President, or a designee shall promptly investigate reports of potential fraud or financial impropriety.</p>
RESPONSE	<p>If an investigation substantiates a report of fraud or financial impropriety, the Superintendent or designee shall promptly inform the Board of the report, the investigation, and any responsive action taken or recommended by the administration.</p> <p>If an employee is found to have committed fraud or financial impropriety, the Superintendent or designee shall take or recommend appropriate disciplinary action, which may include termination of employment. If a contractor or vendor is found to have committed fraud or financial impropriety, the District shall take appropriate action, which may include cancellation of the District's relationship with the contractor or vendor.</p> <p>When circumstances warrant, the Board, Superintendent, or designee may refer matters to appropriate law enforcement or regulatory authorities. In cases involving monetary loss to the District, the District may seek to recover lost or misappropriated funds.</p> <p>The final disposition of the matter and any decision to file a criminal complaint or to refer the matter to the appropriate law enforcement or regulatory agency for independent investigation shall be made in consultation with legal counsel.</p>
FEDERAL AWARDS DISCLOSURE	<p>The District shall disclose, in a timely manner in writing to the federal awarding agency or pass-through entity, all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting a federal grant award. [See CBB]</p>
ANALYSIS OF FRAUD	<p>After any investigation substantiates a report of fraud or financial impropriety, the Superintendent or designee shall analyze conditions or factors that may have contributed to the fraudulent or improper activity. The Superintendent or designee shall ensure that appropriate administrative procedures are developed and implemented to prevent future misconduct. These measures shall be presented to the Board for review.</p>

STATE AND FEDERAL REVENUE SOURCES

CB
(LOCAL)

GRANTS AND AWARDS The Superintendent shall be authorized to:

1. Apply, on behalf of the Board, for any and all special federal and state grants and awards as deemed appropriate for the District's operations;
2. Approve commitment of District funds for matching, cost sharing, cooperative, or jointly funded projects up to the amounts specifically allowed under the District budget approved by the Board; and
3. Approve grant and award amendments as necessary.

The District shall comply with all requirements for state and federal grants and awards imposed by law, the awarding agency, or an applicable pass-through entity. The Superintendent shall develop and enforce financial management systems, internal control procedures, procurement procedures, and other administrative procedures as needed to provide reasonable assurance that the District is complying with requirements for state and federal grants and awards.

[See CAA, CBB]

FEDERAL AWARDS
CONFLICT OF
INTEREST

Each employee, Board member, or agent of the District who is engaged in the selection, award, or administration of a contract supported by a federal grant or award and who has a potential conflict of interest as defined at Code of Federal Regulations, title 2, section 200.318, shall disclose to the District, in writing, any conflict that meets the disclosure threshold in Chapter 176 of the Local Government Code. [See CBB]

In addition, each employee, Board member, or agent of the District shall comply with any other conflict of interest requirements imposed by the granting agency or a pass-through entity.

For purposes of this policy, "immediate family member" shall have the same meaning as "family member" as described in Chapter 176 of the Government Code. [See BBFA]

For purposes of this policy, "partner" shall have the same meaning as defined in Business Organizations Code Chapter 1, Subchapter A.

An employee, Board member, or agent of the District who is required to disclose a conflict in accordance with the provisions above shall not participate in the selection, award, or administration of a contract supported by a federal grant or award.

STATE AND FEDERAL REVENUE SOURCES

CB
(LOCAL)

GIFTS AND
GRATUITIES

Employees, Board members, and agents of the District shall not solicit any gratuities, favors, or items from a contractor or a party to a subcontractor for a federal grant or award and shall not accept:

1. Any single item with a value at or above \$50; or
2. Items from a single contractor or subcontractor that have an aggregate monetary value exceeding \$100 in a 12-month period.

[See BBFB, CBB, DBD. In the event of a violation of these requirements, see CAA and DH.]

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

~~DISTRICT POLICE~~
~~DEPARTMENT~~

To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a District police department and shall employ and commission police officers.

~~DISTRICT POLICE~~
~~DEPARTMENT~~
~~SUPERVISORY~~
~~AUTHORITY~~

The chief of police shall be accountable to and shall report to the Superintendent. In accordance with law, the Superintendent shall not delegate this supervisory responsibility.

~~SUPERVISORY~~
~~AUTHORITY~~
~~JURISDICTION~~

The jurisdiction of police officers shall include all territory within District boundaries, as well as all real and personal property outside the boundaries of the District that is owned, leased, or rented by the District, or is otherwise under the District's control.

~~JURISDICTION~~

~~POLICE AUTHORITY~~
~~POLICE AUTHORITY~~

Police officers employed by the District shall have all the powers, privileges, and immunities of police officers on or off duty within the jurisdiction of the District. District police officers shall have the authority to:

1. Protect the safety and welfare of any person in the jurisdiction of the District and protect the property of the District.
2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, District police officers may serve search warrants in connection with District-related investigations in compliance with the Texas Code of Criminal Procedure.
3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure.
4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.
5. Enforce District policies on District property, in school zones, at bus stops, or at District functions.
6. Investigate violations of District policy, rules, and regulations as requested by the Superintendent and participate in administrative hearings concerning the alleged violations.
7. Carry weapons as directed by the chief of police and approved by the Superintendent.
8. Carry out all other duties as directed by the chief of police or Superintendent.

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

TEMPORARY ASSIGNMENT	District police officers shall enforce all laws, including municipal ordinances, county ordinances, and state laws within another law enforcement agency's jurisdiction while temporarily assigned to the other agency.
TEMPORARY ASSIGNMENT	
LIMITATIONS ON NONSCHOOL EMPLOYMENT	No officer commissioned under this policy shall provide law enforcement or security services for an outside employer without prior written approval from the chief of police and Superintendent.
LIMITATIONS ON NONSCHOOL EMPLOYMENT	
RELATIONSHIP WITH OUTSIDE AGENCIES	The District's police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into a memorandum of understanding that outlines reasonable communication and coordination efforts among the department and the agencies. The chief of police and the Superintendent shall review the memorandum of understanding at least once every year. The memorandum of understanding shall be approved by the Board.
RELATIONSHIP WITH OUTSIDE AGENCIES	
VIDEO MONITORING	If available, video equipment shall be used on a District police car for safety purposes whenever the flashing lights on the car are in use.
ACCESS TO RECORDINGS	Recordings shall be considered law enforcement records, shall remain in the custody of the chief of police, and shall be maintained as required by the department regulations manual and law. A parent or student who wishes to view a video recording in response to disciplinary action taken against the student may request such access under the procedures set out by law. [See FL(LEGAL)]
TRAINING	All District officers shall receive at least the minimum amount of continuing education and training required by law.the Texas Commission on Law Enforcement (TCOLE).
OFFICER TRAINING	
DEPARTMENT REGULATIONS MANUAL	To carry out the provisions in this policy, the police department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services. The chief of police and the Superintendent shall review the manual annually and make any appropriate revisions.
DEPARTMENT REGULATIONS MANUAL	
RACIAL PROFILING	The chief of police shall develop and implement regulations to ensure compliance with state law regarding racial profiling. Police officers employed by the District shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.
USE OF FORCE	The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.
USE OF FORCE	

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

**HIGH-SPEED
PURSUIT**

~~HIGH-SPEED
PURSUIT~~

Officers shall not engage in high-speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high-speed pursuits shall be addressed in the department regulations manual.

COMPLAINTS

~~COMPLAINTS~~

Complaints against a District police officer shall be in writing on a form provided by the District and shall be signed by the person making the complaint. In accordance with law, the District shall provide to the police officer a copy of the complaint. [See COMPLAINTS AGAINST PEACE OFFICERS at CKE(LEGAL)]

Appeals regarding this complaint process shall be filed in accordance with DGBA, FNG, or GF, as appropriate.

The Superintendent shall develop regulations regarding the use of a prepaid meal card or account to purchase meals served at school. The regulations shall address:

1. The length of the grace period during which a student may continue to purchase meals with a meal card or account that is exhausted or insufficient; and
2. Parent notification in the event of an exhausted card or account, including a schedule for repayment.

No fees or interest shall be charged in connection with meals purchased with an exhausted card or account.

United ISD
240903

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(EXHIBIT)

See the following pages for forms to be used by employees for disclosing potential conflicts of interest:

- Exhibit A: Affidavit Disclosing Substantial Interest in a Business Entity or in Real Property, as defined in Local Government Code 171.002 — 2 pages
- Exhibit B: Affidavit Disclosing Interest in Property, under Government Code Chapter 553, Subchapter A — 1 page

ADDITIONAL DISCLOSURE: The conflicts disclosure statement required of the Superintendent and, as applicable, other District employees by Local Government Code 176.003 is available on the Texas Ethics Commission website at <http://www.ethics.state.tx.us>.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(EXHIBIT)

EXHIBIT A

AFFIDAVIT DISCLOSING SUBSTANTIAL INTEREST
IN A BUSINESS ENTITY OR IN REAL PROPERTY

STATE OF TEXAS
COUNTY OF WEBB

I, _____ (*name*), as an employee of
United Independent School District, make this affidavit and on my oath state the following:

1. I have a substantial interest in:

- a business entity, as those terms are defined in Local Government Code Sections 171.001-.002, that would experience a special economic effect distinguishable from its effect on the public by an action of the Board or the District. [See BBFA]

or

- real property for which it is reasonably foreseeable that an action of the Board or District will have a special economic effect on the value of the property distinguishable from its effect on the public.

2. The business entity or real property is

(*name/address of business or description of property*).

I _____ have a substantial interest in this business entity or
real property as follows: (*check all that apply*)

- Ownership of ten percent or more of the voting stock or shares of the business entity.
 - Ownership of ten percent or more of the fair market value of the business entity.
 - Ownership of \$15,000 or more of the fair market value of the business entity.
 - Funds received from the business entity exceed ten percent of my gross income for the previous year.
 - Real property is involved and I have an equitable or legal ownership with a fair market value of at least \$2,500.
3. The statements in this affidavit are based on my personal knowledge and are true and correct.

United ISD
240903

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(EXHIBIT)

Signed _____ (date)

Signature of employee _____

Title _____

STATE OF TEXAS
COUNTY OF WEBB

Sworn to and subscribed before me on this _____ day of _____ (month),
_____ (year).

_____, Notary Public, State of Texas

NOTE: This affidavit should be filed with the Superintendent, Board President, or a designee before the Board takes action concerning the business entity or real property.

United ISD
240903

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(EXHIBIT)

EXHIBIT B

AFFIDAVIT DISCLOSING INTEREST IN PROPERTY

STATE OF TEXAS
COUNTY OF WEBB

I, _____ (name), as Superintendent of
United Independent School District, make this affidavit and on my oath state the following:

1. I have a legal or equitable interest in property to be acquired with public funds, either by purchase or condemnation. The property is described as follows:
_____.
2. The nature, type, and amount of interest, including percentage of ownership, I have in the property is:
_____.
3. I acquired my interest in the property on _____ (date).
4. The information stated in this affidavit is personally known by me to be correct and contains the information required by Section 553.002, Government Code.

Signed _____ (date)

Signature of Superintendent _____

STATE OF TEXAS
COUNTY OF WEBB

Sworn to and subscribed before me on this _____ day of _____ (month),
_____ (year).

_____, Notary Public, State of Texas

NOTE: This affidavit must be filed with the county clerk(s) of the county or counties in which the property is located and of the county in which the Superintendent resides within ten days before the date on which the property is to be acquired by purchase or condemnation.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(LOCAL)

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

DISCLOSURE —
GENERAL STANDARD

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

SPECIFIC
DISCLOSURES
SUBSTANTIAL
INTEREST

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

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

INTEREST IN
PROPERTY

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

~~CONFLICTS
DISCLOSURE
STATEMENT~~

~~The Superintendent, as required by law, and employees in the administrative position of principal, director, or above shall be required to file the conflicts disclosure statement, as promulgated by the Texas Ethics Commission and as specified by Local Government Code 176.003-.005.~~

ANNUAL FINANCIAL
MANAGEMENT
REPORT

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

[See BBFA]

GIFTS

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

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

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

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(LOCAL)

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

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

ENDORSEMENTS

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

SALES

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

NONSCHOOL
EMPLOYMENT

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

PRIVATE TUTORING

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

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

Each District employee shall perform his or her duties in accordance with state and federal law, District policy, and ethical standards. [See DH(EXHIBIT)]

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

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

COVERED ACTIVITIES

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

INAPPROPRIATE
CONDUCT

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

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

DUTY TO REPORT

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

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

INVESTIGATION
DUTIES

During the investigation, employees should:

1. Direct all inquiries from suspected individuals, attorneys, or representatives to the department of human resources;

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

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

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

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

**WEAPONS
PROHIBITED**

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

~~VIOLATIONS OF
STANDARDS OF
CONDUCT~~

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

~~ELECTRONIC MEDIA
EXCEPTIONS~~

No violation of this policy occurs when:

1. **Use or possession of a firearm by a specific employee is authorized by Board action. [See CKE]**

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2. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]

ELECTRONIC MEDIA

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 websites, 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.

USE WITH
STUDENTS

~~USE WITH
STUDENTS~~

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:

1. Exceptions for family and social relationships;
2. The circumstances under which an employee may use text messaging to communicate with students; and
3. Other matters deemed appropriate by the Superintendent or designee.

Each employee shall comply with the District's requirements for records retention and destruction to the extent those requirements apply to electronic media. [See CPC]

PERSONAL USE

~~PERSONAL USE~~

An employee shall be held to the same professional standards in his or her public use of electronic media as 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 action, up to and including termination of employment.

CELLULAR
PHONES

The following shall apply to the use of cellular phones in school buildings:

1. A teacher may use a cellular phone for business calls, including parent contacts, only during planning periods and other off-duty times during the instructional day.
2. Personal calls may not be made or received during class periods. Cellular phones shall remain off during instructional time.

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SAFETY
REQUIREMENTS

Each employee shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

HARASSMENT OR
ABUSE

An employee shall not engage in prohibited harassment, including sexual harassment, of:

1. Other employees. [See DIA]
2. Students. [See FFH; see FFG regarding child abuse and neglect.]

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

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

RELATIONSHIPS WITH
STUDENTS

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

TOBACCO AND
E-CIGARETTES ~~USE~~

An employee shall not ~~smoke or~~ use tobacco products ~~or e-cigarettes~~ on District ~~property~~ ~~premises~~, in District vehicles, or ~~at school or~~ school-related activities. [See also GKA]

ALCOHOL AND DRUGS

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

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drug.

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

EXCEPTIONS

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

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(LOCAL)

<p>MANUFACTURESEXCEPTIONS</p>	<p>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.</p>
<p>NOTICE</p>	<p>1. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use; or</p> <p>2. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian.</p> <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>
<p>VIDEOTAPING OF STUDENTS</p>	<p>An employee shall obtain written consent of a student's parent or guardian [see FNG(LEGAL)] and from the campus principal before the employee may make or authorize the videotaping of a student or record or authorize the recording of a student's voice, unless the recording is made by a student for the purpose of facilitating classroom instruction.</p>
<p>PRINCIPAL'S APPROVAL</p>	<p>The principal's written consent shall be obtained prior to videotaping or recording a student even when the law does not require the consent of a parent or guardian, such as when the videotape or recording is to be used for purposes of safety or for a purpose related to regular classroom instruction, as provided by law. [See FL]</p>
<p>EXCEPTION</p>	<p>In the case of videotaping a deposition for an employee termination or grievance action, the only consent to be obtained in advance shall be that of the student's parent or guardian.</p>
<p>CARE OF NONENROLLED CHILDREN</p>	<p>An employee shall not bring his or her own child or another person's child to school for the purpose of child care or babysitting. Personnel are employed to perform District functions while on duty and shall not bring or care for a child who is not enrolled on the campus at that time to the building to remain during working hours of the regular school day or summer school, or after school hours if the employee is still performing work-related duties. In instances where an employee has been allowed to enroll his or her child at his or her campus, the principal may allow for the student to be cared for by his or her parent after school/work hours.</p>

EMPLOYEE STANDARDS OF CONDUCT

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ARRESTS,
INDICTMENTS,
CONVICTIONS, AND
OTHER
ADJUDICATIONS

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

- ~~1. Crimes involving school property or funds;~~
- ~~2. Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;~~
- ~~3. Crimes that occur wholly or in part on school property or at a school-sponsored activity; or~~
- ~~4. Crimes involving moral turpitude, which include:
 - ~~• Dishonesty, fraud, deceit, theft, or misrepresentation;~~
 - ~~• Deliberate violence;~~
 - ~~• Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;~~
 - ~~• Felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;~~
 - ~~• Felony driving while intoxicated (DWI); or~~
 - ~~• Acts constituting abuse or neglect under the Texas Family Code.~~~~

CRIMINAL HISTORY
BACKGROUND CHECK

At least once annually, the District may obtain criminal history records of Webb County and the counties contiguous to Webb County. The District may obtain this information from any other county when it has reason to believe that an employee has been convicted of a crime in such county or **from** a police department, the Department of Public Safety, or the Texas Department of Corrections. [See DC]

An employee under felony indictment shall be recommended for suspension without pay pending adjudication of his or her case.

ELECTRONIC
RECORDING

CONVERSATIONS
AND MEETINGS

An employee shall not electronically record by audio, video, or other means, any conversation or meeting unless each person present has been notified and consents to being electronically recorded. Persons wishing to record a meeting shall obtain consent from anyone arriving late.

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TELEPHONE CONVERSATIONS	An employee shall not electronically record telephone conversations unless all persons participating in the telephone conversation have consented to be electronically recorded.
PUBLIC OR OTHER OPEN MEETINGS	These provisions are not intended to limit or restrict electronic recordings of publicly posted Board meetings, Board committee meetings, appeals and grievance hearings, or any other Board-sanctioned meeting recorded in accordance with Board policy.
OFFICIAL INVESTIGATIONS	These provisions are not intended to limit or restrict electronic recordings involving authorized investigations conducted by the police or the department of human resources.
HARASSMENT	An employee shall not engage in conduct constituting racial, ethnic, religious, gender, or sexual orientation harassment of another employee, a student, or any person involved in who seeks the campus community in any capacity or who interfaces with the District.
DEFINITION	Racial, ethnic, religious, gender, or sexual orientation harassment includes, but is not limited to, oral, written, psychological, physical (both climate and contact), and other demonstrative actions with regards to race, creed, ethnic origin, religious preference, gender, or sexual orientation that is harassing and/or abusive.
JOB DUTIES	An employee shall not conduct private or personal activities during the workday in lieu of, or while conducting, his or her assigned job duties and responsibilities. Except as permitted by policy, an employee shall not conduct or participate in meetings or individual conferences related to a professional or employee association or organization in lieu of, or while conducting, his or her assigned job duties and responsibilities. [See also DGA and DMD]
SOLICITATION	Except as approved in advance by the Superintendent or designee or permitted by District policy, commercial solicitation by an employee is prohibited on District property. "Commercial solicitation" for purposes of this policy shall mean: <ol style="list-style-type: none">1. Selling or attempting to sell products or services for personal profit on behalf of a commercial enterprise or for a purpose unrelated to the school or District;2. Requesting contributions, pledges, or donations for a purpose unrelated to the school or District; or3. Providing items or making announcements that endorse or market a personal or commercial enterprise or a product or service unrelated to the school or District either through personal contact, or by sending or causing to be sent a commu-

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(LOCAL)

nication through the District's electronic, telephone, or mail system.

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

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

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

DISTRIBUTION OF
NONSCHOOL
LITERATURE

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

IDENTIFICATION
BADGES

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

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

United ISD
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EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(EXHIBIT)

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

Name: Rita Garner
Position: Director of Employee Relations
Address: 201 Lindenwood Dr., Laredo, TX 78045
Telephone: (956) 473-6351

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: Emma Leza
Position: Executive Director of Instructional Accountability
Address: 4410 State Hwy. 359, Laredo, TX 78043
Telephone: (956) 473-5245

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

DEFINITIONS

Solely for purposes of this policy, the term "employees" includes former employees, applicants for employment, and unpaid interns.

**STATEMENT OF
NONDISCRIMINATIONS
~~TATEMENT OF
NONDISCRIMINATION~~**

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.

**DISCRIMINATION
~~DISCRIMINATION~~**

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.

HARASSMENT

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:

1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.

EXAMPLES

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 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.

SEXUAL HARASSMENT

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

EXAMPLES

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.

RETALIATION

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.

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.

EXAMPLES

EXAMPLES

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.

PROHIBITED
CONDUCT PROHIBITED
CONDUCT

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.

REPORTING
PROCEDURES

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.

Alternatively, the employee may report the alleged acts to one of the District officials below.

DEFINITION
OF DEFINITION OF
DISTRICT OFFICIALS

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

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

TITLE IX COORDINATOR	<p>Reports of discrimination based on sex, including sexual harassment, may be directed to the designated Title IX coordinator. [See DIA(EXHIBIT)]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> <p>Name: _____ Rita Garner</p> <p>Position: _____ Director of Employee Relations</p> <p>Address: _____ 201 Lindenwood Dr., Laredo, TX 78045</p> <p>Telephone: _____ (956) 473-6354</p>
ADA / SECTION 504 COORDINATOR	<p>Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See DIA(EXHIBIT)]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: _____ Emma Loza</p> <p>Position: _____ Executive Director of Instructional Accountability</p> <p>Address: _____ 4410 State Hwy. 359, Laredo, TX 78043</p> <p>Telephone: _____ (956) 473-5245</p>
SUPERINTENDENT	<p>The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.</p>
ALTERNATIVE REPORTING PROCEDURES	<p>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.</p>
ALTERNATIVE REPORTING PROCEDURES	<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>
TIMELY REPORTING	<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 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.</p>

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

INVESTIGATION OF THE REPORT	<p>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.</p> <p>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.</p> <p>If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.</p> <p>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.</p> <p>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.</p>
CONCLUDING THE INVESTIGATION	<p>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.</p> <p>The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.</p>
DISTRICT ACTION	<p>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.</p> <p>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.</p>
CONFIDENTIALITY	<p>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.</p>

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

APPEAL

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

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

RECORDS RETENTION

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.

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

EXCUSED ABSENCES

In addition to excused absences required by law, the District shall excuse absences for the following purposes.

**HIGHER
EDUCATION VISITS**

~~STUDENTS AGE 18
AND OVER
HIGHER EDUCATION
VISITS~~

~~A student who voluntarily attends school after the student's 18th birthday shall be required to attend school until the end of the school year.~~

The District shall excuse a student for up to two days during the student's junior year and up to two days during the student's senior year to visit an accredited institution of higher education. A student shall be required to submit verification of such visits in accordance with administrative regulations.

**EARLY VOTING OR
ELECTION CLERK**

~~EARLY VOTING OR
ELECTION CLERK~~

The District shall excuse a student for up to two days per school year to serve as an early voting or election clerk. A student shall be required to submit verification of service in accordance with administrative regulations.

[For extracurricular activity absences, see FM.]

**WITHDRAWAL FOR
NONATTENDANCE**

The District may initiate withdrawal of a student under the age of ~~19~~**18** for nonattendance under the following conditions:

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

For **District-initiated** withdrawal of students ~~19~~**18** or older, see FEA(LEGAL). Each case shall be reviewed on an individual basis by the campus Attendance Review Committee (ARC), and the student may be withdrawn upon recommendation of the ARC and/or principal.

**STUDENTS IN
HOMESCHOOLS**

When the District becomes aware that a student is being or will be homeschooled, the Superintendent or designee may request in writing a letter of notification from the parents of their intention to homeschool using a curriculum designed to meet basic education goals of reading, spelling, grammar, mathematics, and a study of good citizenship.

If the parents refuse to submit a letter of notification or if the District has evidence that the school-age child is not being homeschooled within legal requirements, the District may investigate further and, if warranted, shall pursue legal action to enforce the compulsory attendance law.

	<p>This policy shall apply to a student who has not been in attendance for 90 percent of the days the class is offered.</p>
<p>CONSIDERATION OF ALL ABSENCES</p>	<p>All absences shall be considered in determining whether a student has attended the required percentage of days under this policy.</p>
<p>ATTENDANCE COMMITTEES</p>	<p>The Board shall establish an attendance committee or as many committees as necessary for efficient implementation of Education Code 25.092.</p> <p>The Superintendent or designee shall make the specific appointments in accordance with legal requirements.</p>
<p>PARENTAL NOTICE OF EXCESSIVE ABSENCES</p>	<p>A student and the student's parent or guardian shall be given written notice prior to and at such time when a student's attendance in any class drops below 90 percent of the days the class is offered.</p>
<p>METHODS FOR REGAINING CREDIT OR AWARDING A FINAL GRADE</p>	<p>When a student's attendance drops below 90 percent but remains at least at 75 percent of the days the class is offered, the student may earn credit for the class or a final grade by completing a plan approved by the principal. This plan must provide for the student to meet the instructional requirements of the class as determined by the principal.</p> <p>Petitions for credit or a final grade may be filed at any time the student receives notice but, in any event, no later than 30 days after the last day of classes.30 days after the last day of classes.</p> <p>The attendance committee shall review the student's entire attendance record and the reasons for absences and shall determine whether to award credit or a final grade. The attendance committee may also, whether a petition is filed or not, review the records of all students whose attendance drops below 90 percent of the days the class is offered.</p> <p>Students who have lost credit or have not received a final grade because of excessive absences may regain credit or be awarded a final grade by fulfilling the requirements established by the attendance committee.</p>
<p>PERSONAL ILLNESS</p>	<p>If a student has established a questionable pattern of absences, the principal or attendance committee may require that a student present a physician's or clinic's statement of illness after a single day's absence as a condition of classifying the absence as one for which there are extenuating circumstances.</p>
<p>GUIDELINES ON EXTENUATING CIRCUMSTANCES</p>	<p>The attendance committee shall adhere to the following guidelines to determine attendance for award of credit or a final grade:</p>

ATTENDANCE
ATTENDANCE FOR CREDIT

FEC
(LOCAL)

DAYS OF ATTENDANCE	1. All absences shall be considered in determining whether a student has attended the required percentage of days. If makeup work is completed satisfactorily, excused absences that are allowed under compulsory attendance requirements shall be considered days of attendance for award of credit or final grade. this purpose. [See FEA(LEGAL) at EXCUSED ABSENCES FOR COMPULSORY ATTENDANCE DETERMINATIONS]
TRANSFERS / MIGRANT STUDENTS	2. A transfer or migrant student incurs absences only after his or her enrollment in the District.
BEST INTEREST STANDARD	1. In reaching consensus regarding a student's absences, the committee shall attempt to ensure that its decision is in the best interest of the student. The Superintendent or designee shall develop administrative regulations addressing the committee's documentation of the decision.
DOCUMENTATION	4.3. The committee shall consider the acceptability and authenticity of documented reasons for the student's absences.
CONSIDERATION OF CONTROL	5.4. The committee shall consider whether the absences were for reasons out of the student's or parent's control.
STUDENT'S ACADEMIC RECORD	6.5. The committee shall consider whether or not the student has completed assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
INFORMATION FROM STUDENT OR PARENT	7.6. The student or parent shall be given an opportunity to present any information to the committee about the absences and to discuss ways to earn or regain credit or be awarded a final grade.
<u>BEST INTEREST STANDARD</u>	<u>7. In reaching consensus regarding a student's absences, the committee shall attempt to ensure that its decision is in the best interest of the student. The Superintendent or designee shall develop administrative regulations addressing the committee's documentation of the decision.</u>
IMPOSING CONDITIONS FOR AWARDING CREDIT OR A FINAL GRADE	<p>The committee may impose any of the following conditions for students with excessive absences to regain credit or be awarded a final grade:</p> <ol style="list-style-type: none">1. Completing additional assignments, as specified by the committee or teacher.2. Attending tutorial sessions as scheduled, which may include Saturday classes or before- and after-school programs.3. Maintaining the attendance standards for the rest of the semester.

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ATTENDANCE
ATTENDANCE FOR CREDIT

FEC
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4. Taking an examination to earn credit. [See EHDB]
5. Attending a flexible school day program.
6. Attending summer school.

In all cases, the student must also earn a passing grade in order to receive credit.

APPEAL PROCESS

A parent or student may appeal the decision of the attendance committee in accordance with FNG(LOCAL).) ~~beginning at Level Three.~~

COMMUNITY RELATIONS
CONDUCT ON SCHOOL PREMISES

GKA
(LOCAL)

Principals and other designated employees are authorized to:

1. Refuse entry onto school grounds to persons who do not have legitimate business on District premises;
2. Request any unauthorized person or any person engaging in unacceptable conduct to leave District premises;
3. Request assistance of law enforcement officers in cases of emergency including, but not limited to, issuing a criminal trespass notification-; and
4. Seek prosecution for violations of law as permitted by statute.

CIVILITY POLICY

The Board invites and welcomes parents, and other members of the public to its schools. The District is committed to treating parents and other community members with respect and expects the same in return. To that end, the District must keep school and all District facilities free from disruptions and must prevent unauthorized persons from entering schools or District grounds.

Accordingly, this policy promotes mutual respect, civility, and orderly conduct among District employees, parents, and the public. The District seeks to maintain, to the extent possible and reasonable, a safe, harassment-free workplace for District staff and students. In the interest of presenting teachers and other employees as positive role models, the District encourages positive communication and discourages volatile, hostile, or aggressive actions. The District seeks and encourages patrons to cooperate with this endeavor.

DISRUPTIVE
INDIVIDUALS

Disruptive individuals must leave the school grounds and District facilities. Any individual who disrupts or threatens to disrupt school or District operations, threatens the health and safety of students or staff, willfully causes property damage, uses loud or offensive language that could provoke a violent reaction, or has otherwise established a continued pattern of unauthorized entry on District property shall be directed to leave the school or District facilities by the campus principal or designee or another administrator.

STAFF RESPONSE
TO ABUSIVE
INDIVIDUALS

If any member of the public uses obscenities or speaks in a demanding, loud, insulting, or demeaning manner, the administrator or employee to whom the remarks are directed shall calmly and politely warn the speaker to communicate with civility. If the abusive individual does not stop the behavior, the administrator or employee shall verbally notify the abusing individual that the meeting, conference, or telephone conversation is terminated. If the meeting or conference is on Dis-

istrict premises, the employee shall direct the abusive individual to leave promptly.

INCIDENT REPORT

When an incident occurs, the staff member shall immediately notify his or her supervisor and provide a written report of the incident. A copy of the incident report shall be forwarded to the associate superintendent for administration.

APPLICATION ON ALL
DISTRICT PROPERTY

REQUEST TO
LEAVE CAMPUS

If the individual refuses to leave, the principal or designee or other administrator ~~District administrators and other personnel shall endeavor to create a positive, courteous relationship with members of the community and maintain open communication in accordance with federal and state law. The welfare of all students and District employees shall be the guiding principle in all contact with members of the community. Maintaining a safe and orderly educational environment on District property, on campuses, and in the classroom shall be the most important consideration when allowing community members access to District premises and on campuses.~~

~~Unless authorized by law, video and audio recording of District employees and students shall be prohibited without prior consent of the individual or parent/guardian of the minor student being recorded.~~

~~All visitors on District property, including campuses and administrative offices shall comply with all District policies and administrative procedures. In accordance with state law and local policy, an individual not following the District's policies and administrative procedures shall be asked to leave the premises. [See GKC]~~

CAMPUSES

~~The principal shall be responsible for maintaining discipline, safety, and a pleasant working and learning environment for all persons on the campus. Therefore, the principal or designee shall follow all policies, rules, and procedures in restricting the actions of visitors to the District or campus if the individual's actions interfere with the orderly educational process.~~

~~If an individual refuses to comply with District policies and administrative regulations the principal or designee shall warn the individual that failure to comply with District policies and administrative regulations shall result in the principal or designee asking the individual to leave the premises and that failure of the individual to comply with the request may result in his or her arrest for criminal trespass.~~

COMMUNITY RELATIONS
CONDUCT ON SCHOOL PREMISES

GKA
(LOCAL)

REQUEST TO LEAVE CAMPUS	If the warning is ignored, the principal or designee shall ask the visitor to leave the premises. If the individual refuses to leave, the principal or designee shall immediately contact the District police department. Once District police officers arrive, the individual shall be asked again, in the presence of the officers, to leave the premises.
REFUSAL TO COMPLY	If the visitor refuses to comply, the District police officers shall take appropriate action, including arresting the individual.
OFF-CAMPUS ACTIVITIES	Employees shall be designated to ensure appropriate conduct of participants and others attending a school-related activity at non-District or out-of-District facilities. Those so designated shall coordinate their efforts with persons in charge of the facilities.
PROHIBITIONS TOBACCO AND E-CIGARETTES	The District prohibits smoking and the use of tobacco products and e-cigarettes on District property, in District vehicles, or at school-related activities.
WEAPONS/ALCOHOL PROHIBITED	The District prohibits the unlawful use, possession, or display of any firearm, explosive weapons, illegal knife, club, or prohibited weapon, as defined at FNCG, and alcoholic beverages on all District property at all times or on other property while under the jurisdiction of the school.
EXCEPTION	No violation of this policy occurs when the use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD also CONCEALED HANDGUNS, below]
AUDIO AND VIDEO RECORDING	No person shall carry or possess a concealed handgun in any school building or school, in any parking area, or on any property whatsoever under control of the District. No person shall have a concealed handgun in any vehicle in any parking area or on any property whatsoever under control of the District. This prohibition applies to all persons, whether licensed or not.
CONCEALED HANDGUNS	No person shall carry or possess a concealed handgun, at any school-sponsored activity or event, regardless of whether the activity or event takes place on or off school property.
EXCEPTION	Violation of this policy by visitors shall result in immediate expulsion from school grounds or from the school activity or event. Possession of firearms on any property owned or leased by the District shall be prohibited, except that possession shall be permitted by: 1. A peace officer.

COMMUNITY RELATIONS
CONDUCT ON SCHOOL PREMISES

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- ~~2. Border Patrol agents, drug enforcement agents, authorized armored company agents, Immigration and Naturalization Service officers, and other federal or state law enforcement officers or agents.~~
- ~~3. A security officer commissioned by the Texas Board of Private Investigators and Private Security Agencies who:
 - ~~a. Is wearing a distinctive uniform;~~
 - ~~b. Wears the firearm in plain view; and~~
 - ~~c. Has the written permission of the Superintendent or designee.~~~~
- ~~4. A security officer who:
 - ~~a. Holds a personal protection authorization under the Private Investigators and Private Security Act, Article 4413 (29bb), Vernon's Texas Civil Statutes; and~~
 - ~~b. Has the written permission of the Superintendent or designee.~~~~

Unless authorized by law, video and audio recording of District employees and students shall be prohibited without prior consent of the individual or parent/guardian of the minor student being recorded.

SEARCHES FOR
WEAPONS / ALCOHOL
ON SCHOOL
PREMISES

Notice shall be given to all visitors that all vehicles parked on District premises or worksites shall be subject to random inspection by trained drug dogs, which may result in a search of that vehicle upon reasonable suspicion of the presence of any prohibited drugs or weapons.

If the dog alerts to the visitors' belongings or automobiles, reasonable suspicion shall be found to exist, and a District law enforcement officer shall have the authority to search the belongings or automobile.

Reasonableness of a search shall depend on all circumstances. Except as otherwise authorized by law or policy, any search shall be justified initially by a reasonable suspicion, and the scope and conduct of the search shall be reasonably related to the circumstances that gave rise to a search. If the visitor refuses to allow a search of his or her belongings or automobile, the District may take appropriate measures up to and including refusing to allow the visitor onto school property.

SOLICITATION

For purposes of preserving the academic environment and preventing interruption of the employees' workday, commercial solici-

COMMUNITY RELATIONS
CONDUCT ON SCHOOL PREMISES

GKA
(LOCAL)

tation shall not be permitted on District property except as approved in advance by the Superintendent or designee or as otherwise permitted by Board policy.

For purposes of this policy, "commercial solicitation" shall mean:

1. Selling or attempting to sell products or services for personal profit on behalf of a commercial enterprise or for a purpose not related to the school or District;
2. Requesting contributions, pledges, or donations for a purpose not related to the school or District; or
3. Providing items or making an announcement that endorses or markets a personal or commercial enterprise or a product or service not related to the school or District.

FOOD VENDORS

Vendors of sealed, prepackaged food items and "raspas" shall comply with the City of Laredo ordinances including, but not limited to, obtaining and displaying all required permits and licenses and displaying or selling food items within 600 feet from the property line of any school only if the vendor has a valid special event vendor's permit for that location.

USE OF DISTRICT
EQUIPMENT

The use of District equipment and supplies for purposes unrelated to the school or District shall be prohibited. Posting, displaying images, or making announcements on or with District equipment shall be prohibited except as permitted by District policy. [See CPAB and FNCB]

CRIMINAL TRESPASS
NOTIFICATIONS

Unless withdrawn or otherwise modified, a criminal trespass notification shall be in effect for one calendar year from the date of being issued.

WITHDRAWAL OR
MODIFICATIONS

A person who has a criminal trespass notification warning still in effect may make a request to have the notification warning withdrawn or modified by submitting a written request to the Superintendent or designee that includes the individual's contact information, including in a current address and telephone number, and explains the reason(s) for the request. Copies of any supporting documentation must be included with the request.

The Superintendent or designee shall review the request. After reviewing the request, the Superintendent or designee or a District police officer may contact the individual for a telephone interview.

Following the review of the request and telephone interview, if any, the Superintendent or designee shall provide a written decision within ten days.

COMMUNITY RELATIONS
CONDUCT ON SCHOOL PREMISES

GKA
(LOCAL)

APPEAL TO THE
BOARD

If the individual did not receive the relief requested from the Superintendent or designee or if the time for a response has expired, the individual may file an appeal with the Board, in accordance with the district's complaint policies, beginning at LEVEL THREE. [See FNG and GF]

The appeal notice must be filed in writing, on the form provided by the District, and submitted to the Superintendent's office within ten days of the date of the written response or, if no response was received, within ten days of the written response deadline.

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

RECORD ON
APPEAL

The Superintendent or designee shall provide the Board the record leading to the decision being appealed. The individual may request a copy of the record.

The record shall include:

1. The written request and reasons for withdrawal or modification of the warning notification, including any supporting documentation;
2. The written notice of appeal to the Board;
3. The initial paperwork and any supporting documentation leading to the decision to issue the warning; and
4. All other documents relied upon by the Superintendent or designee in reaching the decision.

BOARD HEARING

The Board shall provide a stop, look, and listen hearing and provide the person who is appealing the decision with an opportunity to be heard. If at the Board hearing the person appealing the decision or the administration intends to rely on evidence not included in the written record, the party wishing to rely on such evidence shall provide the other party with notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the appeal 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 individual and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the appeal and may request that the administration provide an explanation for the decision being appealed.

COMMUNITY RELATIONS
CONDUCT ON SCHOOL PREMISES

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In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the appeal presentation before the Board. The appeal presentation, including the presentation by the individual or his or her representative and 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 consider the appeal. 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 appeal by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the decision by the Superintendent or designee.

RELATIONS WITH GOVERNMENTAL ENTITIES
STATE AND LOCAL GOVERNMENTAL AUTHORITIES

GRA
(LOCAL)

CHILD ABUSE
INVESTIGATION

When a representative of the Department of Family and Protective Services or another lawful authority ~~requests~~~~desires~~ to question or interview a student at school as part of a child abuse investigation, the principal shall cooperate fully with the official's requests regarding the conditions of the interview or questioning.

~~OTHER~~
QUESTIONING OF
STUDENTS

When law enforcement officers or other lawful authorities ~~re-~~~~quest~~~~desire~~ to question or interview a student at school for any purpose other than a child abuse investigation, the following guidelines shall apply:

1. The principal shall verify and record the identity of the officer or other authority and request an explanation of the need to question or interview the student at school.
2. The principal ordinarily shall make reasonable efforts to notify the student's ~~parent~~~~parents~~ or other person having lawful control of the student. If the interviewer raises what the principal considers to be a valid objection to the notification, ~~the~~ ~~parent~~~~parents~~ shall not be notified.
3. The principal or a designee ordinarily shall be present during the questioning or interview. If the interviewer raises what the principal considers to be a valid objection to a third party's presence, the interview shall be conducted without that person's presence.

STUDENTS TAKEN
INTO CUSTODY

Before a student at school is arrested or taken into custody by a law enforcement officer or other legally authorized person, the principal shall verify the official's identity. To the best of his or her ability, the principal shall verify the official's authority to take custody of the student ~~[see GRA]~~ and then shall deliver over the student.

The principal shall immediately notify the Superintendent and ordinarily shall notify the ~~parent~~~~parents~~ or other person having lawful control of the student. If the officer or other authorized person raises what the principal considers to be a valid objection to notifying the ~~parent~~~~parents~~ at that time, the principal shall not notify the parent.

[See FO for notification requirements by the campus behavior coordinator under Education Code Chapter 37.]~~parents.~~