



**EMPLOYEE HANDBOOK  
2025 - 2026**

Shannon Allen, Ed.D.  
Superintendent

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# Welcome From The Superintendent

Dear Beaumont ISD Team Members,



On behalf of the Beaumont ISD Board of Trustees and our entire community, welcome to the 25–26 school year! I want to express my heartfelt appreciation for the dedication, passion, and support you bring to our students and our district every single day. No matter your role, you are a vital part of our mission to equip students with the skills and knowledge they need to succeed in life and in their future endeavors.

As we begin this new year, I am filled with excitement and high expectations for all we will accomplish together. This year, I encourage you to make the most of every day and be **“All In – All Year.”** With your continued commitment, we can make a lasting, positive impact on the lives of all our students.

Thank you for everything you do to support, teach, and inspire the next generation. Together, we will be *All In – All Year* and make the moments count to ensure a successful school year for every student.

Sincerely,

A handwritten signature in black ink that reads "Shannon Allen". The script is fluid and cursive, with a long, sweeping tail on the final letter.

Shannon Allen, Ed.D.  
Superintendent of Schools

# 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 Office of Human Resources.

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 non contract 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 [www.bmtisd.com](http://www.bmtisd.com).

# District Information

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## Mission Statement, Goals, and Objectives

*Policy AE*

**Motto:** Preparing Our Next Generation

**Vision:** In collaboration with the entire community, we will become a model for the transformation of a high-poverty public school District.

**Mission:** We will inspire and prepare all students for lifelong success by providing an exemplary education in a safe learning environment.

### Core Beliefs:

1. ***All children can and will learn.*** Beaumont ISD will prioritize effective, engaging instruction aligned with a challenging curriculum for all students.
2. ***We can achieve higher levels of performance within every facet of our organization.*** Beaumont ISD will promote high expectations for all students and staff members, clearly defined District goals and strategically aligned resources.
3. ***Every classroom should have an effective teacher and every school should have an effective principal.*** Beaumont ISD will recruit, develop and retain highly effective teachers and administrators.
4. ***All school and work environments should be safe, secure and supportive.*** Beaumont ISD will ensure that learning and work environments are safe, secure and supportive in order for all students and staff to achieve high levels of performance.
5. ***In order to prepare our next generation to become responsible citizens, we should work collaboratively with our families and community partners.*** BISD will actively collaborate with families and community partners to maximize opportunities for the success of our students.
6. ***We should be fiscally responsible and accountable to the public.*** BISD will implement financial procedures and internal controls to ensure fiscal responsibility.

## Board of Trustees

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

Texas law grants the board of trustees and managers 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 laws and regulations.



Thomas Sigeo, Sr.  
President



Robert C. Dunn, Sr.  
Vice-President



Woodrow Reece II  
Secretary



Yolanda Avery  
Board Member



Joe A. Evans, Jr.  
Board Member



Tillie Hickman  
Board Member



Denise Wallace-Spooner  
Board Member

The board usually meets in the boardroom at 3395 Harrison Avenue, Beaumont, Texas. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district's website and at the administration building at least three business days before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with only 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 sessions may occur for such things as discussing prospective gifts or donations, real-property acquisition, certain personnel matters including employee complaints, security matters, student discipline, or consulting with attorneys regarding pending litigation.

## Administration

Shannon Allen Ed.D. - Superintendent of Schools

Anita Frank Ed.D. – Associate Superintendent of Elementary Administration

Anetra Cheatham – Assistant Superintendent of Secondary Administration

Randall Maxwell - Senior Director Student Support Services

Jenny Angelo - Executive Director of Curriculum and Instruction

Cheryl Hernandez - Chief Financial Officer

Derwin Samuels, Jr. - Executive Director of Human Resources

Joseph Malbrough - Chief of Police

Sierra Fisher - General Counsel

# Employment

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## Equal Employment Opportunity

*Policies DAA, DIA*

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

In accordance with Title IX, the district does not discriminate on the basis of sex and is prohibited from discriminating on the basis of sex in its educational programs or activities. The prohibition against discrimination extends to employment. Inquiries about the application of Title IX may be referred to the district's Title IX coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

The district designates and authorizes the following employee as the Title IX coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: Derwin Samuels, Jr., Executive Director of Human Resources, 3395 Harrison Avenue, Beaumont, Texas, 77706; [dsamuels@bmtisd.com](mailto:dsamuels@bmtisd.com); 409-617-5298. 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.

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; Derwin Samuels, Jr., Executive Director of Human Resources, [dsamuels@bmtisd.com](mailto:dsamuels@bmtisd.com) 409-617-5298.

Employees with questions or concerns relating to discrimination for any of the reasons listed above should contact the Executive Director of Human Resources.

## Job Vacancy Announcements

*Policy DC*

Announcements of job vacancies by position are posted on a regular basis to the [district's website](#).

## Employment after Retirement

*Policy DC*

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

## **Nepotism**

*Policies DBE, DCD, BBC, BBFB*

For information on nepotism, please refer to Board Policies DBE (LOCAL) DBE (Legal), DCD (Legal), BBC (Legal), and BBFB (Legal).

## **Contract and Non-Contract Employment**

*Policy DC series*

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

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

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

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

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

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

## **Certification and Licenses**

*Policies DBA, DF*

Professional employees whose positions require SBEC certification or a 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 Office of Human Resources in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify the Office of Human Resources when there is action against, or revocation of, their license.

The Board may void a certified employee's contract without Chapter 21 due process and terminate employment 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. The Board may also void a contract if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact the Office of 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 the Office of Human Resources if you have any questions regarding reverification of employment authorization. Failure to verify employment authorization may result in termination.

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

*Policies CQ, DHE*

Non-investigatory 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, and work areas including district-owned technology resources, lockers, and private vehicles parked on district premises or work sites or used in district business. Disciplinary action, up to and including termination, may result if an employee refuses to submit to testing or is found to violate district policy.

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

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

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

All employees who hold a non-commercial driver's license and whose primary responsibility includes the pick-up, transportation, and delivery of students to designated locations within the BISD area, will be subject to drug and alcohol testing. This requirement is in accordance with district policy to ensure the safety and well-being of all students and staff. The same testing guidelines/procedures as those set forth for CDL drivers will be followed.

Employees with questions or concerns relating to alcohol and drug testing policies and related educational material should contact the Office of Human Resources.

## **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 or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion, and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to the Office of Human Resources by September 30 of the current year.

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

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request during the advertised open transfer window. Requests for transfer made outside of the open transfer window will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Office of Human Resources. Transfer requests outside of the open transfer window must be approved by both the current and receiving principals as well as the appropriate cabinet level supervisor.

In the case of any transfer resulting from an internal application, the start date should be mutually agreed upon by both the current and future supervisors. The start date for the new employee will be emailed out to the new supervisor by the Office of Human Resources and the employee may not begin in the new position until the publicized start date for that position.

## **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 including start and end dates and scheduled holidays will be made available on the website each school year. Click on the provided link to view the current school year calendar, <https://www.bmtisd.com/Page/5531> .

Classroom teachers will have planning periods for instructional preparation including conferences. The schedule of planning periods is set at the campus level but must provide at least 450 minutes within each two-week period in blocks not less than 45 minutes within the instructional day. Teachers and librarians are entitled to a duty-free lunch period of at least 30

minutes. The district may require teachers to supervise students during lunch one day per 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 must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. See *Overtime Compensation on page 20* for additional information.

Daily assigned time schedules for all employees shall be determined by the Superintendent or designee and principals. Principals can or may extend time for contract employees to attend meetings, cover duties or assignments as needed.

All paraprofessional campus employees work an eight-hour workday. In addition to the workday, they take a 30-minute duty-free lunch. The duty-free lunch is unpaid. The campus principal determines the assigned workday hours for paraprofessionals.

## **ADA Accommodations**

*Policies DAA, DBB, DIA*

The district will provide reasonable accommodations to employees with a disability if the accommodation would allow the individual to perform the essential functions of their job, unless doing so would create an undue hardship. An employee or their supervisor may initiate a request for accommodation by contacting the Executive Director of Human Resources and identifying an adjustment or change at work that is needed because of a disability. An employee also may submit a written request to the Office of Human Resources.

Upon receiving the reasonable accommodation request, Human Resources will meet with the employee and conduct an informal, interactive discussion to identify an accommodation that will allow the employee to perform the essential functions of the job effectively. The district may request medical information concerning the employee's disability to assist in determining what accommodation(s) may be available and appropriate. The employee will be responsible for obtaining the information from their health care provider. Medical information received will be confidential and kept separate from the employee's personnel file.

After meeting with the employee and receiving medical documentation, Human Resources will determine whether the employee is a qualified individual with a disability and develop a reasonable accommodation plan for the employee. Accommodation will be determined on a case-by-case basis. Human Resources will work closely with the employee and supervisor to ensure that reasonable accommodation is provided and effective.

## **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. Expressing breast milk should not be performed in a public setting.

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.

The Providing Urgent Maternal Protections of Nursing Mothers Act (PUMP Act) requires an employee to notify the district if they believe the district is out of compliance in providing breaks for a nursing mother. The employee must give the district 10 days to come into compliance before making any claim of liability against the district. An employee with concerns should contact the Office of Human Resources.

## **Pregnant Workers Fairness Act**

The Pregnant Workers Fairness Act (PWFA) requires employers to provide accommodations to employees who have known limitations related to pregnancy, childbirth, or related medical conditions. An employee seeking a PWFA accommodation should contact the Office of Human Resources to begin the interactive process.

## **Notification to Parents Regarding Qualifications**

*Policies DK, DBA*

In schools receiving Title I funds, the district is required by the Every Student Succeeds Act (ESSA) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. ESSA also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements. Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate.

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 Office of Human Resources.

## **Outside Employment and Tutoring**

*Policy DBD*

All employees are required to disclose in writing to their immediate supervisor and the Office of Human Resources any outside employment. Supervisors will consider outside employment on a case-by-case basis and determine whether it should be prohibited because of a conflict of interest.

**Administrators.** An employee who has significant administrative duties relating to the operation of a school district, including the operation for a campus, program, or other subdivision of the district is restricted from outside employment. Administrators may not receive financial benefits from performing personal services for any business entity that conducts business with the district.

Administrators are also prohibited from receiving financial benefits for performing personal services for any education business that provides services regarding the curriculum or administration or any school district or financial benefits for performing personal services for other school districts, open enrollment charter schools, and education service centers. An exception applies to an administrator who is not a superintendent, or member of a board of managers if the board approves as required by statute. Services must be performed on the administrator's personal time. Contact the Office of Human Resources for more information.

## **Performance Evaluation**

*Policy DN series DP(Legal)*

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, unless exempt from annual evaluation by law. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

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, Beaumont 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 and site-based decision-making teams are available in each campus office or from the Curriculum and Instruction Department.

**District/Campus Meetings.** It is important that school employees attend scheduled district/campus meetings on time and stay until the meetings are completed. If an absence from a meeting is unavoidable, or if it is necessary to arrive late or leave early, the person in charge of the meeting and the respective principal should be given this information, prior to the beginning of the meeting.

## **Professional 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.

## **Mental Health Training**

### *Policy DMA*

All district employees who regularly interact with students are required to complete an evidenced-based mental health training program that is designed to provide instruction regarding the recognition and support of children and youth who experience mental health or substance use issues that may pose a threat to school safety. Employees must provide a certificate of completion to the district that includes the name of the training course, along with supporting documentation confirming that the training meets the requirements of the commissioner rules for mental health training.

Campus staff required to complete the training includes, but is not limited to, teachers, coaches, librarians, instructional coaches, administrators, administrative support personnel, school resources officers, paraprofessionals, substitutes, custodians, cafeteria staff, bus drivers, crossing guards, and district special program liaisons, and supervisors of personnel who regularly interact with students.

## **Compensation and Benefits**

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

#### *Policies 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 semi-monthly. Exempt employees are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a work week. (See *Overtime Compensation*, page 20.)

## Annual Verification of Compensation

It is each employee's responsibility to verify their salary information annually. This information is available through the TEAMS Employee Service Center. The TEAMS Employee Service Center will ask the employee to verify that the information is correct or submit a request for their information to be reviewed by the Office of Human Resources. The district will correct salary errors for the current school year only, if reported by October 1st for current employees or sixty (60) days after employment for new hires. Employees should contact the Office of Human Resources for more information about the district's pay schedules or their own pay.

## Paychecks and W-2 Forms

All employees are paid twice monthly. Scheduled payday occurs on the 10<sup>th</sup> and 25<sup>th</sup> of each month; these days may vary occasionally due to holidays. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated. Employees are responsible for regularly reviewing the accuracy of their pay statement and should contact Payroll or the Office of Human Resources if they have any questions.

W-2 forms will not be released to any person other than the district employee named on the W-2 Form.

Click here

<https://resources.finalsite.net/images/v1753910972/bmtisdcom/hiwz5hnlzuaaixgests/2025-2026 Exempt.pdf> to see the schedule of pay dates for Exempt Payroll the 2025/2026 school year and click here

<https://resources.finalsite.net/images/v1753910980/bmtisdcom/sseoet27phbxn9hi5ean/2025-2026 6NON-EXEMPT.pdf> to see the schedule of pay dates for Non-exempt Payroll for the 2025-2026 school year.

## Automatic Payroll Deposit

Employees can have their paychecks electronically deposited into a designated account. A notification period of up to two weeks is necessary to activate this service. Contact Payroll for more information about the automatic payroll deposit service.

## Payroll Deductions

*Policy CFEA*

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

- Teacher Retirement System of Texas (TRS) (per TRS guidelines)

- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)
- FICA Alternative (employees who are not TRS eligible)
- 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, vision, and all voluntary benefits elected; flexible spending and health saving accounts; annuities; and higher education savings plans. Employees also may request payroll deduction for payment of membership dues to professional organizations and certain charitable contributions. Salary deductions are automatically made for unauthorized or unpaid leave.

**Overpayments.** Employees are not entitled to any funds the district overpays. An overpayment occurs if an employee is paid more than the amount the employee should have been paid under the assigned pay grade and applicable supplemental pay.

If an overpayment is reported in the current fiscal year, a payment plan will be developed to recoup the payment. Generally, an overpayment will be paid in one pay cycle. However, if this creates an undue hardship for the employee, the district has the discretion to develop a plan for regular payroll deductions in the same fiscal year. An agreement between an employee and the district must be in place in order to deduct any overpayment. from one or more paychecks if an overpayment occurs.

## **Overtime Compensation**

*Policies DEAB, DEC*

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

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

Nonexempt employees may be compensated for hours beyond 40 in a work week at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

- Employees can accumulate up to 60 hours of 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 may be required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.

All overtime hours must be approved in advance by your immediate supervisor. Any overtime worked without prior approval is prohibited and may result in disciplinary action.

## **Travel Expense Reimbursement**

*Policy DEE*

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

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

*Policy CRD*

Group health insurance coverage is provided through Blue Cross Blue Shield. The district's contribution to employee insurance premiums is determined annually by the board of trustees/managers. 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 employed for 10 or more regularly scheduled hours per week may purchase health insurance at the full premium price

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) are not eligible to participate in the district's coverage through Blue Cross Blue Shield.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or when the employee experiences a qualifying event (e.g. marriage, divorce, birth, etc.). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact Benefits for more information.

## **Supplemental Insurance Benefits**

*Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs for voluntary benefits such as Dental and Vision, etc. Premiums for these programs can be paid by payroll deduction. Employees should contact Benefits for more information.

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

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

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

## **Workers' Compensation Insurance**

*Policy CRE*

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from the Texas Association of School Boards Risk Management Fund.

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

All work-related accidents or injuries should be reported within **two days** to the employees' supervisor and the Office of Payroll and Benefits. The supervisor must submit a "First Report of Injury" form to the Workers' Compensation Department within **two days** of receiving notice of a workplace injury. 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 32, for information on use of paid leave for such absences.

## **Unemployment Compensation Insurance**

*Policy CRF*

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

## **Teacher Retirement**

*Policy DEA*

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitutes not receiving TRS service retirement benefits who work at least 90 days a year are 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 with 30 days-notice. All retirement dates are set on the final day of the month selected for retirement. 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 at ([www.trs.texas.gov](http://www.trs.texas.gov)).

## Leaves and Absences

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*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 more than five consecutive days should call the Office of Human Resources for information about applicable leave and requirements for communicating with the district. The Business Office should be contacted regarding payment of insurance premiums during the leave.

Leave must be used in half-day increments for positions for which a substitute is normally required. For all other positions, leave is used on an hourly basis. Earned compensatory time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- Local Leave
- State Leave accumulated before 1995-1996
- 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.

If an hourly employee does not report or request leave according to district procedures, the incident is considered a “no call/no show”. An employee who is absent for three consecutive days without notice is considered to have abandoned their job and may face disciplinary consequences up to and including termination.

**Medical Certification.** Any employee who is absent three or more consecutive days because of a personal or family illness must submit 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 leave under the Family and Medical Leave Act (FMLA) for the employee's serious health condition, a serious health condition of the employee's spouse, parent, or child, or for military caregiver leave.

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

**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 FMLA 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.

## 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 full-time or part-time. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. Personal leave may be used for two general purposes: non-discretionary and discretionary.

When an employee's absences become a concern or a pattern, or exceed the 10-annual allotted (state and local) days, with the exception of approved leave of absence, such absences may be considered excessive. If absences are deemed excessive, the employee may be subject to disciplinary action up to and including termination of employment. Docked days are an indication that an employee has used all available paid leave days (or accumulated leave days) which results in deductions from the employee's pay. When an employee has exhausted all available paid leave days (or accumulated leave days), the district will notify the employee with a Paid Leave Exhaustion Notice.

**Non-discretionary Leave.** Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered non-discretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Non-discretionary may be used in the same manner as state sick leave.

**Discretionary Leave.** 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 five (5) 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. Leave may not be taken on the first or last day of a semester, the day before or after an official holiday, during professional development or in-service days, or on designated State testing days. In the event of illness, medical certification must be provided. Any exception to this policy must be approved by the employee's principal, director, or cabinet level supervisor.

**Leave Proration.** 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 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.

## State Sick Leave

State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas. State sick leave can be used only in full-day increments, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

State 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 full-time professional employee working 235–242 days and a full-time paraprofessional or auxiliary employee in a position normally requiring 12 months of service shall be entitled to vacation time based on length of employment with the district as follows:

## Local Leave

Employees in positions normally requiring 10, 11, or 12 months of service shall earn five, six, or seven paid local leave days per school year, respectively, in accordance with administrative regulations. Local leave shall accumulate without limit. Local leave shall be used according to the terms and conditions of state personal leave.

## Bereavement Leave

An employee may request bereavement leave for up to five days for death in the immediate family subject to the approval of the supervisor/principal. The hours absent must be covered by the employee's state, personal or vacation leave.

## Vacation

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### *Policy DED (Local)*

#### **Employees hired or promoted prior to July 1, 2001:**

The following provisions shall apply to employees hired or promoted by the district prior to July 1, 2001.

1. At the end of the first year of full-time employment through June 30 of the seventh year (1–7 years)—two weeks' paid vacation to be used between July 1 and June 30;
2. At the end of the eighth year of full-time employment through June 30 of the 15th year (8–15 years)—three weeks' paid vacation to be used between July 1 and June 30; and
3. After June 30 of the 16th year of full-time employment and thereafter (more than 16 years)—four weeks' paid vacation to be used between July 1 and June 30. A full-time professional employee working 243 days or more and a full-time paraprofessional or auxiliary employee in a position normally requiring 12 months of service shall be entitled to vacation time based on length of employment with the district as follows:
  1. At the end of the first year of full-time employment through August 31 of the seventh year (1–7 years)—two weeks' paid vacation to be used between September 1 and August 31;
  2. At the end of the eighth year of full-time employment through August 31 of the 15th year (8–15 years)—three weeks' paid vacation to be used between September 1 and August 31; and
  3. After August 31 of the 16th year of full-time employment and thereafter (more than 16 years)—four weeks' paid vacation to be used between September 1 and August 31.

Prior approval from the supervisor shall be required before vacation days are scheduled.

Unused vacation days shall not be carried over to the next year. Employees shall not be paid for unused vacation days. At the end of the contract year, vacation balances shall be cleared.

### **Employees hired or promoted after July 1, 2001:**

The following provisions shall apply to employees hired or promoted by the district to a position requiring 235–242 days of service after July 1, 2001:

1. A person hired or promoted by the district to a position normally requiring 235–242 days of service shall earn vacation days during the first full year of employment on a pro rata basis depending on the date of hire. Thereafter, 12 days of paid vacation shall be earned and used between July 1 and June 30 of each school year.
2. A person hired or promoted by the district to a position normally requiring 243 days or more of service shall earn vacation days during the first full year of employment on a pro rata basis depending on the date of hire. Thereafter, 12 days of paid vacation shall be earned and used between September 1 and August 31 of each school year.

Prior approval from the supervisor shall be required before vacation days are scheduled.

Unused vacation days shall not be carried over to the next year. Employees shall not be paid for unused vacation days. At the end of the contract year, vacation balances shall be cleared.

## **Family and Medical Leave Act (FMLA)—General Provisions**

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

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

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

**Military Family Leave Entitlements.** An eligible employee whose spouse, son, daughter or parent is on covered active duty or called to covered active duty status may use his or her 12 week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post deployment reintegration briefings.

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

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

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

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

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

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

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

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

**Substitution of Paid Leave for Unpaid Leave.** FMLA leave is an unpaid leave. However, an employee may choose to substitute accrued paid leave for unpaid FMLA leave. If an employee does not choose to substitute accrued paid leave, the district may require the employee to do so. The term “substitute” means that the paid leave provided by the district, and accrued pursuant to

established policies of the district, will run concurrently with the unpaid FMLA leave. An employee's ability to substitute accrued paid leave is determined by the terms and conditions of the district's normal leave.

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

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

- Employee will complete a Request for Family Medical Leave Form
- Employee must provide a medical certification supporting the need for leave due to a serious health condition affecting the employee or a family member from a qualified healthcare provider.
- Employee is required to make status check-ins every 21 days with HR and immediate supervisor
- Employee must notify HR two days before expected return to work date with a release from a qualified healthcare provider.
- No employee is allowed to return to work without prior approval from HR Leave.

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

The district must inform employees if leave will be designated as FML and the amount of leave counted against the employee's leave entitlement. If the district determines that the leave is not FML, the district must notify the employee. Following are requirements the district will adhere to for successful execution of the employee's FML benefit.

- HR will determine the employee's eligibility for FML
- HR will provisionally place the employee on FML until the medical certification supporting the need for leave due to a serious health condition affecting the employee or a family member is received from a qualified healthcare provider.
- HR notifies the appropriate campus and departments of the employee's placement on FML
- Employee is notified via electronic mail and standard mail of FML designation or denial
- HR approves return to work release or requests additional information if necessary.
- Campus/department is notified of the employees release to return to work date.

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

**Enforcement.** An employee may file a complaint with the U.S. Department of Labor’s Wage and Hour Division (WHD) or may file a private lawsuit against an employer in court.

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

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

For additional information:

Call 1-866-487-9243 or visit [www.dol.gov/fmla](http://www.dol.gov/fmla)

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

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period measured backward from the date an employee uses FML.

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

**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 the Office of Human Resources for details on eligibility, requirements, and limitations.

## Temporary Disability Leave

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

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days.

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

When an employee is ready to return to work, the Office of Human Resources 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.

## **Mental Health Leave**

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

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

1. Continuation of all employment benefits and compensation for the duration of the leave;
2. Reimbursement for reasonable costs related to the quarantine; and
3. Other procedures deemed necessary for administering this provision.

## **Quarantine Leave**

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

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

1. Continuation of all employment benefits and compensation for the duration of the leave;
2. Reimbursement of reasonable costs related to the quarantine; and
3. Other procedures deemed necessary for administering this provision.

## **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 (7) calendar days.

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

## **Assault Leave**

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

An incident involving an assault is a work-related injury, and should be immediately reported to the Office of Payroll & Benefits.

An employee who is physically assaulted at work may take all the leave time medically necessary to recover from the physical injuries he or she sustained until the employee is released from medical care by the attending physician. The maximum leave time allotted is two years.

At the request of an employee, the district will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

## **Jury Duty and Court Appearances**

*Policies DEC, DG*

Absences due to compliance with a valid subpoena or for jury duty including service on a grand jury, will be fully compensated by the district and will not be deducted from the employee's pay or leave balance, so long as the employee submits documentation of his or her need for leave for court appearances within seven days of the absence. 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.

A copy of the release from jury duty or of documentation of time spent at the court shall be required. Failure to timely submit documentation will result in use of available leave time or dock in compensation.

## **Other Court Appearances**

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

## Religious Observance

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

## Military Leave

**Paid Leave for Military Service.** Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave for authorized training or duty orders. Paid military leave is limited to 15 days each fiscal year. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

**Reemployment after Military Leave.** Employees who leave the district to enter into the United States uniformed services or who are ordered to active 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 Benefits.

**Continuation of Health Insurance.** Employees who perform service in the uniformed services may elect to continue their health insurance coverage at their own cost for a period not to exceed 24 months. Employees should contact Benefits for details on eligibility, requirements, and limitations.

## Unauthorized Absences from Duty

Payroll deductions for each day of unauthorized absence from duty shall be made based on the employee's current daily rate of pay as determined by dividing the annual salary by the number of days employed. An unauthorized absence shall be defined as an absence from the assigned duty not covered by the district's adopted policies for vacation, personal leave, civic duty, local sick leave, or leave authorized by the employee's supervisor.

## Employee Swipe Procedures

Beaumont ISD has electronic time and attendance tracking for its employees through the TEAMS Database System. The TEAMS Database System allows the district to accurately record, track and report employee information. The system allows employees to monitor and keep track of their time and enables the district to accurately process employees time worked and leave taken.

All full-time district employees are required to have an assigned ID Badge that is to be used for identification purposes throughout the district. Employees must use this ID Badge to clock/swipe in and out daily from each district location or from home. All employees are expected to follow this procedure without exception.

The employee is responsible for ensuring that their time is entered daily. If for any reason, an employee has difficulty clocking/swiping in and/or out, they may enter their time manually into the TEAMS Database System by using the timestamp button in TEAMS from a district computer, or the employee may use a smartphone app which will allow the employee time recording privileges on the district's Wi-Fi.

Persistent issues with swiping may be reported to the Payroll Department. The employee may receive assistance from the Supervisor of Payroll, Estela Cardenas, at [ecarden@bmtisd.com](mailto:ecarden@bmtisd.com) or (409) 617-5144. An alternate contact to resolve recurring issues with swiping in and out is the Director of Financial Information Systems, Jillian Gohlke, at [jgrange@bmtisd.com](mailto:jgrange@bmtisd.com) or (409) 617-5139.

## **Employee Relations and Communications**

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### **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's Weekly Wrap-Up publication, and through special events and activities. Recognition and appreciation activities also include the district's Annual Teacher of the Year Award Gala, Employee of The Month program and the Employee Retirement Banquet.

### **District Communications**

Throughout the school year, the Community and Media Relations Department publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements. They include the following:

- BISSD Weekly Wrap-Up
- School Zone (Bi-Annually)
- Facebook - Bmtisd
- Twitter - BeaumontISD
- Instagram – Bmtisd
- Linked in – Bmtisd

# Complaints and Grievances

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## *Policy DGBA*

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

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees. For ease of reference, provided below is a summary of information about Board Policy DGBA (Legal & Local). For your convenience, you may access the complete district policy explaining the process of bringing concerns and complaints on the district's website at the link included here.

[http://pol.tasb.org/Policy/Download/725?filename=DGBA\(LOCAL\).pdf](http://pol.tasb.org/Policy/Download/725?filename=DGBA(LOCAL).pdf)

Employee complaints shall be filed in accordance with Board Policy DGBA (Local). An exception to this complaints process requires employees to submit complaints in accordance with the Board Policies referenced below. Some of these policies require appeals to be submitted in accordance with DGBA (Local).

### Grievance Process Summary

<b>Level One</b>	
<b>Step 1:</b> Grievant files a written complaint using the appropriate complaint form obtained from the office of general counsel complaints are assigned to the lowest level administrator with authority to grant relief.	15 business days of the date of the incident grieved
<b>Step 2:</b> The level one administrator who is assigned to hear the grievance schedules a date to hear the grievance.	10 business days of filing the grievance
<b>Step 3:</b> The level one administrator assigned to the grievance provides the grievant with a written response to the grievance.	10 business days of the hearing
<b>Level Two</b>	
<b>Step 1:</b> The grievant may appeal the level one response in writing on the appropriate appeal form obtained from the office of general counsel if the grievant is not satisfied with the level one response. The appeal is filed in the office of general counsel. The grievance is assigned to the Superintendent's designee at level two. All records from the level one hearing are forwarded to the administrator assigned at level two.	10 business days of the date the grievant receives the level one response.
<b>Step 2:</b> The level two administrator contacts the grievant and schedules a date to hear the grievance.	10 business days of filing of appeal
<b>Step 3:</b> The level two administrator provides the grievant with a written response to the grievance.	10 business days of the hearing

<b>Formal Grievance Process Level Three</b>	
<b>Step 1:</b> The grievant may appeal the level two response in writing on the appropriate appeal form obtained from the Office of General Counsel if the grievant is not satisfied with the level two response. The employee may appeal the decision to the Board..	10 business days of the date the grievant received the level two response
<b>Step 2:</b> The level three grievance appeal is brought before the Board at the next board meeting. The grievant is provided notice of date and time of the Board meeting at which the complaint will be on the agenda for presentation to the Board. The district shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law.	Scheduled Board Meeting
<b>Step 3:</b> The Board shall hear the complaint and a separate record of the Level Three presentation shall be prepared by the Board	At scheduled Board Meeting
<b>Step 4:</b> The Board shall consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting.	Any time up to or the day of the next regularly scheduled Board meeting
<b>Step 5:</b> If the Board does not render a decision regarding the complaint before or at the next regularly schedule Board meeting, the Level Two administrative decision is upheld.	Immediately following the Board meeting if no decision is rendered.

**Employees may request and deliver complaint forms to the Office of General Counsel at [mcodrin@bmtisd.com](mailto:mcodrin@bmtisd.com), (409) 617-5001, BISSD Administration 3395 Harrison Avenue, Beaumont, Texas.**

# Employee Conduct and Welfare

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## 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 up to and including termination.
- Know and comply with department and District policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use District time, funds, and property for authorized District business and activities only.

All District employees should perform their duties in accordance with state and federal law, District policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines, including intentionally making a false claim, offering false statements, or refusing to cooperate with a district investigation may result in disciplinary action, up to and including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC no later than the seventh day after the superintendent knew of the incident. See *Reports to the Texas Education Agency*, page 46 for additional information.

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

### **Statement of Purpose**

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 knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

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

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

**Standard 1.5** The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or 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.

**Standard 1.14** The educator shall not assist another educator, school employee, contractor, or agent in obtaining a new job as an educator or in a school, apart from the routine transmission of administrative and personnel files, if the educator knows or has probable cause to believe that such person engaged in sexual misconduct regarding a minor or student in violation of the law.

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

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

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

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

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

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

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

**Standard 2.7** The educator shall not retaliate against any individual who has filed a complaint with the SBEC or 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.

All employees are expected to use appropriate communication when addressing colleagues, students, parents and the general public in the course of performing any duties of employment whether on or off school premises. The use of profanity in any of the aforementioned environments is characterized as unprofessional and is expressly prohibited. See Policy DFBB (LOCAL)

## **Employees Standards of Dress**

Employees serve as role models for students and as representatives of the District. The expectation is that all District employees promote a positive image to patrons. Consistent with these roles, all employees, volunteers and substitutes shall dress professionally and appropriately. Administrators and administrative support employees are expected to project a professional image and should dress appropriately for an office/business environment. District level employees must adhere to the Staff Dress Code.

Teachers, volunteers, and support personnel (paraprofessionals) are expected to project a professional image that sets positive dress and grooming examples for students and shall adhere to standards of dress and appearance that are compatible with an effective learning environment.

School based personnel shall follow these guidelines on ALL days students are in attendance. Principals may designate Fridays as days for all team members to wear jeans and spirit shirts as well as special dress days for teacher incentives. Principals may also determine the appropriate dress to be worn on workdays when students are not in attendance. All other personnel shall follow the policy on all work days unless directed differently by their supervisor.

Central office employees housed in the administration building and the annex offices are required to dress professionally to maintain a positive public image. As a result, the policy above permitting jeans on Fridays does not apply to these employees.

Transportation, Child Nutrition, and Maintenance and Operations employees must also comply with the Dress and Grooming Policy as stated in the Ancillary or Hourly Handbook for the position.

### **Physical Education teachers, coaches, and athletic volunteers**

These employees should wear the appropriate athletic attire necessary to meet the requirements of their job responsibilities and a sweat or warm-up suit when not actively teaching physical education classes or coaching. All employees are expected to dress in a professional manner. Clothing must be neat, clean, in good repair, and appropriate for on the job appearances at all times.

Physical Education teachers must follow the staff dress code for parent conference days, PTA/PTO meetings, and other occasions when not instructing class.

#### **Appropriate dress for staff:**

- Dresses and skirts should be no shorter than three inches above the knee. Dresses and skirts which are ankle length and tight enough to hinder walking are not acceptable attire. The slit of a dress or skirt must come no higher than three inches above the knee.
- Slacks and Capri pants may be worn in an appropriate manner. Capri pants must be below the knee. Physical education teachers may wear shorts. All other staff are not permitted to wear shorts.
- Jeans may be worn on Fridays. Jeans should be neat and free from rips, holes, or frays. Supervisors have discretion in allowing jeans in very limited circumstances and only when the specific work situation dictates.
- Leggings, jeggings, yoga pants, spandex pants or shorts are not permitted.
- T-shirts are allowed with jeans on Fridays only and designated spirit days.
- Low cut blouses, see-through clothing, off the shoulder, halter style, tank tops, dresses or blouses or other clothing which reveals the midriff are not allowed. Sleeveless clothing must cover undergarments.
- Flip-flops are NOT allowed. ALL shoes must have backs for safety purposes. Crocs are not considered professional attire; therefore, crocs are not allowed.
- Piercings on the ear are the ONLY visible piercings allowed.
- Hats are not to be worn inside unless it is a part of your uniform for safety reasons or for very limited circumstances and only when specific work situations dictate.
- Unless there is a medical or religious reason, head garments are not acceptable professional attire.
- Warm-up or tracksuits are not permitted with the exception of physical education teachers.

- Tattoos that are considered offensive, racist, vulgar, show scenes of violence, drug related, contain strong sexual imagery, gang related or contain obscene phrases may not be visible.
- Slacks and casual dress pants are acceptable.
- Extreme hairstyles and colors or any other distracting apparel are not permitted. Naturally occurring hair colors are permitted. Colors such as but not limited to purple, blue, green, pink, orange, etc. are not allowable.
- Employees shall not wear on the outside of their clothing any jewelry or similar artifacts that are obscene, distracting, or may cause disruptions to the educational environment.
- The Dress Code guidelines apply to all district employees, at all locations. Reasonable accommodations will be made by the appropriate supervisor for those individuals who provide proper documentation specifying the need to wear specific clothing that deviates from the dress code policy for medical reasons, a sincerely held religious belief or cultural heritage.
- Any employee deemed out of compliance with the District's Dress Code policy can be required by administration to leave the workplace and return properly attired in accordance with established standards. Time away from work to correct the violation will result in a deduction of time from the employee's leave balance or a written reprimand.

Violation of the above Employees Standards of Dress will result in appropriate disciplinary action.

## **District Investigations**

When the District investigates a complaint of misconduct, including but not limited to complaints of student abuse or any type of sexual harassment, it expects and requires the cooperation of all employees including the complainant, witnesses, and the accused. During an investigation, the District may interview employees privately and take oral and/or written statements from them. Any employee who fails to cooperate with such an investigation or to provide complete and truthful information may be subject to disciplinary action, up to and including termination from employment.

## **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 up to and including termination.

Individuals who believe they have been discriminated, 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 complaint should be made directly to the superintendent. A complaint against the superintendent may be made directly to the board.

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 prohibited conduct, should immediately report the 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 Employment Opportunity section of this handbook

Employees may also report instances of workplace violence or suspicious activity by contacting the Department of Public Safety (DPS) through the iWatchTexas Community Reporting System at [www.iwatchtx.org](http://www.iwatchtx.org), or by calling 844-643-2251. Employees have a right to make a report to DPS anonymously.

The District's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is found online at the link below:

[https://pol.tasb.org/Policy/Download/725?filename=DIA\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/725?filename=DIA(LOCAL).pdf)

## **Harassment of Students**

*Policies DF, 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, the ADA/Section 504 coordinator, or superintendent and take any other steps required by 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 45 and *Bullying*, page 64 for additional information.

The District's policy that includes definitions and procedures for reporting and investigation of harassment of students can be found on the District's website here:

[https://pol.tasb.org/Policy/Download/725?filename=FFH\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/725?filename=FFH(LOCAL).pdf)

## 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 section 26.001, to a law enforcement agency, the Department of Family and Protective Services (DFPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the facility) within 24 hours after the employee first has reasonable cause to believe that the child has been abused or neglected. Law enforcement agencies include the Texas Department of Public Safety, a municipal police department, a county sheriff's office, or a county sheriff's office, or a county constable's office and does not include the district police. A person responsible for the care, custody, or welfare of the child (including a teacher) is required to report alleged abuse or neglect to DFPS even if a report is made to law enforcement. Abuse is defined by SBEC and includes the following acts or omissions:

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

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 or disabled person.

Reports to DFPS can be made using the Texas Abuse Hotline

<https://www.txabusehotline.org/Login/Default.aspx> or (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, a person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the District is prohibited from retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

An employee's failure to make the required report may result in prosecution as a Class A misdemeanor. **The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect.** In addition, a certified

employee's failure to report may result in disciplinary procedures by SBEC for a violation of the Texas 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.

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. 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 maltreated. Abuse in the Texas

Family Code is defined to include any sexual conduct harmful to a child's mental, emotional, or physical welfare, including conduct that constitutes the offense of continuous sexual abuse of a young child or disabled individual, indecency with a child, improper relationship between an educator and a student, sexual assault, or encouraging a child to engage in sexual conduct, as well as, a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who has reasonable cause to believe that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

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

## **Reports to Texas Education Agency**

*Policies DF, DHB, DHC*

The conduct of an employee must be reported to TEA if the termination or resignation is based on evidence that the employee was involved in any of the following:

- Any form of sexual or physical abuse of a minor or any other unlawful conduct with a student or a minor
- Soliciting or engaging in sexual contact or a romantic relationship with a student or minor
- Engaged in inappropriate communication with a student or minor
- Failed to maintain appropriate boundaries with a student or minor

For a certified employee the conduct below must also be reported:

- 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 reporting requirements above are in addition to the superintendent’s ongoing duty to notify TEA when a certified employee or 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 a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

## **Reporting Crime**

*Policy DG*

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

## **Scope and Sequence**

*Policy DG*

If a teacher determines that students need more or less time in a specific area to demonstrate proficiency in the Texas Essential Knowledge and Skills (TEKS) for that subject and grade level, the district will not penalize the teacher for not following the district’s scope and sequence.

The district may take appropriate action if a teacher does not follow the district’s scope and sequence based on documented evidence of a deficiency in classroom instruction. This documentation can be obtained through observation or substantiated and documented third-party information.

## **Technology Resources**

*Policy CQ*

The District’s technology resources, including its networks, computer systems, email accounts, devices connected to its networks, and all District-owned devices used on or off school property,

are primarily for administrative and instructional purposes. Limited personal use is permitted if the use:

- Imposes no tangible cost to the District.
- Does not unduly burden the District's computer or network resources
- Has no adverse effect on job performance or on a student's academic performance
- Artificial intelligence (AI) should only be used as a support tool to improve student outcomes, not to replace the decisions made by teachers or students.

All district employees are required to maintain an active district email account. This email account must be monitored daily to ensure timely receipt of important information, updates, and communications related to district matters. Failure to adhere to this requirement could result in disciplinary action.

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

Employees are required to abide by the provisions of the 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/or legal action. Employees with questions about computer use and data management can contact the District's Information and Technology Services Department.

## **Identification Badges**

All Employees - full-time, part-time or temporary- must wear their official Beaumont ISD ID badge while on District property, on duty, or while representing Beaumont ISD off District property. Wearing of ID badges during extracurricular events is voluntary unless the employee is on duty.

### **Damaged or Misplaced ID Badges**

Any individual, whose badge has been damaged or misplaced, should immediately contact the Office of Human Resources to request a duplicate ID badge.

## **Personal Use of Electronic Media**

*Policies DH, CQ, GBBA, CY*

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

As role models for the District's students, employees are responsible for their public conduct even when they are not acting as District employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media interferes with the employee's ability to

effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

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

- The employee may not set up or update the employee's personal social network page(s) using the District's computers, network, or equipment.
- The employee shall 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 district and campus trademarks, including names, logos, mascots, and symbols or other copyrighted material on social media or in texts without express, written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on District business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
  - Confidentiality of student records [See Policy FL]
  - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law [See DH (EXHIBIT)] Confidentiality of District records, including educator evaluations and private email addresses. [See Policy GBA]
  - Copyright law [See Policy CY]
  - Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See DH (EXHIBIT)]
  - News releases concerning political or controversial issues or the overall operation of District schools, or involving more than one campus, shall be made only by the Superintendent or designee. News releases concerning athletic events, programs, and activities at an individual campus shall be made by the Superintendent or designee. [See Policy GBBA]
  - In any crisis situation affecting the District or an individual campus, the Superintendent shall be the official District spokesperson and shall be responsible for all communication with the news media. [See Policy GBBA]

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

## Use of Electronic Media with Students

### *Policy DH*

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through electronic media with students who are currently enrolled in the District. The employee must comply with the provisions outlined below. All other employees are prohibited from communicating with students who are enrolled in the District through electronic media. Employees are not required to provide students with their personal phone number or email address.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization. An employee who claims an exception based on a social relationship shall 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 exempted 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 media* includes 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, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). *Electronic media* also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*: however, the employee may be subject to District regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.
- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers,

counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

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

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
- Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with 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 include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or
  - For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee’s District e-mail address.
  - The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity.)
  - The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
  - The employee shall not communicate directly with any student between the hours of 9 p.m. and 6 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
  - The employee does not have a right to privacy with respect to communications with students and parents.
  - The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators’ Code of Ethics including:
    - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
    - Copyright law [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 email, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee shall notify his or her supervisor in writing within one business day if a student engages in improper electronic communication with the employee. The employee should describe the form and content of the electronic 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.

## **Social Media and Communications Platforms**

BISD expects and employee not to use social media or any communications platforms or media, including forwarding, supporting, or “liking” posts or communications, to communicate false or misleading information about the school or District, particularly if designed to damage the school or District’s reputation, or their ability to recruit students or staff members, or undermines the schools or District’s high-performance culture.

## **Public Information on Private Devices**

*Policy DH, GB*

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

- Verbal or written directive
- Remote access to district-owned devices or services

## **Criminal History Background Checks**

*Policy DBAA*

All employees are 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 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, DHB, DHC*

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

The superintendent and directors are required to report the misconduct or criminal history of an employee to TEA. Information about misconduct or allegations of misconduct of an employee obtained by a means other than the criminal history clearinghouse will be reported to TEA. Refer to Policies DHB (LEGAL) and DHC (LEGAL) for timelines and conduct that will result in reporting.

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

### *Policy DH*

Beaumont 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 can be found on the District's website:

<https://pol.tasb.org/Policy /Code/725?filter=DH>

## **Tobacco and Nicotine Products and E-Cigarette Use**

*Policies DH, FNCD, GKA*

State law prohibits smoking, using tobacco 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.

Employees are prohibited from possessing or using any type of nicotine product, including nicotine pouches, regardless of whether the product contains tobacco, while on school property or while attending an off-campus school-related activity. Exceptions may be made for smoking cessation products with supervisor approval.

Employees are prohibited from possessing or using electronic vaping devices [vaping], personal vaporizers (PV), or electronic nicotine-delivery systems on District premises, in District vehicles [including parking lots], nor in the presence of students at school or school-related activities. Employees who violate this policy may be subject to disciplinary action up to and including termination of employment as circumstances warrant.

## **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 using records, furniture, fixtures, or equipment
- Failing to provide financial records required by federal, state, or local entities
- Failure to disclose conflicts of interest as required by law or District 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**

*Policies 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
- A personal or close relative's financial relationship with a vendor or potential vendor when the employee is in a position to influence vendor selection

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 and policy relating to the 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. Duplications are to be used in the classroom for educational 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.

## **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 fund-raiser. 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 and Security**

*Policy CK series*

The District has developed and promotes a comprehensive program to ensure the safety and security of its employees, students, and visitors. The safety and security program includes written guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries.

Employees must follow established protocols and respond to emergencies for each campus and department. Refer to written security procedures specific to your location and work area.

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

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

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 mental attention while the vehicle is in motion. Employees will exercise care and sound judgment on whether to use hands-free technology while the vehicle is in motion, and may only do so with prior written permission from the Director of Transportation.

Employees with questions or concerns relating to safety programs and issues may contact the Beaumont ISD Police Department.

## **Possession of Firearms and Weapons**

*Policies DH, FNCG, GKA*

Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other district-provided parking area, provided the handgun or firearm or ammunition is properly stored and not in plain view. Additionally, the District also prohibits employees from bringing items on school property such as a taser or stun gun, or chemical dispensing devices used for personal protection (e.g., Mace or pepper spray). 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 supervisor or call the Beaumont ISD Police Department 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 Maintenance and Operations Department 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 the central office of the campus. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written, or electric means. Pest control information sheets are available from campus principals or facility managers upon request.

# General Procedures

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## Emergency School Closing

*Policy EB*

The District may close schools because of severe weather, epidemics, pandemics, or other emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of the District's facilities. When it becomes necessary to open late, to release students early, or to cancel school, District officials will post a notice on the District's website and notify local radio and television stations, including KLVI, KBMT, KFDM, and KBTW. The District will also utilize social media, text notifications and call out systems.

## Emergencies

*Policies CKC, CKD*

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

## Purchasing Procedures

*Policy CH*

The Purchasing Department is responsible for the administration and organization of the district's procurement activities in accordance with state law and board policy CH (LEGAL & LOCAL) may be found in its entirety on the BISD website. All district purchase commitments shall be made on a properly drawn and fully executed purchase order. District employees shall not be permitted to purchase supplies or equipment for personal use through the district's purchasing department. Further, the use of the district's tax-exempt status is prohibited for personal use. Additional information regarding the purchasing process may be obtained by contacting the purchasing department or by visiting the district's purchasing website.

## Name and Address Changes

It is important that employment records be kept up to date. Employees must notify the Office of Human Resources office if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be obtained from the Office of Human Resources.

## Personnel Records

*Policies DBA, GBA*

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

- Address
- Phone number, including personal cell phone number
- Information that reveals whether they have family members
- Personal email address

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

## Facility Use

*Policies DGA, GKD*

Employees who wish to use District facilities after school hours, for campus sponsored events, must follow established procedures. They should contact their campus administrator for these procedures.

Employees who wish to use district facilities after school hours, for non-campus sponsored events, must follow established procedures established by the Business Office. Faculty and/or Staff may not represent an external client/organization in order to circumvent the facility rental rules, regulations, and related fees. Contact the Business Office to obtain information on the rules, regulations, and related fees that apply to the rental.

## Termination of Employment

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### 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 addressed to the Superintendent of Schools and submitted to the Office of Human Resources. Supervisors shall instruct the employee to address the resignation to the Superintendent and submit it to the Office of Human Resources. Contract employees may resign at any other time only with the approval of the superintendent or the board of trustees/managers. 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 section of this Handbook. 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 position at any time. A written notice of resignation should be submitted to the Office of Human Resources 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 non-certified 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 a student or minor, or engaged in inappropriate communications with a student or minor or failed to maintain appropriate boundaries with a student or minor.

The superintendent is required to report such conduct to SBEC.

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

*Policies DF Series, DHB, DP*

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

The reporting requirements for termination of a contract employee are the same as those listed above in Resignations/Contract Employees.

## **Dismissal of Noncontract Employees**

*Policies DHC, 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's process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, page 36.)

The reporting requirements for termination of a noncertified employee are the same as those listed above in Resignations/Noncontract Employees.

## **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 felon under Title 5 Penal Code if the victim was a minor.

If the Title 5, Penal Code 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 Interviews and Procedures**

To assist employees transiting out of the district, we have a Separation Guide that provides information regarding termination procedures. This guide is shared with all exiting employees and can also be found on the district's website under "Employee Separation." Click the link to access the guide

(<https://resources.finalseite.net/images/v1732816222/bmtisdcom/tifxvjojodrfipr7uyuq/separationguide-final.pdf>).

Information on the continuation of benefits, release of, and procedures for requesting references are included in the Guide. Separating employees are asked to provide the District with a forwarding address and phone number and complete a questionnaire that provides the District with feedback on his or her employment experience.

Separating employees will receive an exit survey link from the District's third-party vendor, Upbeat, shortly after their separation date or if provided a two-week advance notice before their last day of work. The survey link will be sent from [admin@teachupbeat.com](mailto:admin@teachupbeat.com) with the subject line "Beaumont ISD Staff Exit Survey."

All District keys, books, property, including intellectual property, and equipment must be returned upon separation from employment.

## **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 court, support recipient, 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

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## Equal Educational Opportunities

*Policies FB, FFH*

In an effort to promote nondiscrimination and as required by law, Beaumont 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 Executive Director of Human Resources.

## 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 student: The rights of parents transfer to a student who turns 18 or is enrolled in an institution of post-secondary 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 Office of Student Services 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 teacher 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. Parent complaints shall be submitted to the office of the General Counsel. The campus principal must forward any Level 1 grievance received to the office of the General Counsel immediately upon receipt.

## **Administering Medication to Students**

*Policy FFAC FFAF*

Only designated employees may administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. Exceptions apply to the administration of medication for respiratory distress, medication for anaphylaxis (e.g., EpiPen), opioid antagonists, and medication for diabetes management, if the medication is administered in accordance with district policy and procedures. A student who must take any other medication during the school day must bring a written request from his or her parent and the medicine in its original, properly labeled container. Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

## **Dietary Supplements**

*Policies DH, FFAC*

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

## **Psychotropic Drugs**

*Policy FFAC*

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

## **Student Attendance**

### *Policy FEB*

Teachers and staff should be familiar with the District's policies and procedures for attendance accounting. These procedures require minor students to have parental consent before they are allowed to leave campus. When absent from school, upon returning to school, the student must turn in a written excuse within 5 days of returning. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

## **Bullying**

### *Policy FFI*

All employees are required to report student complaints of bullying, including cyberbullying, to their immediate supervisor. The supervisor is then required to put the complaint in writing and forward the report to the District's Title IX Coordinator within **two days** of receipt. The District's policy includes definitions and procedures for reporting and investigating bullying of students and can be found on the District's website:

[http://pol.tasb.org/Policy/Download/725?filename=FFI\(LOCAL\).pdf](http://pol.tasb.org/Policy/Download/725?filename=FFI(LOCAL).pdf)

## **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.

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