

Employee Handbook



2022-2023

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call the Technology Help desk 830-643-5789.

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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 the Human Resources Department at the NBISD Administration Center.

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: <http://www.nbisd.org>

NBISD Mission Statement

Engage. Empower. Learn.

Vision Statement

Every Student. Every day.

Core Beliefs

**Rooted in history, building a legacy and growing
toward the future.**

Board of Trustees

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

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

The Board of Trustees is elected by the citizens of the district to represent the community's commitment to a strong educational program for the district's children. Board Members are elected two at-large or single member district and five must be qualified voters and must reside in the district.

Current board members include:

Eric Bergquist.....	President
Nancy York.....	Vice President
Steve Minus.....	Secretary
John E. Tucker.....	Trustee
Morgan Renaud.....	Trustee
Megan Stratemann-Willis.....	Trustee

The board usually meets the second Monday of each month at the NBISD Administration Center, 1000 N. Walnut. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted at the NBISD Administration Center and on the district website at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects for each meeting. In emergencies, a meeting may be held with a one-hour notice.

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

Administration

Dr. Cade Smith.....	Superintendent of Schools
Kara Bock.....	Assistant Superintendent of Accountability & Instruction
Clinton McLain Ed.D.....	Assistant Superintendent of Finance & Operations
Dr. Jennifer Garcia.....	Executive Director of Elementary Schools
Ingia Saxton.....	Executive Director of Secondary Schools
Kathy Kenney.....	Executive Director of Human Resources
Matt Jones.....	Executive Director of Technology & Communications

Employment

Equal Employment Opportunity

Policies DAA, DIA

In efforts to promote nondiscrimination and as required by law, New Braunfels Independent School District does not discriminate against any employee or applicant for employment, or in any of its education programs or activities or employment decisions, because of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. This nondiscrimination policy extends to the admission of students in the district's education programs and activities, as well as to applicants for employment. Additionally, the district does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

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.

The district designates and authorizes the following employees as the Title IX coordinator to address concerns or inquiries regarding discrimination based on sex, including sexual harassment:

For employees -

Kathy Kenney, Executive Director of Human Resources, kkenney@nbisd.org

For students –

Ingia Saxton, Executive Director of Secondary Schools, isaxton@nbisd.org

1000 N. Walnut Ave.
New Braunfels, TX 78130
(830) 643-5700

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: [Kathy Kenney, Executive Director of Human Resources, 1000 N. Walnut Ave., New Braunfels, TX 78130, kkenney@nbisd.org, (830) 643-5700].

Reports can be made 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.

Inquiries about the application of the 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. Complaints of discrimination based on race, color, national origin, sex, disability, and age may be directed to the U.S. Department of Education, Office for Civil Rights, 1999 Bryan Street, Suite 1620, Dallas, TX 75201, (214) 661-9600.

Questions or concerns relating to discrimination for any other reason should be directed to the Superintendent.

Job Vacancy Announcements

Policy DC

Announcements of job vacancies by position and location are posted on a regular basis on the NBISD website (www.nbisd.org).

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 calling 800-223-8778 or 512-542-6400. Information is also available on the TRS Website (www.trs.texas.gov).

Contract and Noncontract Employment

Policy DC series

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

Probationary Contracts. Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive a probationary contract during their first year of employment. Former employees who are hired after a two-year lapse in district employment or employees who move to a position requiring a new class of certification may be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed as a teacher in public education for at least five of the eight years preceding employment with the district may not exceed one school year. For those with less experience, the probationary period will be three school years (i.e., three one-year contracts) with an optional fourth school year if the board determines it is doubtful whether a term contract should be given.

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

Noncertified Professional and Administrative Employees. Employees in professional and administrative positions that do not require SBEC certification (such as non-instructional administrators) are not employed by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

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

Certification and Licenses

Policy DBA, DF

Professional employees whose positions require SBEC certification or professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to the Human Resources office in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify the Human Resource's Office when there is action against, or revocation of, their license.

A certified employee's contract may be voided without Chapter 21 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 Human Resources if you have any questions regarding certification or licensure requirements.

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 Human Resources if you have any questions regarding reverification of employment authorization.

Searches and Alcohol and Drug Testing

Policy CQ DHE

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

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

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

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs. Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact the transportation department.

Health Safety Training

Policies DBA, DMA

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification in first aid and cardiopulmonary resuscitation (CPR), and the use of an automated external defibrillator (AED), concussion, and extracurricular athletic activity 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 their supervisor before the expiration date.

School nurses and employees with regular contact with students must complete a Texas Education Agency approved, online training regarding seizure disorder awareness, recognition, and related first aid.

Reassignments and Transfers

Policy DK

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

An employee with the required qualifications for a position may apply for a position at another campus or department. To apply, an employee must complete an internal application. All internal applications must include the employee's current supervisor as a reference.

Workload and Work Schedules

Policies DEAB, DK, DL

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

Classroom teachers will have planning periods for instructional preparation, including conferences. The schedule of planning periods is set at the campus level but must provide at least 450 minutes within each

two-week period in blocks not less than 45 minutes. Teachers and librarians are entitled to a duty-free lunch period of at least 30 minutes. The district may require teachers to supervise students during lunch one day a week when no other personnel are available.

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

Breaks for Expression of Breast Milk

Policies DEAB, DG

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

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

Notification to Parents Regarding Qualifications

Policies DK, DBA

In schools receiving Title I funds, the district is required by 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 a teacher for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call the human resources department at 830-643-5700.

Outside Employment and Tutoring

Policy DBD

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

Performance Evaluation

Policies DN series

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

Policies BQA, BQB

At both the campus and district levels, New Braunfels ISD offers opportunities for input in matters that affect employees and influence the instructional effectiveness of the district. As part of the district's planning and decision-making process, employees are elected to serve on district- or campus-level advisory committees. Plans and detailed information about the shared decision-making process are available in each campus office or from the Assistant Superintendent for Accountability and Instruction.

Staff Development

Policy DMA

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

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

Professional Development

Policy DMA

It is the belief of NBISD that continuing professional development for personnel is essential to keep abreast of changing educational practices that enhance the teaching learning process. The district provides ongoing professional development, which is aligned with school and district goals and based on identified needs derived from student data. Many learning opportunities exist within the context of professional practice or job embedded learning. Professional staff members must be continual learners and avail themselves to multiple learning opportunities that enhance instructional practice. Professionals who learn every day characterize a school and district culture that commits to continuous improvement.

Expectations for professional development to ensure student success and school improvement standards are as follows:

1. Professional personnel will actively participate in learning opportunities at the campus and district level, which are aligned with district and campus goals and focused on continuous improvement. These activities may take the form of teacher collaboration, curriculum articulation, and instructional improvement/problem solving processes within the context of the assigned professional role.
2. Teaching professionals will link professional development to instructional practice as required by teacher assessments and appraisals.
3. Professional employees should plan their professional development requirement in cooperation with the campus principal (or designee) or direct supervisor.
4. Adult learning differences and desires are acknowledged and respected by offering personal alternative strategies for achieving such goals. Personnel may earn professional development based on:
 - (a) Individually guided programs in which the learner designs activities to facilitate growth toward an identified goal.
 - (b) Observation/assessment to improve instruction through peer observation or coaching or even supervisory feedback.
 - (c) Involvement in a developmental improvement process that identifies a goal, problem, or issue then designing and implementing interventions to address them.
 - (d) Training to improve practice that includes exploring theory, demonstrating practice, supervising trial of new skills with feedback on performance, and coaching in the workplace.
 - (e) Inquiry or action research that involves identifying a problem, data collection, data analysis and changes in practice with additional data collection.
5. Completion of at least three semester hours of graduate coursework relating to employee's current assignment will meet the annual professional development standard.
6. Hours meeting the professional growth requirement may be paid for by NBISD if the employee provides training within the district based upon the paid workshop/training. Supervisor approval is required for district payment of expenses. The employee's supervisor is responsible for ensuring that district follow-up training is provided.

Reports

The principal (or designee) or direct supervisor of each school shall be responsible for reporting on the professional development standard for the professional employees assigned to his/her campus. Failure of the employee to comply with this policy on professional development may result in termination of the contract of the individual or reduction in salary. Exceptions to fulfilling this requirement may be addressed to the superintendent for a final ruling.

Teacher Appraisals

NBISD has adopted the Texas Teacher Evaluation and Support System (T-TESS) for evaluation of teachers.

The 2022- 2023 Appraisal calendar is as follows:

August 10 - September 9 – Orientation of the T-TESS complete for all employees being evaluated using the T-TESS instrument.

Completed and Appraiser-approved Goal-Setting and Professional Development Plan due – six weeks from the day of completion of the T-TESS orientation.

Observation may not occur two weeks following the day of completion of the T-TESS orientation.

Observations may not occur the day before or after a student holiday.

Post-conference – held within 10 working days after the completion of the observation.

Summative annual appraisal – due to the teacher no later than 10 working days of the conclusion of the end-of-year conference.

May 4, 2023 End-of-Year conferences end no later than 15 working days before the last of instruction for students.

Second Appraiser Request

The teacher must make a written request for a second appraiser within ten (10) working days of receiving a written observation report. The written request must be submitted to the teacher's supervisor. The supervisor will notify the Executive Director of Human Resources who will assign a second appraiser from the list of certified appraisers.

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 generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*, page 18.)

All employees will receive written notice of their 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 human resources department for more information about the district's pay schedules or their own pay.

Employee Meals at No Charge

Individuals not directly involved

District employees who may assist the food service program but are not paid from food service funds are not eligible to receive meals at no charge. Employees not eligible include cafeteria monitor, paraprofessionals, professional staff who supervise students, or campus principals who have general supervisory responsibility. All meals served to adult staff or visitors must be paid for at the rate established by the Board of Trustees.

Daily Time Clock

All non-exempt employees are required to be punctual and to punch in and out on the TimeClock terminal each day. Employees are reminded that failure to punch in or out could result in no payment for the day or time period concerned. Each employee must punch in and out for lunch.

Paychecks

All professional, paraprofessional, technology, and maintenance employee's pay is annualized and paid monthly. All other hourly employees are paid semimonthly. All employees are required to receive their pay through direct deposit to a financial institution. Once direct deposit has been transmitted, your bank is responsible for the availability of your funds. If you close your account prior to payday, the bank will refund the money to the district; however, the district must wait for receipt of these funds before reissuing or re-depositing to your new account. Employee may receive a paper check for their first pay period, pending receipt of direct deposit authorization form.

Pay information, including an itemized statement of earnings, is available online through Employee Access. Pay information will not be released to any person other than the district employee without the employee's written authorization.

**NEW BRAUNFELS INDEPENDENT SCHOOL DISTRICT
2022-2023
PAY PERIODS AND PAY DATES
MONTHLY PAYROLL**

PAY DATES		PAYROLL REPORTING DATES	
MONDAY	AUGUST 15, 2022	JUNE 19 -	JULY 16, 2022
THURSDAY (5)	SEPTEMBER 15, 2022	JULY 17 -	AUGUST 20, 2022
FRIDAY	OCTOBER 14, 2022	AUGUST 21 -	SEPTEMBER 17, 2022
TUESDAY	NOVEMBER 15, 2022	SEPTEMBER 18 -	OCTOBER 15, 2022
THURSDAY	DECEMBER 15, 2022	OCTOBER 16 -	NOVEMBER 12, 2022
FRIDAY	JANUARY 13, 2023	NOVEMBER 13 -	DECEMBER 10, 2022
WEDNESDAY	FEBRUARY 15, 2023	DECEMBER 11 -	JANUARY 7, 2023
FRIDAY (5)	MARCH 10, 2023	JANUARY 8 -	FEBRUARY 11, 2023
FRIDAY (5)	APRIL 14, 2023	FEBRUARY 12 -	MARCH 18, 2023
MONDAY	MAY 15, 2023	MARCH 19 -	APRIL 15, 2023
THURSDAY	JUNE 15, 2023	APRIL 16 -	MAY 13, 2023
FRIDAY (5)	JULY 14, 2023	MAY 14 -	JUNE 17, 2023
TUESDAY	AUGUST 15, 2023	JUNE 18 -	JULY 15, 2023
FRIDAY (5)	SEPTEMBER 15, 2023	JULY 16 -	AUGUST 19, 2023

*Pay dates represent the pay period used to post employee overtime, supplemental pay, sub pay and absence deductions, which will be posted according to the Payroll Reporting dates as shown above.

**NEW BRAUNFELS INDEPENDENT SCHOOL DISTRICT
2022-2023
PAY PERIODS AND PAY
DATES SEMI-MONTHLY
PAYROLL**

PAY DATES		PAYROLL REPORTING DATES		
MONDAY	AUGUST 15, 2022	JULY 3	-	JULY 16, 2022
WEDESDAY	AUGUST 31, 2022	JULY 17	-	JULY 30, 2022
THURSDAY	SEPTEMBER 15, 2022	JULY 31	-	AUGUST 20, 2022
FRIDAY	SEPTEMBER 30, 2022	AUGUST 21	-	SEPTEMBER 3, 2022
FRIDAY	OCTOBER 14, 2022	SEPTEMBER 4	-	SEPTEMBER 17, 2022
MONDAY	OCTOBER 31, 2022	SEPTEMBER 18	-	OCTOBER 1, 2022
TUESDAY	NOVEMBER 15, 2022	OCTOBER 2	-	OCTOBER 15, 2022
WEDNESDAY	NOVEMBER 30, 2022	OCTOBER 16	-	OCTOBER 29, 2022
THURSDAY	DECEMBER 15, 2022	OCTOBER 30	-	NOVEMBER 12, 2022
FRIDAY	DECEMBER 16, 2022	NOVEMBER 13	-	NOVEMBER 26, 2022
FRIDAY	JANUARY 13, 2023	NOVEMBER 27	-	DECEMBER 10, 2022
TUESDAY	JANUARY 31, 2023	DECEMBER 11	-	DECEMBER 24, 2022
WEDNESDAY	FEBRUARY 15, 2023	DECEMBER 25	-	JANUARY 7, 2023
TUESDAY	FEBRUARY 28, 2023	JANUARY 8	-	JANUARY 21, 2023
FRIDAY	MARCH 10, 2023	JANUARY 22	-	FEBRUARY 11, 2023
FRIDAY	MARCH 31, 2023	FEBRUARY 12	-	FEBRUARY 25, 2023
FRIDAY	APRIL 14, 2023	FEBRUARY 26	-	MARCH 18, 2023
FRIDAY	APRIL 28, 2023	MARCH 19	-	APRIL 1, 2023
MONDAY	MAY 15, 2023	APRIL 2	-	APRIL 15, 2023
WEDNESDAY	MAY 31, 2023	APRIL 16	-	APRIL 29, 2023
THURSDAY	JUNE 15, 2023	APRIL 30	-	MAY 13, 2023
FRIDAY	JUNE 30, 2023	MAY 14	-	MAY 27, 2023
FRIDAY	JULY 14, 2023	MAY 28	-	JUNE 17, 2023
MONDAY	JULY 31, 2023	JUNE 18	-	JULY 1, 2023
TUESDAY	AUGUST 15, 2023	JULY 2	-	JULY 15, 2023
THURSDAY	AUGUST 31, 2023	JULY 16	-	JULY 29, 2023
FRIDAY	SEPTEMBER 15, 2023	JULY 30	-	AUGUST 19, 2023
FRIDAY	SEPTEMBER 29, 2023	AUGUST 20	-	SEPTEMBER 2, 2023

*Pay dates represent the pay period used to post employee overtime, supplemental pay, sub pay and absence deductions, which will be posted according to the Payroll Reporting dates as shown above.

Payroll Deductions

Policy CFEA

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

- Teacher Retirement System of Texas (TRS) or FICA alternative for those not eligible for TRS.
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)
- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; and higher education savings plans or prepaid tuition programs. Employees also may request payroll deduction for payment of membership dues to professional organizations. Salary deductions are automatically made for unauthorized or unpaid leave.

Overtime Compensation

Policies DEAB, DEC

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only paraprofessional and auxiliary employees are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. A nonexempt employee who works overtime without prior approval will be subject to disciplinary action.

Overtime is legally defined as all hours physically worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Sunday and ends at midnight Saturday. 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.

Maintenance and Transportation staff will not receive comp time and will be compensated for overtime with direct pay. All other non-exempt employees may be compensated for overtime (i.e., hours beyond 40 in a workweek) at time-and-a-half rate with compensatory time off (comp time) or direct pay. Employees are compensated for additional straight time with compensatory time off or direct pay. The following applies to all nonexempt employees:

- Employees can accumulate up to 60 hours of comp time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval as workload permits, or at the supervisor's direction.

- An employee is required to use comp time before using available paid leave (e.g. sick, personal, vacation).
- Weekly time keeping records must be maintained on all nonexempt employees for the purpose of wage and salary administration.
- Non-exempt employees will be paid in February for any comp time accrued between August and December and will be paid in August for any unused comp time accrued between January and July.

Travel Expense Reimbursement

Policy DEE

The employee's supervisor and appropriate budget administrator must approve reimbursable travel expenses before the expenses are incurred. Travel expenses will be reimbursed for mileage and other expenditures according to the current rate schedule established by the district that meet all requirements of Administrative Reg DEE. Rates of reimbursement will be based on the current rate schedule established by the district and the Internal Revenue Service. Employees must submit receipts for travel by public conveyance and as required by regulation to be reimbursed for expenses. Meals are reimbursed at the actual cost up to the allowable per diem rates when travel involves an overnight stay. Administrative Regulation DEE (Reg) and forms are located on the website.

Health, Dental, and Life Insurance

Policy CRD

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

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

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

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment or when they experience a qualifying event (e.g. marriage, divorce, birth, death, or loss of coverage). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees on the district's website. Employees should contact the benefits office for more information.

Supplemental Insurance Benefits

Policy CRD

At their own expense, employees may enroll in supplemental insurance programs. Premiums for these programs can be paid by payroll deduction. Employees should contact the benefits office for more information.

Cafeteria Plan (Section 125)

Employees may be eligible to participate in the Cafeteria Plan (Section 125). If an employee chooses not to participate in The Cafeteria Plan, they must notify the benefits office. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e. accidental death and dismemberment, cancer and dread disease, medical, dental, and vision insurance). The District's cafeteria plan also includes unreimbursed medical and dependent care reimbursement accounts and Health Savings Accounts which are administered by a third party. The plan year runs from September 1 to August 31 of the following year.

Workers' Compensation Insurance

Policy CRE

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has worker's compensation coverage from TASB RM. 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 must be reported immediately to the employee's supervisor. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits*, page 20 for information on use of paid leave for such absences. New Braunfels ISD is a modified duty employer.

Unemployment Compensation Insurance

Policy CRF

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

Teacher Retirement

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

Employees who plan to retire under TRS should notify the office of human resources as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web (www.trs.texas.gov). See page 7 for information on restrictions of employment of retirees in Texas public schools.

Tuition-Free Attendance for Children of Nonresident Employees

Policy FDA (Local)

Children of nonresident district employees may attend district school's tuition-free. Nonresident district employees must provide transportation as district transportation shall not be provided.

Leaves and Absences

Policies DEC, DECA, DECB

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than five days should call the Human Resources Department at 830-643-5700 for counseling about leave options, continuation of benefits, and communicating with the district.

Paid leave must be used in half day increments for professional employees. A half day is considered four hours or less. Leave must be used in quarter hour increments for paraprofessional and auxiliary employees. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order for illness, illness/family, and bereavement:

- Local Sick Leave
- State Sick Leave
- State Personal Leave

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification. Any unapproved absences or absences beyond accumulated or available paid leave shall result in deduction from the employee's pay.

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

- Spouse
- Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands in loco parentis.
- Parent, stepparent, parent-in-law, or other individual who stands in loco parentis to the employee.
- Sibling, 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).

Medical Certification

Any employee who is absent more than 3 consecutive days because of a personal illness or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and – in the case of personal illness – the employee's fitness to return to work.

The district may require medical certification due to an employee's questionable pattern of absences or when deemed necessary by the supervisor or superintendent. The district may also request medical certification when an employee requests FMLA leave for the employee's serious health condition, a serious health condition of the employee's spouse, parent, or child, or for military caregiver leave.

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

1. The employee is absent more than three consecutive works days because of personal illness or illness in the immediate family:
2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor:
3. The employee requests FMLA leave for the employee's serious health condition; a serious health condition of the employee's spouse, parent, or child; or.
4. The employee requests FMLA leave for military caregiver leave purposes.

Medical certification shall not be required if the absence is related to one of the expected reasons listed in the policy (see Schedule Limitations, Exceptions, below).

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

Failure to provide medical certification for the above days shall result in the deduction of the employee's daily rate of pay.

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 individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Continuation of Health Insurance

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

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.

Full-time employees are eligible to join the NBISD Sick Leave Bank. (Booklet and enrollment form available on the New Braunfels ISD website and from the campus/department secretary.) The enrollment period for the SLB is from July 1 through August 31.

Personal Leave

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

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

Discretionary. Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor 2 days in advance of the anticipated absence. The effect of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

- A maximum of 10 percent of campus employees in each job category will be permitted to take discretionary personal leave at the same time.
- Discretionary leave may not last more than three consecutive workdays.
- **Discretionary leave can be taken from State Personal Leave only.**

The effect of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

Deductions

Leave without pay

The District shall not approve paid leave for more leave days than have been accumulated in prior years plus leave currently available. Any unapproved absences or absences beyond accumulated and available paid leave shall result in deductions from the employee's pay.

Leave Proration

Employed for Less Than Full 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 will be prorated based on the actual time employed. When an employee separates from employment before the last duty day of the school year, the employee's final paycheck will be reduced by the amount of state personal leave the employee used beyond his or her pro rata entitlement for the school year.

Employed for Full Year

If an employee uses more local leave than he or she earned and remains employed with the District through his or her last duty day, the District shall deduct the cost of the excess leave days from the employee's pay in accordance with administrative regulations.

Recordings

Leave shall be recorded as follows:

1. For exempt employee, leave shall be recorded in whole and half day increments.
2. For nonexempt employees, leave shall be recorded in one-hour increments.

Order of Use

Earned compensatory times shall be used before any available paid state or local leave. [See DEAB]

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.

An employee who exhausts all paid state and local leave shall be required to use vacation or nonduty days, as applicable.

Use of sick leave bank days shall be permitted only after all available state leave, local leave, compensatory time, vacation days, and nonduty days have been exhausted.

Concurrent Use of Leave

When an absent employee is eligible for FMLA leave, the District shall designate the absence as FMLA leave.

The District shall require the employee to use temporary disability leave and paid leave, including compensatory time, concurrently with FMLA leave.

An employee receiving workers' compensation income benefits may be eligible for paid or unpaid leave. An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.

State Sick Leave

State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas. State sick leave may be used for the following reasons only:

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

Local Sick Leave

Employees in positions requiring 10, 11, and 12 months of service shall earn an additional five, six, or seven equivalent workdays of local sick (nondiscretionary) leave per school year, respectively, concurrently with state leave. Employees have the right to use available local sick leave when called to active military service.

State and Local Sick leave may be used for the following reasons only:

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

A doctor note is needed after 3 or more days for both illness self and illness family.

Earning Local Leave

An employee shall not earn any local leave when he or she is in unpaid status. An employee using full or proportionate paid leave shall be considered to be in paid status.

Sick Leave Bank

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

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

If the employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's supervisor may submit the request.

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

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

Appeal

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

Leave Usage During Temporary Disability/FMLA

Employees must use any available leave while on temporary disability or FMLA, including comp time earned, vacation, non-duty and state and local leave.

Temporary Disability Leave

Certified Employees

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

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

is no longer than 180 calendar days.

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

When an employee is ready to return to work, the human resources department should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties.

Certified employees returning from leave will be reinstated to the school to which they were previously assigned if an appropriate position is available. If an appropriate position is not available, the employee may be assigned to another campus, subject to the approval of the campus principal. If a position is not available before the end of the school year, the employee will be reinstated to a position at the original campus at the beginning of the following school year.

Vacation

Policy DED

All employees on a 260-day schedule who have been employed at least six months, but less than 12 months, shall earn one week of vacation; those employed for a period of 12 months or more shall earn two weeks of vacation. Vacation days must be taken within a year of the employee's anniversary date.

Nonduty Days

All employees on a 226-day schedule shall receive nonduty days in accordance with administrative procedures. Prior to taking a non-duty day, an employee shall receive prior approval from his or her supervisor. Employees may only use nonduty days consecutively, provided it does not create a hardship on the District.

Unused nonduty days may be carried over from year to year.

Upon Resignation or retirement, any earned nonduty hours shall be paid to a nonexempt employee at his or her current hourly rate.

An exempt employee who separates from the District shall not be eligible to receive payment for unused nonduty days.

Family and Medical Leave (FML) – General Provisions

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

Leave Entitlements

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

- The birth of a child or placement of a child for adoption or foster care.

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

An eligible employee who is a covered service member's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the service member with a serious injury or illness. An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

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

Benefits and Protections

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

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

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

Eligibility Requirements

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

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

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

Requesting Leave

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

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

Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that

hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

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

Employer Responsibilities

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

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

Enforcement

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information:

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

www.wagehour.dol.gov

Local Procedures for Implementing Family and Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period

- beginning on the first duty day of the school year

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

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

Intermittent leave. When medically necessary, 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 functions. 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 FML or have questions should contact Human Resources for details on eligibility, requirements, and limitations.

Workers' Compensation Benefits

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

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use 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.

Assault Leave

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An incident involving an assault is a work-related injury and should be immediately reported to supervisor.

An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person not responsible for purposes of criminal liability.

An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries he or she sustained. At the request of an employee, the district will immediately assign the employee to assault leave. Days of leave granted under the assault leave

provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

Bereavement Leave

State leave and local sick leave may be used when there is a death in the employee's immediate (see DEC Local) family not to exceed five workdays per occurrence. Use of state leave and/or local leave for death other than an immediate family shall not exceed two workdays per occurrence, subject to approval of the district.

Jury Duty

Policies DEC, DG

The district provides paid leave to employees who are summoned to jury duty including service on a grand jury. The district will not discharge, threaten to discharge, intimidate, or coerce any regular employee because of juror or grand juror service or for the employee's attendance or scheduled attendance in connection with the service in any court in the United States. Employees who report to the court for jury duty may keep any compensation the court provides. An employee should report a summons for jury duty to his or her supervisor as soon as it is received and may be required to provide the district a copy of the summons to document the need for leave.

An employee may be required to report back to work as soon as they are released from jury duty. The supervisor may consider the travel time required and the nature of the individual's position when determining the need to report to work. A copy of the release from jury duty or documentation of time spent at the court is required.

Compliance with a Subpoena

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

Truancy Court Appearances

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

Religious Observance

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

Military

Paid Leave for Military Service. Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally

authorized Urban Search and Rescue Team is entitled 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 duty in response to a disaster.

In addition, an employee is entitled to use available state and local sick leave during a time of active military service.

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

Continuation of Health Insurance.

Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact the human resources office for details on eligibility, requirements, and limitations.

Payment for Accumulated Leave Upon Separation

Policy DEC (local)

The following provisions shall only apply to eligible, full-time employees who were continuously employed by the District in the 2010–11 school year.

An employee who retires from the District and has at least five years of service with the District shall receive payment for each day of accumulated state leave. The employee must file for retirement in the same Texas Teachers Retirement System (TRS) year that the employee resigns.

A full-time professional employee shall be paid at a rate of \$60 per day. A full-time paraprofessional or auxiliary employee who works 30 or more hours per week shall be paid at a rate of \$30 per day. The employee shall receive payment in August of the same year.

The rate established by the Board shall be in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.

If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee.

Excessive Absences

Non-contract employees who are absent and have exhausted all paid leave and do not qualify for Family and Medical Leave or Temporary Disability or any other leave applicable, will be terminated from employment. Excessive absences will be used as a reason for non-renewal of an employee's contract or in case of at-will employees, a reason for termination. Excessive absences are defined as absences that are not in compliance with policy and procedures for taking available, local, state, or federal leave or failure to return to work after exhaustion of all leave.

Other Special Leave

On a case by case basis and in light of the needs of the educational program of the District, the Superintendent or designee may grant an unpaid leave for a period not to exceed 5 school days in cases not covered by any of the other leave provisions of this policy.

Employees absent without following policy or procedure will be docked pay even if leave is available. For questions regarding the leave policy, please contact the Human Resources Office at (830) 643-5726.

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 publications, the District website, and through special events and activities. The NBISD Excellence Awards Program will be held annually to recognize our employees and community partners.

District Communications

Throughout the school year, the Communications Department publishes e-newsletters, brochures, fliers, calendars, news releases, on social media @NewBraunfelsISD, and other communication materials. These publications offer employees and the community information pertaining to school activities, community events and achievements.

Policy GBBA

All Media requests for interviews or requests for coverage of a district or campus event should be coordinated through the Communications Department.

Complaints and Grievances

Complaints and Grievances

Policy DGBA

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

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

A Level I Grievance form is available on the district's website (www.nbisd.org) under "For Employees" and from the Campus/Administrative Assistant.

Employee Conduct and Welfare

Standards of Conduct

Policy DH

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

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

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines, including intentionally making a false claim, offering false statements, or refusing to cooperate with a district investigation may result in disciplinary actions, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent first learns of the incident. See *Reports to the Texas Education Agency*, page 54 for additional information.

The *Educator's Code of Ethics* adopted by the Texas Education Agency, 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 of 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 the 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 reasonably prudent educator standard.

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

- (i) the nature, purpose, timing, and amount of the communication;

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

Discrimination, Harassment and Retaliation

Policies DH, DIA

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees, 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 district official is the subject of a complaint, the employee should report the complaint directly to the superintendent. A complaint against the superintendent may be made directly to the board. An employee who suspects or knows that a student is being harassed by a school employee or by another student shall inform his or her principal or immediate supervisor.

Any district employee who believes that he or she has experienced prohibited conduct based on sex, including sexual harassment, or believes that another employee has experienced such prohibited conduct, should immediately report that alleged acts. The employee may report the alleged acts to his or her supervisor, the campus principal, the Title IX coordinator, or the superintendent. The district's Title IX coordinator's name and contact information is listed in the Equal Opportunity section of this handbook.

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation can be found on the NBISD website, www.nbisd.org.

Harassment of Students

Policies DH, DHB, FFG, FFH, FFI

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited.

Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. Any district employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct based on sex, including sexual harassment, of a student shall immediately notify the district's Title IX coordinator, and the ADA/Section 504 coordinator, or superintendent and take any other steps required by the district policy.

All allegations of prohibited harassment of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or has reasonable cause to believe that child abuse or neglect occurred must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. *See Reporting Suspected Child Abuse*, page 37 and *Bullying*, page 57 for additional information.

The district's policies DHB (Legal), DF (Legal) and FFH (Local) that includes definitions and procedures for reporting and investigating harassment of students, and the definition of solicitation of a romantic relationship can be found on the NBISD website, www.nbisd.org.

Reporting Suspected Child Abuse

Policies DG, 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 reasonable 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 person or person with a disability.

Reports to Child Protective Services can be made on line at <http://www.txabusehotline.org/Login/Default.aspx> or to the Texas Abuse Hotline (800-252-5400). 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 taking and adverse employment action against a certified or licensed professional who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

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

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agency. In addition, employees must cooperate with child abuse and neglect investigators.

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

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 through the district improvement plan. 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 following the procedures described above in *Reporting Suspected Child Abuse*.

Reporting Crime

Policy DG

The Texas Whistle Blower 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 the 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.

Technology Resources

Policy CQ

The district's technology resources, including its networks, email accounts, devices connected to its networks, and all district-owned devices used on or off school property, are primarily for instructional and administrative purposes only. Limited personal use is permitted if the use:

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

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

Employees are required to abide by the provisions of the district's acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action. Employees with questions about computer use and data management should contact the technology department.

1. The use of any technology must support the educational goals of New Braunfels Independent School District (NBISD). Use must be authorized by an NBISD staff member and must lie within the bounds of NBISD curriculum.
2. Accessing or transmitting any material that is considered inappropriate or is in violation of any federal or state law is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene materials, or material protected by trade secrets.
3. Individual(s) involved in any of the following will be subject to disciplinary action in accordance with the NBISD district policy and acceptable laws:
 - Any involvement in, or attempt to access, alter, or change the data of another user (trespassing or vandalism)
 - Any involvement in, or attempt to access, alter, or change the configuration of a computer or mobile device in such a way that would disrupt use or interrupt instruction (vandalism)
 - Any individual who is involved in, or attempts to access, alter, or change network configuration, security, or administration without written permission from the NBISD Director of Technology or his/her designee (trespassing or vandalism)
4. NBISD computers, mobile devices, phone systems, the Internet, and other network-delivered services should not be used for personal profit, or for assisting in a public campaign or any public election.
5. When placing, removing, or restricting access to specific databases, the Internet, or other network delivered services, school officials shall apply the same criteria for educational suitability used to evaluate all other educational resources.
6. The Acceptable Use Policy will be posted in all computer labs.

Parents who have objections to the Internet or other network-delivered services may assume responsibility for imposing restrictions only on their own child(ren). Any parent wishing to restrict his/her child's access to such services must provide the school with this restriction in writing. For details, see the NBISD board policy governing the selection and adoption of instructional materials.

User Responsibilities

All users are expected to abide by the generally accepted rules of network etiquette. In addition to regular classroom rules, network etiquette rules include the following:

- a) **BE POLITE.** Never send, or encourage others to send, abusive messages.
- b) **USE APPROPRIATE LANGUAGE.** Remember that you are a representative of your school and district on a non-private system. You may be alone with your computer, but what you say and do on your computer can be viewed globally. Never swear, use vulgarities, or any other inappropriate language. Illegal activities of any kind are strictly forbidden.

- c) **PRIVACY.** Do not reveal any personal information, including your name, home address or personal phone numbers, or those of students or colleagues. Do not send confidential information about students or employees using electronic mail unless authorized to do so.
- d) **ELECTRONIC MAIL.** Electronic mail is not private. Messages relating to or in support of illegal activities must be reported to the authorities.
- e) **DISRUPTIONS.** Do not use the network in any way that would disrupt use of the network by others.
- f) **OWNERSHIP.** Any data, or communication placed on district equipment will become the property of NBISD.

Here are the prohibited behaviors as described in policy CQ (local and legal):

You are not to

- Share confidential information about students or employees using any electronic process unless the person receiving this information has a legitimate educational interest. This includes personal comments and opinions about people as well as confidential information. It is not acceptable to post confidential information about specific students to conference folders.
- Send, display or, download offensive messages or pictures.
- Assist in a public campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition.
- Use obscene language.
- Harass, insult, or attack others.
- Engage in practices that threaten the network (loading or downloading files that may contain a virus).
- Violate copyright laws and/or software maintenance agreements.
- Use others' passwords or share personal passwords with any users.
- Trespass in others' folders, documents, or files.
- Intentionally waste resources.
- Download / store games or other non-instructional software on any networked equipment.
- Use the email system or network for personal profit.
- Spamming - sending unsolicited, non-professional messages to a large number of people
- Flaming - insulting or harassing messages about individuals. Participating in chain letters - these are against the law.
- Participating in non-educational social networking.

Personal electronic devices/school district network:

Employees are not to connect personal network devices to the District's network. The Department of Technology reserves the right to confiscate equipment that is threatening to compromise the integrity of the district's network.

Personal Use of Electronic Communications

Policy CQ, DH

Electronic communications include all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, 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 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, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.
- The employee shall not use the district's logo or other copyrighted material of the district without express, written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on district business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee 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 e-mail addresses. [See Policy GBA]
 - Copyright law [See Policy CY]
 - Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See DH (EXHIBIT)]

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

Electronic Communications between Employees, Students, and Parents

Policy DH

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through electronic media with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. Electronic communications between all other employees and students who are enrolled in the district is prohibited.

Employees are not required to provide students with their personal phone number or email address.

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

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

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

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

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

- The employee may use any form of electronic media **except** text messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility.
- An employee who communicates with a student using text messaging shall comply with the

following protocol:

- 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 limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework and test; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page. District rules prohibit any New Braunfels ISD employee from developing and representing the district on any social network site.
- The employee shall not communicate directly with any student between the hours of 10:00 pm and 7:00 am. An employee, however, may make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educator’s Code of Ethics, including:
 - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
 - Copyright law [See Policy CY]
- Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DH]
- 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 one or more currently enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.
- All staff are required to use school email accounts for all electronic communications with parents. Communications about school issues through personal email accounts or text messages are not allowed as they cannot be preserved in accordance with the district’s record retention policy.
- An employee shall notify their 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.

New Braunfels ISD Employee Acceptable Use Policy

Access to the District's electronic communications system is a privilege, not a right. With this opportunity comes responsibility. It is important that you read the District policy, administrative regulations, and agreement form and ask questions if you need help in understanding them. Inappropriate system use will result in the loss of the privilege of using this educational and administrative tool.

Please note that the Internet is a network of many types of communication and information networks. It is possible that you may run across some material you might find objectionable. While the District will use filtering technology to restrict access to such material, it is not possible to absolutely prevent such access. It will be your responsibility to follow the rules for appropriate use.

RULES FOR APPROPRIATE USE:

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

INAPPROPRIATE USE

- Using the system for illegal purposes;
- Tampering with software protections and/or disabling or attempting to disable any Internet filtering device;
- Encrypting communications to avoid security review;
- Altering or attempting to alter system software or hardware configurations on network systems or local devices;
- Installing unauthorized software programs;
- Using someone's account without permission;
- Impersonating any person or communication under a false or unauthorized name;
- Downloading or using copyrighted information without permission from the copyright holder. Employees may be held liable for any of their own actions that violate copyright laws;
- Intentionally introducing a virus to the computer system;
- Sending or storing messages or materials with the intent to defraud, harass, defame or threaten others;
- Sending mass mailings or spamming;
- Playing network games or downloading large files without prior authorization;
- Posting messages or accessing materials that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal;
- Using personal or district owned devices to access electronic media (defined above) during working hours for non-educational purposes;
- Wasting school resources through the improper use of the computer system;
- Using school computers for advertising, profiting, and/or soliciting;
- Gaining unauthorized access to restricted information or resources;
- Connecting an unauthorized personal device to the District's network;

CONSEQUENCES FOR INAPPROPRIATE USE

- Suspension of access to the network and/or technology hardware;
- Revocation of the account provided; or
- Other disciplinary or legal action, in accordance with the District policies and applicable laws.

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 the district-owned devices and services

Criminal History Background Checks

Policy DBAA

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

Employee Arrests and Convictions

Policy DH

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

- Crimes involving school property or funds
- Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator
- Crimes that occur wholly or in part on school property or at a school-sponsored activity
- Crimes involving moral turpitude

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

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

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

- Crimes involving any felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance

- Felonies involving driving while intoxicated (DWI)
- Acts constituting abuse or neglect under the Texas Family Code.

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

Violations

Policy DH

Employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to their status as district employees. Violations may result in disciplinary action including termination.

Standards for Employee Dress and Grooming

Policy DH

The dress and grooming of District employees should be professional, clean, neat, modest, non-disruptive, and appropriate for their job assignments. In addition, supervisors may establish additional standards as approved by the Superintendent.

All employees shall follow a daily minimum dress code that exceeds that of students. The minimum dress code shall be business casual. Shorts, faded/torn jeans are not appropriate. Failure to follow policy as described may result in disciplinary action up to and including separation from employment. [See DH (LOCAL) for specific information]

Attendance and Punctuality

Good attendance and promptness are required for employees to fulfill their job tasks and responsibilities. Employees who are tardy or frequently absent have a direct negative impact on the accomplishments of the school/department and District's mission. Patterns of absenteeism, tardiness or leaving work early detracts from the quality of services, increases workload on fellow employees, and interferes with the flow of business.

Alcohol and Drug Abuse Prevention

Policy DH

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

Employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:

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

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

An employee who uses a drug authorized by a licensed physician through a prescription specifically for that employee’s use shall not be considered to have violated this policy.

Tobacco Products and E-Cigarette Use

Policies DH, FNCD, GKA

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

Fraud and Financial Impropriety

Policy CAA

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

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other district assets, including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district, except as otherwise permitted by law or district policy
- Inappropriately destroying, removing, or inappropriately using records, furniture, fixtures, or equipment
- Failing to provide financial records required by state or local entities
- Failure to disclose conflicts of interest as required by policy
- Any other dishonest act regarding the finances of the district
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards

Conflict of Interest

Policy CB, DBD

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

This includes the following:

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

Employees should contact their supervisor for additional information.

Gifts and Favors

Policy DBD

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

Copyrighted Materials

Policy CY

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

Associations and Political Activities

Policy DGA

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

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

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.

Charitable Contributions

Policy DG

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

To prevent or minimize injuries to employees, coworkers, and students, and to protect and conserve district equipment, employees must comply with the following requirements: See Emergencies on page 51 for additional information.

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

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

Employees with questions or concerns relating to safety programs and issues can contact, The Director of Safety and Security at 626-5670.

Possession of Firearms and Weapons

Policies DH, FNCG, GKA

Employees, visitors, and students, including those with a license to carry a concealed 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 other firearm is not loaded and not in plain view. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisors immediately.

Visitors in the Workplace

Policy GKC

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

Asbestos Management Plan

Policy CKA

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

Pest Control Treatment

Policies CLB, DI

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

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

General Procedures

Bad Weather Procedures

The district may close schools for severe weather, or other emergency conditions. When such conditions exist, the superintendent will make the official decision concerning the closing of the district's facilities. When a decision is made to cancel school, delay school, or dismiss school early, the district will notify parents and staff using the district's mass notification system and post on the website (nbsd.org) and our social media channels on Facebook and Twitter (@NewBraunfelsISD). Employees are asked to keep their contact information updated with the district to allow for seamless communication.

Emergencies

Policies CKC, CKD

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

Purchasing Procedures

Policy CH

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

Name and Address Changes

It is important that employment records be kept up to date. Employees must update their home address, contact telephone number, and emergency contact in the Employee Access Portal. To change your name, please make an appointment with HR to bring in your new social security card. To update marital status or beneficiaries, contact the Benefits office.

Employee Identification

To ensure safety and enhance security on campuses all employees are required to wear, and prominently display, the district-issued photo identification proximity badge while working in any location within the district at all times. NBISD is committed to providing a safe work environment for both employees and members of the public. As part of this commitment, NBISD has adopted an identification badge system for NBISD employees. This provides a consistent method of identification of NBISD employees and protection against unauthorized personnel and visitors from entering designated secure work areas. Non-compliance will be considered a violation and may result in disciplinary action. The fee for a lost or damaged badge is \$10.00. Call Human Resources at 830-643-5746 if a replacement badge is needed.

Personnel Records

Policy DBA, GBA

Most district records including personnel records are public information and must be released upon request. In most cases, an employee's personal email address is confidential and may not be released without the employee's permission.

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 e-mail address

The choice to not allow public access to this information or change an existing choice may be made at any time by submitting a written request to the human resources office. New or terminated employees have fourteen days after hire or termination to submit a request. Otherwise, personal information may be released to the public until a request to withhold the information is submitted or another exception for release of information under by law applies. An employee is responsible for notifying the district if he or she is subject to any exception for disclosure of personal or confidential information.

Facility Use

Policies DGA, GKD

Employees who wish to use district facilities after school hours must follow established procedures. The Business department is responsible for scheduling the use of facilities after school hours. Contact this department to request to use school facilities and to obtain information on the fees charged.

Access to Public Information

Policy GBAA & GBA

All requests for access information, documents, and records maintained by the District must follow the procedures outlined in the Texas Public Information Act and must be coordinated through the District's officer for public information. A copy of the procedures and rights of the requestor can be found on the District website and posted in the district's administrative offices. A request for information from a current board member that is acting in official capacity must be coordinated through the superintendent.

Termination of Employment

Resignations

Policy DFE, DHB

Contract Employees. Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the superintendent or the executive director of human resources. Supervisors who have not been designated by the board to accept resignations shall instruct the employee to submit the resignation to the superintendent, or the Executive Director of Human Resources.

Contract employees may resign at any other time only with the approval of the superintendent or the board of trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

The 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 *Reports to Texas Education*

Agency on page 54. The superintendent will notify SBEC when an employee resigns, and there is evidence to indicate that the employee has engaged in such misconduct.

Noncontract employees. Noncontract employees may resign their positions at any time. A written notice of resignation should be submitted to the employee's supervisor and the human resources department 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.

The principal is required to notify the superintendent of a noncertified employee's resignation or termination within seven business days following an alleged incident of misconduct of abuse of a student, or was involved in a romantic relationship with or solicited or engaged in sexual conduct with a student or minor. The superintendent will notify TEA within seven business days of receiving a report from a principal, or knew about an employee's resignation or termination following an alleged incident of misconduct described above.

Dismissal or Nonrenewal of Contract Employees

Policies DF Series, DHB

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

The principal is required to notify the superintendent of an educator's termination within seven business days following an alleged incident of misconduct for any of the acts listed in Reports to Texas Education Agency on page 54. The superintendent will notify SBEC when an employee is terminated and there is evidence to indicate that the employee has engaged in such misconduct.

Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee's certification is revoked for misconduct. Information on the timelines and procedures can be found in the DF series policies that are provided to employees online.

Dismissal of Noncontract Employees

Policies DCD, DP

Noncontract employees are employed at-will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, sex, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, page 33).

The principal is required to notify the superintendent of a noncertified employee's resignation or termination within seven business days following an alleged incident of misconduct of abuse of a student, or was involved in a romantic relationship with or solicited or engaged in sexual conduct with a student or minor. The superintendent will notify TEA within seven business days of receiving a report from a principal, or knew about an employee's resignation or termination following an alleged incident of misconduct described above.

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.

Exit Surveys and Procedures

Exit surveys are provided for all employees leaving the district. Separating employees are asked to complete a questionnaire that provides the district with feedback on their employment experience. All district keys, employee badge, parking permit, books, property, including intellectual property, and equipment must be returned upon separation from employment.

Reports to the Texas Education Agency

Policies DF, DHB, DHC

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

- Any form of sexual or physical abuse of a minor or any other unlawful conduct with a student or minor
- Soliciting or engaging in sexual contact or a romantic relationship with a student or minor
- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of district or school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on 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 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. "Reported criminal history" means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction that is obtained by 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 Educational Opportunities

Policies FB, FFH

In an effort to promote nondiscrimination and as a required by law, New Braunfels ISD does not discriminate on the basis of race, color, religion, national origin, age, sex or disability in providing education services, activities, and programs, including Career and Technical Education (CTE) programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

Questions or concerns about discrimination of students based on any of the reasons listed above should be directed to the district's Title IX Coordinator, 1000 N. Walnut, New Braunfels, TX 78130 at 830/643-5700.

Student Records

Policy FL

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

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

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

Parent and Student Complaints

Policy FNG

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

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

Administering Medication to Students

Policy FFAC

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

Dietary Supplements

Policies DH, FFAC

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

Psychotropic Drugs

Policy FFAC

A psychotropic drug is a substance used in 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 by state law from doing the following:

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

Student Conduct and Discipline

Policies in the FN series and FO series

Students are expected to follow the 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.

Student Attendance

Policy FEB

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

Bullying

Policy FFI

Bullying is defined by TEC §37.0832. All employees are required to report student complaints of bullying, including cyberbullying, to the building principal. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is available online.

Hazing

Policy FNCC

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

Appendixes

Appendix A: Transportation Services Procedures

The NBISD Transportation Department processes and furnishes services for hundreds of special trips each calendar year. In order that this service can be provided in the most efficient manner possible, requests for special transportation services must be received to allow careful preparation and assignment of drivers and/or vehicles. The following procedures are designed to accomplish this task.

A. Requests for Transportation Services - Teacher and Campus Information

The school campus will submit a "Transportation Request" via Travel Tracker for the extra-curricular or cocurricular trip at least **15 school days before the date of the trip**. "Transportation Requests" submitted with shorter timelines will be honored if possible but should be avoided. N.B.I.S.D has limited resources in both equipment and drivers. We need to make sure that we are able to meet existing commitments before we take on new ones. Everyone should work to adhere to the 15-school day notice policy. If too many requests have to be scheduled on a shorter notice, some requests cannot be honored.

1. Please make sure that all-information requested on the form is provided and indicate in the comments section whether the bus or van and driver will need to be available to the group for the entire time of the trip. If the driver can be released for part of the day, he or she would then be available for other assignments.
2. **The "Transportation Request" must be approved by the campus principal** before the trip will be scheduled. A budget code must appear on the request form.
3. **Telephone or e-mail requests for transportation will not schedule a trip, it must be entered into Travel Tracker and approved at the campus level.**
4. If a trip is being planned during normal route times, submit the name of an approved NBISD driver who has agreed to drive the trip. This person should not be a regular route driver. The first responsibility for our regular route drivers is to drive their regular routes. The Field Trip Coordinator or Director will assist in finding a driver, if possible.
5. If the trip is to be an overnight trip, make arrangements for the driver to have some place to stay while arrangements are made for the rest of the group. Overnight trips will require accommodations for rooms, meal stipend and schedule should be made for any driver and or aide on the trip by your department or campus.
6. Communicate with the driver on the day of the trip before leaving and again when arriving at the destination and clearly let them know what the expectations of them are for the day. This should prevent a driver from leaving the group stranded because of a lack of information. The teacher/sponsor should not assume that the driver knows or fully understands the itinerary for the trip.

7. If the teacher/sponsor is planning to drive their own trip, state this fact clearly in the comments section of the request. Remember that the person driving must be fully licensed, qualified to drive the vehicle being requested and approved to drive an NBISD vehicle by the Director of Transportation before this can be approved. Ask the the Field Trip and or Safety Training Coordinator for help in meeting requirements.

If a field trip is not needed, cancellation notice must be given to the Transportation Department at least 24 hours before departure time. If a trip is not cancelled by the deadline a fee equal to two hours of the driver's regular driver pay will be charged. Exception will be made for trips cancelled due to inclement weather.

8. The Field Trip Coordinator or Director will contact the campus principal or teacher if a question or scheduling problem develops. A field trip is not official until it's marked as approved in Travel Tracker.
9. The teacher requesting the trip is encouraged to call the Transportation Center **3-5 days prior to the trip** to make certain that the trip is being covered with equipment and personnel to avoid any last- minute disappointment or confusion.
10. Please be aware when planning a trip that buses cannot leave on a field trip until after morning routes have been completed and must return in time to run the afternoon routes. This means that buses are usually available after 9 a.m. and until 2 p.m. This time span includes the loading and unloading of students at the campus where the field trip begins and ends. Please plan your trip and activities accordingly so that buses will be available at their assigned campuses for their afternoon routes no later than 2:30 p.m.

NBISD Owned Vehicles and Rental Vehicles

Safety is just as important for drivers of passenger vehicles as for bus drivers. The physical and mental condition of the driver and the driver's competence in driving skills must be above question. Hence, it is the policy of NBISD that all **current and new employees** who plan to drive vehicles for the purpose of transporting students will be required to have a current physical exam and a drug/alcohol test. After this initial physical and drug/alcohol test, all **current employees** who drive school district or rented vehicles for the purpose of transporting students will be required to have a current physical exam every two years. In addition, an annual driver's license check must be performed before anyone can drive any school district or leased vehicle. Drivers who use vehicles to transport students on routes and/or extracurricular trips are subject to the District's Alcohol and Drug Testing Policy referenced in the previous section. Physical exams must be performed by the District's service provider. Becoming a District Driver is a two-year commitment. You will remain on the random drug test list for two years from the time you were approved as long you remain in your current assignment. A formal letter of resignation from this status should be sent to the Director of Transportation at the end of the two-year commitment. Resignations may not be submitted at the time of any physicals or drug testing. Any resignations received prior to the two-year commitment will result in not being placed on the approved driver list for two years.

Requesting Vehicle Rentals and Charter Buses

To request a Rental Vehicle (SUV-*Max 8 passengers*, Cargo Van, Box Truck) or a Charter Bus, you must make your request to the Transportation Trip Coordinator no later than **30 days** in advance. Once you make your request, Transportation will check on availability and get a quote on cost. When the quote is received, it will be provided to the campus or department making the request for review. Acceptance of the quote must be communicated back to Transportation within 1-2 days. Once the department has confirmed acceptance of the quote, Transportation will make a booking for your trip. Transportation will then submit a requisition to the Business Office. Requisitions for Rental Vehicles and Charter buses will be charged directly to the campus or department travel account. As the trip date approaches, Transportation will communicate with the campus or department to confirm arrangements.

Appendix B: Transportation Employee Procedures

This appendix has been prepared to provide you, the transportation department employee, with a thorough understanding of the policies, practices, and procedures of New Braunfels ISD Transportation. The contents are by no means exhaustive but are as complete as possible at the time of printing. At times it may be necessary to re-evaluate policies and procedures based on situations that may arise. If the need arises to make modification to any policies or procedures contained in this appendix, the notification will be made in writing to the employees of this department.

Rules, regulations, and other measures for safety are of little value without superior driving skills. Ninety-nine percent of the success of any transportation program lies with those who sit behind the steering wheel making important driving decisions. The actions taken by the driver determine whether the children transported will reach their final destination safely as planned.

Every employee is part of the team whose goal is to serve the best interest of all the children. All are trustees of an important public confidence and, as such, must be dedicated to doing the safest, most effective and efficient job of which they are capable.

It is essential that all employees become thoroughly acquainted with this handbook and refer to it frequently. We urge you to make suggestions to your Operations Specialist, Safety Training Coordinator, Administrative Assistant and the Director, for future improvement and revision to this document.

This appendix is not a substitute for the official New Braunfels ISD Employee Handbook but a supplement to it that is more specific to the Transportation Department. This appendix does not serve as a contract and is not intended to alter the at-will status of non-contract employees in any way.

The policies and procedures contained in this appendix will be applicable from the date of the first program day of each school year to the first program day of the following school year with the exception of revisions to policies made after the school year begins. Notifications for any such revisions will be made in writing to all employees.

Bus-Driver and Bus-Aide Hourly Pay Rates

Bus driver and bus aide hourly pay rates are determined by years of experience. Drivers and aides with experience in other school districts will receive credit for this experience if it can be verified with official records. The actual rate of pay is determined by school board action as part of the budget process.

A bus driver or aide must work more than 90 days before the year will count as a year of experience. A driver or aide who develops a pattern of only working more than half years rather than full years will not be rehired.

Drivers and aides are assured 5 hours per day. This is based on 2.5 hours per shift, excluding mid-day, per day calculated by the number of workdays in the work week. If there are 5 workdays in the work week and the employee has worked every shift, then the assurance would be 25 hours for that week. If there are 4 workdays and one nonpaid non-workday and the employee has worked every shift the assured would be for 20 hours for that work week. The assurance applies only to the regular school year.

Substitute Bus Driver and Substitute Bus-Aide Hourly Pay Rates

Hourly pay rates for substitute bus drivers and substitute bus aides are also set by school board action during the budget process. These positions are paid at the hourly rate of a beginning bus driver or a beginning bus aide. No adjustment in pay rates is provided for years of experience.

Holiday Pay

The employee must physically be in attendance, the entire day before and after the holiday to receive holiday pay. Substitute drivers and aides do not receive holiday pay

Training Cost Reimbursement

When an applicant is placed into the NBISD bus driver-training program, they will experience some out-of-pocket expenses. It is the policy of the NBISD that these expenses are reimbursed to the employee. An applicant who does not complete the training program or who declines a job offer will not receive a training cost reimbursement. For all applicants who successfully complete the training program and accept employment, either as a regular employee or as a substitute, NBISD will reimburse out-of-pocket expenses. The reimbursement will be limited to the cost of a CDL learner's permit, and CDL license. These costs will be reimbursed according to the following procedure.

- a. Class B CDL License – \$10-\$12 per year to be paid at the end of each school year. For those drivers who come to the district with a CDL license, this provision becomes effective with the driver's next license renewal and the license reimbursement will be paid at the end of each school year
- b. These costs will not be reimbursed if the new driver fails to complete the school year.
- c. License Receipts for expenses incurred must be presented to the Administrative Assistant to the Director prior to reimbursement.

If You Need to Be Absent from Work

All employees of the Transportation Department must notify the Operations Specialist as soon as possible when they need to be absent from work. Let us know about appointments for medical care the same day they are made. For early morning situations where you have not provided advance notification, call the Transportation Center main number at 830-627-6150. Leave a message on the answering machine, if no one is able to answer the telephone. Please try to talk to someone in person, if possible.

Transportation Center 830-627-6150

Please call before 5:00 am if possible to let the Operations Specialist know that you will not be able to drive (or aide) on the morning route.

If you are not going to be able to drive the afternoon route, call the Transportation Office by 1:00 p.m.

Tardiness

An employee will be considered to be tardy for work if that employee clocks-in more than 7 minutes after the scheduled clock-in time for the employee's normal duty schedule. If an employee is late to work more than two times in a 30-day period, the Director or Operations Specialist shall meet with the employee to find a solution to this problem. A written "Record of Counseling" session will be made at this time. If tardiness continues after such meeting, employee is subject to suspension without pay. If an employee knows in advance that he or she will need to be late for work, the Director, Dispatcher or Operations Specialists should be notified immediately. We will try to work with the employee in unusual circumstances, but these must be kept to a minimum. The employee is expected to be at work and on time each day during the school year. Excessive tardiness shall be a reason for termination.

Substitute Drivers or Aides

In no event may a bus driver or bus monitor arrange for a substitute driver or aide. This function shall be the responsibility of the Director, Dispatcher, or one of the Operations Specialists. Great care must be taken that we only place qualified people on buses as either substitute drivers or aides.

Excessive Absences for Transportation Employees

Non-contract employees who are absent and have exhausted all paid leave and do not qualify for Family and Medical Leave or Temporary Disability or any other leave applicable, may be terminated from employment or reassigned to substitute status. This would result in a reduction in hourly rate to substitute rate and loss of benefits. Excessive absences will be used as a reason for non-renewal of an employee's contract or in case of at-will employees, a reason for termination. Excessive absences are defined as absences that are not in compliance with policy and procedures for taking available, local, state or federal leave or failure to return to work after exhaustion of all leave.

Discipline & Dismissal of Transportation Employees

Transportation employees are employed on an "at will" basis. Under the "at-will" doctrine, an employer has no duty to an employee regarding continuation of employment" [DCD (Local)], and employees are not entitled to any kind of due process prior to termination of employment. However, the Transportation Department established departmental rules to define the termination process for NBISD Transportation employees. This policy is based on current NBISD policy and the Texas Education Code. The following disciplinary actions are options for addressing employee misconduct or other performance problems and may or may not precede a decision to terminate employment. Depending on the severity of the employee's performance issue, any of the disciplinary actions described below may be used to address the behavior.

1. Documented Verbal Warning: Verbal warning will be given to employee and an account of the incident will be placed in the employee's permanent file. This incident report will be signed by the Director of Transportation.
2. Written Warning: Written warning, with account of incident, will be given to employee. This incident report will be placed in the employee's permanent file and will be signed by both the Director of Transportation and the employee/or witness.

3. **Three-day Suspension:** This disciplinary stage will result in three days out of work without pay. Incident report, with account of incident, will be placed in employee's permanent file and will be signed by both the Director of Transportation and employee/or witness.
4. **Termination:** Employee will be dismissed from duties.

The aforementioned disciplinary actions apply to (but are not limited to) noncompliance of established district policies, noncompliance of transportation departmental policies, excessive absenteeism, incompetency, neglect of duties, etc. Changes in district policies may supersede, modify, or eliminate the above termination procedure.

Personnel Policies

Employee Responsibilities

Bus Drivers

1. **Clock in is ten minutes before your departure.**
2. Bus Drivers perform those duties as denoted in their job descriptions.
3. Bus Drivers are responsible for conducting a thorough pre-trip and post-trip inspection on every vehicle they drive using the prescribed method as outlined in the exhibits section of this handbook. These inspections must be performed prior to leaving the Transportation Department and immediately after returning to the Transportation Department property.
4. Bus Drivers are expected to use appropriate, approved student management techniques to ensure and maintain student safety on the bus.
5. Bus Drivers are expected to maintain the confidentiality information related to the students they transport. Confidentiality is discussed in greater detail later in this handbook.
6. Bus drivers are responsible for ensuring that their vehicle has adequate fuel for the route or the field trip.
7. **Fuel notes should be placed on key hook if less than ½ tank of fuel.**
8. Each Bus Driver is responsible for keeping his/her bus interior cleaned, see Vehicle Cleanliness, (including vomit or other body fluids) and the windows and door closed after each run. This applies to any bus that a driver might operate. If an alternate driver drives a bus, they are required to leave the bus in the condition in which it was found. The alternate is not responsible for cleaning the mess left by the regular driver.
9. There are varieties of on-going and periodic reports that the driver will be required to prepare, collate, or submit. Drivers are required to prepare such paperwork as seating charts and disciplinary incident reports as necessary. In addition, other periodic reports are required, such as student counts (used to adjust student loads on routes) and monthly rollcall. All reports must be accurate to the best of your ability.
10. Bus Drivers are responsible for ensuring that all state requirements for school bus drivers are met including license renewal, certification/recertification, and an annual DPS bus driver physical. Failure to maintain requirements may result in termination.

11. Bus Drivers are required to attend all safety meetings and in-service workshops. If a driver must miss a meeting, permission from the Operations Specialist and Director must be obtained.
12. Window washing may be done during business hours within a reasonable amount of time.

Bus Aides

1. Bus Aides perform those duties as denoted in their job description.
2. The Bus Aide is responsible to the driver in assisting in the loading and unloading of students, monitors the safety of the students, and in managing behavior of students on board the bus.
3. The Bus Aide will assist the driver in daily cleaning, closing windows, and preparing, collating, or submission of reports.
4. Bus Aides are expected to maintain the confidentiality of information related to the students they transport. Confidentiality is discussed in greater detail later in this handbook.
5. Bus Aides are required to attend all Special Ed Driver/Aide safety meetings and in-service workshops. If an Aide must miss a meeting, then he/she is responsible for obtaining minutes, notes, and handouts from the office.
6. Bus Aides are not allowed to use cell phones while bus is in route unless instructed by Transportation.
7. Bus Aides should not be eating on the bus.

Alternate Drivers

In addition to those responsibilities listed for bus driver, special needs driver, and special needs aides:

1. Alternate Drivers perform those duties as denoted in their job description.
2. Alternate Drivers are responsible for substituting on routes as bus drivers and bus aides as needed.
3. Alternate Drivers will assist drivers with route familiarization when a route change is made.

Disciplinary Action

Occasionally it becomes necessary for a supervisor or the District to take disciplinary action toward an employee. Discipline results when an employee's actions do not conform with generally accepted standards of good behavior, when an employee violates work rules, or when an employee's work performance is poor. The severity of the disciplinary action depends upon the nature and frequency of the offense. Discipline may range from oral warning(s), written warning(s), retraining and/or suspension from work (with or without pay) up to and including termination. Nothing in this policy or in this handbook is intended to limit in any way the District's right to terminate employees at any time, with or without cause and with or without advance notice.

Compensation and Wages

1. Full-time bus drivers and bus aides are assured five (5) hours per day for 184 working days each school year.
2. The wage scales for all staff are approved by the New Braunfels ISD Board of Trustees. Pay raises are based on a percent increase of the mid-point range for each pay grade. A new employee must have been employed with the district ninety (90) working days to qualify for a pay raise.
3. Employees are paid semi-monthly in accordance with the district pay-day schedule.
4. All hourly employees shall clock in for each shift. The numbers of hours worked will be calculated within the scheduled cut-off dates as established by the Payroll Department at

Central Administration. All pay due during this period will be paid on the next regularly scheduled pay date.

5. Field trips are paid at the employee's regular hourly rate.
6. Bus routes and work assignments may be changed at any time during the school year to best serve the needs of the school district. The number of hours assigned to a driver or aide cannot be guaranteed from one year to the next.

Absenteeism

- A single occurrence of "No Call/No Show" will result in a disciplinary warning.
- Three occurrences of "No Call/No Show" in one school year will result in disciplinary action up to and including termination.
- An employee who is absent from work for more than three consecutive workdays without a doctor's excuse may lose their regular route and could be subject to reassignment upon his or her return to work, and may result in disciplinary action up to and including termination.
- Once an employee has used all accumulated state and local leave, disciplinary action may result in, but not limited to, a disciplinary warning, suspension, or termination.

Identification & Presence on School Campuses

To ensure safety in the workplace, all employees are required to wear the District-issued photo identification badge while on duty.

Tobacco/Smoking Policy

Smoking, vaping or the use of any tobacco products is not permitted on the bus (whether or not transporting students), while on route, on school grounds, within the transportation compound, or while in the company of students on a field trip.

Communications

Address and Telephone Number

All employees must provide the transportation department with an accurate telephone number(s) and mailing address. As changes occur, **employees must update the information** that the Administrative Asst. or Dispatcher has on file. Address and telephone changes must also be made in the Ascender Employee Portal.

Employee E-mail

All employees will have an e-mail address which will be used for all district communications. Human Resource information/notices, etc. will be provided in this manner. It is the employee's responsibility to check their e-mail daily for important information.

Mailboxes

Mailboxes are provided for drivers and aides to store their route notebook/clipboard. All employees *must* check their mailboxes *before* and *after* each run for important messages. Food and drink may *not* be stored in the box. You must keep the box clean enough for paperwork to be delivered into the box.

Route notebooks are **to be in mailboxes at all times** except during actual route time. Only current route information is to be in the route notebook.

Key Hooks

When an office staff member needs to see a Driver or Aide, the employee's route key hook will have a note attached with who to see.

Message Boards

Important messages and notices (such as road closings, weather announcements, safety meetings, etc.) concerning the department as a whole will be posted on the boards in the workroom, on the board in the hall. Continue to check these boards frequently for notices.

All employees must check these message boards *before* and *after* each run for important messages.

Dress Code

Drivers are required to be neat, clean, and well-groomed at all times. Dress and appearance should be in good taste and appropriate for the duties being performed. Employees should be in dress code at the time that they report for duty.

Shorts and Skirts

If shorts are worn while on duty, they should be Bermuda shorts or fall just above the knee while in a standing position and should be loose fitting. If skirts are worn while on duty, they should be loose-fitting and fall just above the knee in a standing position or extend at least halfway to the knee while in a seated position. Lace or other material may not be added to meet the length requirement. In lieu of shorts or skirts, capri pants are a suitable option. Cut-offs (jeans that have been cut off to make shorts without hems), jogging, wind, athletic, or biker's shorts (spandex), or other shorts that are designed for a more casual/recreational setting are not permitted.



Inappropriate Shorts

Shirts/Tops

Shirts without sleeves must be tight enough around the arms to prevent the undergarments or skin on the sides of the body from being visible. Shirtsleeves should be tight enough to prevent the undergarments or skin on the sides of the body from being visible while the arms are raised parallel to the ground. Halter tops, tube tops, and backless tops may not be worn.

Footwear

Footwear must be secured at the toe and the heel for safety reasons. No flip flops, **Crocs**, open toe shoes, or shoes without backs. Shoes with heels over one-half ($\frac{1}{2}$) inch are unacceptable.

For comfort and safety, tennis shoes and other flat-heeled, non-skid shoes are recommended.



Inappropriate footwear



Appropriate footwear

Advertising Logos, Insignias, etc.

Clothing which advertises alcoholic beverages, tobacco, or drugs is unacceptable. An article of clothing which bears the brand name of a product of this type is also unacceptable. This applies also, to carried items such as purses, bags, backpacks, etc. Clothing which bears vulgar or obscene language or pictures is unacceptable.

Posting of Literature and Other Notices

Any signs, memos, notices, or other postings that an employee would like to post in the Transportation Department property or distribute in employee mailboxes must have the signed approval of the Director of Transportation or his designee. Any postings found without this signed approval will be removed immediately and the person who posted it may be disciplined.

Profanity in the Workplace

The use of profanity is prohibited in the workplace. The use of profanity will result in disciplinary action up to and including termination, commensurate with the severity of the incident. **The use of profanity in the presence of students is a serious incident and will be treated as such with regard to disciplinary action.**

Restricted Areas

To ensure employee safety, drivers and aides are not permitted to enter the work areas in the shop beyond the yellow lines without approval from the Director of Transportation or his designee.

Vehicle Parking

Parking lots are provided for the use of Transportation Department employees and visitors. Employees who are assigned to a field trip with a departure or return time outside of normal department operating hours must park in the employee parking lot unless other instructions have been given by the Director or designee.

Any employee who parks in an unapproved area will be issued a disciplinary warning.

Employees are not permitted to drive their personal vehicle into the bus parking area.

All traffic signs and barricades in place in the compound must be observed.

Buses must be parked in their assigned space.

If a spare bus is used for an extended period of time, then the spare bus may be parked in the parking space for the regular bus.

Operations Guide

Vehicle Use

Restrictions

School buses or district vehicles shall not be driven on personal errands and drivers are not permitted to take a school bus home without prior approval from the Director.

Violations of these vehicle use restrictions may result in disciplinary action including but not limited to letter of reprimand, suspension, and termination.

Keys

Ignition keys for all buses are found on, and must be returned to, the keyboard or drop box. No keys should be left inside any vehicle.

Bus Parking

Buses must be parked in their assigned space unless a spare bus is being used in place of another. If a spare bus is used for an extended period, then the spare bus may be parked in the parking space for the regular bus.

Vehicle Cleanliness

The **daily** cleaning and housekeeping of the bus is the responsibility of the driver who regularly drives that vehicle. If a driver uses a vehicle that is not their regular vehicle, he or she is expected to leave it in the same or better condition as it was found. On buses where an aide is present, the aide shares in the cleaning responsibilities. Buses are, at minimum, to be swept daily if needed_ and trash emptied at the end of every week.

Regular cleaning includes sweeping the floors, cleaning windows, and keeping the instrument panel and dashboard clean. The only cleaners that should be used are those that are available from the mechanics.

Do not sweep trash and dirt into the parking lot or the ditches. Sweep the trash and dirt into your garbage can and empty the can into one of the barrels by the gas pumps or into the dumpster.

Drivers are never allowed to use Armor-All or other greasy substances on the floors or seats of a bus!

Bodily fluid spills (such as vomit, urine, feces, blood, etc.) must be properly cleaned by the driver as soon as possible using the factory-provided body fluid cleanup kit on his or her bus. If a bus is not equipped with a factory-provided kit, then a suitable substitute may be obtained from the shop. Once the body fluid clean-up supplies have been used, submit a work-order to the shop to have the supplies replaced.

Buses may be mopped with the supplies provided at the gas pumps but spraying or washing down the inside of the bus may not be done by the driver.

If you decorate your bus for the various holidays, please note that there will be no hanging decorations in the drivers' area that may block the drivers' vision. Also, there will be no items on the windows in the drivers' area that may block the drivers' vision. The drivers' area is defined as anything in front of the barriers for the student seating.

Drivers do not receive supplemental pay for additional cleaning of the inside or outside of their buses.

In order to eliminate distractions and prevent safety hazards, the dashboard and control switch area must be clear of all miscellaneous items at all times. **No items are allowed on dash.**

Traffic Violations

All employees who drive a district vehicle are required to report any moving traffic violation for which they receive a ticket/citation and all collisions in which they are involved to their immediate supervisor by the end of the next business day. (This includes violations while driving their personal vehicles.)

Any employee who is issued a citation for violating a traffic law(s) that jeopardizes the safety of students or school property (while performing his or her duties in a New Braunfels ISD vehicle) is

subject to immediate termination.

Any traffic citation that an employee receives while operating a New Braunfels ISD vehicle is the responsibility of the employee and not the District.

Route Maps, Directions, and Bus Stops

Drivers are not authorized to change the way in which a route is driven or alter bus stops. When the driver makes unauthorized changes to his or her route, the driver assumes liability for such changes.

If the driver observes circumstances on a route which could impact student safety or transportation efficiency, then he or she shall report this information to the Operations Specialist and / or Route Coordinator responsible for that route. Only then can changes be made by the Route Coordinator.

During inclement weather, the driver is given reasonable latitude to exercise good judgment in making additional stops in order to let students off closer to their homes without deviating from the normal route path.

As student enrollment fluctuates, the Director or his designee has the option to adjust routes in order to even out student loads or route times.

Students are to load and unload at their assigned bus stops only. Any temporary changes to a student's pick-up or drop-off location will be communicated to the Transportation Department and, in-turn; notification will be made to the driver. Without information from the transportation department, a student may not ride a different bus or get off the bus at a different stop.

Temporary Changes

In emergency situations, students are permitted to ride their regular bus and get off at a different stop with another student. These arrangements are made through the Transportation Department office and are communicated to the driver. Without authorization, the student must either be transported to their regular bus stop or left at the school for the parent to pick up.

Authorized Riders

Only those authorized to do so may ride on a New Braunfels ISD school bus. This includes New Braunfels ISD students, employees of New Braunfels ISD serving as a sponsor for a field trip, children or grandchildren-of Transportation Department employees that are enrolled in New Braunfels ISD schools (that have been approved to ride), New Braunfels ISD administrators, and any other individuals for which express permission has been granted by the Director of Transportation or his designee. All authorized riders are expected to follow New Braunfels ISD Transportation safety rules.

Student Overload

If an overcrowding situation occurs, transport the students (as long as the maximum seating capacity for the bus is not exceeded and all students are seated properly) and notify your Route Coordinator immediately upon returning to the compound (make sure to bring accurate roll information with you). If transporting the students would exceed the maximum seating capacity of the bus, then radio transportation for assistance and another bus will be dispatched to your aid.

Student Management

Control and Authority

Principals and the Director of Transportation or his designee are responsible for supervision, direction, and control of all matters relating to the transportation of students for their respective schools.

School Bus Safety Rules

Explain the rules the first day the students are on the bus. We cannot expect children to obey rules if they have not been explained. You will find students more receptive if you explain WHY rules are necessary and important rather than telling them “just because.”

Do not make your own rules of conduct.

Always obey the rules that apply to you as the driver and set an example. Children are quick to spot a double standard. These rules include traffic laws as well as appropriate school policies.

The following are the bus safety rules that students are expected to follow while on the bus:

1. Observe the same level of conduct as is expected in the classroom.
2. Be courteous.
3. The bus driver is authorized to assign seats.
4. Do not eat, or chew gum on the bus.
5. Clear plastic water bottles are allowed on bus, no glass containers. Students are only allowed to drink water.
6. Cooperate with the driver.
7. Do not vape, smoke or use any other tobacco products.
8. Do not damage the bus or tamper with the equipment.
9. Remain seated.
10. Keep head, hands, and feet inside the bus.
11. Do not fight or throw objects inside or outside the bus.
12. Do not bring pets or live animals on the bus.
13. Do not bring flammable materials on the bus, including body sprays, cologne or deodorizing sprays.
14. Profanity is not allowed.
15. Students are prohibited from possessing drugs, weapons, and other contraband on school transportation.
16. Large, bulky fundraiser boxes, school projects, athletic equipment and band instruments (tubas or large drums) are not allowed on the bus unless it is able to ride in the student's lap. Parents will need to make arrangements to pick up the boxes and to transport science projects to and from school.
17. Do not bring skateboards, scooters/razors, or balloons on the bus.
18. Use of cell phones and or tablets must not be distracting to the driver or cause any disruptions on the bus.
19. Students are prohibited from using any type of recording device such as a camera, video or audio recorder while on the bus.

20. Students should pick-up their own trash to keep bus clean.

Drivers Actions

By and large, the vast majority of our students will act within the established rules. There are, of course, some who will misbehave and require some type of response or action from you. This is the point where you should have already considered those reasonable expectations we can anticipate from students and deal with the incident accordingly. In many cases, a verbal reprimand or warning will suffice. Keep in mind that it is not always advantageous to acknowledge *all* rule infractions. If you pull out the “big guns” for the small things, then you leave yourself little direction to go for more serious incidents.

Assigning Seats

The driver **must** assign seats and ensure that students are in assigned seats each day. This proves to be a very useful tool in separating groups of students who may be causing problems or negatively influencing the behavior of other students. When reassigning seats for disciplinary reasons, move the student closer to the front of the bus where the behavior may be more closely monitored. If necessary, make sure the student is placed in a seat where the camera will be certain to record the behavior.

Key Points to Remember About Student Management

1. Never hit, spank, or grab a student.
2. Never put (or let) a child off the bus except at the proper destination (bus stop or school). Drivers do not have the authority to deny riding privileges.
3. Keep in mind that your purpose in correcting a student is simply to change undesirable behavior. The less corrective action that can be used, the better. Always focus on correcting future actions rather than punishing for past actions.
4. Never give an order you do not intend to (or cannot) enforce.
5. **Never use a student as an example to the others. Do not discipline a student in front of his or her peers when possible.**
6. Have a reason for what you ask a child to do and take time when possible to explain the reason to the student.
7. Be honest in what you say and do. A child’s faith in you is a great help.
8. Be fair and consistent with discipline. Do not discipline a student for something and then permit other students to do the same thing. Do not enforce a rule today and then not tomorrow. This confuses the students about the rules and expectations.
9. Be friendly, but not familiar. Show interest in the students and their activities, but do not be a buddy.
10. Remember that a sense of humor is extremely valuable.
11. Do not take personal feelings or prejudices out on the students.
12. Maintain poise and control at all times. **Do not lose your temper.**
13. Look for the good in everyone – all children have good points.
14. Do not pick on every little thing that the students do.
15. Be sincere in your work.
16. Any student carrying any type of weapon on the bus must be reported.
17. Jokes or idle remarks about suicide, homicide, assault, drugs, terrorist threats, or the like must be treated as serious statements. These must be reported immediately.
18. Follow-up with all students who have been disciplined. Ensure that you have maintained the confidence and respect of the child.

19. "Remember to forget." Start each day with a clean slate and allow the child to have a fresh start each day.

Verbally harassing students individually or as a group is counter-productive to any situation and will not be tolerated.

Transfer of Medication

Drivers are not permitted to transport medication for a student from home-to-school or school-to-home.

Student Injuries

Anytime that a student is injured while loading the school bus, riding the bus, or unloading from the bus, the injury must be reported and documented on the Student Injury Report form (see the exhibit section for a sample form). The report should include all details of the incident including cause, actions of other students, names of all people involved, etc.

For injuries other than minor cuts or scrapes:

If the injury occurred in the morning, the driver must radio transportation and ask for a nurse to meet the bus at the school.

If the injury occurred in the afternoon, the driver must radio transportation and then transportation will attempt to call the parent to inform them of the injury.

Appendix C: Maintenance Employee Procedures

Vacation Days

All full-time maintenance employees (40-hour workweek) receive one week (five working days) of vacation after six months of employment and two weeks (ten working days) after one year of employment. Part-time employees (20-hour work week) receive one week (five working half days) after six months of employment and two weeks (ten working half days) after one year of employment. All vacation days must be **prior** approved by Director. Vacation days must be taken within employee's anniversary date. Vacation days may not be taken during the month of August. These dates are paid at the employee's daily rate.

Holiday Pay

All maintenance employees will receive ten (10) paid holidays per year. The employee must be in attendance, the entire day before and after the holiday, to receive holiday pay. A calendar listing the holiday dates for the year is found below.

Daily Time Clock

All non-exempt employees are required to be punctual and to punch in and out on the TimeClock terminal each day. Employees are reminded that failure to punch in or out could result in no payment for the day or time period concerned. Each employee must punch in and out for lunch.

Emergency Numbers

New Braunfels Police, Ambulance & Fire Departments:

New Braunfels Emergency Number.....	911
NB Police (Non-Emergency)	608-2179
NB Fire Department (Non-Emergency)	221-4200
Ambulance (Non-Emergency)	608-2179
Reliant Energy Entex Gas Company.....	1-800-427-7142
New Braunfels Utilities	629-8400
NBU (After hours)	608-8800

Maintenance Paid Holidays 2022-2023

September 5, 2022.....	Labor Day
September 23, 2022.....	Fair Day
November 24,25 2022.....	Thanksgiving
December 26, 2022.....	Non-work Day
December 30, 2022/Jan. 2, 2023.....	New Year
March 17, 2023	Spring Break
April 7, 2023	Good Friday
May 29, 2023.....	Memorial Day
July 3, 2023	Independence Day

DISCIPLINE AND DISMISSAL OF MAINTENANCE EMPLOYEES

Maintenance employees are employed on an "at-will" basis. Under the "at-will" doctrine, an employer has no duty to an employee regarding continuation of employment" [DCD (Local)], and employees are not entitled to any kind of due process prior to termination of employment. However, the Maintenance Department has established departmental rules to define the termination process for NBISD Maintenance employees. This policy is based on current NBISD policy and the Texas Education Code. The following disciplinary actions are options for addressing employee misconduct or other performance problems and may or may not precede a decision to terminate employment. Depending on the severity of the employee's performance issue, any of the disciplinary actions described below may be used to address the behavior.

- Verbal Warning: Verbal warning will be given to employee and an account of the incident will be placed in the employee's permanent file. This incident report will be signed by the Campus Principal, or the Director of Facilities Management
- Written Warning: Written warning, with account of incident, will be given to employee. This incident report will be placed in the employee's permanent file and will be signed by the employee/or witness and either the Campus Principal, or the Director of Facilities Management,
- Three-day Suspension: This disciplinary stage will result in three days out of work without pay. Incident report, with account of incident, will be placed in employee's permanent file and will be signed the employee/or witness and either the Campus Principal or the Director of Facilities Management.
- ☐ Termination: Employee will be dismissed from duties.

The aforementioned disciplinary actions apply to (but are not limited to) noncompliance of established district policies, noncompliance of maintenance departmental policies, excessive absenteeism, incompetency, neglect of duties, etc. Changes in district policies may supersede, modify, or eliminate the above termination procedure.

INSTRUCTIONS FOR COMPLETING THE EMPLOYER'S FIRST REPORT OF INJURY OR ILLNESS (1A-1)

The Texas Workers' Compensation Act requires the original 1A-1 form and a copy be filed with the Commission, Employers Casualty Company, the injured employee and the employee's representative (if known) **not later than the eighth day after receipt of notice** of occupational disease or if an injury results in the employee's absence from work for more than one day. **An employer who fails to file the report without good cause may be assessed an administrative penalty not to exceed \$500.** The employer should maintain a copy of this report and indicate date mailed to serve as the Employer's Record of Injury required by the Act.

NEW BRAUNFELS INDEPENDENT SCHOOL DISTRICT
WORKERS' COMPENSATION FIRST REPORT OF INJURY ON-LINE
FILING INSTRUCTIONS

1. Log onto Employee Forms on the portal to access workers' comp documents.
2. Go to https://www.tasb.org/apps/froi/froi_input.aspx?emp=046901 to file your First Report of Injury. (Add this site to your favorites.)
3. Complete the form, being sure to complete all required items indicated with an asterisk (*). See TASB instructions for additional assistance.
4. Enter \$2.00 in the wage information as this will be completed at the Business Office
5. Enter your email address under "campus email" and adoyle@nbisd.org for the "administrative email."
6. After all information is entered click "Submit FROI to District Administrative Office"
7. Be sure the report is submitted properly. If required information is missing, the system will respond that there are errors.
8. Give the injured employee a copy of the FROI.
9. If the employee is seeking medical treatment, the employee must complete the Acknowledgement of the Alliance form and Election of Sick Leave form.
10. Give the Prescription Card (Optum) to the injured employee if seeking medical treatment.

