



EMPLOYEE HANDBOOK

2025-2026

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

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-contractual employees in any way. Rather, it is a guide to and a brief explanation of District policies. District 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 may be reviewed at any time by accessing the District's website at:

<http://www.nederland.k12.tx.us>

Click on Board of Education on left hand side of screen. Then go to Board Policy Online

District Information

History of Nederland

The City of Nederland was officially placed on the map on December 24, 1897, when civil engineer Robert Gilham filed a certificate describing his survey of the townsite. The name, "Nederland", was chosen by its creator, the Port Arthur Townsite Company's Arthur Stilwell, who had received financial backing from Dutch investors. Stilwell hoped that the townsite would become a transplanted Dutch settlement in Texas.

The first Hollander to arrive was George Rienstra in early summer of the same year. Later that summer, construction of the Orange Hotel began for housing the immigrants that were coming into the area. The town was steadily building into a rice and dairy farming community.

In January 1901, the Lucas Gusher blew in just north of Nederland at Spindletop, and ushered in the modern petrochemical age. The base for Nederland's economic growth was set: in 1922, Humphrey Oil Company located at nearby Smith's Bluff, and in 1923, the Pure Oil Company took over and started building the refinery that still stands today as Union Oil Company.

Schools and churches grew along with the community, and today, Nederland and its citizens are still motivated by the same ideals, dreams, enthusiasm and desire to achieve that existed in its pioneer days.

Vision statement

VISION

*The **Vision** of
Nederland Independent School District
is to provide an environment
where learning is the highest priority
and students demonstrate
civic responsibility,
prepare for
post-secondary education and careers,
and engage in positive
personal development.*

Mission Statement *Policy AE*

MISSION STATEMENT

*The **Mission** of
Nederland Independent School District
is to provide an educational environment
that will enable all students
to develop essential academic skills
and knowledge
for a lifetime of learning
and to prepare students
to be responsible, contributing citizens
in a diverse and changing world.*

Board of Trustees

Policies BA, BB series, BD series, AND BE series

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

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

Current Board members include:

Jerry Albanese	Kay Decuir	Tonya Mitchell	Roya Scott
Nicholas Phillips	Suzanne Isom	Micah Mosley	

Trustees usually meet on the third Monday of each month at the District Administration Building. In the event that large attendance is anticipated, the board may meet in the Central Middle School library. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted **on the District website and at Administration Building (outside board room door)** at least **3 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 a one-hour notice.

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

Administration

Dr. Stuart B. Kieschnick, Ed. D - Superintendent of Schools
Dr. Steven W. Beagle, Ed. D - Assistant Superintendent of Curriculum and Instruction
Bill E. Jardell, M. Ed. - Assistant Superintendent of Human Resources and Operations
Cody Meaux – Chief Financial Officer

School Directory

NEDERLAND INDEPENDENT SCHOOL DISTRICT
Administration
220 17th Street, Nederland, Texas 77627
(409) 724-2391

Nederland High School
2101 18th St.
Nederland, Texas 77627
Principal: Natalie Gomez
(409) 727-2741

Alternative Education School
300 S. 12th Street
Nederland, Texas 77627
Director: W. Scott Clemmons
(409)727-5241

Central Middle School
200 17th Street
Nederland, Texas 77627
Principal: Erica Gauthier
(409) 727-5765

C. O. Wilson Middle School
2620 Helena Avenue
Nederland, Texas 77627
Principal: Tina Oliver
(409) 727-6224

Helena Park Elementary
2800 Helena Avenue
Nederland, Texas 77627
Principal: Charlotte Junot
(409)722-0462

Highland Park Elementary
200 S. 6th Street
Nederland, Texas 77627
Principal: Sissy Dainwood
(409)722-0236

Hillcrest Elementary
2611 Avenue H
Nederland, Texas 77627
Principal: J. Kevin Morrison, Ed. D.
(409)722-3484

Langham Elementary
800 N. 12th Street
Nederland, Texas 77627
Principal: Heather Barrow
(409)722-4324

School Calendar

The 2025-2026 school calendar can be viewed by clicking on: [2025-2026 School Calendar](#)

Helpful Contacts

From time to time, employees have questions or concerns. If those questions or concerns cannot be answered by supervisors or at the campus or department level, the employee is encouraged to contact the appropriate department in the administration building.

Employment

Equal Employment Opportunity

Policies DAA, DIA

In its efforts to promote nondiscrimination and as required by law, Nederland ISD does not discriminate against any employee or applicant for employment because of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. 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 **to address concerns or inquiries regarding discrimination based on sex, including sexual harassment:**

Name: Dr. Steven Beagle
Position: Assistant Superintendent for Curriculum and Instruction
Address: 220 N. 17th St. Nederland, TX 77627
Email: sbeagle@nederlandisd.org
Phone: (409) 724-2391

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:**

Name: Erin Resch
Position: Director of Special Education
Address: 220 N. 17th St. Nederland, TX 77627
Email: eresch@nederlandisd.org
Phone: (409) 724-2391

Job Vacancy Announcements

Policy DC

Announcements of job vacancies, by position and location, **are posted on a regular basis to the District's website at the following location:**

www.nederland.k12.tx.us

Employment After Retirement

Policy DC

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

Contract and Noncontract Employment

Policies 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 if they have not been previously employed by the district. Former employees who are hired after **a 2 year** lapse in District employment or employees who move to a position requiring a new class of certification may also may be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed as a teacher in public education for at least five of the eight years preceding employment with the District may not exceed one school year. For those with less experience,

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

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

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

Paraprofessional and Auxiliary employees. All paraprofessional /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. All paraprofessional/auxiliary employees are employed on a 90-day probationary period. During this period the staff member's ability to perform according to the expectations of the District will be evaluated. However, nothing in this paragraph restricts the District from taking any disciplinary action against the employee, up to and including termination during this probationary period.

Certification and Licenses

Policy DBA, DF

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

A certified employee's contract may be voided without **Chapter 21** due process and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, or permit. A contract may also be voided if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact the human resource office if you have any questions regarding certification or licensure requirements.

Employment policies. Employment policies are available on the District's website:

www.nederland.k12.tx.us
Departments
Human Resources
Personnel/Employment Policies

Recertification of Employment Authorization

Policy DC

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

Employees whose immigration status, employment authorization, or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact the human resource office 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

Policy 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, 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 testing or is found to violate district policy.

Employees required to have a commercial driver's license. Any employee who is required to have 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. Employees with questions or concerns relating to alcohol and drug **testing** policies and related educational material should contact the human resource office.

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, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to district's nurse coordinator. School nurses and employees

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

Reassignments and Transfers

Policy DK

All personnel are subject to assignment and reassignment by the superintendent or designee when the superintendent 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. When reassignments are due to enrollment shifts or program changes, the superintendent has final placement authority. Extracurricular or supplemental duty assignments may be reassigned at any time. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy:

[DGBA \(Local\)](#)

Employees 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. Teachers requesting a transfer to another campus before the school year begins must submit his or her request to the Superintendent of Schools. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the human resource office and must be approved by the receiving supervisor and the Superintendent.

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 distributed each school year. Teacher workday begins at 7:45 a.m. and teachers may be dismissed beginning at 3:45 p.m.. Professional employees are expected to remain on duty until their assignment/duties are complete. The Superintendent **or designee** must approve any deviation from these times.

Classroom teachers will have planning periods for instructional preparation and 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 one day a week when no other personnel are available.

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

Paraprofessional workday. Paraprofessional workdays are considered to be conducted between the hours of 7:45 a.m. and 3:45 p.m. The Superintendent of Schools **or designee** must approve any deviations from this schedule.

Campus employees are expected to be on campus during the school day. If it is necessary to leave the campus during lunch, conference period, or before the stated end of the school day, employees shall secure permission from the campus principal to leave.

Employees are not allowed to bring their children to work with them.

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 Assistant Superintendent for HR and Operations and identifying an adjustment or change at work that is needed because of a disability. An employee may also submit a written request to HR.

Upon receiving the reasonable accommodation request, HR 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 and 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 reviewing medical documentation, HR 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. HR 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 the view and free from intrusion from other employees and the public where the employee can express breast milk will be provided.

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

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 human resource office.

Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (PWFA) provides consideration of accommodations to employees who have known limitations related to pregnancy, childbirth, or related medical conditions. An employee seeking a PWFA accommodation should contact human resource office to begin the interactive process.

Notification of Parents Regarding Qualifications

Policies DK, DBA

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

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

Individuals holding renewable SBEC certificates are responsible for obtaining the required training hours and submitting the required documentation to SBEC. Employees who have questions about their certification status may call the human resource office for assistance.

Outside Employment and Tutoring

Policy DBD

All employees are required to disclose in writing to their immediate supervisor any outside employment that may create a potential conflict of interest with their assigned duties and responsibilities or the best interest of the district. Supervisors will consider outside employment on a case-by-case basis and determine whether it should be prohibited because of a conflict of interest. Any employee shall disclose in writing to his or her immediate supervisor any private tutoring of district students for pay.

Performance Evaluation

Policies DN series

Evaluation of an employee's job performance is a continual process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda 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 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, Nederland ISD offers opportunities for input in matters that affect employees and influence the instructional effectiveness of the District. As part of the district's planning and decision-making process, employees are elected to serve on district- or campus-level advisory committees. Plans

and detailed information about the shared decision-making process are available in each campus office or from the Superintendent's Office.

Staff Development

Policy DMA

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

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

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 resource 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

Salaries, Wages, and Stipends

Policy DEA, DEAA, DEAB

Employees are paid in accordance with administrative guidelines and an established pay structure. The District's pay plans are reviewed by the administration each year and adjusted as needed. All District positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See overtime compensation, page 14)

Salaries and wages are reviewed on an annual basis and adjusted according to the budgeted amounts approved by the board. All employees will receive written notice of their pay and work schedules after approval by the board. Classroom teachers, full-time librarians, full-time nurses, and full-time counselors will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular or supplemental duties may be paid a stipend in addition to their salary according to the district's extra-duty pay schedule.

Employees should contact the Human Resource Office for more information about the district's pay schedules or their own pay.

Paychecks

All professional, paraprofessional, and auxiliary employees are paid semi-monthly. During the school year, paychecks that are not electronically deposited are delivered to each campus. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization. During summer breaks, paychecks that are not electronically deposited will be mailed to their home addresses on file in the Human Resource Office.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated or taken. Questions concerning the payroll statement or deductions should be directed to the Payroll Office immediately. Employees are responsible for regularly reviewing the accuracy of their pay statement.

Automatic Payroll Deposit

Employees are required to have their paychecks electronically deposited into bank or credit union. A notification period of thirty (30) days is necessary to activate this service. Contact the Payroll Office for more information about the automatic payroll deposit service.

Payroll Deductions

Policy CFEA

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

- Teacher Retirement System of Texas (TRS) or Social Security employee contributions
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)
- 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, **or other elected insurances**; annuities; higher education savings plans; and savings deposits and loan payments through MCT Credit Union. Employees also may request payroll deduction for payment of membership dues to professional organizations, unions, and the United Way. Salary deductions are automatically made for unauthorized or unpaid leave. Employees should contact the human resource department immediately if they believe an unauthorized deduction may have been taken from their payroll check.

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.

Overtime Compensation

Policies DEAB, DEC

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or nonexempt for purposes of overtime compensation. Professional and administrative employees are ineligible for overtime compensation. 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. Employees who must work beyond their normal schedule but less than 40 hours per week will be compensated in straight-time pay or equivalent time off in the same workweek. Employees must work more than 40 total hours in a week to earn overtime compensation. For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Monday and ends at midnight Sunday.

- Employees may be compensated for overtime at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees.
- Employees can accumulate up to 40 hours of compensatory time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval as workload permits. Use must be mutually agreeable to both employee and supervisor.
- An employee may be required to use comp time before using any other available paid leave (e.g., sick, personal, vacation).
- Weekly time sheets will be maintained on all nonexempt employees for the purpose of wage and salary administration.

Travel Expense Reimbursement

Policy DEE

Before any travel expenses are incurred by an employee, the employee's supervisor, **Chief Financial Officer**, and Superintendent 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 (when required) to be reimbursed for allowable expenses other than mileage as required by policy.

Health, Dental, and Life Insurance

Policy CRD

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

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are employed for 10 or more regularly scheduled hours per week

The insurance plan year is from September 1 through August 31. Current employees can make changes to their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g., marriage, divorce, birth). Detailed descriptions of insurance coverage, employee cost, and eligibility

requirements are provided to all employees in a separate booklet. Employees should contact TRS-ActiveCare for more information

Supplemental Insurance Benefits

Policy CRD

At their own expense, employees may enroll in supplemental insurance programs for dental, cancer, vision, health, disability, or life. Premiums for these programs can be paid by payroll deduction. Employees should contact the human resource office 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., cancer and dread disease, dental, and vision 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 period.

Under the Cafeteria Plan (Section 125), employees may also select to have payments for unreimbursed medical expenses, unreimbursed orthodontia payments, and dependent care services deducted out of their paycheck each pay period on a pretax basis. If an employee makes this election through their salary conversion agreement, they will be reimbursed for incurred eligible expenses for which they have filed a claim form or set up on continual reimbursement, from National Benefit Services. Employees should contact the Payroll office, ext. 11225, for more information.

Retirement Savings Plan 403 (b)

Policy CFEA

A 403 (b) is a tax-deferred savings program similar to a private sector 401(k) plan. At the time of hire, employees are provided information on 403(b) plans by the district's plan administrator, Planscope 360. Additional information may be obtained the links below:

[Planscope 360](#)

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 Littleton Group, effective 9/1/02. Benefits help pay for medical treatment and make up for part of the income lost while recovering. The law, depending on the circumstances of each case, prescribes specific benefits. All work-related accidents or injuries should be reported immediately to the employee's supervisor who, in turn, will report the accident to the human resource office and fill out the Employee Accident Report form. Employees who are unable to work due to a work-related injury will need to provide the personnel office a statement from the attending doctor stating the days the employee will not be able to work. Also, a statement from the doctor will be required giving the date and conditions for an employee to return to work. These

employees will be notified of their rights and responsibilities under the Texas Labor Code. Employees with questions about workers' compensation should contact the human resource office at ext. 11228.

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 benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact the Human Resource office at ext. 11228.

Teacher Retirement

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitutes not receiving TRS service retirement benefits who work at least 90 days a year are 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 payroll office as soon as possible. Information on the application procedures for TRS benefits is available from the payroll office. Additional inquiries should be addressed to: 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 <http://www.trs.texas.gov/>. See page 6 for information on restrictions of employment of retirees in Texas public schools.

Other Benefit Programs

Policy DEB

Employees, upon retirement through the Teacher Retirement System of Texas or death, shall be paid for any accumulated state and local sick leave days earned while employed in the district. (After September 1, 2001, this benefit shall apply for local sick leave days only. Additional retirement benefits will be available through the State for state sick leave days.)

All employees at the beginning of the school year will receive a NISD identification badge/complimentary activities card. This card will entitle the employee to free admission to selected school activities conducted in the District.

Leaves and Absences

Policy DEC, DECA, DECB

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

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

- Local Sick

- State Sick
- State Personnel Leave

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

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

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

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

Medical Certification. Any employee who is absent more than three (3) days because of personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and - in 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 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 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 accumulated 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: nondiscretionary and discretionary.

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

Discretionary. Leave taken at an employee's discretion and that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor three (3) days in advance of the anticipated absence. Discretionary personal leave will be granted on a first-come, first-served basis. 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. Discretionary personal leave will be granted and approved by the Assistant Superintendent of Human Resources and Operations subject to the following limitations:

- Days immediately preceding or following a district holiday.
- Days when a teacher is involved in administering a major test.
- Days scheduled for parent conferences.
- First and the last two (2) weeks of the school year.
- Days determined at the discretion of the principal or director to be special event days.
- Days scheduled for required staff development.
- On a first-come/first-serve basis, no more than 10 percent of any campus (professional and paraprofessional) or department can be approved for state personal leave on any one day.

Auxiliary employees shall not use state personal leave days on the following occasions except with special prior approval of the department director and superintendent:

- Days immediately preceding or following a district holiday.
- Days scheduled for staff development.
- First and the last two (2) weeks of the school year.
- Days determined to be special need days by the director of the department.
- Auxiliary employees who earn vacation can only take a maximum of fifteen (15) days of personal leave and/or vacation days during the summer months.
- On a first-come/first-serve basis, no more than 10 percent of any campus/department can be approved for state personal leave on any one day.

Discretionary personal leave may NOT be taken for more than five (5) consecutive days and no more than eight (8) days per year (July 1 – June 30). See policy [DEC \(LOCAL\)](#)

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 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

If an employee uses more sick leave than he or she has earned, the cost of unearned sick leave will be deducted from the employee's next paycheck.

Local Leave

A local sick leave program consisting of five (5) to eight (8) days per year, with a maximum accumulation of 120 days, shall be provided for all District employees.

The Board shall ensure that local sick leave is used according to policies governing previously earned State sick leave. In addition, it can be used for death of an aunt, uncle, niece, nephew, or cousin. It can also be used during the first 12 weeks care following the birth of an employee's child or the placement of a child with the employee for adoption or foster care.

Local sick leave days will be used first before any previously earned state sick leave days. State personal leave will be used only after all other sick leaves have been exhausted.

Vacation

[Policy DED](#)

District personnel employed in positions for 12 months are eligible for vacation time. Vacation guidelines are listed in policy DED (local).

Friends Helping Friends

The Nederland Independent School District has developed a sick leave program to assist employees where, in extreme circumstances, an employee needed more days for being sick than they had available. The program, called "Friends Helping Friends," was approved so that employees who genuinely desired to assist fellow employees in need of extra sick leave days could contribute.

Purpose of the Program:

The purpose of the sick leave program is to provide additional sick leave days to N.I.S.D. employees in the event of an extended illness of the employee or immediate family or death in the immediate family ("immediate family" as defined in Policy DEC Local)

- Employees who are currently receiving workers' compensation payments through N.I.S.D may not make requests. In no case will the recipient receive a daily rate, which exceeds his/her current daily

salary from N.I.S.D. The request forms and the procedure for applying may be obtained from your campus or department representative.

- Employees will be required to exhaust all available leaves including vacation and will be docked two (2) days before qualifying for this program. This policy will apply to each new illness/injury.
- The maximum number of days received by an employee may not exceed 180 days during the school year (the year being defined as July 1 through June 30 of the following year).
- An employee may donate an unlimited amount of days as long as there is a minimum of 30 days in their leave bank.
- It must be understood that Friends Helping Friends is a donor program based on good will. Neither the campus representative, the donors, nor the school district is responsible for providing any or all of the days requested.

Family and Medical Leave (FML)-General Provisions

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.

What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons.

The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military service member.

An eligible employee who is the spouse, child, parent or next of kin of a covered service member with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the service member.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

Am I eligible to take FMLA leave?

You are an **eligible employee** if *all* of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management

How do I request FMLA leave?

Generally, **to request FMLA leave you must:**

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave. Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights. State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress

What does my employer need to do?

If you are eligible for FMLA leave, your employer **must:**

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, **your employer must notify you in writing:**

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?

Call **1-866-487-9243** or visit **dol.gov/fmla** to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR



Local Family and Medical Leave Provisions:

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period from July 1 through June 30.

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

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

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

Fitness for Duty. An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. When leave is taken for 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 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 leave or have questions should contact the Human Resource Office for details on eligibility, requirements, and limitations.

Temporary Disability Leave

All employees. The purpose of temporary disability leave is to provide job protection to all employees 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. All employees may voluntarily request to be placed on temporary disability leave or be placed on leave involuntarily.

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 one hundred eighty (180) calendar days.

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

When an employee is ready to return to work, the human resource office 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 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 a position is not available, the employee may be assigned to another campus, subject to the approval of the campus principal. If a position is not available before the end of the school year the employees will be reinstated to a position at the original campus at the beginning of the following school year.

Workers' Compensation Benefits

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

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use accumulated sick leave or any other paid leave benefits. An employee choosing to use paid leave will not receive workers' compensation weekly income benefits until all paid leave is exhausted or to the extent that paid leave does not equal the pre-illness or -injury wage. If the use of paid leave is not elected, then the employee will only receive workers' compensation wage benefits for any absence resulting from a work-related illness or injury, which may not equal his or her pre-illness or -injury wage. Any employee who has been injured at work **must** come to the human resource office and fill out the form indicating which way they would like to be paid for their injury.

Assault Leave

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

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

Bereavement Leave

An Absence From Duty Report form must be completed when there is occurrence of death in the immediate family of an employee. All employees will be allowed up to three (3) days, without affecting sick leave, for death in the immediate family. Two additional days, if needed, will be charged against local sick leave, if available; if not, they will be charged against previously earned state sick leave or state personal leave. Immediate family is defined in *Policy [DEC Local](#)*. Bereavement for an aunt, uncle, niece, nephew, or cousin will be charged against local sick leave only. If none is available, this leave can be charged to state personal leave. Bereavement for a friend may be taken by personal leave or excused absence at cost of substitute. The Absence From Duty form must be turned in to the personnel office as soon as the employee returns to work, stating the relationship of the deceased.

Jury Duty

Policies DEC, DG

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

An employee is required to report back to work as soon as they are released from jury duty if the employee could be at work one-half (1/2) day or longer. The supervisor may consider the travel time required and the nature of the individual's position when determining the need to report to work. A copy of the release from jury duty or documentation of time spent at the court may be required.

Compliance with a Subpoena

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

Truancy Court Appearances

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

Religious Observance

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

Excused absences with pay

All employees are allowed three (3) days per year for excused absences with pay, provided they have prior approval of their appropriate supervisor and the personnel office. Employees shall have deducted from his/her salary the cost of a substitute even if a substitute is not used for this absence. Excused absences with pay will not count against the employee's sick leave or personal leave.

Excused absences with pay can be taken for the following reasons:

1. To take care of personal or immediate family legal matters involving a court case.
2. To attend the funeral of a friend or relative not covered in bereavement policy or for extra days for death in the immediate family.
3. To enroll a child in college or attend graduation of a family member.
4. To get married, prepare and attend a child's wedding, or attend the wedding of a family member.
5. Unable to find a baby sitter for children at home.
6. To take comprehensive examinations for Master Degree.
7. To attend teacher credit union convention.
8. To attend approved church leadership training conference.
9. To attend retirement counseling session with spouse.
10. To attend a special awards program for a family member.
11. Illness of relative not included in immediate family.

Full salary shall be deducted for an absence in excess of three (3) days.

Excused absences with pay cannot be taken in conjunction with personal leaves.

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 15 days of a paid leave per fiscal year when engaged in authorized training or duty ordered by proper authority. An additional seven days of leave per fiscal year are available if called to state active duty in response to a disaster. In addition, an employee is entitled to use available state and local personal or sick leave during active military service.

Reemployment after Military Leave. Employees who leave the district to enter into the United States uniformed services or who are duty as a member of the military force of any state (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 their immediate supervisor. In most cases, the length of federal military service cannot exceed five years.

Continuation of Health Insurance

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

Vacation

All employees eligible for vacation must fill out a Vacation Request Form and turn it in to their immediate supervisor five (5) days prior to the vacation dates requested. Vacations are to be scheduled with approval of the immediate supervisor. After one year of service, an employee will be eligible for two (2) weeks paid vacation. Accrued vacation must be used within a year of the time it is earned beginning on July 1 and ending on June 30 of the following year. Immediately upon return from vacation, an Approved Vacation Used Form must be completed and submitted to the payroll department.

Employee Relations and Communications

Employee Recognition and Appreciation

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

District Communications

Throughout the school year, the Superintendent's office 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. In addition, the district's website is continually updated to provide employees and the community information concerning district activities.

Complaints and Grievances

Policy DGBA

In an effort to hear and resolve employee 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 problems or complaints with their supervisors or an appropriate administrator at any time.

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

[DGBA](#) (Local)

Employee Conduct and Welfare

Standards of Conduct

Policy DH

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

- Recognize and respect the rights and property of students and coworkers and 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 procedures and policies.
- Express concerns, complaints, or criticism through appropriate channels
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use district time, funds, and property for authorized district business and activities only.
- It is important employees follow the same procedures in the work place that parents follow. This includes following the chain of command when complaining about their child's situation or problem. Employees should NEVER post disparaging comments about a colleague on social media. There are Board approved policies and procedures to follow for complaints. Do not ask a colleague for a special favor for your own child that is not available for all students. Treat others as you would expect to be treated yourself.

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 (7) day after the Superintendent knew of the incident. See *Reports to the Texas Education Agency*, page 45 for additional information.

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

Texas Educators' Code of Ethics

Purpose and Scope

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

Enforceable Standards

1. Professional Ethical Conduct, Practices, and Performance

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

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

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

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

Standard 1.5 The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or 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 applicable 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 or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.

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

2. Ethical Conduct toward Professional Colleagues

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

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

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

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

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

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

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

3. Ethical Conduct toward Students

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

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

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

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

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

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

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

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

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

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

Employee Dress

Employees shall act as role models by exemplifying the highest standard of professional appearance for the educational purposes of teaching community values and proper grooming and hygiene. Employees shall be dressed and groomed in a manner that is professional, neat, clean, and appropriate for their assignments. These standards apply to all employees of the school district, including full and part-time staff members, substitute employees, and student employees, unless other specific job-related standards are established and approved by the Superintendent or designee.

- The dress and grooming of District employees shall be neat, clean, and in a manner appropriate for their assignments.
- Shoes shall be soled and appropriate for the job responsibilities of personnel. Shoes inappropriate for school include shower shoes, beach footwear, and house slippers.

- Clothing with symbols, phrases, or slogans advertising tobacco, alcohol products, sexual innuendo, or any controlled substance are unacceptable.
- Visible inappropriate tattoos are unacceptable. Tattoos shall be covered in the presence of students.
- Earrings worn on the ears are the only form of body piercing that is acceptable. No other visible body piercings are allowed.
- Frayed, worn, or tattered clothing is unacceptable.
- All District employees shall wear and appropriately display district issued identification badges.

These standards reflect minimal expectations. Campus and other departments may adopt additional standards as appropriate.

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 or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate district official. If the campus principal or supervisor 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 such 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.

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation can be found online at:

[DIA](#) (Local)

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 or abuse of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or 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*, below and *Bullying*, page 46 for additional information.

Procedures for reporting and investigating harassment of students are listed below:

[FFH \(Local\)](#), [DHB \(Legal\)](#), [DF Legal](#)

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

Employees are also required to make a report if they have reasonable cause to believe that an adult was a victim of abuse or neglect as a child and they determine in good faith that the disclosure of the information is necessary to protect the health and safety of another child, elderly person, or a person with a disability.

Reports to **Department of Family and Protective Services** 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 report suspected child abuse may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report suspected child abuse may result in disciplinary procedures by SBEC for a violation of the Texas Educator's Code of Ethics.

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

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

Sexual Abuse and Maltreatment of Children

The district has established a plan for addressing sexual abuse and other maltreatment of children which is found in the [district's improvement plan](#). As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or otherwise maltreated. **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 following the procedures described above in *Reporting Suspected Child Abuse*.

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 there is evidence that the employee was involved in any of the following:

- Any form of sexual or physical abuse of a minor, or any other unlawful conduct with a student or 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 an applicant for certification has a reported criminal history or engaged in conduct violating the assessment security procedures established under TEC §39.0301. "Reported criminal history" means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction that 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 violation 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 Knowledge and Skills (TEKS) for that subject and grade level, the district will not penalize the teacher for not following the district's scope and sequence.

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

Technology Resources

Policy CQ

The District's technology resources including its networks, computer systems, e-mail 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 technology resources
- Has no adverse effect on job performance or on a student's academic performance

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

Employees are required to abide by the provisions of the district's acceptable use agreement and administrative procedures. All employees must read, sign and adhere to the District's Employee Agreement for Acceptable Use policy and [Information Technology Security Regulations](#) linked here.

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 should contact the Director of Instructional Technology.

Personal Use of Electronic Communications *Policy CQ, CY, DH*

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 video 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:
 - o Confidentiality of student records. [See Policy FL]
 - o Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See DH (EXHIBIT)]
 - o Confidentiality of district records, including educator evaluations and private e-mail addresses. [See Policy GBA]
 - o Copyright law [See Policy CY]
 - o Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See DH (EXHIBIT)]

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

Electronic Communications between Employees, Students, and Parents

Policy DH

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through electronic media with students who are currently enrolled in the district for teaching and learning purposes. 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 an appropriate social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization. An employee who claims an exception based on a social relationship shall provide written consent from the student's parent. The written consent shall include an acknowledgement by the parent that:

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

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

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

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

- The approved employee may use any form of appropriate electronic media **except** text messaging or instant messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
 - The employee shall include at least one of the student's parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;
 - The employee shall either 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 11:00 p.m. and 6:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time. Exception: Communication for emergency situations during these hours for extracurricular activities will be allowed
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators’ Code of Ethics including:
 - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
 - Copyright law [Policy CY]
 - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy [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 any one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.
- All staff are required to use school email accounts for all electronic communications with parents. Communication about school issues through personal email accounts or text messages are not allowed as they cannot be preserved in accordance with the District’s record retention policy.
- An employee shall notify their supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

A letter of exception will be available and must be submitted, approved with administrative signatures, and on file at the beginning of each school year for exceptions.

Those who employ and supervise students through the NISD co-op program or summer maintenance program will also need to complete a letter of exclusion if electronic media will be used as a form of communication.

Public Information of 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 and services

Criminal History and 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 content 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 permit that would entitle any person or hold or obtain a position as an educator
- Crimes that occur wholly or in part of school property or at a school-sponsored activity
- Crimes involving moral turpitude

Moral turpitude includes the following:

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

Nederland 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 viewed by clicking on the following:

[DH \(Local\)](#) and [DH \(Exhibit\)](#)

Tobacco Products and E-Cigarette Use

Policies DH, FNCD, GKA

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

Fraud and Financial Impropriety

Policy CAA

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

- Forgery or authorized alteration of any document or account belonging to the district.
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other district assets, including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district, except as otherwise permitted by law or district policy
- Inappropriately destroying, removing, or inappropriately using records, furniture, fixtures, or equipment
- Failing to provide financial records required by federal, state, or local entities
- Failure to disclose conflicts of interest as required by law or district policy
- Any other dishonest act regarding 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 potential conflict of interest with proper discharge of assigned duties and responsibilities or creates a potential conflict of interest with the best interests of the district. This includes the following:

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

Employees should contact their supervisors 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 textbook, 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. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

Associations and Political Activities

Policy DGA

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

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

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

Charitable Contributions

Policy DG

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

Safety 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. See emergencies on page 42 for additional information.

Employees must follow established protocols and response 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 manual attention while the vehicle is in motion. Employees will exercise care and sound judgement on whether to use hands-free technology while the vehicle is in motion.

Employees with questions or concerns relating to safety programs and issues can contact their immediate supervisor or Human Resource office for additional information.

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. 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 Nederland Police Department immediately. Supervisors shall report all violations to the Nederland Police Department and the Superintendent's office immediately at (409) 724-2391.

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 and escort him or her to the building office or contact the administrator in charge.

Asbestos Management Plan

Policy CSC

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 campus principal's office and in the office of the Director of Maintenance and is available for inspection during normal business hours.

Pest Management- Policy and Procedures

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 office area. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written or electronic means. Pest control information sheets are available from campus principals or facility managers upon request.

Responsibilities Under the District's IPM Plan

Principals

The school principal is responsible for:

- Assuring that teachers keep their rooms clean and free of clutter in accordance with the IPM Coordinator's instructions.
- Reporting pest and pest friendly conditions to the custodial staff.
- Assuring that all teachers, administrators, staff, students, and parents receive the annual notice of potential pesticide products that could be used on school property (assistance provided by the IPM Coordinator as to where and how to post).
- Working with the IPM Coordinator to make sure all notifications of pesticide applications reach all teachers, administrators, staff, students, and parents.

Teachers and Building Staff

Teachers and Staff are responsible for:

- Keeping their classrooms and work areas of clutter.
- Making sure students clean up after themselves when food or drink is consumed in the classroom.
- Reporting pests and pest friendly conditions to the custodial staff.
- Following first steps of protocol for ant management before notifying the custodial staff (clean up any food the ants are eating, kill visible ants, wipe down area where ants were with soapy water, notify custodial staff only if ants continue to be found after following these steps).
- Assuring that pesticide materials are not brought from home and used in the school.

Addition Information Principals and Building Staff Need to Know

Public Health Risks

A threshold is the number of pests that can be tolerated before taking action:

- The acceptable threshold for cockroaches is 2 in public areas and classrooms, 5 in maintenance rooms, 1 in nurses room, kitchen and café.
- The acceptable threshold for ants is 5 in public areas, classrooms and maintenance rooms, 3 in kitchen and café, and 1 in nurse's room. The acceptable threshold for fire ants is 1 mound on the grounds and athletic fields.
- The acceptable threshold for wasp, bees, and hornets is 1 in public areas, classrooms, nurse's room, kitchen and café, and grounds.
- The acceptable threshold for spiders 1 in public areas, classrooms, nurse's room, kitchen and café, 2 in maintenance rooms.
- The acceptable threshold for small flies and house flies is 5 in public areas, classrooms and maintenance rooms, 1 in nurse's room, kitchen and café.
- The acceptable threshold for termites is 1 in public areas, classrooms, maintenance rooms, nurse's room, kitchen and café.
- The acceptable threshold for crickets is 3 in public areas and classrooms, 8 in maintenance rooms, 1 in nurse's room, kitchen and café.
- The acceptable threshold for rats and mice is 1 in public areas, classrooms, maintenance rooms, nurse's room, kitchen and café.
- The acceptable threshold for fleas is 1 in public areas, classrooms, maintenance rooms, nurse's room, kitchen and café.

Benefits of IPM to staff

- More effective, efficient, long-lasting solutions to specific pest issues
- Reduced pesticide use
- Improved children's health (they are more vulnerable to chemicals)
- Uses only low-impact pesticides when all other actions fail

Pest Basics

- Pests need food, shelter and water to exist.
- Educate and involve all staff and students in classrooms pest management (monitoring, sanitation, cultural change and reporting of pest sightings)
- Staff is not allowed to use pesticides in schools – all pesticides must be administered by a licensed pesticide applicator, even ant traps.
- Integrated Pest Management Coordinator is Darrell Broussard
- Annual intense inspection will be conducted at each facility. Hot spot monitoring will be ongoing. Monitor traps are to be left alone.
- For more information contact your IPM Coordinator (Darrell Broussard)

General Procedures

Emergency School Closing

The district may close schools because of severe weather, epidemics, 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, social media sites, **use of call out systems**, and notify the following radio and television stations:

Radio

KLVI (560 AM)

Television

KBTW – Channel 4	(2)	NBC
KFDM – Channel 6	(3)	CBS
KBMT – Channel 12	(5)	ABC

Website

www.nederland.k12.tx.us

Emergencies

Policies CKC, CKD

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

Purchasing Procedures

Policy CH

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

Name and Address Changes

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

Personnel Records

Policy DBA,GBA

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

Employees may choose to have the following personal information withheld:

- Address
- Phone number, including personal cell phone number
- Emergency contact information
- Information that reveals whether they have family members
- Personal e-mail address

The choice to not allow public access to this information or change an existing choice may be done at anytime by submitting a written request to the human resource office. New or terminating employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public until a request to withhold the information is submitted or another exception for release of information under law applies. An employee is responsible for notifying the district if he or she is subject to any exception for disclosure of personal or confidential information.

Facility Use

Policies DGA,GKD

The District's Business Office is responsible for scheduling the use of facilities after school hours. Contact the Office of the **Chief Financial Officer** to request to use school facilities and to obtain information on the fees charged.

Facility Keys

An employee receiving district key(s) agrees that the key(s) will be kept in a safe place at all times. Exchanging assigned key(s) or loaning your key(s) without written consent of the campus principal or department director is prohibited and can be grounds for disciplinary action. It is unlawful to make any attempt to modify, tamper with or otherwise duplicate district keys.

Termination of Employment

Resignations

Policy DFE, DHB

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

The principal is required to notify the superintendent of an educator's resignation within seven business days of the following:

- Certain misconduct, abuse, unlawful act
- Involvement or solicitation of a romantic relationship with a student or minor
- Solicitation or engaging in sexual conduct with a student or minor
- Inappropriate communications with a student or minor
- Failure to maintain appropriate boundaries with a student or minor
- Possession, transfer, sale, or distribution of a controlled substance
- Illegal transfer, appropriation, or expenditure of district or school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on district property or at a school-sponsored event.

The superintendent is required to report such conduct to SBEC.

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

The principal or director is required to notify the superintendent of a noncertified employee's resignation or termination within seven business days for any of the following:

- Alleged incident of misconduct of abuse or otherwise committed an unlawful act with a student or minor,
- Was involved in or solicited a romantic relationship with a student or minor
- Engaged in inappropriate communications with a student or minor
- 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 or nonrenewal at the end of the year according to the procedures outlined in district policies. Employees on probationary or term contracts can be non-renewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The time lines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. Information on the time lines and procedures can be found in the DF policies that are provided to employees or through the on-line policy service at :

www.nederland.k12.tx.us

Click on Board of Education on left hand side of screen. Then go to Board Policy Online.

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

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

Dismissal of 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, gender, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and grievances*, page 26.)

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

Discharge of Convicted Employees

Policies *DF*

The district shall discharge any employee who has been convicted of a felony under Title 5 Penal Code or placed on deferred adjudication community supervision for the following:

- An offense requiring the registration as a sex offender
- Improper relationship between an educator and a student
- Sale, distribution, or display of harmful materials to a minor
- Public indecency
- A felony offense involving school property

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

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

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 to the court and the individual receiving the support (Texas Family Code §8.210, 158.211). Notice of the following must be sent to the court and support recipient or, in the case of child support, the Texas Attorney General Child Support Division:

- Termination of employment no later than the seventh day after the date of termination
- Employee's last known address
- Name and address of the employee's new employer, if known

Student Issues

Equal Educational Opportunities

Policies FB, FFH

The Nederland ISD does not discriminate on the basis of race, color, religion, national origin, sex, **age** 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 against students based on sex, including sexual harassment should be directed to the district Title IX coordinator:

Steven Beagle, Ed. D
Asst. Superintendent for Curriculum and Instruction
220 17th Street
Nederland, Texas 77627
(409) 724-2391
sbeagle@nederlandisd.org

Questions or concerns about discrimination on the basis of a disability should be directed to the district ADA/Section 504 coordinator:

Erin Resch
Director of Special Education
220 17th Street
Nederland, Texas 77627
(409) 724-2391
eresch@nederlandisd.org

All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

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 campus principal for assistance.

Parent and Student Complaints

Policy FNG

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

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

Administering Medication to Students

Policy FFAC, FFAF

Only designated employees may administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. Exception 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 prescription 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 Code of Conduct and Student Handbook. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management strategies that have been adopted by the district. Other employees that have concerns about a particular student's conduct should contact the classroom teacher or campus principal.

Student Attendance

Policy FEB

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

Bullying

Policy FFI

Bullying is defined by §TEC 37.0832. All employees are required to report student complaints of bullying, including cyberbullying, to campus principal. The district's policy includes definitions and procedures for reporting and investigating bullying of students **and** is found below:

[FFI \(Local\)](#)

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.

Requirements of the Affordable Care Act

As of January 1, 2014, the Affordable Care Act (ACA) requires you to have health insurance for yourself and your dependents. Some people are exempt from this requirement. To learn how to apply for an exemption see Questions and Answers on the Individual Shared Responsibility Provision, www.irs.gov/uac/Questions-and-Answers-on-the-Individual-Shared-Responsibility-Provision. If you do not have health insurance and you are

not exempt, you may be subject to a penalty (see www.healthcare.gov/what-if-someone-doesnt-have-health-coverage-in-2014). The penalty takes effect on the first day of the 2014 plan year (September 1, 2014).

Enrollment in TRS-ActiveCare satisfies the requirement to have health insurance. The TRS-ActiveCare Enrollment Guide explains who is eligible to enroll in ActiveCare. Enrollment in another plan, such as through a spouse, parent, or association, also satisfies the requirement to have health insurance if the plan provides minimum essential coverage.

As an alternative to ActiveCare or another health insurance program, you may enroll in insurance through the Health Insurance Marketplace. In Texas, the Marketplace is a federal government program that will offer “one-stop shopping” to find and compare private health insurance options. Most individuals are eligible to enroll in insurance through the Marketplace. The Marketplace will begin enrollment in October 2013 for coverage beginning in January 2014. For information on the Marketplace, see www.healthcare.gov.

You may be eligible for a premium tax credit or other assistance toward insurance obtained through the Marketplace, depending on your household income. More information on the premium tax credit and other cost sharing provisions is available at www.healthcare.gov. Please note that the district will not contribute to premium costs if you enroll in insurance through the Marketplace. Also, you will lose the benefit of paying the premium with pre-tax income if you purchase insurance through the Marketplace.

Additional information. If you have questions or concerns about the health insurance offered through the district, please contact: Human Resource Office at extension 1228. Questions about the Marketplace and how the Affordable Care Act impacts you as an individual should be addressed to www.healthcare.gov or your personal attorney.

If you decide to shop for coverage in the Marketplace, below is the employer information you will enter at

HealthCare.gov to find out if you are eligible for a premium tax credit.

This information is numbered to correspond to the Marketplace application.

3. Employer name Nederland Independent School District		4. Employer Identification Number (EIN) 74-6001772	
5. Employer Address 220 N 17 th St		6. Employer phone number (409) 724-2391	
7. City Nederland	8. State Texas	9. Zip code 77627	
10. Who can we contact about employee health coverage at this job? Amoreena Cabrera			
11. Phone number (if different from above) (409) 724-2391 ext. 11228		12. Email address acabrera@nederlandisd.org	

The district offers health coverage through TRS-ActiveCare to all eligible employees and their eligible dependents. Eligibility is described in the ActiveCare Enrollment Guide. The coverage offered by ActiveCare meets the minimum value standard and the cost of this coverage to you is intended to be affordable.

Related Information

District Employment Policies:

- [DA Series- Equal employment opportunity and genetic nondiscrimination](#)
- [DBAA- Criminal history and credit reports](#)
- [DBD- Conflict of Interest](#)
- [DC Series- Employment practices](#)
- [DCB- Term Contracts](#)
- [DEA Series- Salaries and wages; incentives and stipends](#)
- [DEC Series- Leaves and absences](#)
- [DF- Termination of employment](#)
- [DFA Series- Termination of, or return to, term contracts](#)
- [DFB Series-Termination of term contracts](#)
- [DFD- Hearings before hearing examiner](#)
- [DFE- Resignations](#)
- [DFF- Reduction in force](#)
- [DG- Employee rights and privileges](#)
- [DGBA- Employee complaints](#)
- [DH- Employee standards of conduct](#)
- [DHB- SBEC reporting](#)
- [DHE- Searches and drug/alcohol testing](#)
- [DI- Employee welfare](#)
- [DIA- Freedom from discrimination, harassment, and retaliation](#)
- [DK- Assignments and schedules](#)
- [DN Series- Performance appraisal](#)

[Texas Education Code 37](#)

[Board Policy FN Series](#)

[Board Policy FO Series](#)