

# **Clear Creek ISD**

## **2022-2023 Employee Handbook**



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Produced by the  
Clear Creek Independent School District  
Human Resources Department  
Revised September 2022

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*THE CLEAR CREEK INDEPENDENT SCHOOL DISTRICT is an equal opportunity employer and prohibits discrimination in employment because of the applicant's race, creed, national origin, gender, age, disability, or religion*

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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 Michelle Nowell at [mnowell@ccisd.net](mailto:mnowell@ccisd.net).

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 online at <https://www.ccisd.net/policy> .



**Handbook Receipt**

My signature acknowledges that I will read the 2022-2023 Employee Handbook and will abide by the standards, policies, and procedures defined or referenced herein. I am aware that the Employee Handbook is available to me on-line at the District's website located at [www.ccisd.net](http://www.ccisd.net). If I am not able to access the Handbook on-line, I will request a paper copy.

The information in the Handbook is subject to change. I understand that changes in District policies may supersede, modify, or eliminate the information summarized in this handbook. 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 or can be made 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., and to report any arrest, conviction, or deferred adjudication as required by board policy DH(LOCAL). I also accept responsibility for contacting my immediate supervisor or the Human Resources Department if I have any questions or concerns, or if I need further explanation.

---

Print Name

---

Signature

---

Campus/Department

---

Date

## **District Information**

### ***Description of the District***

The Clear Creek Independent School District is home to explorers and adventurers! Nestled around the NASA Johnson Space Center in Houston and nearby the boating waters of the Gulf of Mexico, Clear Creek ISD proudly serves the educational growth of more than 41,200 students every year and continues to be one of the most desirable places to raise a family in the Greater Houston area.

Clear Creek ISD is the 27<sup>th</sup> largest school district of 1,031 districts in Texas. The District spans 103 square miles, 13 municipalities, and two counties (Harris and Galveston). CCISD is governed by a Board of Trustees, 7 elected community members representing areas of the District. CCISD involves our stakeholders in making curriculum, finance, and policy decisions, and all our decisions are made with the best interest of students in mind.

CCISD students outperform their state-wide peers on all Texas standardized tests and college readiness indicators. CCISD has an established record of continuous improvement, and employees are passionate about eliminating the achievement gap among all student groups.

### ***District Map***

See District website at [www.ccisd.net](http://www.ccisd.net).

### ***Mission Statement***

The mission of the Clear Creek Independent School District, the visionary leader igniting learning for all, is to ensure each student achieves, contributes and leads with integrity in a safe and nurturing environment distinguished by authentic relationships, service before self and the spirit of exploration.

## ***Belief Statements***

In Clear Creek ISD we believe:

- everyone deserves to be physically and emotionally safe.
- each child’s voice deserves to be heard.
- strength of character is a hallmark of growth and learning.
- trust, compassion, and respect are essential to positive relationships.
- parents, community, and school have a shared responsibility for the education of youth.
- there is a collective moral imperative to invest in each person’s capacity for growth and excellence.
- determination, perseverance, and resilience lead to achievement.
- inclusivity creates unity.
- service before self, strengthens community.
- an innovative mindset is essential for future success.

## ***Core Values***

The Clear Creek Independent School District Strategic Plan is based on the value and worth of each person. We aspire to model and teach core values found in our strategic plan so that each person’s strengths and talents flourish. These six core values apply to each person in CCISD—our teachers and staff, our current and former students, our parents, and our community members.

### **Trustworthiness**

- Act with honesty in all that you do.

### **Respect**

- Value yourself and others.

### **Responsibility**

- Own your choices.

### **Fairness**

- Play by the rules and consider the needs of others.

### **Caring**

- Be kind to others.

### **Citizenship**

- Work to improve your school, community, country, and world.

## ***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 curriculum, school taxes, annual budget, facilities, and the employment of the Superintendent and other professional staff. The Board has complete and final control over school matters as it acts within the limits of state and federal laws 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 in May and serve three-year terms. Trustees serve without compensation, must be qualified voters, must reside in the District, and must meet other requirements set forth in law and CCISD Board Policy.

<b>Board Members:</b>	<b>District</b>	<b>Term</b>
Jeff Larson, Trustee	4	May 2024
Jessica Cejka, Trustee	1	May 2025
Jonathan Cottrell, Secretary	At-Large A	May 2024
Michelle Davis, Trustee	2	May 2023
Arturo Sanchez, Vice President	3	May 2023
Scott Bowen, Trustee	At-Large B	May 2025
Jay Cunningham, President	5	May 2024

The Board usually meets on the fourth Monday of every month at the Education Support Center. Special meetings may be called, and calendars adjusted when necessary. A written notice of regular and special meetings will be posted at the Education Support Center 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 one hour of 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 sessions may occur for reasons including discussing prospective gifts or donations, real property acquisition, security matters, student discipline, and certain personnel issues, as well as to consult with attorneys.

***School Calendar - (See Appendix A)***

The District calendar is developed in accordance with Local Policy EB and can be accessed via the District website.

**Employment**

***Equal Employment Opportunity - Policies DAA, DIA***

In its effort to promote nondiscrimination and as required by law, Clear Creek Independent School District does not discriminate on the basis of race, color, national origin, religion, sex (including pregnancy, sexual orientation, or gender identity), military status, genetic information, disability, age, 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 based on each applicant’s job qualifications, experience, and abilities.

In accordance with Title IX, the District does not discriminate on the basis of sex and is required not to discriminate on the basis of sex in its educational programs or activities. The requirement not to discriminate extends to employment, Inquiries about the application of Title IX may be referred to the District’s Title IX coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

The District designates and authorizes the following employee as the Title IX coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including

sexual harassment: Leila Sarmecanic, General Counsel, Office of Policy and Legal Affairs, 2425 East Main Street, League City, TX 77573, 281-284-0013. Reports may be at any time and by any person, including during non-business hours, by mail, email, or phone. During District business hours, reports may also be made in person.

The district designates and authorizes the following employee as the ADA/Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability: Dr. Casey O’Pry, Assistant Superintendent of Human Resources, 2425 East Main Street, League City, TX 77573, 281-284-0160.

Questions or concerns relating to discrimination for any other reason should be directed to Franklin Moses, Assistant Superintendent of Secondary Education, 2425 East Main Street, League City, TX 77573, 281-284-7263 or Holly Hughes, Assistant Superintendent of Elementary Education, 2425 East Main Street, League City, TX 77573, 281-284-3536.

### ***Accommodations-Americans with Disabilities Act (ADA)***

Requests for reasonable accommodations under ADA from current employees should be directed to Human Resources. Upon receipt of request, the employee will be given specific instructions about information needed from the employee and his/her medical physician. Once all needed information has been gathered, a meeting will be scheduled with the employee to discuss the reasonable accommodations.

### ***Medication Safety***

Should an employee need to take medication at work, medications should be stored in a secured environment, locked in a cabinet or room.

Needles and sharp objects should be discarded immediately or as soon as feasible after use in a secure and safe manner. An appropriately labeled, puncture resistant, leak proof sharps container is located in each school health clinic for the disposal of contaminated sharps. All auxiliary sites and facilities have sharps containers in the main restrooms for employee and public use.

### ***Job Vacancy Announcements - Policy DC***

Announcements of job vacancies are available on the District’s website ([www.ccisd.net](http://www.ccisd.net)).

### ***Contract and Non-Contract Employment - Policy DC series***

State law requires the District to employ all full-time professional employees in positions requiring certification by the State Board for Educator Certification (SBEC) and nurses under probationary or term contracts. Employees in 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:* All full-time nurses and professional employees new to the District and employed in positions requiring SBEC certification must receive probationary contracts during their first year of employment. Former employees who are hired after at least a two-year lapse in

District employment are also employed by probationary contract. The probationary period for those who have been employed in public schools 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 probationary contracts), with an optional fourth school year if the Board determines it is doubtful whether a term contract should be given. See Board policy DCA.

*Term Contracts:* Upon successfully completing the probationary period, full-time teachers, nurses, and other professional personnel employed in positions requiring SBEC certification will be employed by term contract. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contracts. Employment policies are listed on the District's website ([www.ccisd.net](http://www.ccisd.net)). See Board policy DCB.

*Non-certified Professional and Administrative Employees:* Employees in professional and administrative positions that do not require SBEC certification (such as non-instructional administrators) are employed by a contract that is not subject to the procedures 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 are not employed on contract. Employment is not for any specified term and may be terminated at any time by either the employee or the District.

#### ***Certification and Licenses - Policies DBA and DF***

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

To request a service record for principal, superintendent, or student services certificates, email the Human Resources Certification Officer. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify Dr. Britani Moses, Director of Human Resources, when there is action against, or revocation of, their license.

A certified employee's contract may be voided without due process and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, or permit.

A contract may also be voided if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact the Human Resources Office at 281-284-0153 if you have any questions regarding certification or licensure requirements.

*Certification by Examination.* As approved by the State Board for Educator Certification (SBEC), additional certification by examination allows teachers holding a valid classroom teaching certificate and a bachelor's degree to qualify for additional certification in a subject or

level not covered by their existing certificate. This option can allow current staff members to add additional teaching fields or areas of endorsement.

Applicants must pass the appropriate TExES exam in the field sought for additional certification, and then apply to the SBEC for additional certification. Information on additional requirements and exemptions can be obtained through the Human Resources Office and from the Texas Education Agency.

Please notify the Human Resources Certification Officer of added certifications so records can be updated.

### ***Recertification of Employment Authorization - Policy DC***

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

Employees whose immigration status, employment authorization, or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact the Human Resources Office at 281-284-0159 if you have any questions regarding reverification of employment authorization.

### ***NCLB: "Highly Qualified" criteria***

Educational Aides must possess 48 hours of college credit or pass a test demonstrating literacy competency to be considered highly qualified.

*Alternative Certification.* Certified teachers, as well as individuals without formal education course work, are eligible for consideration in an alternative program if they possess a degree from an accredited university, meet grade point average requirements, and pass an entry level test. Accepted applicants, called alternative certification interns, are placed in a classroom as the teacher of record and work under the supervision of a mentor teacher for one year. After passing the appropriate TExES exam(s) and receiving a favorable recommendation from the mentor teacher, the principal, and the ACP coordinator, the intern is recommended for standard certification.

*Military* – Certification is now available for JROTC instructors, if desired. A bachelor's degree and completion of an alternative certification program are required. Some fees are waived for the military community. As SBEC certification is not required for JROTC instructors, a JROTC instructor with SBEC certification shall be employed by a contract that is not subject to the procedures for nonrenewal or termination under Chapter 21 of the Texas Education Code.

### ***Standard Certificate Renewal***

All certified educators, including educational aides, must renew their Standard Certificate prior to expiration for the certificate to remain valid. An educator may apply for renewal as early as six months prior to the expiration date of the Standard Certificate. Please notify Human Resources when renewal is processed so records can be updated for compliance.

Each educator will need to log in to their account on the TEA website. When an educator logs on to the online system, he or she will need to select “Applications” from the Educator Main Menu on the left side of the screen, and then select “Renew a Standard Certificate.” After this selection, the educator will be guided through a series of screens that will advise the educator of the process for requesting a renewal of the standard certificate. Online payment of certification fees is available.

Educators are responsible for maintaining a record of their Continuing Professional Education (CPE) credits and will not need to submit evidence of completion of CPE credits unless specifically requested by TEA for audit purposes.

### ***Health Safety Training - Policies DBA, DMA***

Certain employees who participate in physical activities for students must maintain and submit to the District proof of current certification in first-aid, cardiopulmonary resuscitation (CPR), the use of automated external defibrillator (AED), concussion and extracurricular athletic safety. Certification must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification to the campus’ boys and girls Athletic Coordinator.

### ***Alcohol and Drug Testing/Searches - Policies DHE, CQ***

All employees, regardless of position, shall be required to undergo drug and alcohol testing any time the District has reasonable suspicion to believe the employee has violated the District’s drug and alcohol policy.

Non-investigatory searches in the workplace including accessing an employee’s desk, file cabinets, or work area to obtain information needed for the 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, and work areas including District-owned technology resources, lockers, and private vehicles parked on District premises or work sites or used in District business.

### ***Employees Required to Have a Commercial Driver’s License***

In addition, any employee who is required to have a commercial driver’s license (CDL) is subject to drug and alcohol testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people counting the driver, drivers of large vehicles and 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 following an accident; when reasonable suspicion exists; at random when an employee returns to duty after engaging in prohibited conduct; and as a follow-up measure. Return-to-duty and follow-up testing will be conducted when an employee who has violated the prohibited alcohol and drug conduct standards or tested positive for alcohol or drugs returns to duty. All employees who are tested 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. Refusal to submit to testing may lead to termination of employment with CCISD. Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact Dr. Britani Moses, Director of Human Resources, or Dr. Casey O'Pry, Assistant Superintendent of Human Resources.

### ***Assignments, Reassignments, and Transfers - Policy DK***

All employees are hired 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 any employment contract. Initial assignments are made by Human Resources, principals, and/or supervisors based on the needs of the schools and the District. Reassignments may be initiated by the employee, principal, supervisor, or the superintendent. 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). Employees must serve in a position for a minimum of 90 days before requesting a transfer.

Supervising administrators are responsible for the assignment of personnel under their supervision. Principals are responsible for the assignment of teachers and clerical employees in their buildings. Teachers are assigned in areas or subjects for which they have completed an approved program of teacher certification.

An employee may request reassignment to another position or location in the District for which he or she is qualified; however, employees are expected to complete their first year with the District in the same position. An employee on a growth plan is not eligible for a transfer until the growth plan has been successfully completed.

Any employee may request a transfer to another position or location in the District for which the employee is qualified. A transfer request may be submitted once a year at a time determined by the Human Resources Office. The Human Resources Office will prepare and distribute lists of those persons requesting transfers. After receiving the list(s), principals and/or supervisors may choose to interview the applicant for any vacant position for which the employee is qualified. Employees are not to contact schools or departments for interviews until the Human Resources Office have notified them to do so.

Principals and supervisors are requested to consider transfer requests but are not required to do so. Each final staffing decision is made by the receiving administrator unless the superintendent transfers an employee in the best interest of the District.

***Workload and Work Schedules - Policy DL, DEAB, DK***

*Professional Employees:* Professional, administrative, and supervisory employees are exempt from overtime pay and/or compensatory time, and are employed on a 10-, 11-, or 12-month basis, according to the work schedules set by the District. A school calendar is adopted each year designating the work schedule for teachers and all school holidays. Notice of work schedules, including required days of service and scheduled holidays, will be distributed each school year.

Classroom teachers will have planning periods for instructional preparation and conferences in accordance with the Texas Administrative Code. 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 of not less than 45 minutes within the instructional day. Classroom teachers and full-time 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.

*Academic, Arts, and Athletic Stipends:* coaches, directors, academic sponsors, and certain other personnel identified by the District may be paid an additional stipend, as approved in the annual budget, for the additional hours and duties outside of the school day that are necessary to maintain outstanding programs.

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

***Breaks for Expression of Breast Milk - Policies DEA, DEAB, DG***

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

A reasonable amount of break time will be provided when the employee has a need to express milk. For nonexempt employees, these breaks are unpaid and are not counted as hours worked.

Employees should meet with their supervisor to discuss their needs and arrange break times so as to minimize disruption of the workday.

### ***Notification to Parents Regarding Qualifications – Policies DK, DBA***

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

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

### ***Outside Employment and Tutoring - Policy DBD***

An employee shall disclose in writing to his or her immediate supervisor any outside employment that may create a 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. Classroom teachers and instructional aides are prohibited from tutoring for a fee any students who are currently enrolled in their classes. District resources must not be used for outside (non-district) employment. Employees must not work on non-district employment during the workday.

### ***Performance Evaluation - Policies DN, DNA, DNB***

Evaluation of an employee’s job performance should be a continual 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 can also be used to document performance information. All employees will receive a copy of their written evaluation, have a performance conference with their supervisor, and have an opportunity to respond to the evaluation.

Upon receiving a report, a nursing review committee may review a nurse’s nursing services, qualifications, and quality of patient care, as well as the merits of a complaint concerning a nurse, and a determination or recommendation regarding a complaint. A nurse may request, orally or in writing, a determination by the committee regarding conduct requested of the nurse believed to violate the nurse’s duty to a patient.

### ***Employee Involvement: Campus Instructional Improvement Committees (CIIC) - Policies BQA, BQB, Regulation BQ***

Principals, teachers, campus support staff, parents, and members of the community collaborate to review the campus strategic plan and align action plans to improve student performance and campus operations. These CIICs bring the decision-making process to those closest to the

activities in the classrooms. This collaborative process helps principals and teachers, with support from their community, to have a greater impact on campus planning for improved student achievement. Information concerning the responsibilities of CIIC members and the method of selection of the membership can be obtained from the District and Campus Procedures for Strategic Planning located on the District website, or from the Deputy Superintendent for Curriculum & Instruction at 281-284-0123.

***Professional Learning - Policy DMA (Local and Regulation)***

CCISD recognizes that quality professional learning is key to long-lasting school improvement. Professional learning is predominantly campus-based, related to achieving campus performance objectives. The District is committed to the development of Professional Learning Communities District wide and a comprehensive, results-driven staff development program for all employees. Attendance at specific professional learning activities will be required. The CCISD professional learning plan is designed to provide learning experiences and continuous improvement opportunities to all. See the Professional Learning Plan, DMA Regulation, for details.

All professional employees are responsible for obtaining the required training hours and maintaining appropriate documentation.

The Professional Learning Committee is composed of representatives from campuses and is chaired by the Executive Director for Professional Learning. The Committee provides input on a regular basis to assist in the assessment of the professional learning needs of the District and to help with the design of in-service education plans and calendars.

***Continuing Professional Education - Policy DMC(LOCAL)***

While employed by the District, professional, paraprofessional, and auxiliary employees shall be reimbursed at a rate set by the District for each hour of college credit earned.

***Fee Reimbursements - Policy DMC(Regulation)***

Reimbursement is granted for hours toward the next higher degree. A Tuition Reimbursement Form must be completed and signed by the principal/supervisor and the corresponding Assistant Superintendent when seeking reimbursement. [See DMC(EXHIBIT A)]

Reimbursement is paid one time each year for the hours earned within each school year upon receipt of an official transcript and degree plan or education certification plan (September – August). All documentation including official transcripts must be received in the Business Services Office by November 1. Payment will be made within 45 days.

While employed by the District, professional, paraprofessional, and auxiliary employees shall be reimbursed \$25 for each hour of college credit earned with a C average or above, or a P in a P/F course from an accredited college or university. Each credit must be a requirement of an approved degree plan preferably in the field of education, on file in the Business Services office.

Any semester hours completed that are not a part of a degree plan must be related to obtaining a certification in the field of education.

***Limitations***

When an advanced degree is conferred, reimbursement for additional hours shall cease. However, reimbursement may again be granted for hours toward the next higher degree, not to

exceed 30 semester hours above a bachelor's, master's, or doctoral degree. Reimbursement shall not be granted for hours toward a second master's degree plan. Reimbursement is limited to \$750 per employee while employed by the District.

### ***Retirement***

An employee planning to retire from the District should contact the Teacher Retirement System of Texas for all information regarding retirement benefits, including the effect on such benefits of returning to employment.

To be invited to the annual retirement celebration, the Human Resources Office must receive notification of an employee's retirement by mid-April.

CCISD employs retired educators only under limited circumstances. You may contact TRS directly by calling 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)).

### ***Employment After Retirement - Policy DC***

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

## **Compensation and Benefits**

### ***Salaries, Wages, and Stipends - Policy DEA, DEAA, DEAB***

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 classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are 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 workweek. (See *Overtime Compensation*, page 23.

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 the payroll department for more information about the District's pay schedules or their own pay.

The Board of Trustees approves salary schedules covering all District positions. The schedules are public information and are available on request from the Human Resources Office. W-2 forms and other documents necessary for preparing income tax returns are distributed via the Employee Access Center by the end of January.

### ***Career Ladder***

Some teachers may still be entitled to a career ladder supplement. Teachers who received stipends during the 1992-93 school year are entitled to retain career ladder status as long as they continue in a qualifying teaching position within the District. Any break in service, resignation, and/or retirement will terminate the “Hold Harmless” rights.

### ***Annualized Compensation***

The District pays all full-time employees over 12 months regardless of the number of months employed during the school year. Full-time employees will be paid in equal semi-monthly payments. An employee who separates from service before their last scheduled workday, or retires under TRS, will receive in his or her final paycheck a lump sum payment for wages actually earned from the beginning of their work calendar to the date of separation. Employees who separate after their last scheduled workday will continue to receive paychecks through the end of their pay cycle unless they opt otherwise.

It is a common misconception among employees that their check represents their earnings for the pay period. If an employee were to be paid as earned, the amounts could vary drastically between pay periods due to included holidays and other non-working days. For this reason, total compensation is prorated over the entire year and is divided into 24 equal pay checks. Nothing in this practice should be considered to imply an annual salary or a contractual relationship if such relationship does not already exist.

### ***Direct Deposit***

The District requires employees to use direct deposit. Employees can have their paychecks electronically deposited into as many as two accounts at any financial institution. A one pay period notification is required to activate or change your banking information. You may complete a new Direct Deposit form in TalentEd. Sign into TalentEd, click on Available Forms then Direct Deposit Form. Contact payroll in the Finance Department at 281-284-0192 or 281-284-0193 for more information.

### ***Paychecks***

All employees are paid semi-monthly. Paychecks will not be released to any person other than the District employee named on the check without the employee’s written authorization. If payday falls on a Saturday, payday will be on Friday. If payday falls on a Sunday, payday will be on the next business day.

Employees no longer receive paystubs and can access their check information via the Employee Access Center which can be located at <https://www.ccisd.net/employees> , and selecting Login Now under “Employee Access Center”. It will take you to the login screen where you will find instructions on how to login.



Once you click on the Employee Access Center button, it will take you to the login screen where you will find instructions on how to login.

The Employee Access Center will provide you with important information including:

- Paystubs**
- W-2**
- Demographic Data** – Update your address, phone number, or contact information online.
- Work Calendar & Leave Balances** – View your work calendar and leave balances.
- Federal Tax Withholding** – View your current federal tax withholding with a link that will take you to the W-4 Form needed to make changes.
- Salary** – View your current salary information.
- Payroll Deductions** – View your current payroll deductions.

Upon your initial login, please change your password as directed. It is also important that you enter an email address so that in the event you forget your password, the system will be able to email it to you.

### ***Payroll Deductions - Policy CFEA***

Automatic payroll deductions for the Texas Teacher Retirement System (TRS) and federal income tax are required for all full-time employees. Medicare tax deductions are also required for all employees hired in the District after March 31, 1986. Temporary and part-time employees who are not eligible for TRS membership must have their 457 Deferred Compensation Plan contributions deducted. Automatic payroll deductions are also required for child support and spousal maintenance, and delinquent federal education loan payments, if applicable.

Other payroll deductions, which employees may elect, include deductions for the employee's share of premiums for health, dental, life, short term disability, flexible spending accounts, health savings accounts, cancer insurance, prepaid legal, and vision insurance; 403(b) (annuities); and credit union payments. Employees may also request payroll deduction for payment of

membership dues to certain professional organizations. Salary deductions are automatically made for unauthorized or unpaid leave.

It is the responsibility of the employee to ensure that his/her paycheck reflects the proper deductions. Effective January 1, 1997, all benefits are identified on the employee's pay voucher. Also, each benefit is coded to indicate whether it is being deducted pre-tax through the Cafeteria Plan or after-tax as a Non-Cafeteria Plan deduction. An employee should verify that each check has the proper amount deducted. If an error is discovered, such that the District is found to be deducting too much, the maximum amount of reimbursement shall include no more than the total amount of overage as of the beginning of the latest academic year. Correspondingly, if it is found that the District has deducted too little, the District may recoup the deficit which has resulted as of the beginning of the latest academic year. Refer to Section DEA of the Board Policy Manual for greater clarification of your rights and responsibilities.

Employees wishing to stop deductions for a benefit must submit a Benefit Change Request form to the Business Services Department with the name of the benefit they are wishing to discontinue. The benefit will be discontinued as of the first of the month following receipt of such form by the Business Services Department. In some instances, it is not possible to change a deduction during the calendar year; employees should refer to the section on "Cafeteria Plan" for information about restrictions on making mid-year changes. Employees are reminded that payroll is usually processed at least one week prior to payday; therefore, requests should be turned in to Business Services Department at least two weeks prior to the pay date for which such changes are to go into effect.

#### ***Overtime Compensation for Nonexempt Employees - Policies DEAB, DEC***

The District compensates overtime for nonexempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or nonexempt for purposes of overtime compensation. Professional and administrative employees are considered exempt and ineligible for overtime compensation. Only nonexempt employees (hourly employees and most paraprofessional employees) are entitled to overtime compensation.

Overtime is legally defined as all hours worked in excess of 40 hours weekly and is not measured by the day or by the employee's regular work schedule. Employees who must work beyond their normal schedule, but less than 40 total hours per week, will be compensated in straight time pay. Employees must work more than 40 total hours in a week to earn overtime compensation. For purposes of calculating overtime, a workweek begins at 12:01 a.m. Sunday morning and ends at midnight Saturday evening.

Nonexempt employees are not authorized to work beyond their normal work schedule without prior approval from their supervisor.

Nonexempt employees that are paid on a salary basis are paid for the hours set by the normal work schedule. Hours worked beyond the normal schedule up to 40 hours will be paid at a regular rate of pay.



### ***Compensation for “on-call” and “call-out” times***

1. Staff members designated as “on-call” will receive two hours of compensation at their hourly rate for each date served that is not on their assigned calendar. If staff is called in, time beyond two hours will result in compensation for actual time worked.
2. Staff members not designated as “on-call” will receive a minimum of two hours for each call-out received. Time beyond two hours will result in compensation for actual time worked.
3. Note that all FLSA guidelines apply when employees are called out or designated as “on-call”.

### ***Recording Time Worked***

*Employees recording time worked should remember the following items:*

1. Nonexempt employees are not authorized to work beyond their normal work schedules without prior approval from their supervisors.
2. Employees should “clock in” and “clock out” at their assigned work site unless authorized by a supervisor. Employees who extend the workday by clocking in or out at a location other than their work site for that day are subject to termination.
3. Employees may not volunteer their time for duties similar to their regular duties without being compensated.
4. A supervisor’s signature confirms that the time sheet is true and accurate.
5. Time-and-a-half applies only to hours worked above 40 in a single work week (Sunday through Saturday) and only to nonexempt employees.
6. Federal law does not require breaks or rest periods as time off the clock or non-compensable. Meal periods are not to be counted as time worked if the employee is completely relieved from duty and the meal period is 30-minutes or more. Example: Employees who have a 30-minute lunch break in which they are released of all duties are not considered to be working and the time is not required to be compensated. However, when the employees are working intermittently and eating during the lunch break, then the employees are considered to be working.
7. Daily recorded work hours must conform to the defined campus workday or to the directive of the supervisor/principal.
8. Recording Time Worked/Time Missed from Work: Clear Creek ISD utilizes an electronic time keeping system. Additional information and specifics on utilizing this system are available in the KRONOS User’s Guide.

### ***Time Worked vs. Time At Work***

1. When an employee wants to arrive at work early in order to relax before work or visit with others, the supervisor should make it clear that such time is not to be counted as work time.
2. However, if an employee reports to work at the required time and then waits because there is no work to start on, the waiting time is compensable work time.
3. All time spent waiting while on duty constitutes hours worked. This is true even in cases when the employees are allowed to leave the job site or premises. Example: A bus driver who is required or expected to wait at an athletic event for the students to finish their activities is still on duty.

4. Employees engaging in their own pursuits away from the work premises who remain available to be called to work on short notice are “on-call” employees. Whether the employees are entitled to compensation while on-call depends upon their “freedom of movement.” If employees cannot use their time freely, then they are entitled to receive compensation.
5. When an employee is not actually called to work, any on-call time at home or at a location substantially removed from the employer’s place of business is not “work time” for purposes of overtime pay.
6. Supervisors must also remember that employees may not volunteer their time for duties similar to their regular duties without being compensated.

### ***Travel Expense Reimbursement - Policy DEE***

Employees are required to have approval to travel in order to be qualified for travel expense reimbursement. 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 allowable expenses other than mileage. Each employee must submit an online Travel Authorization Form before any travel expenses are incurred. Reimbursement may be denied if proper approval is not secured prior to travel.

The online Travel Authorization Form is located in the District Forms folder on the Single Sign-On portal. The employee will receive an email from [workflow@ccisd.net](mailto:workflow@ccisd.net) letting them know if their travel has been approved or rejected. If rejected, they will be informed why and by whom within the body of the email. If the travel form is rejected, the employee will have to resubmit their travel authorization form with the corrections needed and go through the approval process again. If approved, they will be given all prepayment links needed.

After the travel date has occurred, the employee will use the reimbursement link within 10 days to submit PDF copies of all appropriate receipts. Reimbursement from local funds will follow the guidelines as outlined in the Regulation DEE. Reimbursement from state or federal funds will follow the guidelines in the Education Department General Administrative Regulation (EDGAR), Uniform Grant Management System (UGMS), and/or Office of Management and Budget (OMB) circulars. For additional information, refer to the DEE (Regulation) regarding District policy on employee expense reimbursement.

### ***Health, Dental, Vision, and other Insurance Programs- Policy CRD***

Group health insurance coverage is provided through TRS-ActiveCare, the statewide public school employee health insurance program. To be eligible for the District’s health insurance, an employee must be an active, contributing TRS member or employed 10 or more regularly scheduled hours each week. TRS retirees are not eligible for the District’s health insurance plan.

Employees who are active, contributing TRS members are also eligible to enroll in the District’s voluntary insurance plans, including dental, vision, cancer, critical illness, hospital indemnity, accident, legal assistance, short term disability, voluntary life insurance, and flexible spending accounts. In addition, these employees are covered through the District’s Basic Life, Employee Assistance Program, and Long-Term Disability Insurance. The same benefits shall be extended

to TRS retirees whose position would qualify them for TRS membership were it not for their retiree status.

For more detailed information on the insurance plans offered through Clear Creek ISD, employees are encouraged to read the Employee Benefits Guide. A copy of the Employee Benefits Guide can be downloaded from the District's website at <https://www.ccisd.net/employees> . You may also call the Business Services Department at 281-284-0230 to request a copy.

Open Enrollment is a time period when employees can change insurance plans add, or drop dependents from coverage, or add or drop insurance plans altogether. The Business Services Department will announce the time frame for making such changes each year; employees who do not make changes during the Open Enrollment period cannot make any changes to their benefits at any other time. Please refer to the section on Cafeteria Plan for information about changing benefits outside of Open Enrollment.

### ***Cafeteria Plan***

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.

Elections made as a new hire or during Open Enrollment will be effective for the full plan year (through August 31<sup>st</sup>) unless you experience a change in status as defined by federal law. An eligible change of status includes a change in marital status (marriage or divorce), a change in the number of dependents (birth, adoption, death), a gain or involuntary loss of other coverage, or an employment status change (part-time to full-time or vice versa). Should you experience an eligible change in status, you will have 31 calendar days from the effective date to make changes to your benefits. Please contact the Business Services Office at 281-284-0230 for additional information.

### ***COBRA: Extension of Benefits***

Upon termination from the District, for any reason other than gross misconduct, you are entitled to extend some benefit coverages, for a period of up to 18 months. The COBRA legislation allows the extension of the benefits but requires you to pay the entire cost of your medical, dental, vision insurance, and Flexible Spending Accounts for yourself and/or any covered dependents. Divorced spouses and dependents who lose eligibility due to age are also entitled to continue under the COBRA laws. It is your responsibility to notify the Business Services Department within 31 days of any dependents who have become ineligible for CCISD benefits. Employees who separate from CCISD and dependent spouses and children who lose eligibility for coverage due to age or divorce shall receive a COBRA Qualifying Event letter with COBRA rates and instructions on how to reenroll.

Other coverages, such as life insurance and/or cancer insurance, may be continued upon termination. Refer to your life insurance booklet for these coverages for the rules on “Conversion” to an individual policy. Please note that application for a conversion policy must be made within 31 days of losing the coverage. Conversion policies are “guaranteed issue” and usually quite expensive. It is your responsibility to contact the Business Services Department within the required time frame if you wish to continue your coverage.

### ***Workers’ Compensation Insurance - Policy CRE***

The District, in accordance with state law, provides workers’ compensation benefits to employees who suffer a work-related illness or are injured on the job.

Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to the Business Services Department. 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 under the Texas Unemployment Compensation Act. 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 if they have received Letters of Reasonable Assurance of employment for the following school year. Employees with questions about unemployment benefits should contact the Business Services Department at 281-284-0230.

### ***Other Benefit Programs***

#### ***1. 403(b) Retirement Savings Plan***

There are four types of investment products in which you can invest your 403(b): fixed annuities, variable annuities, life insurance, and mutual funds. Since the District does not sponsor or endorse any one company, you are encouraged to be a wise consumer when choosing your 403(b) investment. In particular, you should check for commissions paid on the front end, monthly fees, “back-end” commissions, guaranteed values vs. projected values, surrender fees, and the investment company’s financial rating. Furthermore, it is recommended that if you work with an agent or broker, he/she be licensed to sell all the various types of products available, not just annuities or not just mutual funds, so that you can be sure you are getting a product that meets your goals and objectives.

You may only contribute to an account belonging to a company in the CCISD 403(b) Plan. (A copy of this plan can be obtained from the CCISD website). The standard deferral limit for employees under age 50 is \$19,500 in 2020. For employees age 50 or above, the limit is \$26,000. Provisions regarding transfers, loans, distributions, hardship withdrawals, etc., are

defined in the 403(b) Plan Document; these provisions may be more narrowly enforced by the chosen investment vehicle. For example, the 403(b) Plan Document may allow for loans, but your investment company and/or product may not have a loan provision.

## *2. 457(b) Retirement Savings Plan*

The District has established a 457(b) investment plan. Employees may allocate their investments among the various fund options available. Employees can read about, enroll in, or amend their 457 account by going to ~~non~~ [www.tcgservices.com](http://www.tcgservices.com).

The deferral limits for the 457(b) are the same as those for the 403(b): the 2022 standard deferral limit is \$19,500; an additional \$6,500 can be contributed for persons ages 50 or above. Employees are encouraged to check the Employee Benefits Guide and the Employee Portal for more detailed information.

Contributions to your 403(b) and/or 457(b) are done on a pre-tax basis and earnings grow on a tax-deferred basis. You may not withdraw your funds from either account while you are a Clear Creek ISD employee. If you separate from service with Clear Creek ISD you may elect to take a distribution of your 403(b) account balance or roll those balances over to an IRA. If you take a distribution from your 403(b), and if you are not at least 59 ½ years of age, you may have to pay a 10% penalty to the IRS for early withdrawal of your retirement funds.

The 457(b) plan does not provide for a 10% penalty for early withdrawal of retirement funds. However, like the 403(b), you may not withdraw your 457(b) funds prior to separating from service with the District.

You may contribute to either a 403(b) or a 457(b), or you may contribute to both.

## *3. Employee Assistance Program*

The Clear Creek Independent School District provides, for its employees and their dependents, an Employee Assistance Program (EAP), which is a confidential counseling/referral service prepaid by the District. This program provides support with those problems that can affect all individuals and families at one time or another, such as stress, depression, anxiety, illness in the family, divorce, and child custody problems, dealing with an aging parent, death, relationship difficulties, alcoholism, drug abuse, etc.

Your EAP provides focused short-term help, which can appraise a situation and help you to get appropriate help. It can also help you find specialized programs and services if the focused help of the EAP is not appropriate for you. All full-time employees and dependents are eligible for 6 sessions per issue, per year. You pay nothing for these sessions. Be aware that the EAP vendor changes periodically. Employees should review their Employee Benefits Guide for updated information.

Your EAP maintains the privacy and confidentiality of all conversations. Your EAP will not share any information concerning an individual's use of the EAP with anyone at Clear Creek ISD, other family members, or any other person or organization without the

individual's prior knowledge and written permission, except as required by law, or if the counselor determines that the individual problem poses a threat to the safety or welfare of the individual or others.

Assistance is available 24 hours a day.

Toll Free #: 1-855-506-3173

Website: [www.guidanceresources.com](http://www.guidanceresources.com) (Company ID: CCISD)

## **Leaves and Absences - Policies DEC, DECA, DECB**

### ***CCISD Attendance Policy***

Leaves of Absence are administered by the **Human Resources Department**. The District offers both paid and unpaid leaves due to personal need or for family emergency. Employees in need of counseling regarding the type of approved leave of absence they may qualify for, continuation of benefits while absent from work, and any required documentation necessary to request an approved leave should contact the **Human Resources Department** at (281) 284-0150.

The District expects employees to report for duty on all scheduled workdays. To allow for individual and family illnesses and emergencies, CCISD has developed a number of ways to accommodate time off for employees to deal with personal and family needs.

**Immediate Family.** For purposes of leave other than Family and Medical Leave (FML), immediate family is defined as the following:

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

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

An employee that has available paid leave and misses three or fewer days of work is permitted to use their paid leave without supervisor approval. Employees absent in excess of three consecutive workdays due to their own personal illness or that of a family member must submit medical certification from a qualified health care provider confirming the dates of illness and fitness to return to work to their supervisor ***prior to returning to work***. Absences in excess of

five consecutive workdays require an approved leave of absence. Should the need for an approved leave of absence arise, employees should notify their supervisor as soon as possible and contact the **Human Resources Department** to obtain the appropriate paperwork.

Employees on an unpaid leave of absence may continue their insurance benefits at their own expense. The District will continue its contribution toward Medical, Dental, Long Term Disability, the Employee Assistance Program, and Basic Life Insurance (if applicable) for any employee absent due to Family and Medical Leave or a paid leave. Employees absent from work on any other type of approved, unpaid leave for an entire calendar month will be required to pay their portion of the monthly premiums as well as the District's contribution.

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

Any unapproved absences beyond accumulated or available leave shall result in deduction from the employee's pay. Per Board Policy DEC (LOCAL), absence from work without paid leave or approved unpaid leave shall result in disciplinary action up to and including termination of employment. Excessive absences and/or tardies will result in disciplinary action.

The following pages provide a brief overview of the types of an approved leave available to CCISD employees.

### ***Personal and Sick Leave***

The District shall make state personal leave and local leave for the current year available for use at the beginning of the school year. If an employee separates from employment with the District before his or her last duty day of the year, or begins employment after the first duty day, state personal leave and local leave shall be prorated based on the actual time employed.

#### ***Personal Leave***

State law entitles all employees to five days of paid personal leave per year. Personal leave is available for use at the beginning of the school year. A day of earned personal leave is equivalent to an assigned workday. There is no limit on the accumulation of state personal leave, and it can be transferred to other Texas school districts. There are two types of personal leave: non-discretionary and discretionary.

##### ***1. Non-discretionary***

Leave that is taken for personal or family illness, family emergency, a death in the immediate family, or active military service is considered non-discretionary leave. Reasons for this type of leave allow little or no advance planning. Nondiscretionary leave will be granted to employees in the same manner as sick leave.

##### ***2. Discretionary***

Leave that is taken at an employee's discretion and that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a notice of the request at least five (5) days in advance of the anticipated

absence to his or her 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 5% of campus employees in each job category will be permitted to take discretionary personal leave at the same time.
- Discretionary personal leave may not exceed five total workdays per academic calendar year.
- Requests to use state personal leave shall not be granted the day before or after a school holiday, the day before or after any semester, any day on which staff development or professional learning is scheduled, or any other time determined by the supervisor or designee for which the employee's absence impacts the educational program or District operations.
- Discretionary use of personal leave shall be allowed for an employee absence in observance of a religious holiday.

The complete policy and procedures for the use of discretionary personal leave days are outlined in CCISD Board Policy DEC (LOCAL) and Regulation.

### *Sick Leave*

Employees may accumulate sick leave with no limit as to the number of days. State sick leave days are transferable to other Texas school districts. The employee's service record will reflect the balance of these state days. Local leave days are not transferable between districts. Although the District encourages employees to use local sick leave prior to state sick leave, the employee may choose the order in which types of leave are taken. If an employee uses more sick leave than he or she has earned, the cost of unearned sick leave will be deducted from the employee's next paycheck.

### ***Earned Sick Leave - Policy DEC***

Employees earn sick leave days while on the job, at the rate of a half day per month once they report to work. Once the employee exhausts all sick leave, no additional sick leave may be accrued. State and Local sick leave balances are posted on employee pay vouchers but do not necessarily reflect total accrued days. Accrued days may be reduced if the employee works fewer days than his or her scheduled work calendar.

**IMPORTANT** – If an employee goes on leave, he/she cannot earn sick leave while on leave. Leave earned will be figured by total number of days absent before and during the leave and the leave bank will be adjusted accordingly. If an employee is present, on the job, at the beginning of his/her school employment year, his or her maximum leave days will be posted prior to earning them. An employee earns ½ day state and ½ day local leave for each month worked. If unearned days are used, and the employee leaves the District, he/she will repay the District by adjustment of their final check.

Sick leave may be used for the following reasons only:

1. employee illness
2. illness in the employee's immediate family (see Board Policy DEC)
3. family emergency (i.e. natural disasters or life-threatening situations)
4. death in the immediate family



5. active military service

### ***Order of Use – Policy DEC (LOCAL)***

Unless an employee requests a different order, available paid state and local leave shall be used in the following order, as applicable:

1. Local leave
2. State sick leave accumulated before the 1995-96 school year
3. State personal leave

Employees shall be charged leave as used even if a substitute is not employed.

Leave shall be recorded in whole workdays and half workdays only, except in accordance with provisions for intermittent leave in the Family and Medical Leave Act or when coordinated with workers' compensation benefits.

### ***Sick Leave Reimbursement - Policy DEC (LOCAL)***

Reimbursement is available to employees leaving the District with unused sick leave through the 401(a) program. Full-time professional employees leaving the District with five (5) or more years of continuous service in CCISD, shall be reimbursed for unused local sick leave, not to exceed the number of days in their work calendar. State leave is reimbursable if the employee is retiring, under TRS guidelines, at the time of separation from the District.

Full-time paraprofessional and auxiliary employees with five (5) or more years of CCISD service are also eligible for reimbursement of up to one year's unused state and local sick leave. However, the reimbursement is available only if the paraprofessional/auxiliary employee is retiring, under TRS guidelines, at the time of separation from the District.

Payment shall be at the certified substitute teacher rate for all professional employees and at 50% of the employee's daily rate for all other employees, not to exceed the non-certified substitute teacher rate. For information on these two options, please contact the Finance Department.

Prior to May 1, 2001, employees were given the option to receive their accumulated sick leave as part of their final paycheck upon separation of service with Clear Creek ISD. In doing so, these employees were "opting out" of the 401(a) Sick Leave plan. Employees who did not "opt out" of the 401(a), as well as all employees hired on or after May 1, 2001, have the benefit of having their accrued leave paid out as retirement funds. These employees are able to set up a qualified retirement plan such as an IRA and roll their accumulated sick leave payout into the IRA, thereby deferring taxation on the distribution until a later time. Other disbursement options will be available to CCISD employees through the 401(a). These options will be listed in the notification they receive from PARS, the trust administrator, upon separation from service.

### **Special Sick Leave Provisions**

Special provisions to the District sick leave policy are outlined in the CCISD Board Policy Manual, including the following:

1. Absence without loss of sick leave is available for an employee recovering from an injury sustained from an unprovoked assault while on duty.

2. Extended sick leave (up to 20 days) is available when the employee has used all non-duty and accumulated sick leave. Professional employees will be paid their full daily rate, less the daily rate of a substitute for a certified teacher. Paraprofessional and auxiliary employees will be paid ½ of their daily rate as long as that rate does not exceed the non-degreed substitute rate. The employee must have three years' experience in the District and have 30 days of accumulated sick leave at the close of the prior school year to be eligible for extended sick leave.
3. Under exceptional circumstances, an employee who has exhausted all available paid leave may be granted up to ten (10) days of unpaid leave. This type of leave will result in a full deduction of one day's pay for each day missed. The deduction for the day(s) missed will be made from the employee's next regular paycheck.

### ***Friends Helping Friends***

"Friends Helping Friends" is a voluntary program designed to enable employees to donate sick leave days to a full-time Clear Creek ISD employee in the event of an unforeseeable, catastrophic illness or injury (cancer treatment, chemotherapy, heart surgery, etc.) to the employee or member of the employee's immediate family. The medical qualifier will be an outlier threshold of thirty (30) or more on the Diagnosis Related Groups (DRG) found in the Federal Register. A copy of this list is available through the Human Resources Department (281-284-0150). The immediate family is defined as the spouse, children, parents, and any other persons claimed as dependents on the employee's most recent tax return.

Days may be requested by the receiving employee only after he/she has exhausted all his/her accumulated paid leave days, compensatory time, and any other options. The maximum number of days received through the "Friends Helping Friends" program may not exceed 45 days during a school year. The school year is defined as August through July of the following year. Please contact your principal, site supervisor, or the Human Resources Department (281-284-0150) if you believe you qualify for this type of assistance.

### ***Major Disaster Leave***

In the event of a major disaster or emergency, as declared by the President of the United States, the Superintendent may approve the establishment of a leave-sharing plan for employees adversely affected by the disaster or emergency. For purposes of the plan, an employee is considered to be adversely affected by a major disaster if the disaster has caused severe hardship to the employee that requires the employee to be absent from work

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

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

#### ***Basic Leave Entitlement***

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

- For incapacity due to pregnancy, prenatal medical care or childbirth;
- 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.

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period from August 1 through July 31.

***Military Family Leave Entitlements***

An eligible employee whose spouse, son, daughter, or parent is on covered active duty or called to covered active-duty status may use his or her 12-week leave entitlement to address certain qualifying emergencies. Qualifying emergencies 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.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

**\* The FMLA definitions of “serious injury or illness” for current service members and veterans are more distinct from the FMLA definition of “serious health condition.”**

*Benefits and Protections*

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

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

*Eligibility Requirements*

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

*Definition of Serious Health Condition*

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health

care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.

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

#### *Use of Leave*

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

#### *Substitution of Paid Leave for Unpaid Leave*

Employees may choose, or employers may require, use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

#### *Employee Responsibilities*

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as is practical and must comply with an employer's normal call-in procedures.

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

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

### *Employer Responsibilities*

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

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

### *Unlawful Acts by Employers*

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right protected under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

### *Enforcement*

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

[www.wagehour.dol.gov](http://www.wagehour.dol.gov)

### *Local FMLA Provisions*

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period between August 1<sup>st</sup> and July 31<sup>st</sup>.

### *Use of Paid Leave*

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

### *Combined Leave for Spouses*

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

### *Intermittent Leave*

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

### *Fitness for Duty*

An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. When leave is taken for the employee's own serious health condition, the certification must address the employee's ability to perform essential job function. The District shall provide a list of essential job functions (e.g., job description) to the employee with the FML designation notice to share with the health care provider. Fitness for duty is not required when an employee returns to work following leave to care for a family member with a serious health condition; to care for a child following birth, adoption, or foster care placement; or for qualifying exigency leave.

### *Reinstatement*

An employee returning to work at the end of FML will be returned to the same position held when the leave began or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FML entitlement, and the District will maintain the employees group health insurance and reinstate the employee at the end of the leave according to the procedures outlined in policy (see DECA (LEGAL)).

### *Failure to Return*

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

### *District Contact*

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

### *Temporary Disability Leave*

*Certified employees:* 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. Any full-time employee whose position requires certification by the State Board for Educator Certification or by the District is eligible for temporary disability leave. Pregnancy and conditions related to pregnancy are treated the same

as any other temporary disability. A full-time educator may voluntarily request to be placed on temporary disability leave or be placed on leave involuntarily if, in the District's opinion, the employee's condition interferes with his or her ability to perform duties. Time absent from work due to an approved Family and Medical Leave shall also count against eligible time under the Temporary Disability Leave. The maximum amount of time available under TDL is 180 calendar days.

Employees must request approval for temporary disability leave. The leave request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is not approved, the employee must return to work or be subject to termination procedures. If an employee is placed on temporary disability leave involuntarily, he or she has the right to request a hearing before the board of trustees. The employee may protest the action and present additional evidence of fitness to work.

When an employee is ready to return to work, the Human Resources Department must 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 perform the essential duties of the job. Such employees returning to work from temporary disability leave will be reinstated to the school to which they were previously assigned as soon as an appropriate position is available. If a position is not available before the end of the school year, educators will be reinstated at the beginning of the following school year.

### ***Unpaid Personal Illness Leave***

*Non-Certified Employees:* When all other leave options have been exhausted, employees of the District who are not educators can apply for additional leave for their own disability under Unpaid Personal Illness Leave. Requests for this Leave must be made in writing to the Business Services Department and should include a physician's certification detailing the nature of the employee's condition and the projected amount of time he/she will be out. The maximum amount of Unpaid Personal Illness Leave that may be granted is 90 calendar days per academic year. Employees who are placed on this type of leave may be required to pay both their own portion as well as the District's portion of their benefits while they are absent. Employees placed on this type of leave who obtain a full medical release prior to the end of the leave may return to their position if it is available. If their position is no longer available, they may apply for and be considered, along with other applicants, for other positions in the District for which they are qualified.

### ***Workers' Compensation Benefits - Policy CRE***

The District, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. Benefits help pay for medical treatment and replace 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 **MUST** be reported to your supervisor within 24 hours of the date of the accident. 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.

Employees who are absent from work due to a work-related injury may receive income benefits through Workers Compensation. These income benefits do not replace 100% of the employee's lost earnings. Therefore, employees are permitted to elect to use a portion of their sick leave such that the combination of their sick leave and workers' compensation income benefits provides approximately (but does not exceed) 100% of their pre-injury earnings.

Approval for benefits through Workers' Compensation is not equivalent to approval for a Leave of Absence. *Employees who are absent more than five consecutive days due to a work-related condition must also contact the Business Services Department at 281-284-0230 to discuss Leave of Absence options.*

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use available, partial-day increments of sick leave or any other paid leave benefits to make up the difference between wage benefits and pre-injury or -illness wages. While an employee is receiving workers' compensation wage benefits, the district will charge available leave proportionately so that the employee receives an amount equal to the employee's regular salary.

### ***Light Duty Program***

In an effort to return injured workers back to the work force as quickly as possible, the District has established a light duty program. Depending on an injured worker's restrictions, the District may place the employee on a light duty assignment, not to exceed ninety calendar days. This light duty assignment may involve job duties other than the employee's normal job, as determined by the needs of the District. Light Duty assignments are coordinated through the Director of Business Services and Financial Planning.

### ***Assault Leave***

Assault leave provides extended job protection to an employee who is seriously injured as the result of a physical assault suffered during the performance of his or her job. An employee who is physically assaulted at work may take all the leave time necessary (up to two years) to recover from the physical injuries he or she sustained. Days of leave granted for assault leave are not deducted from accrued personal leave but are coordinated with workers' compensation benefits. An employee who has been assaulted may be placed on a Light Duty assignment as outlined above.

### ***Bereavement Leave – Policy DEC(LOCAL)***

Use of state and/or local sick leave for death in the immediate family shall not exceed five workdays per occurrence, subject to the approval of the District.

### ***Jury Duty - Policies DEC, DG***

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees must present documentation of the service and may retain any compensation they receive.



### ***Other Court Appearances***

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

### ***Religious Observance***

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

### ***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, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to 15 days of paid leave per fiscal year when engaged in authorized training or duty ordered by proper authority. An additional seven days of leave per fiscal year are available if called to state active in response to a disaster. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service. If reserve training can be scheduled during non-workdays, this must be done.

*Reemployment after Military Leave.* Employees who leave the District to enter into the United States uniformed services or 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 are still qualified to perform the required duties of the position. To be eligible for reemployment, employees must provide to the Business Services department a written notice of their intention to return to work no later than the 90th day after the date the veteran is discharged or released from active military service. In most cases, the length of federal military service cannot exceed five years.

Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact the Business Services office 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.

The District has always been committed to promoting good community relations by keeping the public well informed about the schools. Throughout the school year, the Office of

Communications publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements.

The District has a “24-hour Communication Link” telephone number that allows patrons to leave a voice mail message to request information, offer suggestions, or ask questions. The telephone number is 281-284-0020. The Office of Communications personnel monitor the Communication Link phone number and provide responses on the next business day.

Positive public relations are not just the responsibility of the District’s Office of Communications. Each employee’s contact with every student, parent, colleague, and patron is an opportunity to make a positive impression about Clear Creek ISD.

At the end of each school year, employees completing 10, 20, 30, or 40 years of service are recognized for their contributions.

***District Website (Internet Address: [www.ccisd.net](http://www.ccisd.net))***

A great deal of information may be obtained by using CCISD’s website. Some items available include:

1. Calendar
2. Community-description of CCISD and links
3. Current Committee Minutes
4. District – Policies, Information, Goals, Benefits, Board of Trustees, Human Resources
5. Employee Benefits
6. E- Email
7. Instruction
8. Job Postings
9. Public Information – Board of Trustees Reports, Press Releases, etc.
10. Schools – each school has a webpage
11. Site Maps
12. Texas Education Agency – Internet Address: [www.tea.state.tx.us](http://www.tea.state.tx.us)
13. Video news, electronic newsletter, etc.

## **Complaints and Grievances - Policy DGBA**

Employees are provided with an orderly process for the prompt and fair resolution of complaints through administrative review conferences, hearings, and, if needed, presentations to the Board of Trustees. Whenever possible, complaints should be resolved at the lowest administrative level. Employees and supervisors are encouraged to resolve issues before they interrupt the educational process. The full text of the Policy may be accessed through the District website and is DGBA (LOCAL).

Complaints may be filed for:

1. grievances involving an employee’s wages, hours, or working conditions;
2. alleged violations of District policies or rules;

3. alleged violations of an employee's legal rights.

When filing a complaint, an employee must specify the individual harm suffered and the remedy sought. All complaints arising out of an event, or a series of events should be addressed in a single grievance. An employee shall not bring separate complaints concerning events about which he or she has previously grieved.

Complaints involving the dismissal or nonrenewal of contract employees are not subject to this procedure. See series DF of the Policy Manual for the hearing process related to dismissal issues.

## **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:

1. Recognize and respect the rights and property of students and coworkers as well as maintain confidentiality in all matters relating to students and coworkers.
2. Report to work according to assigned schedule.
3. Notify their immediate supervisor as early as possible (preferably in advance) 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.
4. Know and comply with department and District procedures and policies.
5. Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
6. 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 policy, and ethical standards for professional educators. The Code of Ethics and Standard Practices for Texas Educators are located in DH (EXHIBIT). Violations of policies, regulations or guidelines may result in disciplinary action, up to and including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to the State Board for Educator Certification (SBEC).

The Educators' Code of Ethics, adopted by the State Board for Educator Certification, which all district 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. This chapter shall apply to educators and candidates for certification. (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 for Educator Certification (SBEC) and its certification process.

**Standard 1.2** The educator shall not intentionally, knowingly, or recklessly 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 that are used 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, knowingly, or recklessly 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, abuse, or distribution of controlled substances, prescription drugs and toxic inhalants.

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

## **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.

**Standard 2.8** The educator shall not intentionally or knowingly subject a colleague to sexual harassment.

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

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

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

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

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

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

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

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

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

### ***Personal Use of Electronic Media- Policies CQ and DH***

Electronic communications include all forms of social media, such as text messaging, instant messaging, electronic mail (email), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social

network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic communications also include 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 communications as they are for any other public conduct. If an employee's use of electronic communications interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. 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 communications 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 limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, mealtimes, and before and after scheduled work hours, unless there is an emergency, or the use is authorized by a supervisor to conduct district business.
- The employee shall not use the district's logo or other copyrighted material of the district without express written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on district business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
  - Confidentiality of student records. [See Policy FL]
  - Confidentiality of health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law. [See DH (EXHIBIT)]
  - Confidentiality of district records, including educator evaluations and private email 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 DH (EXHIBIT)]

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

### ***Communicating with Students through Electronic Media - Policies CQ and DH***

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through District-approved 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. An employee who claims an exception based on a social relationship shall obtain and provide, upon District request, written consent from the student's parent acknowledging that the parent is aware of the relationship and that the electronic communication falls outside the parameters of the employee's duties with CCISD.

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

- *Electronic media* includes all forms of social media, including but not limited to text messaging, instant messaging, electronic mail (email), blogs, electronic forums (chat rooms), videoconferencing, video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, social network sites, and applications. (e.g., Facebook, Twitter, LinkedIn, Instagram, Snapchat, Kik, etc.). *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 is permitted to use electronic media to communicate with students shall observe the following:



- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, which are not provided or accessible by the district unless a specific exception is noted below.
- 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. An employee who communicates with a student using text messaging shall comply with one or more of the following protocols, as directed in advance by the employee's immediate supervisor:
  - The employee shall include at least one of the student's parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;
  - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or
  - For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee's district email address.
- The employee shall limit all communication, including electronic communication, 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 or site; the employee must create a separate social network page ("professional page") for the purpose of communicating with students and must obtain prior principal approval. The employee must enable administration and parents to access the employee's professional page.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics, including:
  - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
  - Copyright law [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 email, text messaging, instant messaging, or any other form of one-to-one communication.

- An employee shall notify his or supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

***Discrimination, Harassment & Retaliation - Policies DAA, DH, DIA, FFH***

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

Individuals who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate District official. If the campus principal, supervisor, or appropriate District official or supervisor 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. Policies including definitions and procedures for reporting and investigating discrimination, harassment and retaliation can be found in DIA (LOCAL) at <https://pol.tasb.org/Policy/Code/505?filter=DIA>

***Harassment of Students and Others - Policies DH, DHB, FFG, FFH, FFI***

Sexual and other harassment of students by employees is a form of discrimination and is 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 directly to the District official designated below. All allegations of prohibited harassment or abuse of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse* and *Bullying* for additional information.

**Title IX Coordinator**

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An employee who knows of and suspects child abuse must also report his or her knowledge of suspicion to the appropriate authorities as required by law. Staff members should be alert to situations involving student-to-student sexual harassment. Inappropriate conduct should be stopped, and appropriate action taken to prevent future occurrences.

The District's policies that include definitions and procedures for investigating harassment of students may be found in DF (LEGAL) and (LOCAL) and FFH (LEGAL) and (LOCAL) at [www.ccisd.net](http://www.ccisd.net) - Policy On-Line.

### ***Alcohol and Drug -Abuse Prevention - Policies DH, DI***

Educators are role models for the young people of the community. In addition, the patrons of the District have certain expectations regarding the conduct of those with whom they entrust their children and their resources. For those reasons, as well as for the health and well-being of the employees, the District promotes a drug-free and alcohol-free working environment.

The Clear Creek Independent School District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, as that term is defined in state and federal law, in the workplace or at any school related function. District policy provides for dismissal of employees found to be in violation of District policies regarding drug abuse, use, or possession. As a condition of employment in CCISD, each employee shall abide by the terms of the requirements set out in this statement and in District policies. Any violation of this policy in the workplace, any failure to comply with any directive pursuant to this policy, or any violation of a criminal drug law may result in suspension, with or without pay, or in termination.

### ***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 - Policies DH, FFAC***

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

District employees are prohibited from doing the following:

1. recommending that a student use a psychotropic drug;
2. suggesting a particular diagnosis;
3. 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.

### ***Reporting Suspected Child Abuse or Neglect - Policies DF, DG, DH, FFG, GRA***

All employees with reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect, as defined by Texas Family Code §261.001, are required by state law to make a report to a law enforcement agency, Child Protective Services (CPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the facility) within 48 hours of the event that led to the suspicion. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a teacher) must be reported to CPS.

Employees are also required to make a report if they have cause to believe that an adult was a victim of abuse or neglect as a child, and they determine in good faith that the disclosure of the

information is necessary to protect the health and safety of another child, elderly or disabled person.

Reports to Child Protective Services are to be made to the Texas Abuse Hotline (800-252-5400) or online at <https://www.txabusehotline.org/Login/Default.aspx>. State law specifies that an employee may not delegate to or rely on another person or administrator 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 make the required report may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report may result in disciplinary procedures by SBEC for a violation of the Texas Educator's Code of Ethics.

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

Reporting the concern to the principal does not relieve the employee or 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.

### ***Sexual Abuse and Maltreatment of Children***

The District has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed in Board Regulations. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or otherwise maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who has reasonable cause to believe 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*.

### ***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.

The District encourages personal participation in the political process, including voting. Employees who need to be absent from work to vote during the early voting period or on election day must communicate with their immediate supervisor prior to the absence.

### ***Reporting Crime- Policy DG***

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

### ***Scope and Sequence- Policy DG***

If a teacher determines that students need more or less time in a specific area to demonstrate proficiency in the Texas Essential Knowledge and Skills (TEKS) for that subject and grade level, the district will not penalize the teacher for not following the district's scope and sequence. The District may take appropriate action if a teacher does not follow the District's scope and sequence based on documented evidence of a deficiency in classroom instruction. This documentation can be obtained through observation or substantiated and documented third-party information.

### ***Public Information on Private Devices - Policy DH***

Employees should not maintain District information on privately owned devices. Any District information must be forwarded or transferred to the District to be preserved. The District will take reasonable efforts to obtain public information in compliance with the Public Information Act.

Reasonable efforts may include:

- Verbal or written directive
- Remote access to District-owned devices and services

### ***Charitable Contributions - Policy DG***

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

### ***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. See *Emergencies* for additional information.

Under the District's safety program, each employee, supervisor, and administrator are personally responsible for reporting and correcting hazardous conditions and unsafe work practices. No CCISD objective is so important that it will be pursued at the sacrifice of safety.

To prevent or minimize injuries to employees, coworkers, and students, and to protect and conserve District equipment, employees must comply with the following requirements:

1. Observe all safety rules.
2. Keep work areas clean and orderly at all times.
3. Immediately report all accidents to your supervisor.
4. Operate only equipment or machines for which you have training and authorization.

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

Employees with questions or concerns relating to safety programs and issues should contact Safe & Secure Schools at 281-284-0063.

### ***Tobacco Products and E-Cigarette Use - Policies DH, FNCD, GKA***

Smoking or using tobacco products including electronic cigarettes, vaporizing devices, and other smokeless products is prohibited by law at all school-related or school-sanctioned activities on or off school property. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of District-owned vehicles are prohibited from using these products 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.

This policy applies equally to all employees, students, patrons, and visitors. The policy applies to all forms of tobacco and tobacco products, including smokeless tobacco, as well as e-cigarettes and vaporizing devices.

### ***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 employees as required by state law and entered into the Texas Department of Public Safety (DPS) Clearinghouse. This database provides the District and SBEC with access to the 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, or 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 a person to hold or obtain a position as an educator
- Crimes that occur wholly or in part on school property or at a school-sponsored activity
- Crimes involving moral turpitude

Moral turpitude includes, but is not limited to, the following:

- dishonesty
- fraud
- deceit
- theft
- misrepresentation
- deliberate violence (including, but not limited to assault)
- base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor
- drug or alcohol-related offenses, including driving while intoxicated (DWI) or driving under the influence (DUI) of drugs or alcohol
- acts constituting abuse or neglect under the Texas Family Code

**If an educator is arrested or criminally charged, the Superintendent is also required to report the educator's criminal history to the Division of Investigations at TEA.**

### ***Possession of Firearms and Weapons - Policies DH, FNCG, GKA***

Employees, visitors, and students, including those licensed to carry a handgun, 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. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other District provided parking area, provided the handgun or firearm or ammunition is properly stored, and not in plain view. To ensure the safety of all persons, employees who observe or suspect a violation of the District's weapons policy should report it to their supervisors and/or immediately call either the Galveston County Sheriff School Liaison Division at 281-850-6102 or the Safe and Secure Schools at 281-284-0063 or extension 40911.

### ***Visitors in the Workplace - Policies CLA, GKC***

Employees and substitutes are expected to wear ID badges while on school property. All visitors are expected to enter any District facility through the main entrance and sign in or report to the building's main office for authorization. Authorized visitors will be issued a temporary ID badge and will receive directions or be escorted to their destination. Additionally, upon leaving, visitors are required to return to the main entrance and sign out. Employees who observe an

unauthorized individual on the District premises should immediately direct him or her to the building office and contact the administrator in charge.

### ***Workplace Phone Number***

If it is necessary to list a workplace phone number with doctors, childcare, or any other reason, please do not use 281-284-0000 (the Education Support Center). ESC operators are not permitted to give out your work number. Please use your building number, when needed.

### ***Instructional Resources: Copyrighted Material, Copyright Infringement - Policies EFE, CY***

Employees are required to comply with the provisions of copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e. printed materials, videos, computer data and programs, etc.). Privately owned or rented videos are to be used in the classroom for educational purposes only and must be approved in advance by the building principal or designee. If necessary, parent consent must be obtained.

Materials with a PG, PG-13, or R rating may be shown only after receiving parental permission (CY(LOCAL); CY(REGULATION); EF(EXHIBIT))

Duplication of all copyrighted materials and backups of computer programs and data must be made within the provisions of the purchase agreement.

All employees are required to complete the District copyright course available in the District learning portal.

### ***Computer Use, Electronic Information, and Data Management - Policy CQ, Policy DH, Employee Responsible Use Guidelines***

The District's electronic communications and information technology systems, including but not limited to all computer, email, Internet, and network access, are governed by the policy and administrative regulations set forth in the District's Electronic Information/Communications and Data Management Policy CQ, and the Employee Standards of Conduct Policy DH, and the Employee Responsible Use Guidelines for Technology incorporated by reference to this handbook as Appendix A.

Employees and students are required to abide by all provisions of the District's policy and administrative regulations, including the Employee Responsible Use Guidelines, and complete the annual Cybersecurity training as required by HB 3834. Failure to do so will result in suspension or termination of privileges and may lead to disciplinary and/or legal action.

Electronic mail transmissions and other use of electronic communication systems by students and employees are not private and can be monitored at any time to ensure appropriate use.

The District's electronic systems are intended for administrative and instructional purposes. Limited personal use of the system is permitted if the use:

1. imposes no tangible cost to the District;
2. does not unduly burden the District's computer or network resources;
3. does not violate District policy, administrative regulations, or procedures;



4. has no adverse effect on an employee's job performance or on a student's academic performance; and
5. does not occur while the employee is assigned to other duties.

#### ***Asbestos Management Plan - Policy CKA***

The District is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan for each piece of District property. A copy of the District's management plan is kept in the Maintenance Department Office and is available for inspection during normal business hours. A copy of each building management plan is kept onsite 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.

All notices of planned pest control treatment will be posted in accordance to Texas IPM for Schools rules and regulations.

#### ***Employee Standard of Dress***

A professional standard of dress requires that staff members should be readily distinguishable from students. Role modeling is a part of the employee's professional responsibilities. Managers and supervisors will exercise discretion in asking employees deemed to be dressed inappropriately to return home, change into appropriate dress, and return to work.

Male employees shall be allowed to wear a well-groomed mustache and beard.

Male supervisors shall wear collared shirts during normal school hours.

Coaches/PE instructors may wear shorts and t-shirts in their respective sport/activity and cover them with a warm-up suit if they alternate between classroom and coaching responsibilities.

Instructors in laboratory-based coursework (i.e. Science or technical shops, art, etc.) must comply with the dress standards and should wear aprons, smocks, jumpsuits, or protective clothing.

Campus, school-related club/organization T-shirts may be worn on designated days as approved by the campus principal or superintendent.

Visible tattoos and body piercings other than ears must be covered.

#### **Inappropriate dress includes but is not limited to:**

1. Shorts

2. Low-cut, short, or revealing attire (clothing should cover midriff, shoulders, and upper chest)
3. Skirts or dresses shorter than mid-thigh
4. Wind suits, warm-ups, sweat suits (exception: coaches/PE instructors; see above)
5. Yoga pants, stretch pants or stirrup pants
6. Flip-flops or sandals without heels
7. Sun dresses without a jacket
8. Spaghetti strap garments
9. Overalls

### ***Identification***

Employees, substitutes, authorized visitors, and designated supervisory personnel are issued and required to wear an appropriate District identification tag. Identification badges must be worn at all times while on duty. Identification badges should not be shared with anyone.

All badges should be cared for and maintained in such a manner as to ensure proper function as well as appearance. These cards have a slot punched for them to attach a clip or lanyard and no other holes either large or small can be made in these cards or it will damage the keyless entry technology embedded within the card. Do not leave in the sun or allow it to be demagnetized.

If an identification badge is lost or stolen, it is the employee's responsibility to immediately inform the principal or facility administrator and contact the **Business Services Department** for a replacement badge.

If any badge requires replacement for the following reasons, then a replacement fee will not be assessed:

1. Normal "wear and tear" that would be associated with the duties of the employee.
2. Total failure on the part of the badge to function with the KRONOS time clocks.
3. Employment change within the District or name change that would require a different ID badge.
4. In all of the above changes, the old badge must be surrendered upon request for a replacement badge, or a replacement fee will be assessed.

### ***Health Exams - Policy DBB, DEC***

It is the goal of the Clear Creek Independent School District to maintain a healthy working and learning environment for all employees and students. The District reserves the right to require any employee to have a physical examination if, in the opinion of the supervising administrator, the employee is unable to perform required duties and responsibilities due to an apparent physical or mental illness. The exam will be performed by a doctor approved by CCISD and the District will pay for the exam.

### ***Life Threatening Illness in the Workplace***

Employees with life-threatening illnesses (such as cancer, heart disease, and AIDS) often wish to continue their normal pursuits, including work, to the extent allowed by their condition. Clear Creek ISD supports these endeavors as long as employees are able to meet acceptable performance standards. Clear Creek ISD will make reasonable accommodations, in accordance

with all legal requirements, to assist qualified employees with life threatening illnesses in the performance of the essential functions of their jobs.

Medical information on individual employees is treated confidentially. Clear Creek ISD will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

### ***Use of District Vehicles/Rental Vehicles (CNB Regulation)***

District employees are subject to the following when operating a District owned, rented, or leased vehicle/equipment:

- The driver must hold a valid Texas driver's license for the type of vehicle to be driven.
- The driver must attend a District driver training course within the first six months of his or her assignment. This course must be completed once every three years in order to renew certification.
- A motor vehicle records (MVR) check will be performed prior to driving a District owned vehicle and will be reviewed at least annually. A District vehicle driver must not have an excessive number of accidents or traffic violations.
- The driver must sign the Clear Creek Independent School District Driver Agreement Form.

## **General Procedures**

### ***Bad Weather Closing***

The District may close schools for a full day or part of a day 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 close schools, open late, or release students early, the Office of Communications will notify the media, post information on the District website, update the community hotline, and utilize a District-wide emergency phone call to parents and staff.

The telephone number for the Education Support Center is 281-284-0000.

### ***Emergencies***

Training and preparation are keys to effective handling of an emergency or crisis situation. The District has prepared and implemented a Standard Response Protocol that outlines the responsibilities of District employees in an emergency situation. The Standard Response Protocol is available to all employees and should be posted in all classrooms.

All employees should be familiar with the Standard Response Protocol. Fire and other emergency drills will be conducted to familiarize employees and students with evacuation procedures and response in an emergency situation. Participation in these drills is mandatory and everyone is expected to participate. Fire extinguishers and AEDs are located throughout all

District facilities. Employees should know the location of the extinguishers and AEDs nearest their place of work and how to use them. Should you need information as to their locations, please ask administration, the school nurse, or trainer.

All employees should be familiar with evacuation diagrams in their work areas.

### ***Faculty Meetings***

Certified professional personnel are required to attend faculty meetings called by their building principal. Meetings are scheduled as needed. These meetings serve as effective means of communication and professional learning at the campus level.

### ***Grade Books, Course Syllabi, and Lesson Plans***

Teachers are required to maintain an electronic grade book to support grades assigned to students. Grades must be entered into the District's electronic grade book system weekly. Procedures for grading are located in the CCISD Grading and Reporting Procedures (EIA Local). A student's progress as reflected within the teacher's grade book should be made available for reference during parent conferences.

Weekly lesson plans are required. The content and format are established by each campus and loaded into the electronic system. These plans are used to guide instruction. The plans should be completed in sufficient detail to enable a substitute teacher to carry out lesson objectives and student safety.

### ***Classroom Animal Recommendation***

Clear Creek ISD encourages teachers to appropriately use animals in the classroom. In order to bring animals into any classroom, District certification is required through the Living Materials Center housed at Seabrook Intermediate School. In addition to certification, teachers are required to fill out the Classroom Animal Request Form and obtain permission from the campus principal. For more information about certification for live animals in the classroom, please contact the Living Materials Center at 281-284-3192.

### ***Mail***

Clear Creek ISD couriers make daily mail deliveries and pick-ups at each school and District auxiliary location. The interoffice and interschool mailboxes are for the distribution of authorized school business materials only. Items for distribution must be clearly marked with recipient's name and location and sender's name and location.

Clear Creek ISD occasionally receives requests from non-employees to distribute materials in the school. These requests should be submitted to the Coordinator for Public Information for review and/or approval.

Employee mailboxes may not be used for the distribution of any political materials. Also, using the District mail service for personal distribution such as delivery of gifts is not allowed and may result in disciplinary action. Furthermore, the mailing of currency utilizing District mail delivery is prohibited. District mail service is for school business only.

### ***Library/Media Center***

The library program and campus librarians welcome the opportunity to collaborate with teachers to design and provide student learning opportunities. Teachers and librarians are partners in a shared goal – providing successful learning experiences for all students. Opportunities are available for personalized learning as well as classroom curriculum support through makerspaces, print materials, collaborative teaching, and online resources.

### ***Teacher Center***

The Teacher Center is a production and media center designed to provide teachers and volunteers a facility to create bulletin boards, posters, banners, and other media necessary to support the instructional process. For a nominal fee, services include the use of the copy machine, laminator, die cut press, wide format printer, and binding machine. Advanced notice is necessary for projects requiring services of the staff, such as the use of specialty laminators and wide-format printers. Teachers or parent volunteers are invited to use the facility and any of our services if they are working on a CCISD project. Staff is available for assistance. If you have any questions, please call the Teacher Center at 281-284-0300.

### ***Print Shop***

The CCISD Print Shop is available for large print jobs in the District. While printing test materials is a priority, the print shop can copy any instructional materials. The Print Shop also has a high-capacity cutter and driller for hole punches. Print ready, standard jobs will take 3-5 days for completion. Please contact the Print Shop for more information at 281-284-0026.

### ***Mentor/Buddy Program for New Teachers***

In order to facilitate the growth and development of novice teachers, all teachers new to the profession in CCISD shall successfully complete the year-long induction program. This includes first-year teachers transitioning from student teacher/intern programs and first-year teachers completing an alternative certification program. These “new-to-the-profession” teachers will be considered mentees and will be assigned a mentor teacher.

With recognition of the need for experienced teachers new to CCISD to feel welcomed into the CCISD culture, all experienced teachers new *to CCISD* shall participate in mentor program activities as needed. These teachers will be assigned a campus buddy. A campus mentor may be assigned based on need as well as through collaboration between the campus administrator, lead mentor, and Mentor Program staff.

The Mentor Program is a multi-faceted system of support designed to meet the many different needs of novice teachers throughout their first year and is required for all teachers new to the profession. In CCISD, teachers in the Mentor Program will participate in the following:

1. New Teacher Academy– A week-long series of induction activities typically held one week prior to teacher in-service in the fall.
2. Mentor Assignment – New Teachers will be assigned a highly-qualified Mentor from their campuses to work with throughout the school year.
3. Campus Mentor Programs – Each campus will develop its own programs that best meet the needs of its new teachers and address the following categories of support:

Instruction, Curriculum, Technology, Relationships, Institutional, Classroom Management, and Social/Emotional.

4. Mentor Program Meetings – New teachers will be given the opportunity to regularly meet with other new teachers for conversations, problem-solving, networking, professional development, question-answer sessions, and other relevant issues.
5. Classroom Observations – New teachers are provided the opportunity for classroom release in order to observe master teachers in classrooms, have lessons modeled, or other observation activities within the District. In addition, mentors are provided release opportunity to observe new teachers, collect data, provide feedback, and lead goalsetting conversations for instructional improvement.
6. Regular Mentor/Mentee Conversations – The relationship between the mentor and the mentee is the single most important factor in a successful mentor program. For this reason, every opportunity possible is afforded this pairing to meet, collaborate, problem-solve, and/or visit to provide regular daily/weekly support.

### ***News Media***

The Office of Communications is responsible for news coverage for all school and District activities. Teachers or employees who wish to publicize a program or activity should receive clearance from the principal or building supervisor before contacting the Office of Communications. In the event a staff member or supervisor is contacted directly by the news media regarding a District policy issue, the request for information must be referred to the Director of Communications. The three official CCISD spokespersons are the Board President, the Superintendent, and the Chief Communications Officer.

The District's Office of Communications exists to facilitate the release of information. Various publications and frequent news releases about Clear Creek schools are intended to keep the District's staff and community informed. The department is available to assist District personnel, answer questions, and report on issues that impact the entire District.

The Chief Communications Officer at the Education Support Center (281-284-0022) should be contacted when there is an incident on campus which draws media coverage. He or she will work with the media and state the District's position, thus allowing the principal and school personnel to be attentive to the needs of students and staff.

### ***Name and Address Changes, Beneficiary Changes***

It is important that employment records be kept up to date. Employees should notify the Human Resources Office if there are any changes or corrections to their name. Beneficiary changes should be made by contacting the Business Services Department.

Address and phone number changes should be made online through Talent Ed which can be accessed through the employee portal.

### ***Personnel Records - Policies DBA, 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, including personal cell phone number
- Emergency contact information
- Information that reveals whether they have family members
- Personal email address

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

Employees may review their own personnel file by making an appointment with Human Resources.

***Purchasing Procedures - Policy CH***

No one is authorized to make purchases in the name of the District without prior approval through the Purchasing Office. No invoices will be paid for unauthorized purchases. Principals and supervisors are responsible for the proper preparation and routing of requisitions. Employees should confer with their immediate supervisors about any purchases involving District funds.

All requests for purchases must be submitted to the Purchasing Department on an official District requisition, processed through the eFinance System with the appropriate approvals. No purchases, charges, or commitments to buy goods or services for the District can be made without a PO number unless prior written approval has been given by the Director of Purchasing. 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 Finance Department. Contact the Purchasing Office at 281-284-0211 for additional information on purchasing procedures.

***Fraud and Financial Impropriety - Policy CAA***

Fraud is defined as the intentional false representation or concealment of a material fact for financial or personal gain. The definition of fraud includes, but is not limited to:

1. Forgery or alteration of any document or account belonging to the District;
2. Forgery or modification of any material or account belonging to a student;
3. Misappropriation of funds, securities, supplies, or other assets including employee time;
4. Impropriety in the handling or reporting of money or financial transactions;
5. Profiteering as a result of insider knowledge of District information or activities;
6. Disclosing confidential and proprietary information to outside parties;
7. Disclosure of investment activities engaged in or contemplated by the District.
8. Accepting or seeking anything of material value from contractors, vendors, or persons providing service/materials to the District that may be construed to be an attempt to influence the performance of an employee’s official duty in the scope of employment for the District;
9. Destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment;

10. Failure to provide financial documents required by state or local entities;
11. Failure to disclose conflicts of interest as required by policy;
12. Any other dishonest act regarding the finances of the District.

The Internal Audit Department shall have the initial responsibility to investigate all suspected fraudulent acts as defined in Policy DH(LOCAL). Subsequent investigations may involve the respective local and county authorities.

Any employee who suspects dishonest or fraudulent activity shall notify the Internal Audit Department immediately or anonymously report suspected fraud or misuse of District assets through the District's Fraud Hotline: 281-284-0185. Caller ID is not enabled through this hotline, and you will not be identified unless you prefer to leave your contact information. You may also report fraud or misuse via email: [fraudhotline@ccisd.net](mailto:fraudhotline@ccisd.net). An employee shall not attempt to conduct investigations personally and shall not contact the suspected individual to determine facts or demand restitution.

### ***Conflict of Interest - Policies BBFA, CB, DBD***

All District employees shall avoid supplemental employment, financial dealings, business, social, or other relationships that might be opposed to the District's interests, might create the appearance of impropriety, or might cause a conflict with the performance of their duties.

Employees must conduct themselves in a manner that avoids even the appearance of conflict between their personal interests and those of the District. Conflict of interest situations may arise in many ways. Examples of conflicts of interest include, but are not limited to:

1. Employment with a vendor or/contractor, regardless of the nature of the job, while employed by the District.
2. Awarding business to a vendor in which an employee or his or her family has substantial ownership or management interest.
3. Ownership of, or substantial interest in, a company that is a supplier to the District.
4. Acting independently as a consultant to a District supplier.
5. Accepting expense-paid invitations to entertainment events from a District vendor.
  - a. Employees receiving free lodging for speaking at a conference should contact the Internal Auditor for approval.
6. Socializing with vendors or persons interested in doing business with the District under circumstances that create the appearance of impropriety.

Employees are required to disclose to their supervisor and the District any situation that creates a potential conflict of interest and supplemental employment. Employees must report this information to the Internal Audit Department via an online form located in the Employee Portal /Internal Services/Internal Audit. This form is to be submitted each year.

### ***Cash Handling Policy***

All employees who handle cash on behalf of the District or students must adhere to the District's Cash Handling Policy. The terms "money" or "funds" reference cash and checks interchangeably. Provisions of the policy include but are not limited to:

1. Money must be secured at all times and turned into the designated campus employee daily.
2. Money should never be left in a file cabinet or desk drawer, even if locked.
3. Money must be secured in a campus safe that is locked at all times.



4. All funds received must be deposited into a CCISD bank account and accounted for through the District's accounting system.
5. Campus or student money must never leave a District facility unless sent to the District bank via armored car service.
6. All money turned in to the designated campus employee should be verified in the presence of the person turning in the money and issued a receipt.
7. All District employees must provide a receipt to a parent, student, or colleague using a pre-numbered receipt book, a class roster, or a printout from a District software program.
8. Receipts must include a name, amount, purpose, and method of payment.
9. Cashing of personal or payroll checks from an activity fund, petty cash fund, or change fund is prohibited.
10. Loaning funds to an individual from an activity fund, petty cash fund, or change fund is prohibited.

### ***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 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.

### ***School Liaison Officers***

The Clear Creek Independent School District contracts with local law enforcement. The Liaison Officers are at the high school sites and intermediate school sites, and they routinely patrol elementary school sites. These certified law enforcement officials perform duties as directed by District Administration. Their objectives are to prevent unlawful acts, to provide assistance and to protect property. You may contact the school liaison office at 281-850-6102 or Safe and Secure Schools at 281-284-0063.

### ***Substitute Teachers***

Each year across CCISD, teachers, administrators, and paraprofessionals record tens of thousands of absences for a number of reasons: personal and professional, planned, and unplanned. Regardless of when and why they occur, absences have the potential of adversely impacting the District's ability to fulfill its mission of developing and equipping students with the necessary skills to excel in the 21<sup>st</sup> century. Therefore, the CCISD Substitute Program aims to reduce any potential absentee impact by maintaining a pool of CCISD substitutes who are capable, available, and prepared.

CCISD uses Absence Management (formerly AESOP) to help manage the substitute program. Absence Management is an automated substitute placement service for teachers, administrators, and paraprofessionals (staff). It is an integrated telephone and internet system that allows school staff to create, view, and manage absences, add lesson plans and files for substitutes, and view absence history reports as needed; substitutes are able to accept assignments. Absence Management is available 24 hours a day, 7 days a week.

**CCISD staff members are required to report all personal absences in Absence Management and may do so as many as forty-five (45) days in advance of the anticipated absence.** An absence requiring a substitute should be reported as soon as possible to allow a proper substitute assignment and afford the substitute an opportunity to obtain all information relative to the work/classroom assignment.

Additionally, teachers are responsible for providing detailed lesson plans for use by the substitute teacher. If the absence is due to an emergency and detailed plans are not available, teachers are to contact their department heads or team leaders so that proper plans can be developed, and no instructional time is lost.

All employee absences are recorded in full and half-day increments. **Absences must be recorded the day of occurrence regardless of whether or not a substitute is required.**

#### ***Using School Equipment and Supplies - Local Policy CMB***

School equipment and supplies may be used for school-related business only. Off-campus use of school equipment is prohibited, except in an emergency/crisis as designated by the supervisor.

#### ***Building Use - Policies DGA, GKD***

Employees who wish to use district facilities after school hours must follow established procedures. The Safe and Secure Schools Department and the campus principal are responsible for scheduling the use of facilities after school hours. Contact the Safe and Secure Schools Facility Rentals Department at 281-284-0061 to request information on the use of school facilities and the fees charged.

## **Termination of Employment**

#### ***Resignations - Policies DFE, DHB***

1. *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 Human Resources Office. Contract employees may resign at any other time only with the approval of the Superintendent or the Assistant Superintendent of Human Resources. Resignation without the consent of the District may result in disciplinary action by the State Board for Educator Certification.

The principal is required to notify the superintendent of an educator's resignation within seven business days following an alleged incident of misconduct for any of the acts listed in Report to Texas Education Agency. The Superintendent will notify the State Board of Educator Certification (SBEC) when an employee resigns and there is evidence to indicate that the employee has engaged in such misconduct.

2. *Non-Contract Employees.* Non-Contract employees may resign their positions at any time. A written notice of resignation should be submitted to the Human Resources Office 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.

### ***Discharge of Convicted Employees – Policy DF***

The District shall discharge any employee who has been convicted of or placed on deferred adjudication community supervision for an offense requiring the registration as a sex offender or convicted of a felony under Title 5 Penal Code if the victim was a minor.

If the offense is more than 30 years before the date the person’s employment began or the person satisfied all terms of the court order entered on conviction the requirement to discharge does not apply.

### ***Reduction-In-Force - Policy DFF***

A Reduction in Force (RIF) may take place when the Board of Trustees, acting on the Superintendent’s recommendation, determines a need to reduce staff because of financial exigency, program change, or a decrease in enrollment. The RIF, if implemented, shall be made on a District-wide basis in employment areas designated by the Board. An employee dismissed or reassigned as a result of a RIF may appeal the action through the hearing afforded under policy DFF. Reduction in Force policies apply equally to all personnel regardless of race, creed, age, color, sex, national origin, or disability.

### ***Dismissal or Nonrenewal of Contract Employees - Policies DFAA, DFAB, DFBA, DFBB, DFD, DFF, DFFA, DFFB***

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

### ***Dismissal of Non-Contract Employees - Policy DCD***

Non-contract employees may be issued a warning notice describing unsatisfactory performance and specific steps for improvement, or they may be dismissed if the severity of their action warrants. 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. Such action includes but is not limited to the following:

1. unsatisfactory attendance, work performance, or habits
2. unsatisfactory job attitude
3. unsatisfactory work relationships
4. noncompliance with CCISD policy and regulations
5. violation of safety and/or security policies

Non-contract employees who are dismissed have the right to a grievance hearing. To present a grievance, the employee must follow the District process outlined in this handbook (See *Complaints and Grievances*, page 38).

### ***Exit Interviews and Procedures - Policy DFE***

All employees must submit a letter of resignation to their principal or immediate supervisor and to the Human Resources Office when terminating employment with the District. An Exit Interview Form, and an Exit Benefits and Payroll Form will be completed by the employee and the supervising administrator. The exit forms are required, regardless of the reason for termination.

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.

Service Records may be requested using the “Service Record Request” form located on the District Website under Human Resources/Exiting Employee Information.

All District keys, badges, books, property, and equipment must be returned upon separation from employment. The District may withhold the cost of any items not returned from the final paycheck.

### ***Reports to the Texas Education Agency - Policies DF, DHB, DHC***

**Certified Employees.** The dismissal of a certified employee must be reported to the Division of Investigations at TEA whenever the termination is based on evidence that the employee was involved in any of the following:

- Any form of sexual or physical abuse of a minor or any other unlawful 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 District property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on District property or at a school-sponsored event

The Superintendent is also required to notify TEA when a certified employee resigns and there is evidence that the educator engaged in the conduct listed above.

The reporting requirements above are in addition to the Superintendent’s ongoing duty to notify TEA when a certified employee or an applicant for certification has a reported criminal history or engaged in conduct violating the assessment security procedures established under TEC §39.0301. “Reported criminal history” means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions,

deferred adjudications, and probations in any state or federal jurisdiction that are obtained by a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

**Noncertified Employees.** The voluntary or involuntary separation of a noncertified employee from the District must be reported to the Division of Investigations at TEA by the superintendent if there is evidence the employee abused or otherwise committed an unlawful act with a student or minor, was involved in a romantic relationship with a student or minor, or solicited or engaged in sexual contact with a student or minor.

### ***Reports Concerning Court-Ordered Withholding***

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

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

## **Student Issues**

### ***Equal Education Opportunities – Policies FB, FFH***

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

Questions or concerns about discrimination based on sex, including sexual harassment, should be directed to General Counsel Leila Sarmecanic, the District's designated Title IX coordinator. Questions or concerns about discrimination on the basis of a disability should be directed to Dr. Casey O'Pry, Assistant Superintendent of Human Resources, the District's designated ADA coordinator. All other questions or concerns relating to discrimination based on any other reasons should be directed to Franklin Moses, the Assistant Superintendent of Secondary Education, or Holly Hughes, the Assistant Superintendent of Elementary Education.

### ***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:

1. parents of a minor or of a student who is a dependent for tax purposes
2. the student, if 18 or older or attending an institute of postsecondary education
3. school officials with legitimate educational interests

Materials that are not considered educational records and do not have to be made available to a parent or student include teachers' personal notes on a student that are shared only with a substitute teacher.

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. All subpoenas for records, requests from third parties, and requests for business records affidavits are handled by the Office of Policy and Legal Affairs.

Occasionally attorneys representing families in domestic matters contact employees directly in an attempt to gain information about students. Telephone calls or electronic mail requests from attorneys seeking student information should be forwarded to the Office of Policy and Legal Affairs. The General Counsel acts as a liaison between outside attorneys and District employees and can facilitate any further communication as appropriate.

### ***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. The Office of Policy and Legal Affairs provides parents and students with information on filing a complaint.

Parents are encouraged to discuss problems or complaints with the teacher or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved 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. Once all administrative complaint procedures are exhausted, parents and students can bring complaints to the board of trustees.

### ***Administering Medication to Students - Policy FFAC***

Only designated employees may administer medication to students. Exceptions apply to the self-administration of asthma medication, medication for anaphylaxis (e.g. EpiPen ©), and medication for diabetes management, if the medication is self-administered in accordance with District policies and procedures. A student who must take any other medicine 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.

### ***Student Conduct and Discipline - Policies in the FN series and FO series***

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

Teachers must file a report with the principal or another appropriate administrator when they have knowledge that a student has violated the Student Code of Conduct. A copy of this report will be sent by the principal or administrator to the student's parents within 24 hours.

### ***Student Attendance - Policy FEB***

Teachers and staff should be familiar with the District's policy and procedures for attendance accounting. These procedures require 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.

### ***Hazing - Policies FNCC, FO***

Students must have prior approval from the principal or designee for any type of induction ceremony of a school club or organization. Any teacher, administrator, or employee who observes a student engaged in any form of hazing, who has reason to know or suspect that a student intends to engage in hazing or has engaged in hazing must report that fact or suspicion to the designated campus discipline administrator.

### ***Bullying - Policy FFI***

All employees are required to report student complaints of bullying, including cyberbullying, to the campus principal or appropriate administrator. The District's Policy FFI (LOCAL) and Regulation include definitions and procedures for reporting and investigating bullying.

### ***Transporting Students – Regulation FMG***

Transportation for all field trips shall be provided by the District. Use of private cars shall not be permitted for any field trip unless permission is granted by the Superintendent or designee. If approved, sponsors must have signed Alternative Student Travel for School Event for each student. If an employee is approved to drive a private vehicle to transport students, then the employee must possess a valid driver's license. Additionally, the employee is not permitted to use a cell phone device while driving and must ensure that all applicable laws are adhered to by all passengers.

## **Instructional Programs**

### ***Advanced Placement (AP)***

The College Board<sup>®</sup> Advanced Placement (AP) program offers college level courses for high school students. In addition, CCISD offers Honors courses for students preparing to take AP classes. All students are eligible to sign up for AP and Honors courses. Students enrolled in AP courses are strongly encouraged to take the corresponding AP exams for which students may receive college credit based on the exam scores earned. AP and Honors courses follow the curriculum and guidelines set forth by the College Board<sup>®</sup> as well as the District AP/Honors curriculum guides.

### ***Athletics***

The Clear Creek I.S.D. Athletic Department offers a full range of athletic programs from grades 7 through 12. The program goal is to develop young men and women to a high standard of competition and sportsmanship in athletics. Athletics contributes to the fitness of its participants

and develops team building qualities that will benefit our students in their future lives. A well-rounded and organized sports program is beneficial to our students and community. The sports offered in CCISD include: baseball, basketball, cross country, football, golf, soccer, softball, swim and dive, tennis, track and field, volleyball, water polo, and wrestling.

### ***At-Risk – Policy EHBC***

A student in grades K-12 who is classified as at risk of dropping out of school is identified by 13 state criteria. An At-Risk student is one who:

- is in pre-kindergarten, kindergarten, or grade 1, 2, or 3 and did not perform satisfactorily on a readiness test or assessment instrument administered during the current school year;
- is in grade 7, 8, 9, 10, 11, or 12 and did not maintain an average equivalent to at least 70 on a scale of 100 in two or more subjects in the foundation curriculum during a semester in the preceding or current school year, or is not maintaining such an average in two or more subjects in the foundation curriculum in the current semester;
- was not advanced from one grade level to the next for one or more school years;
- did not perform satisfactorily on an assessment instrument administered to the student under TEC Subchapter B, Chapter 39, and who has not in the previous or current school year subsequently performed on that instrument or another appropriate instrument at a level equal to at least 110 % of the level of satisfactory performance on that instrument;
- is pregnant or is a parent;
- has been placed in an alternative education program in accordance with TEC §37.006 during the preceding or current school year;
- has been expelled in accordance with TEC §37.007 during the preceding or current school year;
- is currently on parole, probation, deferred prosecution, or other conditional release;
- was previously reported through the Public Education Information Management System (PEIMS) to have dropped out of school;
- is a student of limited English proficiency as defined by TEC §29.052;
- is in the custody or care of the Department of Protective and Regulatory Services or has, during the current school year, been referred to the department by a school official, officer of the juvenile court, or law enforcement official;
- is homeless, as defined by 42 U.S.C. 11302 and its subsequent amendments [see FD]; or
- has resided in the preceding school year or resides in the current school year in a residential placement facility in the District, including a detention facility, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house, or foster group home.

Visit the CCISD website for additional information.

### ***Communities in Schools (CIS)***

CIS-Bay Area is a dropout prevention program on the campuses of League City Elementary, McWhirter Elementary, Bayside Intermediate, Brookside Intermediate, Clear Creek Intermediate, Space Center Intermediate, Clear Brook High School, Clear Creek High School, Clear Falls High School, Clear Lake High School, and Clear Springs High School. CIS brings resources into campus settings to facilitate the academic and personal success of students who may be experiencing the effects of at-risk environments. CIS and CCISD have interactive and supportive relationships that benefit the students on these campuses.



### ***Career and Technical Education***

Career and Technical Education reinforces state and national academic standards by providing students training in career areas of interest to them. The goal is to ensure that students are prepared to succeed in post-secondary education and in a world that is increasingly oriented toward highly skilled jobs. Through rigorous technical instruction, students are able to gain hands-on experience by actively participating in authentic real-world problem solving and projects. CCISD's Career and Technical program currently offers classes in the following areas: Agricultural Science; Architecture and Construction; Automotive Technology; A/V Technology and Communication; Broadband; Business Management and Administration; Education and Training; Engineering; Finance; Health Science; Hospitality and Tourism; Human Services; Information Technology; Manufacturing; Marketing; and Robotics.

### ***Curriculum Responsibilities – Policy EG Local***

The District recognizes the need and value of a systematic ongoing program of curriculum review and development. The Board and administration encourage and support the professional staff in its efforts to design and deliver a challenging research-based curriculum that meets the needs of a diverse student population and is aligned from school to school and from classroom to classroom. Employees throughout the District share responsibility for the development, implementation, and evaluation of the curriculum. Specific responsibilities are listed below.

District-level administrators shall:

1. implement District-level policies and procedures;
2. implement the master long-range plan, providing technical and expert assistance as required;
3. analyze data, prepare reports, and complete program evaluations for staff and Board consideration; and
4. provide support for campus-level administrators in monitoring the implementation of the curriculum.

Principals shall:

1. analyze and interpret student assessment data to use in making school improvement decisions;
2. monitor implementation of the curriculum, using the following basic strategies:
  - clinical supervision observations and conferences
  - frequent walk-through observations and follow-up conversations
  - curriculum planning meetings and review of minutes of the meetings
  - periodic review of curriculum documents;
3. emphasize the importance of effective curriculum and instruction practices on a regular basis;
4. observe classes, monitor lessons, and evaluate assessment materials;
5. provide campus-based professional learning opportunities;
6. provide opportunities for teachers to discuss and share ideas and strategies to teach the curriculum standards and objectives; and
7. help parents understand their roles in supporting student learning of the curriculum.

Teachers shall:

1. align available resources to the curriculum;
2. teach the District curriculum;
3. analyze and interpret student assessment data to diagnose each student's learning and differentiate instruction to meet each student's instructional needs;
4. incorporate research-based instructional strategies in teaching the curriculum;
5. seek and actively participate in appropriate ongoing professional learning;
6. participate collaboratively with colleagues to reflect on teaching practices;
7. ensure equal access to curriculum and equitable delivery to each student; and
8. encourage parents to support student learning.

### ***Disciplinary Alternative Education Program (DAEP)***

A Disciplinary Alternative Education Program (DAEP) is a disciplinary program for students removed from their home campuses for mandatory and/or discretionary disciplinary reasons as stated in the Clear Creek ISD Student Code of Conduct. See the Student Code of Conduct for more information.

### ***Dyslexia***

Dyslexia is a specific learning disability that is neurological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge (*International Dyslexia Association*, 2003). Students identified with dyslexia may have their educational needs met through Special Education, Section 504, or regular education. The appropriate educational program may include classroom accommodations and/or additional small group reading instruction (which involves intensive, explicit, and direct instruction that is systematic, sequential, and cumulative) from a teacher trained in these methods. Visit the CCISD website for more information.

### ***Early Learning***

The Early Learning Department in CCISD provides learning for our youngest students to ensure that students are successful in kindergarten and beyond. Early learning programs include pre-kindergarten for 4-year-old's and 4-year-old tuition-based pre-kindergarten, as well as Early Childhood Special Education (ECSE).

Pre-kindergarten provides learning to four-year-old children who are identified as eligible. Children must be four years old on or before September 1.

Tuition-based pre-kindergarten 4 is an optional program for children who do not qualify for pre-kindergarten or the Early Childhood Special Education program but, whose parents want them to attend pre-kindergarten 4 in CCISD. Children must be four years old on or before September 1. Tuition-based pre-kindergarten is based on space availability.

The Early Childhood Special Education (ECSE) program will meet the needs of students who are identified as needing special education services. The Early Childhood Special Education program provides services to children beginning on their third birthday.

For more information, please contact Early Childhood Education at (281) 284- 0750.

### ***Emergent Bilinguals (EB)***

Emergent Bilinguals are eligible for linguistic programs designed to support language acquisition in English in listening, speaking, reading, and writing. The goals for these programs are for students to become proficient in English, achieve academically, and grow affectively through research-based instruction and social and cultural support.

- Dual Language One-Way and Two-Way  
Students in dual language receive instruction in English and Spanish with the goal of students becoming bilingual, biliterate, and bicultural. In the one-way model, the students are English learners who are native Spanish speakers and in the two-way model approximately half the students are native English speakers, and the other half are native Spanish speakers who are English learners. The programs are available at McWhirter Elementary, Landolt Elementary, Stewart Elementary, Brookwood Elementary, League City Elementary, Clear Creek Intermediate, and Bayside Intermediate.
- English as a Second Language (ESL)  
ESL is available in all CCISD schools and consists of sheltered instruction in English and the support of an ESL certified teacher. Sheltered instruction strategies specifically designed for English Learners support students' growth in English proficiency while ensuring academic content is meaningful and accessible.

### ***Gifted and Talented***

The District's program for gifted and talented students is provided for those students who perform or show the potential for performing at a remarkably high level of accomplishment when compared to others of the same age, experience, or environment, and who exhibit high performance capability in an intellectual, creative, or artistic area, who possess an unusual capacity for leadership, or who excel in a specific academic field.

Clear Creek accepts nominations/referrals in writing at any time. Verbal nominations will not be accepted. Students may be placed in the assessment cycle appropriate to their grade level.

- Kindergarten:  
Nomination/Referral Deadline: December 1 annually  
Assessment Cycle: Month of January annually
- Grades 1-12:  
Nomination/Referral Deadline: October 1 annually  
Assessment Cycle: Begins in October

## **GT Services**

### *Elementary (K-5)*

Students in the District's Elementary Gifted and Talented Program, grades K- 5, are cluster-grouped and receive differentiated instruction in the core content areas with a classroom teacher who has at least 30 hours of gifted awareness training, plus the required 6-hour annual update.

In grades K-3, gifted students participate with an Advanced Academics Specialist in a campus program that is designed to provide challenging activities in seven strands: creativity, problem solving, research, communication, thinking skills, affective thinking, and leadership training.

In grades 4-5, gifted students receive differentiated instruction in the regular classroom, attend sessions with the campus Advanced Academics Specialists, and attend their chosen off-campus Alpha course one semester.

Advanced Academics Specialists work with students K-5 as well as with GT Cluster teachers in meeting the needs of the gifted learners on each campus.

### *WAVE GT Magnet*

WAVE is CCISD's gifted and talented magnet program for grades 6-8. Academics; mini courses; independent study; WAVE Basics class; acceleration in mathematics; and differentiated, interdisciplinary instruction in language arts, science, and social studies are offered by highly trained teachers and staff in a learning community that focuses on the nature and needs of adolescent gifted learners.

At WAVE, students have the opportunity to interact with their intellectual peers from across the district and participate in award-winning fine arts, athletics, and student activities.

Focusing on student strengths as well as the nature and needs of the GT population, WAVE provides the nurturing environment necessary for the development of creative, confident leaders.

WAVE is housed in two locations: Westbrook Intermediate and League City Intermediate.

### *Honors*

CCISD has a genuine commitment to preparing ALL students for challenging academic work. Honors courses, offered in Science, Mathematics, Language Arts, Social Studies, and Languages other than English, have open enrollment.

### *High School (9-12)*

Gifted high school students have a range of options. The five comprehensive high schools have strong Honors and Advanced Placement programs, GT Only English Leadership classes for 9th and 10th grade, college classes, as well as strong Independent Study and Mentorship (ISM) programs. The district also offers Early College High School opportunities to all students.

By using community partners and resources, the GT program provides experiences for students beyond the traditional curriculum in many subject areas.

### ***In -School Suspension (ISS)***

In-School Suspension (ISS) is a short-term structured disciplinary assignment offered on all secondary campuses and some elementary campuses in Clear Creek ISD. The typical ISS assignment may range in length from one to three days.

### ***Peer Assistance Leadership Service (PALS)***

In this peer-assistance program and course, students learn to adapt the power of peer pressure to influence others positively. PALS students are trained as peer facilitators to mentor younger students and serve their communities. They focus on addressing issues like bullying, low achievement, at-risk youth, drop-out prevention, substance abuse prevention, teen pregnancy, suicide, absenteeism, behavior problems, and other community issues.

### ***Psychological Services***

As part of the district's crisis intervention plan, the services of Licensed Specialists in School Psychology are available to campuses to provide these services as needed. In addition, the District's Director of Special Education Support Services and Licensed Specialists in School Psychology are available for consultation with parents, staff members, and students. These services can be scheduled through the office of the Director of Special Education Support Services at 281-284-0750.

### ***Seabrook and Brookside Science Magnet Programs and Science Learning Center***

Clear Creek ISD offers a Science Magnet Program located at Seabrook and Brookside Intermediate Schools. The program is open to all students in grades 6-8 and offers additional opportunities and curricula for students with an intense interest and motivation in science. An application process is required.

The Science Learning Center offers resources and professional learning to science teachers in Clear Creek ISD. Through the Science Learning Center, teachers may check out live animals and other resources such as the StarLab Planetarium.

### ***Section 504***

Pursuant to Section 504 of the Rehabilitation Act of 1973, the District has a duty to identify, refer, evaluate, and, upon determining eligibility for services, provide a free, appropriate public education to students with disabilities. For additional information about the rights of parents of eligible children or for answers to any questions you might have about identification, evaluation, and placement into Section 504 programs, please contact the District's 504 Coordinator, or visit the District website for more program information.

### ***Special Education: Individuals with Disabilities Education Improvement Act (IDEA 2004)***

Students are eligible for special education services if they meet the criteria for one or more of the following disabilities: Learning Disability, Speech Impairment, Orthopedic Impairment, Other Health Impairment, Intellectual Disabilities, Emotional Disturbance, Autism, Multiple Disabilities, Traumatic Brain Injury, Visual Impairment, Auditory Impairment, Deaf-Blind, and Non-Categorical Early Childhood.

If you think that a child should be receiving special education services, please contact your campus administrator. The initial referral should be to the principal or assistant principal. The

referral can be initiated by a parent, student, guardian, physician, teacher, or other appropriate individual. The Student Success Team (SST) will determine the need to refer a student for an evaluation for special education eligibility.

If a student who has been referred and evaluated is determined to have a disability, an Admission, Review, and Dismissal (ARD) meeting is held to determine if the student has an educational need for special education services. Members of the ARD Committee must include: a parent/guardian of the student, a general education teacher, at least one special education teacher, and a representative of the school who is qualified to provide or supervise instruction to meet the needs of the student.

The ARD Committee develops the student's Individualized Education Plan (IEP). The IEP is a written plan describing the provision of special education and related services for the child after a disability has been determined. When an ARD Committee determines the need for academic goals and objectives that modify the curriculum, these courses are considered special education modified curriculum courses. When the student begins taking high school classes and the ARD committee recommends a modified curriculum for a specific class as documented by academic goals and objectives in an ARD, the rigor of the modified class will determine the student's graduation plan. In addition, there may be state assessment passing standards in order to graduate with an endorsement. A graduation supplement will be addressed when the ARD committee determines that the student will meet the standards for graduation.

For more information, please contact a campus administrator or Team Leader.

### ***Documentation Requirements for General Education Teachers & Special Education Teachers***

For each student with one or more disabilities, each teacher will receive the following information provided by the monitoring teacher:

1. ARD Information;
2. goals and objectives related to the area being taught;
3. accommodations;
4. behavior plan;
5. deliberations page (if additional instructions are documented);
6. copy of the D-10 (receipt of accommodations and who to contact for assistance);

### ***Confidentiality Requirements***

The Family Educational Rights and Privacy Act (FERPA), the Texas Education Code and school district policy require that all student records shall be developed, maintained, utilized, and disseminated in such a manner as to protect the privacy rights of students.

All District personnel must maintain the confidentiality of personally identifiable information pertaining to any Clear Creek ISD student. This includes any student name, educational records, and test results; any verbal/written anecdotal information; placement data, information relating to counseling services rendered to any student or parent; and information relating to a student's disability or placement in special education.

Discussion between any school personnel concerning any student should occur only between school personnel who have a direct interest in the education of the student. Such discussions are frequently necessary and advisable but must occur in a private place with no other personnel in attendance. Personnel shall refrain from such confidential discussions in the teachers' lounge, office, hallways, cafeteria, and so forth.

This confidentiality must be maintained whether in verbal contact with others or written communication. General education and special education teachers serving these students should sign the access sheet in the electronic folder of each child prior to looking at the information. Under "Reason" they should write "access to accommodations/modifications and IEP" (if there is an IEP for the general education class).

Special education teacher work folders for individual special education students should have the records of only one child per folder. These folders are transferred directly to the teachers of the students that they will have next year by the special education team leader/designated personnel, and they are subject to review by the parents.

### ***Student Eligibility Folders***

Information in these files will not be disclosed without prior written consent of the parent or eligible student except to the following school officials, who need such information by virtue of their involvement in the preparation of required reports and/or their participation in educational evaluation and instructional programming for students with disabilities:

1. On an individual campus, the principal, team leader, and assigned special education evaluation staff member have unlimited access to eligibility files on that campus in the performance of their assigned jobs. These persons are not required to complete entries on access records. A list of names and positions is posted on each campus and is updated yearly.
2. Special education teachers, therapists, psychologists, paraprofessionals, instructional specialists, and other professional staff who have an educational need to know may have access to a particular student's eligibility folder. Personnel must complete an entry on the access record prior to viewing the contents.
3. General education teachers have limited access to eligibility files by virtue of their involvement in providing educational services and instructional programming for a given student. These personnel must complete an entry on the access record prior to viewing the contents.
4. District administrators and legal counsel who have an educational need to know may have access to a particular student's eligibility file. These personnel must complete an entry on the access record prior to viewing the contents.

For further clarification or inquiries, please contact the Special Education Office at 281-284-0750.

### ***Counseling & Student Services***

Counseling & Student Services includes School Counselors, At-Risk Specialists, Prevention Specialists, Social Workers, Healthy Choice Specialist, and Campus Nurses who all work together to empower students and remove barriers so that students can work toward reaching

their fullest potential both academically and personally. School Counselors support all staff, students, and families by following the Texas Model for Comprehensive School Counseling Programs. The four components of the program include guidance curriculum, individual planning, responsive services, and systems support.

### ***Title I, Part A***

Funds received through Title I, Part A are to be used to serve schools with the highest concentration of low socio-economic students. The allocation that is received by CCISD is to be used to supplement existing services and materials to support student achievement in the core subject areas. The purpose of Title I, Part A is to ensure that all children, particularly low-achieving children in the highest- poverty schools, have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging state academic achievement standards and state academic assessments.

### ***Title II, Part A***

The Teacher and Principal Training and Recruiting Fund provides supplemental funding to improve student achievement by elevating teacher and principal quality through recruitment, hiring, and retention strategies. Funds support the goal to improve teacher and principal quality and increase the number of highly qualified teachers in the classroom and highly qualified principals and assistant principals in schools. The program uses scientifically-based professional development interventions and holds districts and schools accountable for improvements in student academic performance.

### ***Title III, Part A: LEP and Immigrant***

Language Instructions for Limited English Proficient and Immigrant Students supplements the local and state funds received by the District. The purpose of grants under Title III, Part A is to improve the education of limited English proficient children by assisting the children to learn English and meet challenging state academic content and student academic achievement standards.

### ***Title IV, Part A: Purpose is to Improve Students' Academic Achievement***

Funds designed to: provide access to, and opportunities for, a well-rounded education for all students; improve school conditions for student learning in order to create a healthy and safe school environment; and improve access to personalized learning experiences supported by technology and professional development for the effective use of data and technology.

### ***Grants***

The goal of the grant department is to assist the District, including its campuses and departments, in obtaining alternative sources of funding that will provide support to District initiatives. Anyone seeking a grant must complete the District Grant Proposal form and have it signed by his/her Cabinet member and submitted to the grant department prior to pursuing grant funds. The Federal Programs department and the grant team are available to assist in the obtainment of grants.

### ***Visual and Performing Arts***

The Department of Visual and Performing Arts provides art, music, theatre, and dance instruction to students in Clear Creek ISD. All elementary students have the opportunity to



explore the visual arts, theatre arts, and music, both in the classroom with arts specialists and on yearly trips for the 3<sup>rd</sup> and 5<sup>th</sup> grades to the Museum of Fine Arts/Houston and the Houston Symphony. At the secondary level, students may take courses in the visual arts, band, choir, orchestra, and theatre, with the addition of dance and dance team at the high school level. Students are eligible to meet their PE requirements through marching band and dance. The visual arts expand into more specific courses including ceramics, sculpture, jewelry, drawing, and painting at the high school level. There are College Board Advanced Placement courses available for Art History, Studio Art: 2-D Design, 3-D Design, or Drawing, and Music Theory. Students have competitive opportunities available to them through Scholastic Art; Rodeo Art; Visual Art Scholastic Event; All-Region and All-State Band, Choir, and Orchestra; and University Interscholastic League Contests. All courses are aligned with the Texas Essential Knowledge and Skills.

# **CLEAR CREEK INDEPENDENT SCHOOL DISTRICT EMPLOYEE RESPONSIBLE USE GUIDELINES FOR TECHNOLOGY**

## **Introduction**

Clear Creek Independent School District makes a variety of communications and information technologies available to students and District employees through computer/network/Internet access. These technologies, when properly used, promote educational excellence in the District by facilitating resource sharing, innovation, and communication within the District. Illegal, unethical, or inappropriate use of these technologies can have dramatic consequences, harming the District, its students, and its employees. These Responsible Use Guidelines are intended to minimize the likelihood of such harm by educating District students and employees and setting standards which will serve to protect the District. The District firmly believes that digital resources, information and interaction available on the computer/network/Internet far outweigh any disadvantages.

## **Mandatory Review**

To educate District employees and students on proper computer/network/Internet use and conduct, users are required to review these guidelines at the beginning of each school year. All District employees shall be required to acknowledge receipt and understanding of all administrative regulations governing use of the system and shall agree in writing to allow monitoring of their use and to comply with such regulations and guidelines.

## **Definition of District Technology System**

The District's computer systems and networks (system) are any configuration of hardware and software. The system includes but is not limited to the following:

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

## **Acceptable Use**

Computer/Network/Internet access will be used to improve teaching and learning consistent with the District's strategic plan and supporting educational goals. The District requires legal, ethical, and appropriate computer/network/Internet use.

## **Access to Computer/Network/Internet**

Computer/Network/Internet access is provided to all District teachers and staff. Access to the District's electronic communications system, including the Internet, shall be made available to students and employees primarily for instructional and administrative purposes and in accordance with administrative regulations. Each District computer and public Wi-Fi has filtering software

that blocks access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors, as defined by the federal Children's Internet Protection Act (CIPA). Filtered Internet access is provided to students as defined by CIPA. For students under the age of 13, CIPA requires additional parental permission for some Web tools used for educational purposes. Parents wishing to deny access to these sites must do so in writing.

Limited personal use is permitted if the use imposes no tangible cost to the District, does not unduly burden the District's computer or network resources, and has no adverse effect on an employee's job performance or on a student's academic performance.

All individual users of the District's system must complete and sign an agreement to abide by District policies and administrative regulations regarding such use. All such agreements will be maintained on file in either the principal's, departmental supervisor's office, or District human resources department. System users are required to maintain password confidentiality by not sharing their password with others. System users may not use another person's system account. Any system user identified as a security risk or having violated the District's Responsible Use Guidelines may be denied access to the District's system. Other consequences may also be assigned.

### **Objectionable Content/Third-Party Supplied Information**

System users and parents of students with access to the District's system should be aware that use of the system may provide access to other electronic communication systems in the global electronic network that may contain inaccurate and/or objectionable material. An employee who knowingly brings prohibited materials into the school's electronic environment will be subject to disciplinary action in accordance with District policies. [See Board policy DH]

### **Subject to Monitoring**

All District computer/network/Internet usage shall not be considered confidential and is subject to monitoring by designated staff at any time to ensure appropriate use. System users should not use the computer system to send, receive or store any information, including email messages, that they consider personal or confidential and wish to keep private. All electronic files, including email messages, transmitted through, or stored in the computer system will be treated no differently than any other electronic file. The District reserves the right to access, review, copy, modify, delete, or disclose such files for any purpose. Users should treat the computer system like a shared or common file system with the expectation that electronic files, sent, received, or stored anywhere in the computer system, will be available for review by any authorized representative of the District for any purpose.

### **User Responsibilities**

Staff and student users are responsible for his/her own actions while accessing technology resources. Users are responsible for ensuring system integrity by not acting on any emails or phone calls requesting information about user accounts or any other personally identifiable information. Users should also refrain from clicking on any unexpected hyperlinks or email attachments and sharing internet protocol (IP) addresses.

CCISD Technology will not contact staff or students requesting that a form be filled out to maintain access to any services, nor will CCISD Technology contact users via phone or email to allow unsolicited remote access to any CCISD owned device. Users should contact the CCISD Technology Helpdesk at [helpdesk@ccisd.net](mailto:helpdesk@ccisd.net) or 281.284.4357 if these situations occur.

## **Employee Responsibilities**

District employees are bound by all portions of the District's Responsible Use Guidelines. An employee who knowingly violates any portion of the Responsible Use Guidelines will be subject to disciplinary action in accordance with District policies. [See Board policy DH] Each employee is responsible for completing the District's cybersecurity training at the beginning of the school year.

## **Campus- and Departmental-Level Responsibilities**

The principal/departmental administrator or designee will:

1. Disseminate and enforce the District's Responsible Use Guidelines for the District's system at the campus or departmental level.
2. Ensure that all individual users of the District's system complete and sign an agreement to abide by District policies and administrative regulations regarding such use.
3. Ensure that employees supervising students who use the District's systems provide information emphasizing digital citizenship focusing on the appropriate, safe, and ethical use of the District's systems to students.
4. Monitor all users of the District's systems to ensure appropriate and ethical use.
5. Use the District's student management system to identify students whose internet use has been restricted and inform staff members who are responsible for these students.

## **Teacher Responsibilities**

The teacher will:

1. Provide age-appropriate lessons in Internet safety and cyber security for students throughout the year, emphasizing digital citizenship.
2. Review responsibilities as users of the District computer/network/Internet prior to gaining access to such system.
3. Comply with federal and state law as well as local policy regarding confidentiality of student information.
4. Review electronic mail guidelines.
5. Verify the list of students who have access to the Internet through the reporting feature in the student management system.
6. Provide developmentally appropriate guidance to students as they use electronic resources related to instructional goals.
7. Use computer/network/Internet in support of instructional goals.
8. Provide alternate activities, if necessary, for students whose access to the internet has been restricted.
9. Address student violations of the District's Responsible Use Guidelines as defined in the Student Code of Conduct.
10. Seek prior approval for websites that will be used for educational purpose for students under the age of 13 in which accounts will be created for student logins and abide by the following guidelines such as CIPA and COPA:
  - Review the website's privacy policy to identify how and what student information is collected. If a website collects personal information beyond students' names (First Name and Last Initial) and District provided email address, the site must be submitted for approval prior to using with students.
  - Prior to creating any student accounts, receive written permission from parents that includes written communication about the website URL, student outcomes, how

students will access the program, and any other relevant information that will support the use of the website for student learning.

### **Clear Creek ISD Employee Code of Conduct**

District employees are expected to maintain appropriate conduct when accessing the communications and information technologies available through computer/network/Internet access. All employees must comply with the District's Responsible Use Guidelines at all times when accessing any part of the technology system.

Employees will guard and protect access to secure systems by:

1. **Protecting passwords and other similar authorization information:** Passwords are the primary way in which users are authenticated and allowed to use the District's computing resources. Employees will not disclose personal password(s) to any individual, including a faculty or staff member, or child. Similarly, employees will not disclose other identifying information used to access specific system information, recognizing that if they do so, they will be held accountable for their actions as well as those of other parties to whom they have given access.
2. **Guarding unauthorized use of resources:** Employees will not allow others to make use of their accounts or network access privileges to gain access to resources to which they would otherwise be denied.
3. **Not circumventing or compromising security:** Employees must not utilize any hardware or software in an attempt to compromise the security of any other system, whether internal or external to the District's systems and network.

Computer/Network/Internet usage is subject to monitoring by designated staff at any time to ensure appropriate use. Electronic files sent, received or stored anywhere in the computer system are available for review by any authorized representative of the District for any purpose. Employees will affirm, in writing that at all times their actions while using the District's system will not violate the law or the rules of network etiquette, will conform to the guidelines set forth in the Responsible Use Guidelines, and will not violate or hamper the integrity or security of the District's technology system.

If a violation of the Responsible Use Guidelines occurs, employees will be subject to one or more of the following actions:

1. Revocation of access;
2. Disciplinary action;
3. Loss of employment with the District;
4. Appropriate legal action.

### **Use of Social Networking/Digital Tools**

Students and employees may participate in District-approved social media learning environments related to curricular projects or school activities and use digital tools, such as, but not limited to, mobile devices, blogs, discussion forums, RSS feeds, podcasts, wikis, and on-line meeting sessions.

The use of blogs, wikis, podcasts, and other digital tools are considered an extension of the classroom. Verbal or written language that is considered inappropriate in the classroom is also inappropriate in all uses of blogs, wikis, podcasts, and other District-approved digital tools. Employees who use digital learning tools in their classrooms must monitor student actions to

ensure compliance with the Student Code of Conduct.

## **Inappropriate Use**

Inappropriate use includes, but is not limited to, those uses that violate the law, which are specifically named as violations in this document, which violate the rules of network etiquette, or that hamper the integrity or security of this computer/network/Internet system or any components that are connected to it. The following actions are considered inappropriate uses and are prohibited:

### **Violations of Law**

Transmission of any material in violation of any federal or state law is prohibited. This includes, but is not limited to:

- unauthorized disclosure of confidential student information protected by the Family Educational Rights Privacy Act
- threatening, harassing, defamatory, or obscene material;
- copyrighted material;
- plagiarized material; or
- material protected by trade secret.

Tampering with or theft of components from District systems may be regarded as criminal activity under applicable state and federal laws. Any attempt to break the law through use of a District computer/network/Internet account may result in prosecution against the offender by the proper authorities. If such an event should occur, the District will fully comply with the authorities to provide any information necessary for the litigation process.

### **Intellectual Property**

Teachers, staff and students must always respect copyrights and trademarks of third-parties and their ownership claims in images, text, video and audio material, software, information and inventions. The copy, use, or transfer of others' materials without appropriate authorization is not allowed.

### **Transmitting Confidential Information**

Teachers, staff and students shall not redistribute or forward confidential information (i.e. educational records, directory information, personnel records, etc.) without proper authorization. Confidential information should never be transmitted, redistributed or forwarded to outside individuals who are not expressly authorized to receive the information. Revealing personal information such as, but not limited to, home addresses, phone numbers, email addresses, birthdates of users or others is prohibited.

### **Modification of Computer**

Modifying or changing computer settings and/or internal or external configurations without appropriate permission is prohibited.

### **Commercial Use**

Use of the system for any type of income-generating activity is prohibited. Advertising the sale of products, whether commercial or personal is prohibited.

### **Marketing by Non-CCISD Organizations**

Use of the system for promoting activities or events for individuals or organizations not directly affiliated with or sanctioned by the District is prohibited.

### **Vandalism/Mischief**

Any malicious attempt to harm or destroy District equipment, materials or data; or the malicious attempt to harm or destroy data of another user of the District's system, or any of the agencies or other networks to which the District has access is prohibited. Deliberate attempts to degrade or disrupt system performance are violations of District policy and administrative regulations and may constitute criminal activity under applicable state and federal laws. Such prohibited activity includes, but is not limited to, the uploading or creating of computer viruses.

Vandalism as defined above is prohibited and will result in the cancellation of system use privileges. System users committing vandalism will be required to provide restitution for costs associated with system restoration and may be subject to other appropriate consequences. [See DH, FN series, and FO series in Board Policy and the Board-approved Student Code of Conduct.]

### **Impersonation/Plagiarism**

Fraudulently altering or copying documents or files authored by another individual or assuming the identity of another individual is prohibited.

### **Illegally Accessing or Hacking Violations**

Intentional or unauthorized access or attempted access of any portion of the District's computer systems, networks, or private databases to view, obtain, manipulate, or transmit information, programs, or codes is prohibited.

### **File/Data Violations**

Deleting, examining, copying, or modifying files and/or data belonging to other users, without their permission is prohibited.

### **Copyright Violations**

Downloading or using copyrighted information without following approved District procedures is prohibited.

### **System Interference/Alteration**

Deliberate attempts to exceed, evade or change resource quotas are prohibited. The deliberate causing of network congestion through mass consumption of system resources is prohibited.

## **Electronic Mail and Communication Tools**

Electronic mail (email) and other digital tools such as, but not limited to, blogs and wikis, are tools used to communicate within the District. The use of these communication tools should be limited to instructional, school-related activities, or administrative needs.

Users should keep the following points in mind:

## **Perceived Representation**

Using school-related email addresses, blogs, wikis, and other communication tools might cause some recipients or other readers of the email to assume that the user's comments represent the District or school, whether or not that was the user's intention.

## **Privacy**

Email, blogs, wikis, and other communication within these tools should not be considered a private, personal form of communication. Private information, such as home addresses, phone numbers, last names, pictures, email addresses, or student ID numbers should not be divulged. To avoid disclosing email addresses that are protected, all email communications to multiple recipients should be sent using the blind carbon copy (bcc) feature.

## **Inappropriate Language**

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

## **Political Lobbying**

Consistent with State ethics laws, District resources and equipment, including, but not limited to, emails, blogs, wikis, or other communication tools must not be used to conduct any political activities, including political advertising or lobbying. This includes using District email, blogs, wikis, or other communication tools to create, distribute, forward, or reply to messages, from either internal or external sources, which expressly or implicitly support or oppose a candidate for nomination or election to either a public office or an office of a political party or support or oppose an officeholder, a political party, or a measure (a ballot proposition). These guidelines prohibit direct communications as well as the transmission or forwarding of emails, hyperlinks, or other external references within emails, blogs, or wikis regarding any political advertising.

## **Forgery**

Forgery or attempted forgery of email messages is prohibited. Attempts to read, delete, copy or modify the email of other system users, deliberate interference with the ability of other system users to send/receive email, or the use of another person's user ID and/or password is prohibited.

## **Junk Mail/Chain Letters**

Generally, users should refrain from forwarding emails which do not relate to the educational purposes of the District. Chain letters or other emails intended for forwarding or distributing to others is prohibited. Creating, distributing, or forwarding any annoying or unnecessary message to a large number of people (spamming) is also prohibited.

## **Display of Student Information on District-approved Websites**

The following conditions apply to the display of student information on District, campus, or teacher Websites. A content contributor who knowingly violates (or promotes the violation of) any portion of these guidelines will be subject to disciplinary action in accordance with District policies. [See Board policy DH]



- Student-created projects, writings, and/or artwork are permitted on campus/District Websites, or District-approved blog and wiki sites, if the appropriate parental consent has been obtained.
- Student photographs are permitted only if the appropriate consent has been obtained.
- All student photographs and/or student work must be displayed with either no name, first name only, or first name and last initial only. No other personal student information is allowed including, but not limited to, parents' name, email address, phone number, home address, and/or age or birth date.

### **Security Reporting/Security Problem**

If knowledge of inappropriate material or a security problem on the computer/network/Internet is identified, the user should immediately notify the District's Help Desk. The security problem should not be shared with others.

### **Impersonation**

Attempts to log on to the computer/network/Internet impersonating a system administrator or District employee, student, or individual other than oneself, will result in revocation of the user's access to computer/network/Internet.

### **Other Security Risks**

Any user identified as having had access privileges revoked or denied on another computer system may be denied access to the District computer/network/Internet.

### **Consequences of Agreement Violation**

Any attempt to violate the provisions of this agreement may result in revocation of the user's access to the computer/network/Internet, regardless of the success or failure of the attempt. In addition, school disciplinary action and/or appropriate legal action may be taken.

## **EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT (FMLA)**

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

- For incapacity due to pregnancy, prenatal medical care, or childbirth;
- 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;
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements: Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

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

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

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

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

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

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

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations.

Leave due to qualifying exigencies may also be taken on an intermittent basis.

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

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

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

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

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

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

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

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

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