EMPLOYEE HANDBOOK



2026 - 2027
EXECUTING GREATNESS

Waller
Independent School District

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Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. This handbook does not replace nor serve as a substitute for the Waller Independent School District's board-adopted policy manual, which contains all official policies that govern the operation of and employment within the District.

Not all District policies and procedures are included in this handbook. Those that are, have been summarized. Policies and procedures can change at any time. When the District provides updated policy information, the employee is responsible for reading and abiding by the changes. This handbook is not a contract, nor is it intended to alter the at-will status of non-contract employees in any way; rather, it is a guide to, and a brief explanation of District policies and procedures related to employment.

Nothing in this handbook supersedes or contradicts any District policy or changes any aspect of the employment relationship between the employee and the District or any terms and conditions of that relationship. All District employees serve on an at-will basis unless they have received and electronically signed a written contract authorized by the board of trustees.

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.

The Appendix of this handbook includes a list of employment policies for review by employees. A printed policy manual may be reviewed in the Education Service Center located at 20600 Field Store Road during normal working hours and online at the district website located at www.wallerisd.net. If an employee needs a printed copy of any linked policy, please contact the Human Resources Department. Suggestions for additions and improvements to this handbook are welcome and may be submitted to the Human Resources Department.

If you have difficulty accessing the information in this handbook because of a disability, please contact the Human Resources Department at (936) 931-3685.

Note: All employees are required to read the Employee Handbook and electronically sign the Employee Handbook Receipt located in Unified Talent Employee Records, "TalentEd".

Employee Handbook Receipt 2026-2027

The employee handbook is located on the District's website at www.wallerisd.net under *Departments* > *Human Resources*. The employee handbook is also sent to each employee via Unified Talent *(TalentEd)*. All employees are required to read the handbook and digitally sign the receipt in Unified Talent *(TalentEd)*.

I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document. I also understand and accept responsibility for accessing the policies, including employment policies, online at www.wallerisd.net > *About WISD* > *Board of Trustees* > *Board Policies.*

The information in this handbook is subject to change. I understand that changes in district policies may supersede, modify, or render obsolete the information summarized in this document. As the district provides updated policy information, I accept responsibility for reading and abiding by the changes.

I understand that each campus library and administrative department has Internet access. I understand that I may choose to print the handbook, including standards and policies, from the website or call the Human Resources Department at (936) 931-3685 to request a paper copy.

Furthermore, I understand that no modification to employment relationships or alteration of at-will relationships is intended by this handbook.

I understand that I have an obligation to inform the Human Resources Department, my supervisor, and the State Board of Educator Certification (if applicable) of any changes in personal information, such as name, phone number, address, etc. I also accept responsibility for contacting my supervisor or the Human Resources Department if I have questions or need further explanation.

Completing the Employee Handbook signature process in Unified Talent *(TalentEd)* shall serve as my digital signature. I have read and understand this notice and acknowledge receipt and understanding of the Waller ISD Employee Handbook.

_____ _____

Signature Date

E-signing through TalentEd serves as an agreement to receipt of the handbook. If an employee would like a hard copy of the handbook, the employee must contact Human Resources to obtain a hard copy.

District Information

Overview

The Waller Independent School District (WISD) was established in 1887 and is one of the largest, fastest growing school districts in the greater Houston area encompassing 328 square miles. It is located approximately 45 minutes northwest of Houston on Highway 290 and neighbors Cypress-Fairbanks, Katy, Tomball, Magnolia, Navasota, Hempstead, and Royal ISD. The district has eleven schools and serves more than 10,000 students.

Vision, Mission, and Core Values

Policy AE

Vision
Rooted in community, we inspire future leaders through critical thinking, rich experiences, and a passion for learning.

Mission
Waller ISD is a supportive community that empowers every student through high-quality instruction and rich experiences that spark curiosity, critical thinking, and lifelong learning.

Core Values
T.E.A.M. - Trust • Excellence • Accountability • Mission-Driven

District Goals and Objectives

All schools and staff in Waller ISD are committed to positive, supportive interactions with students to ensure that all are successful learners. The following 10 goals support the strategic priorities of the district:

Goal 1: WISD will provide a well-rounded program of instruction to ensure academic performance and achievement levels that reflect excellence in learning and attainment of both high expectations and high standards for all students.

Goal 2: WISD will continue to develop and support systems, programs, instructional standards, professionals, paraprofessionals, and volunteers to enhance students' knowledge, skills, and performance in every adopted curriculum area.

Goal 3: WISD will provide a safe, secure, and respectful learning environment for students and staff.

Goal 4: WISD will continue to retain, recruit, and acknowledge effective student-centered, highly qualified employees.

Goal 5: WISD will provide a supportive, professional teaching environment that encourages teaching excellence.

Goal 6: WISD will continue state and national leadership in the use of technology in all phases of the educational process.

Goal 7: WISD will continue to prioritize two-way communication between Waller ISD and all patrons through all sources available and encourage relationships of trust and mutual support.

Goal 8: WISD will provide the necessary financial resources for the support of the instructional program through prudent management and fiscal responsibility.

Goal 9: WISD will provide co-curricular and extracurricular opportunities and programs for students as a means of preparing them for the future.

Goal 10: WISD will continue to emphasize the educational advantages for students, staff, and community in a diverse environment.

The Results

Upon graduation, our students will:

- Demonstrate general academic knowledge and skills that will allow them to be employable such as reading, writing, mathematical computation, speaking, listening, data manipulation, information processing and retrieval;
- Exhibit self confidence, self-esteem and flexibility as a learner and as a person;
- Demonstrate problem-solving, decision-making, and group process skills (teamwork);
- Demonstrate effective communication skills;
- Utilize and adapt to technological advances;
- Demonstrate social, civic, economic, and environmental responsibility by showing ethical behavior in personal life and in the workplace;
- Demonstrate the ability to identify, set, and pursue short and long goals and maintain a balanced (music, art, drama), safe, and healthy lifestyle;
- Be a self-directed, life-long learner;
- Demonstrate second language skills.



Board of Trustees

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

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

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

Current WISD Board of Trustees

<table>
<tr><td colspan="4">President
William Warren</td></tr>
<tr><td colspan="2">Vice-President
Jeff Flukinger</td><td colspan="2">Secretary
Ronald Campbell</td></tr>
<tr><td>Member
Maria Herrera</td><td>Member
David Kaminski</td><td>Member
Bryan Lowe</td><td>Member
Brittany Neel</td></tr>
</table>

The Board typically meets the 2nd Thursday of each month at the Waller ISD Education Service Center Board Room, 20600 Fields Store Road. Special meetings may be called when necessary. Notice of regular and special meetings is posted at the Waller ISD Education Center and on the district's website at least 3 business days before the scheduled meeting time. The notice includes the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice. All meetings are open to the public. Texas law permits the Board to go into a closed session from which the public and others are excluded. In accordance with §551.071-551.089 inclusive, Texas Government Code and Texas Open Meetings Law [Policy BEC (Legal)] topics may include items such as, employee matters, real estate transactions, litigation, and school safety.

District Administration

Position	Name	Email
Superintendent	Bennie Mayes	bmayes@wallerisd.net
Deputy Superintendent	Angie Davis	adavis@wallerisd.net
Chief Academic Officer	Meagan White	jwhite1@wallerisd.net
Chief Facilities & Operations Officer	Kelly Baehren	kbaehren@wallerisd.net
Chief Human Resources Officer	Angie Campbell Pulido	acampbellpulido@wallerisd.net
Chief Financial Officer	Audrey Ambridge	aambridge@wallerisd.net
Chief Communications Officer	Sarah Marcus	smarcus@wallerisd.net
Assistant Superintendent - Elementary	Kristin Eckerman	keckerman@wallerisd.net
Assistant Superintendent - Secondary	Binal Patel	bpatel@wallerisd.net
Executive Director of School Safety	Jamie Woodall	jwoodall@wallerisd.net
Director of Accountability & Assessment	Hannah Gates	hgates@wallerisd.net
Athletic Director	Nekisha Durham	ndurham@wallerisd.net
Director of Business Services	Laura Padron	lpadron@wallerisd.net
Director of Career & Technical Education	La'Quesha Grigsby	lgrigsby@wallerisd.net
Director of Construction	Scott Walker	swalker@wallerisd.net
Director of Curriculum & Instruction - Elementary	Charlene Davis-Norris	cdavisnorris@wallerisd.net
Director of Curriculum & Instruction - Secondary	Traci Underwood	tunderwood@wallerisd.net
Director of Human Resources - Compliance & Compensation	Stephanie Fletcher	sfletcher@wallerisd.net
Director of Human Resources - Operations & Employee Relations	Ashley Kinney	akinney@wallerisd.net
Director of Maintenance	Doug Rogers	drogers@wallerisd.net
Director of Multilingual	Jorge Alvarado	jalvarado@wallerisd.net
Director of School Nutrition	Molly Warzon	mwarzon@wallerisd.net
Director of Purchasing	Damaris Benitez	dbenitez@wallerisd.net
Director of Special Services	Kirsten Omelan	komelan@wallerisd.net
Director of State & Federal Programs	Kim Seiley	kseiley@wallerisd.net
Director of Student Support Services	Jeff Furrh	jfurrh@wallerisd.net
Director of Technology	Shane Bayles	sbayles@wallerisd.net
Director of Transportation	Jacob Erreguin	jerreguin@wallerisd.net

Campus Administration

Position	Principal	Email	Address
Waller High School	TBD		31213 Waller Spring Creek Waller, TX 77484 936.372.3654
Waller Junior High	Amanda Thompson	athompson@wallerisd.net	2402 Waller Street Waller, TX 77484 936.931.1353
Schultz Junior High	Angela Jackson	ajackson1@wallerisd.net	20950 Fields Store Rd Waller, TX 77484 936.931.9103
Student Success Academy	Amy Carranza	acarranza@wallerisd.net	2402 Waller Street - East Campus Waller, TX 77484 936-931-0321
Jones Elementary	Brigitte Schmidt	bschmidt@wallerisd.net	35753 Owens Road Prairie View, TX 77446 936.372.4200
Roberts Road Elementary	Justin Pluckhahn	jpluckhahn@wallerisd.net	24920 Zube Road Hockley, TX 77447 936.931.0300
Holleman Elementary	Nicole Donaldson	ndonaldson@wallerisd.net	19455 Stokes Road Waller, TX 77484 936.372.9196
Fields Store Elementary	Elizabeth Holguin	eholguin@wallerisd.net	31670 Giboney Road Waller, TX 77484 936.931.4050
Turlington Elementary	Ashley Castellanos	acastellanos@wallerisd.net	24300 Hegar Road Hockley, TX 77447 936.372.0100
Lowe Elementary	Crystal Vinson	cvinson@wallerisd.net	31502 Conifer Farm Dr. Hockley, TX 77447 936.310.6600
McReavy Elementary	Melissa Crosby	mcrosby@wallerisd.net	10330 Prairieland Crossing Cypress, TX 77433 936.310.6200
Cure Elementary	Michelle Sciba	msciba@wallerisd.net	20700 Field Store Road Waller, TX 77484 936.310.6300

School Calendar

The board of trustees approves the District's official calendar each school year. The calendar is available on the District's website.

Employment

Equal Employment Opportunity

Policies DAA, DIA

In its efforts to promote nondiscrimination and as required by law, the Waller Independent School District does not discriminate against any employee or applicant for employment because of race, color, religion, gender, sex (including pregnancy 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 based on each applicant's job qualifications, experience, and abilities.

In accordance with Title IX, the district does not discriminate on the basis of sex and is 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.

Employees with questions or concerns about discrimination based on sex, including sexual harassment, should contact Angie Davis, Deputy Superintendent and Title IX Coordinator, at 20600 Field Store Road, Waller, Texas, 77484; (936) 931-3685; adavis@wallerisd.net. Employees with questions or concerns about discrimination based on a disability should contact the Chief Human Resources Officer and ADA/Section 504 Coordinator, Angie Campbell Pulido, at 20600 Fields Store Road, Waller, TX 77484, 936-931-0371; acampbellpulido@wallerisd.net.

Questions or concerns relating to discrimination for any other reason should be directed to the Office of Bennie Mayes, Superintendent at (936) 931-3685 or the Human Resources Department (936) 931-3685. 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.

Job Vacancy Announcements

Policy DC

To the extent possible, announcements of job vacancies are posted on a regular basis on the District's website. Employees interested in being considered for a vacant position should apply through the District's electronic application system, accessible on the District's website. Teachers wishing to change campuses should indicate their desire by notifying their principal and completing a transfer request form, within the transfer window, provided by Human Resources.

Employment after Retirement

Policy DC

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed in limited 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* located on the TRS website at www.trs.texas.gov along with other retirement information. Employees can contact TRS for additional information by calling 800-223-8778.

Contract and Non-Contract Employment

Policy DC Series

In accordance with Texas Education Code Chapter 21, the District issues both probationary and term contracts to some professional employees.

Probationary Contracts

Principals, assistant principals, teachers, librarians, counselors, nurses and other full-time professional employees requiring a certification from the State Board for Educator Certification (SBEC) receive probationary contracts during their first year of employment. Former employees who are hired after at least a two-year lapse in district employment or employees who move to a position requiring a new class of certification also may be employed on a probationary contract. Probationary contracts are one-year contracts and can be extended up to three years. 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 the approved Waller ISD District of Innovation plan (DOI), allows the District the flexibility to issue a probationary contract for up to three years.

Term Contracts

Principals, assistant principals, teachers, librarians, counselors, nurses and other full-time professional employees requiring a certification from the State Board for Educator Certification (SBEC) are employed under one-year 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 receive access to their contract in Unified Talent “TalentEd” and may print the contract and may review the employment policies online at www.wallerisd.net or request paper copies of policies.

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

Non-Chapter 21 contract employment

Non-Certified Professional and Administrative Employees in professional and administrative positions that do not require SBEC certification (such as non-instructional administrators) may be employed on a one-year, non-Chapter 21 contract that is not governed by Texas Education Code Chapter 21.

At-will employment

All paraprofessional and non-exempt 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. Employees are issued letters of reasonable assurance.

Substitutes

Substitute employees are non-exempt employees who are employed at will and not by contract. Employment is not for any specified term and may be ended at any time by either the employee or the District. Substitutes receive Letters of Reasonable Assurance (LORA) annually indicating potential continued employment for the upcoming school year.

To remain active and eligible for assignments, substitutes are expected to complete a minimum of 10 assignments per semester. Failure to meet this expectation, or lack of work activity despite available assignments, may result in removal from active status and separation from employment.

Substitutes are responsible for maintaining availability, accepting assignments regularly, and responding to District communications, including LORA deadlines. Failure to respond or return required documentation may be treated as a resignation and result in separation of employment.

Substitutes who accept an assignment are expected to fulfill that commitment. Excessive cancellation of accepted assignments disrupts campus operations and student instruction. A substitute who cancels or drops more than five (5) accepted assignments within a semester less than 24 hours before the scheduled start time may be subject to disciplinary action, up to and including termination of employment. Exceptions may be considered for documented emergencies or other circumstances approved by the District.

Substitutes who accept an assignment are expected to report for duty as scheduled. Failure to report to an accepted assignment without prior notification to the campus or District ("no-call, no-show") disrupts campus operations and student instruction. A substitute who accumulates three (3) no-call, no-show occurrences may be subject to disciplinary action, up to and including termination of employment. The District reserves the right to review the circumstances of each occurrence and may consider documented emergencies or other extenuating circumstances.

Certification and Licenses

Policies DBA, DF

Professional employees whose positions require SBEC certification or professional license are responsible for taking action to ensure their credentials do not lapse.

Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to the Human Resources Department in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify Human Resources when there is an 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 an individual failed to comply with criminal history background checks. Contact the Human Resources Department if you have any questions regarding certification or licensure requirements.

Recertification of Employment Authorization

Policy DC

At the time of hire, all employees must complete the Employment Eligibility Verification Form (Form I-9) and present documents to verify identity and employment authorization. Employees whose immigration status or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact the Human Resources Department if you have any questions regarding re-verification of employment authorization. Failure to verify employment authorization may result in termination.

Searches and Alcohol/Drug Testing

Policies CQ, DHE

There is a reduced expectation of privacy in the workplace. The District may search the workplace, including accessing an employee's desk, computer, file cabinets, and work area to obtain information needed for usual business purposes whether the employee is available or unavailable.

In addition, the District may conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. The district may search the employee, the employee's personal items, and work areas including district-owned technology resources, lockers, and private vehicles parked on district premises or worksites or used in district business.

Searches that reveal a violation of the District's standards of conduct may result in disciplinary action. The District may remove an employee from duty and require testing if there is reasonable suspicion that the employee is under the influence of alcohol or drugs used in violation of District policy. The determination of reasonable suspicion may be based on specific observations of the appearance, behavior, speech, or body odors of the employee whose motor ability, emotional equilibrium, or mental acuity seems to be impaired while on duty or other relevant information. Any employee who is asked to submit to a drug or alcohol screening shall be given the opportunity to provide relevant information about prescription or nonprescription medications that may affect the screening. A District employee who refuses to comply with a directive to submit to testing based upon reasonable suspicion shall be subject to disciplinary action, up to and including termination. A District employee confirmed to have violated the District's policy pertaining to alcohol or drugs may be subject to disciplinary action.

Employees Required to Have a Commercial Driver's License - *Policy CNC (Legal)*

To ensure the safety of students, staff, and the general public, all employees who operate a school bus or other commercial motor vehicle must strictly adhere to established safety protocols and comply with all applicable federal, state, and district regulations. This includes:

- **Driver Safety Standards**: All school bus drivers must operate vehicles in a safe, defensive, and lawful manner at all times. Drivers are expected to prioritize student safety and follow all district transportation policies, procedures, and expectations.

- **Compliance with Laws and Guidelines**: Drivers must comply with:

    - Texas Department of Public Safety (DPS) regulations
    - U.S. Department of Transportation (DOT) rules and Federal Motor Carrier Safety Administration (FMCSA) regulations
    - The Texas Commercial Driver License (CDL) Handbook
    - Any specific guidelines or procedures issued by the district's Transportation Department

Employees Required to Have a Commercial Driver's License. In compliance with 49 CFR Part 382, any employee whose duties require a commercial driver's license (CDL) is subject to alcohol and drug testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people counting the driver, drivers of large vehicles, or drivers of vehicles used in the transportation of hazardous materials. Teachers, coaches, or other employees who primarily perform duties other than driving are subject to testing requirements if their duties include driving a commercial motor vehicle.

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

All employees required to have a CDL 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 drug and alcohol policies and related educational material should contact Human Resources. Failure to comply with applicable laws, regulations, district policies, or testing requirements may result in disciplinary action, up to and including suspension or termination of employment."

Health Safety Training

Policies DBA, DMA

District employees who are head directors of a marching band or head coaches or chief sponsors of an extracurricular athletic activity (including cheerleading) that is sponsored or sanctioned by the district or UIL must maintain and submit to the district proof of current certification in first aid and cardiopulmonary resuscitation (CPR) issued by the American Red Cross, the American Heart Association, or another authorized organization that provides equivalent training and certification.

Employees subject to this requirement must submit their certification or documentation to the Assistant Director of Health and Wellness, by the first day of school or the first day of participation, whichever comes first. It is the employee's responsibility to maintain current certification for the entire school year.

Nurses, athletic coaches or sponsors, PE teachers, marching band directors, cheerleading coaches, and other certain employees must obtain and maintain certification in the principles and techniques of cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED) provided by the American Red Cross, the American Heart Association, or another authorized organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to the Assistant Director of Health and Wellness by the first day of school or the first day of the employee's contract, whichever comes first. It is the employee's responsibility to maintain current certification for the entire school year.

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

Reassignments and Transfers

Policy DK

All personnel are subject to assignment and reassignment by the Superintendent or designee when the Superintendent determines that the assignment or reassignment is in the best interest of the district. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract. Campus reassignments must be approved by the principal at the receiving campus except when reassignments are due to enrollment shifts or program changes. Extracurricular or supplemental duty assignments may be reassigned at any time.

An employee with the required qualifications for a position may request a transfer to another campus or department. A teacher requesting a transfer to another campus for the following school year must submit a transfer request on the form provided by the District. Requests for transfer during the school year will be considered only when the change will not adversely affect students, after a replacement has been found, and with the approval of the receiving supervisor. All transfer requests will be coordinated by the Human Resources Department.

Workload and Work Schedules

Policies DEAB, DK, DL

Professional Employees

Professional and administrative employees 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 are distributed each school year and can be found on the Waller ISD Human Resources website under Staff Duty Calendars.

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

librarians are entitled to a duty-free lunch period of at least 30 minutes. The district may require teachers to supervise students during lunch one day a week when no other personnel is available.

Classified Employees
Clerical, paraprofessional, auxiliary, and most other support staff are classified employees and most are employed at-will and receive notification of the required duty days, holidays, and hours of work for their position annually. These employees must be compensated for overtime and are not authorized to work more than their assigned schedule without prior approval from their supervisor. *(See Overtime Compensation*).

ADA Accommodations

Policies DAA, DBB, DIA

The district will provide reasonable accommodations to employees with a disability when the accommodation would enable the employee to perform the essential functions of their job, unless doing so would create an undue hardship for the district.

An employee or supervisor may initiate a request for accommodation by contacting the ADA Administrator and Director of Human Resources, Stephanie Fletcher, or the ADA/Section 504 Coordinator, Angie Campbell Pulido, Chief Human Resources Officer, and identifying the need for an adjustment or change at work due to a disability. Employees may also submit a written request using the ADA Accommodation Request Form, which is available on the Waller ISD Human Resources website under the accommodations section or at the following link: https://www.wallerisd.net/departments/human-resources/accommodations.

Upon receipt of a request, the Director of Human Resources, serving as the ADA Administrator, or designee, will meet with the employee to engage in an informal, interactive process to determine possible reasonable accommodations that may allow the employee to perform the essential functions of the job. The ADA Coordinator provides oversight of the process and final approval of accommodation decisions.

The district may request medical documentation to support the accommodation request and assist in determining appropriate accommodations. Employees are responsible for obtaining the necessary documentation from their health care provider. All medical information will be kept confidential and maintained separately from the employee's personnel file.

After review of the employee's request and supporting documentation, Human Resources, in coordination with the ADA Administrator and under the authority of the ADA/Section 504 Coordinator, will determine whether the employee is a qualified individual with a disability and will develop an appropriate reasonable accommodation plan. Each request will be evaluated on a case-by-case basis. Human Resources will work with the employee and supervisor to ensure that any approved accommodation is implemented effectively.

Breaks for Expression of Breastmilk

Policies DEAB, DG

The district supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk. A place, other than a multiple-user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk will be provided. A reasonable amount of break time will be provided when the employee needs to express milk. For non-exempt 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 Proving 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 ADA Administrator and Director of Human Resources, Sephanie Fletcher.

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 the Human Resources Leave Specialist at (936) 372-4064 to begin the interactive process.

Notification to Parents Regarding Qualifications

Policies DK, DBA

In schools receiving Title I funds, the district is required by the Every Student Succeeds Act (ESSA) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. ESSA also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet the 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 an uncertified substitute, inappropriately certified teacher, or an uncertified teacher. This notice is not required if parental notification 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, including substitutes. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can contact the Human Resources Department.

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.

Administrators. An employee (other than employees primarily responsible for in-class instruction) who has significant administrative duties relating to the operation of a school district, including the operation for a campus, program, or other subdivision of the district, may not receive financial benefits for performing personal services for any business entity that conducts or solicits business with the district. With exceptions as noted below, administrators are also prohibited from receiving financial benefits for performing personal services for any education business that provides services regarding the curriculum or administration of any school district or financial benefits for performing personal services for other school districts, open enrollment charter schools, and education service centers.

Exceptions apply to an administrator who is not a superintendent, assistant superintendent, or member of a board of managers, if the board approves as required by statute. To be approved, services must be performed during the administrator's personal time. Contact Human Resources for more information.

Performance Evaluation

Policy DN Series, DPB Series

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

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

Teachers are evaluated through the Texas Teacher Evaluation and Support System (T-TESS). If a teacher disagrees with the observation summary, the teacher may request a second appraisal by obtaining an official request form from the Human Resources Department and complying with the following process.

For Request of Second Observation Summary:

1. If the teacher is not in agreement with the Observation Summary from the appraiser and wishes to request a second appraisal, the teacher submits the completed Teacher Request for

second Appraisal form to the Human Resources Department within 10 instructional days of receiving the Observation Summary.

2. Within 15 instructional days from the date the Human Resources Department receives the teacher's request, the HR Department assigns the second appraiser from the approved T-TESS list of appraisers. The second appraiser conducts the 45-minute classroom observation.
    - The second appraiser may contact the teacher to obtain pertinent classroom and student information.
    - The second appraiser notifies the teacher of the one-week window in which the observation is to be conducted. Note: this observation is not scheduled by day or time.
3. After completing the observation, the second appraiser completes the Observation Report.
4. Within 10 instructional days following the observation (15 instructional days if extenuating circumstances are determined by the Human Resources representative), the second appraiser holds a post conference with the teacher, reviews the written Observation Report, and each signs the document.
5. The second appraisal is available in the district approved evaluation system, and a copy of the Observation Report is provided to the teacher's appraiser.
6. The second appraisal data will be combined with all other appraisal data for the end of year summative evaluation.

For Request of Second End of Year Conference and Summary Report:

1. Within 15 instructional days from the date the Human Resources Department receives the teacher's request, the second appraiser is assigned, completes the evaluation, and holds an end of year conference with the teacher to review the Summary Report.
    - To evaluate Domain 4, the second appraiser relies upon the cumulative data from the first appraisal, other observations, walk-throughs, the Goal Setting and Professional Learning Plan documentation, and any other relevant documents (e.g. parent communications, professional improvement plan(s), performance memo(s), etc.)
2. The second appraiser provides a copy of the Summary Report to the teacher and the teacher's appraiser; and to the Human Resources Department for scanning into the teacher's records.

Employee Involvement

Policies BQA, BQB

At both the campus and district levels, Waller 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 Chief Academic Officer at (936) 931-3685.

Staff Development

Policy DMA

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is predominantly campus-based, related to achieving campus performance objectives, addressed in the campus improvement plan, and approved by a campus-level advisory committee. Staff development for non-instructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development. Individuals holding renewable SBEC certificates are responsible for obtaining the required training hours and maintaining appropriate documentation.

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

Policies DEA, DEAA, DEAB

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law.

Employees will be paid according to Waller ISD's compensation plan. All employees receive notice of their pay and work schedules each school year. Classroom teachers, full-time librarians, full-time nurses, and full-time counselors will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular or supplemental duties may be paid a stipend in addition to their salary according to the District's extra-duty pay schedule.

The District pays all salaried employees over the course of 12 months regardless of the number of months employed during the school year. Salaried employees will be paid in equal monthly payments, beginning with the first pay period of the school year. Employees that separate after the last day of instruction will continue to receive paychecks through the end of August.

Employees may contact the Human Resources Department at (936) 931-3685 for more information about the District's pay schedules or their own pay. The District's compensation plan is available in the Human Resources Department.

Paychecks

All employees will receive written notice of their pay and work schedules before the start of each school year. Classroom teachers, full-time librarians, full-time nurses, and full-time counselors will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular or supplemental duties may be paid a stipend in addition to their salary according to the district's extra-duty pay schedule.

All employees are paid semi-monthly; on the 15 and 28 of each month. If the 15 or 28 falls on a weekend, holiday, or another time that the administration building is closed, then the pay date will be the preceding business date. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization. Employees are responsible for regularly reviewing the accuracy of their pay statement and should contact the payroll department if they have any questions. An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated and can be accessed via Skyward Employee Access.

The schedule of pay dates for the 2026-2027 school year follows:

WORK WEEK Saturday 12:00 am - Friday 11:59 pm	PAYROLL DEADLINE Time Sheets & Absences Due	BENEFITS DEADLINE Change File Due Date	PAY DATE
08/08/26 - 08/14/26 08/15/26 - 08/21/26	8/27/2026	9/4/2026	Tuesday, September 15, 2026
08/22/26 - 08/28/26 08/29/26 - 09/04/26	9/11/2026	9/22/2026 Last payroll of fiscal year 2026	Monday, September 28, 2026
09/05/26 - 09/11/26 09/12/26 - 09/18/26	9/25/2026	10/9/2026	Thursday, October 15, 2026
09/19/26 - 09/25/26 09/26/26 - 10/02/26	10/9/2026	10/22/2026	Wednesday, October 28, 2026
10/03/26 - 10/09/26 10/10/26 - 10/16/26	10/23/2026	11/9/2026	Friday, November 13, 2026
10/17/26 - 10/23/26 10/24/26 - 10/30/26	11/6/2026	11/16/2026	Friday, November 20, 2026
10/31/26 - 11/06/26 11/07/26 - 11/13/26	11/20/2026	11/30/2026	Friday, December 04, 2026
11/14/26 - 11/20/26 11/21/26 - 11/27/26	12/4/2026	12/10/2026	Friday, December 18, 2026
11/28/26 - 12/04/26 12/05/26 - 12/11/26	12/18/2026	1/4/2027	Friday, January 08, 2027
12/12/26 - 12/18/26 12/19/26 - 12/25/26 12/26/26 - 01/01/27	1/8/2027	1/22/2027	Thursday, January 28, 2027
01/02/27 - 01/08/27 01/09/27 - 01/15/27	1/22/2027	2/8/2027	Friday, February 12, 2027
01/16/27 - 01/22/27 01/23/27 - 01/29/27 01/30/27 - 02/05/27	2/12/2027	2/22/2027	Friday, February 26, 2027
02/06/27 - 02/12/27 02/13/27 - 02/19/27	2/26/2027	3/3/2027	Monday, March 15, 2027
02/20/27 - 02/26/27 02/27/27 - 03/05/27	3/12/2027	3/19/2027	Thursday, March 25, 2027
03/06/27 - 03/12/27 03/13/27 - 03/19/27 03/20/27 - 03/26/27	4/2/2027	4/9/2027	Thursday, April 15, 2027
03/27/27 - 04/02/27 04/03/27 - 04/09/27	4/16/2027	4/22/2027	Wednesday, April 28, 2027
04/10/27 - 04/16/27 04/17/27 - 04/23/27	4/30/2027	5/10/2027	Friday, May 14, 2027
04/24/27 - 04/30/27 05/01/27 - 05/07/27	5/14/2027	5/24/2027	Friday, May 28, 2027
05/08/27 - 05/14/27 05/15/27 - 05/21/27	5/28/2027	6/8/2027	Tuesday, June 15, 2027
05/22/27 - 05/28/27 05/29/27 - 06/04/27	6/11/2027	6/22/2027	Monday, June 28, 2027
06/05/27 - 06/11/27 06/12/27 - 06/18/27	6/25/2027	7/9/2027	Thursday, July 15, 2027
06/19/27 - 06/25/27 06/26/27 - 07/02/27 07/03/27 - 07/09/27	7/16/2027	7/22/2027	Wednesday, July 28, 2027
07/10/27 - 07/16/27 07/17/27 - 07/23/27	7/30/2027	8/9/2027	Friday, August 13, 2027
07/24/27 - 07/30/27 07/31/27 - 08/06/27	8/13/2027	8/23/2027	Friday, August 27, 2027

*Sept 28, 2026 is last payroll of FY 2026
Any pay owed to employees for work done Sept 1, 2025 - Aug 31, 2026 must be sent to payroll office by noon on Sept 11, 2026 for payment to be included on the Sept 28, 2026 paydate.

Automatic Payroll Deposit

Employees are required to have their paychecks electronically deposited into an account at their financial institution. A notification period of two payroll periods is necessary to activate this service. With direct deposit, an employee's pay will be available on the pay date. Contact the Payroll Department at payroll@wallerisd.net 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) employee contributions
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired in this district after March 31, 1986)
- Court-ordered withholding, including child support and spousal maintenance
- Garnishments, including delinquent federal education loan payments
- FICA alternative plan contributions for temporary and part-time employees not eligible for TRS

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, other supplement insurance benefits offered by the district; and annuities. Salary deductions are automatically made for unauthorized or unpaid leave.

Overpayments: Employees are not entitled to any funds the district overpays. An overpayment occurs if an employee is paid more than the amount the employee should have been paid under the assigned pay grade and applicable supplemental pay. If an overpayment is reported in the current fiscal year, a payment plan will be developed to recoup the payment. Generally, an overpayment will be paid in one pay cycle. However, if this creates an undue hardship for the employee, the district has the discretion to develop a plan for regular payroll deductions in the same fiscal year.

An agreement between an employee and the district must be in place in order to deduct any overpayment.

Overtime Compensation

Policy DEAB, DEC

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

Overtime is legally defined as all hours physically worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. For the purpose of calculating overtime, a workweek begins at 12:00 am on Saturday and ends at 11:59 pm on Friday. Nonexempt employees that are paid on a salary basis are paid for the hours set by the normal work schedule. Hours worked beyond the normal schedule of up to 40 hours will be paid at a regular rate of pay.

Non-exempt employees, with a few exceptions, shall earn compensatory time (also known as “comp time”) in lieu of overtime per Board discretion. Employees who receive “comp” time shall be compensated for overtime (i.e., hours beyond 40 in a workweek) at a time-and-a-half rate with compensatory time off (comp time) or direct pay at the employer's discretion. The following applies to all nonexempt employees:

- Employees can accumulate up to 60 hours of comp time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval, as workload permits, or at the supervisor’s direction.
- Comp time can be taken in any time increment.
- If an employee’s timesheet reflects fewer hours than required, the employee may use available compensatory time, non-duty days (if applicable), vacation days (if applicable), or local leave to cover the shortfall. If no available leave is applied, the employee’s pay will be adjusted (docked) accordingly.
- An employee is required to use comp time before using any other available paid leave (e.g., state, personal, non-duty days)
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration. Supervisors are responsible for the documentation of comp time.

Every effort should be made to exhaust any accrued compensatory time by the end of the employee’s work year. An employee should never have more than 60 hours of compensatory time accrued at one time. Supervisors should make a reasonable effort to allow the employee to take their compensatory time at the employee’s desired time.

Overtime
Overtime must be authorized in advance by a supervisor. Before authorizing overtime, the supervisor is responsible for verifying that funds are budgeted and available by checking with their budget manager and/or the Chief Financial Officer. Overtime will be calculated based on the actual hours recorded and credited to the employee as measured by the True Time system (straight time or at time-and-a-half based on workable hours in the week) and/or any manual timesheets signed by the employee and supervisor.

Training
Training for True Time/processing timekeeping reports is provided prior to the start of school each year or on an “as needed” basis. Requests for training may be directed to the campus or department secretary, the Human Resources Department, or the Business Services Department.

Definitions
Holidays, vacation days, local days, state days, and compensatory time used are not considered hours worked and will be excluded when determining the number of hours actually worked in a workweek for overtime purposes.

Time Clock Guidelines for Non-Exempt Employees

Introduction
Waller ISD uses an electronic time tracking system called True Time that is part of the Skyward system. The electronic time tracking system allows employees to accurately record hours worked and leave taken, while enabling the district to process payroll efficiently and in compliance with federal and state regulations. To ensure the accuracy and effectiveness of the system, all non-exempt employees are required to adhere to the timekeeping guidelines outlined below.

Definition of Non-Exempt Employee
Non-exempt employees are determined by the Fair Labor Standards Act and include positions such as administrative assistants, secretaries, aides, bus drivers/monitors, maintenance workers, school nutrition workers/managers, clerks, etc. Please contact the Human Resources Department if you have questions about specific positions.

Official Time of Record
The True Time electronic timekeeping system and associated work records are the official basis for recording hours worked for non-exempt employees of Waller ISD. However, there will be situations that will require handwritten timesheets as well. In order to ensure consistency of treatment of non-exempt employees, the data recorded in the True Time system shall be considered as the "official" record of the workday. In order for the electronic timekeeping system to work as intended, all non-exempt employees must participate.

Employee Time Reports
The Fair Labor Standards Act (FLSA) requires that employers keep certain records for employees. This includes detailed records on time and payments. An electronic timekeeping system is used to record all hours worked and leave taken during the reporting period for non-exempt personnel. The automated time reports must reflect all regular and extra duty hours worked for the period (including personal leave, compensatory time, holidays, etc.). Adjustments to hours and leave must be posted in a timely manner to avoid errors and omissions that may occur if these adjustments are posted toward the end of the payroll period.

Daily Clock-In/Out Requirements
It is a job requirement that all non-exempt employees must "clock in" in the morning and "clock out" at the end of the workday at their place of work. Under certain conditions (such as training at an off-site location, extracurricular events, etc.), the employee should report time worked to their supervisor to determine the best way to enter this time into True Time.

Other requirements and guidelines include:

- Employees are expected to clock in and out at their scheduled times.
- Employees are expected to use available compensatory time if their hours worked for the week do not meet the scheduled contract hours.
- Clock in/out times are rounded according to the 7-minute rule, unless a department-specific exception has been approved.
- For most positions, lunch is automatically deducted; however, some employees are required to clock in and out for lunch due to the nature of their role.

Falsification, Tampering, and Unauthorized Viewing
Due to the severity of the infractions below, there will be immediate discipline enforced up to and including termination.

- Falsifying time records
- Any attempt to tamper with timekeeping hardware or software.
- Punching in for an absent or late employee (a.k.a. “buddy punching”).
- Anyone interfering with other employees’ use of the True Time system.
- Unauthorized viewing of another employee’s time in the True Time system.

The supervisor and the Human Resources Department will review the specific details of such an infraction (including but not limited to the above infractions) and develop an appropriate response.

Clock Problems
If an employee is unable to punch in or out because of a time clock malfunction or accidental oversight, it is the employee’s responsibility to immediately inform the supervisor. In this situation, the employee will use a district computer to ‘manually’ clock in or out. The supervisor will then notify technology if there is a malfunction with the time clock system.

Unreported Hours
All work performed by non-exempt employees must be authorized by a supervisor. Intentional or careless working off the clock is not allowed. Non-exempt employees are required to clock in and out due to performing any work, and this can be done via the Internet in True Time should a clock not be available. Forgetting to clock in or out is not a legitimate reason for working off the clock. Employees that underreport or fail to report hours worked are subject to disciplinary action. Once an employee has clocked in, he/she is responsible for starting work. Personal matters or simply not working while clocked in is considered “riding the clock” and could be grounds for disciplinary action.

Processing of Electronic Time Reports

Non-exempt employees are required to submit their weekly timesheets through True Time to their supervisor or designee each Friday. Supervisors or designees are responsible for reviewing these timesheets by Monday afternoon to verify the accuracy of reported hours for the previous week. If the timesheet is accurate and complete, the supervisor or designee will approve and submit it to Payroll. If the supervisor or designee identifies any issues or discrepancies, the timesheet may be denied, and a reason for the denial must be provided. The employee will then have the opportunity to revise and resubmit the corrected timesheet by the deadline outlined in the district’s Payroll Calendar.

If a non-exempt employee does not submit a completed timesheet by the payroll deadline, the Human Resources Department will contact the employee to obtain the missing information. If the employee is unable or fails to submit the timesheet, Human Resources will prepare and submit it on the employee’s behalf using available and verifiable documentation. The employee remains responsible for reviewing and confirming the accuracy of all reported time, regardless of who completes the entry. When necessary to fulfill the required weekly work hours, additional time and/or days may be added to the timesheet in the following order, as applicable:

1. Compensatory Time (if available)
2. Non-Duty/Vacation Days (if available)
3. State Sick Leave accrued prior to the 1995–1996 school year
4. Local Personal Leave
5. State Personal Leave (only in half- or full-day increments)

Once the timesheet has been submitted by the Human Resources Department, it is considered final and no additional changes or corrections will be accepted.

Disputes Over Time Clocked In or Out
If a dispute over a clock in/out time arises (by the employee, supervisor, or another person), the dispute will be properly documented by the supervisor (to include any use of security video to substantiate any claims). The supervisor will work alongside the Human Resources department and the employee to rectify the dispute.

Compensatory Time
Compensatory time earned is based on hours worked in excess of the normal work hours for the week. For example, assuming there are 37.5 work hours in the week, and hours worked exceed this limit, the excess hours between 37.5 hours and 40 hours will be accrued at straight time (hour for hour) as compensatory time and those excess hours above 40 will be accrued at time-and-a-half as compensatory time. The employee **must** have the supervisor approve compensatory time before the performance of work. Employees must use compensatory time before utilizing any other type of state or local paid leave, non-duty days, or vacation days.

Clock in for Exempt Staff For Supplemental Duties
There are instances where exempt employees will be required to clock in and out and abide by all timekeeping rules for supplemental duties. These duties typically occur outside of the contractual duty calendar for the employee and are accompanied by an extra duty pay agreement.

Travel Expense Reimbursement

Policy DEE

Before an employee incurs any travel expenses, the employee's immediate supervisor and the budget manager (if different from the supervisor) must give written approval via the Travel Request Form and a district-issued purchase order. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the district. Employees must submit receipts, to the extent possible, to be reimbursed for allowable expenses other than mileage. More information regarding specific travel procedures can be found on the WISD Staff Portal - Business Services.

Health, Dental, and Life Insurance

Policy CRD

Group health insurance coverage is provided through TRS-ActiveCare, the statewide public school 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 in their insurance coverage during open enrollment each year or within 30 days of a qualifying event (e.g., marriage, divorce, birth). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements can be found at https://wallerisd.fbmcbenefits.com/

Supplemental Insurance Benefits

Policy CRD

At their own expense, employees may enroll in supplemental insurance programs for dental, vision, supplemental life insurance, long-term disability, accident, critical illness hospital indemnity, cancer, legal, identity protection, medical transportation, and telemedicine. Premiums for these programs will be paid by payroll deduction. More information can be found at https://wallerisd.fbmcbenefits.com/

Cafeteria Plan Benefit (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 (e.g., disability, accidental death and dismemberment, cancer, dental, and additional term life insurance). A third-party administrator handles employee claims made on these accounts. New employees must accept or reject this benefit during their first month of employment. All employees must accept or reject this benefit on an annual basis and during the specified time period.

Flexible Spending Accounts

Employees may be eligible to participate in flexible spending accounts, including medical reimbursement and dependent care reimbursement accounts. These accounts enable eligible employees to save tax dollars on eligible medical expenses and/or dependent care. The amount selected by the employee is deducted from the employee's paycheck before taxes are deducted. Under IRS regulations this election is locked in for the plan year and cannot be changed during that time. A third-party administrator manages the accounts for reimbursement to the employee. New employees must accept or reject this benefit within 30 days from the date of hire. All employees must accept or reject this benefit on an annual basis and during the specified time period.

Workers' Compensation Insurance

Policy CRE

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to the employee's direct supervisor and to the Leave Specialist in the Human Resources Department. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. The district has workers' compensation coverage from Texas Mutual Insurance Company and participates in the WorkWell Network. Employees must use a doctor within the network for a work-related injury. Failure to do so may result in the employee having to pay for the claim themselves.

Unemployment Compensation Insurance

Policy CRF

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

Teacher Retirement

All personnel employed on a regular basis for at least one-half of the normal work schedule 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 TRS and the Human Resources Department as soon as possible. Information on the application procedures for TRS benefits are available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778. TRS information is also available online at https://www.trs.texas.gov/Pages/Homepage.aspx.

Other Benefit Programs

Tuition-Free Attendance
Children of district employees who do not live within the district boundaries may attend district schools tuition-free. Please contact the Assistant Superintendent of Elementary or Secondary schools.

Pre-K
Waller ISD (WISD) will provide the opportunity for staff members to enroll their 4-year-old child in the district's pre-kindergarten (pre-k) program during the 2026-2027 school year. Space for full-time staff children in pre-k is limited based on the number of qualified students who are enrolled through the regular enrollment process and class size availability. Contact the Assistant Superintendent of Elementary for more information.

Athletic Event Admission
District employees shall be admitted free to home athletic events with proof of employment (e.g. Waller ISD employee identification badge).

Leaves and Absences

Policies CRD, DBB, DEC, DECA, DECB, DED, DG

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 have personal needs that will require extended leaves of absence of more than 5 days should call the Leave Specialist in the Human Resources Department at (936) 372-4064 for information about applicable leave options, continuation of benefits, and requirements for communicating with the district.

Excessive absences are a reason for nonrenewal or termination of a contract or termination of an at-will employee. Excessive means absences that are not in compliance with policies and procedures for taking available local, state, or federal leave.

For purposes of leave, an employee who is regularly scheduled to work 30 hours or more per week is considered full time. State leave hours shall be recorded in whole workdays and half work days only. Employees in positions eligible for substitutes will be charged leave as used, regardless of whether a substitute is employed. The option to be docked a half or full day in lieu of using available paid leave is not permitted.

Employees may elect the order in which they use leave. Non-exempt employees should use earned comp time and non-duty time (if applicable) before any available paid state and local leave is used. The reason for the absence must meet the criteria of the leave elected. If employees do not elect the type of leave they wish to use, or if they do not have sufficient balance in the type of leave they elect, the District will apply leave in the following order, if applicable:

- Compensatory Time (if applicable)
- Non-Duty/Vacation Days (if applicable)
- State Sick Leave accrued before the 1995-1996 school year
- Local Personal Leave
- State Personal Leave

If no leave is available, the employee's pay will be docked.

Employees must follow District and department or campus procedures to report or request any leave of absence and complete the appropriate leave request form(s). In addition, employees are required to report all absences through Skyward Employee Access prior to the scheduled absence. If a campus substitute is needed, the absence must also be reported in Red Rover prior to their absence. Employees should enter their own absences and select the type of leave day that should be used. In the event that an employee is unable to report an absence, the employee must make arrangements with campus/department administrators to have the absence immediately entered into the system. Leave is posted using information recorded in this system and will not be changed at a later date if incorrect information was submitted, except under special circumstances. Therefore, it is imperative that the absence is carefully selected and employees review the order of usage as outlined above. The initial submission of the leave type determines how leave is applied based on the balance in the employee's leave banks. If an employee takes leave in excess of the amount earned, the employee's pay will be deducted for the time missed based on their pay rate**.**

Any unapproved absences beyond accumulated or available paid leave shall result in deduction from the employee's pay.

If an hourly employee does not report or request a leave of absence(s) according to district procedures, the incident is considered a "no call/no show". An employee who is absent for 3 consecutive days without notice is considered to have abandoned their job and may face disciplinary consequences up to and including termination.

Leave Proration – If an employee separates from employment with the District before his/her last day of the school year or begins employment after the first duty day of the school year, state personal leave and local leave shall 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: (1) the amount of state personal leave the employee used beyond his/her earned entitlement for the school year; and (2) the amount of local leave the employee used but had not earned as of the date of separation. If an employee uses more local leave than he/she earned and remains employed with the District through his/her last duty day, the District shall deduct the cost of the excess leave days from the employee's pay.

Illnesses and Reporting to Work – Employees with medical diagnosis from a physician for conditions including but not limited to COVID, COVID variants, Monkeypox, Flu, Bronchitis, Strep Throat, Stomach Flu, etc. should follow their physician's orders, and earned or accrued leave must be used accordingly. There is no special reporting requirement for a diagnosis of COVID. Employees must be fever-free, diarrhea-free, and vomit-free for 24 hours before returning to District facilities. The definition of fever-free is below 100.0 Fahrenheit. When employees are well, they are expected to report to work. When employees are ill and have a medical diagnosis with a physician's orders, they should remain at home.

Medical Certification

An employee must submit medical certification of the need for leave as follows:

1. When the employee is absent more than five consecutive workdays because of personal illness or illness in the immediate family.
2. When the supervisor, Leave Specialist, or Superintendent deems it necessary or when there is a questionable pattern of absences.
3. When the employee requests leave under the Family and Medical Leave Act (FMLA), for the employee's serious health condition, a serious health condition of the employee's spouse, parent, or child, or for military caregiver leave.

The medical certification must be from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and, in the case of a personal illness, the employee's fitness to return to work. The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we ask that employees and healthcare 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.

The district shall continue to contribute any portion of the employee's premium it usually pays for an employee's group health insurance while the employee is receiving district-paid leave benefits to which he or she is entitled under district policy and while the employee is using unpaid family medical leave. The district shall not expend public funds for group health insurance coverage of an employee who is not receiving paid leave benefits or compensation from the district, except as required by the Family and Medical Leave Act. When an employee is placed on unpaid leave of absence (other than family and medical leave) after paid leave is exhausted, the employee shall be allowed to continue the group health insurance at his or her own expense, by paying premiums in advance, for a period not to exceed six months. If at the end of that period, the employee is still on an unpaid leave of absence, COBRA coverage shall be offered. Otherwise, the district does not make benefit contributions for employees who are not on active payroll status.

Under TRS-Active Care rules, an employee is no longer eligible for insurance through the district after six months of unpaid leave other than family and medical leave. If an employee's unpaid leave extends for more than six months, the district will provide the employee with notice of COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985) rights. COBRA is a continuation of plan coverage when coverage would otherwise end because of a life event known as a qualifying event. Qualified COBRA beneficiaries who elect continuation coverage must pay the entire cost of the coverage. For details regarding qualifying events or costs, employees should contact the Payroll & Benefits Office at (936) 372-4037.

Extended Absences and Exhausted Leave
If an employee is not eligible for Family and Medical Leave (FML), Temporary Disability Leave, or other applicable leave provisions and is unable to return to work, the district will automatically apply all remaining leave balances. If the employee remains unable to return after all leave has been exhausted, a recommendation for termination of employment may be made.

Resignation or Termination:

- The district will prorate any accrued state and local days, if an employee resigns or is terminated before completing their scheduled work calendar. If the employee has used more leave than earned, adjustments will be made by applying available earned leave in this order: vacation, local, and state leave.
- If an employee submits a resignation with a future effective date but fails to report to work without approved leave, the employee will be docked for each day of unexcused absence(s). Additionally, the employee forfeits the right to apply any available leave after the effective end date of employment.

Any employee who is absent more than (5) five consecutive days because of a personal or family illness must submit a medical certification to your supervisor 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. Any unapproved absences or absences beyond accumulated or available paid leave shall result in a deduction from the employee's pay.

Supervisors of employees will attempt to reach the no-call/no-show staff member by phone and email in an attempt to reach the employee. After 3 attempts, the supervisor will notify Human Resources. Human Resources will attempt to reach emergency contacts for the employee. If all attempts are unsuccessful, the employee will be sent a termination notice by mail.

Earned Leave – Contract employees should be aware that early in each new contract period the Payroll Department posts the advanced state personal and local leave days that may be earned for that contract period on the paycheck stub. Local leave is provided to employees based upon Waller ISD Board Policy DEC (Local).

Availability of Leave
Leave shall not be approved for more work days than have been accumulated in prior years plus those earned during the current year. Leave for the current year shall be available for use at the beginning of the school year.

State Personal Leave

State law entitles all eligible employees to five days of paid personal leave per year. State personal leave is available for use at the beginning of the school year. A day of earned personal leave is equivalent to the number of hours in an employee's usual assigned workday, whether full-time or part-time. There is no limit on the accumulation of state personal leave, and it can be transferred to other Texas school districts and is generally transferable to education service centers. The Board requires employees to differentiate the manner in which state personal leave is used: non discretionary and discretionary.

Nondiscretionary
Nondiscretionary use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See *DEC* (LEGAL)] Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered non discretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.

If non-discretionary leave is used on a day immediately before or after a school holiday, a state-mandated testing day, or a staff development day, the employee may be required to provide documentation to support the absence. Acceptable documentation may include a doctor's note, an obituary, or other appropriate evidence, as requested by a supervisor.

Discretionary
Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.

In deciding whether to approve or deny a request for discretionary use of state personal leave, the supervisor shall not seek or consider the reasons for which an employee requests to use leave. The supervisor shall, however, consider the duration of the requested absence in conjunction with the effect of the employee's absence on the educational program and District operations, as well as the availability of substitutes.

Discretionary use of state personal leave shall not exceed three consecutive workdays.

An employee wishing to take discretionary personal leave must submit a notice of the request to his or her principal or supervisor (3) three days in advance of the anticipated absence.

Discretionary personal leave shall not be allowed for instructionally related personnel the day before a school holiday or after a school holiday, state mandated testing day, and staff development days, unless approved by the Superintendent or designee.

Local Leave

Policy DEC (Local)

Each full-time employee shall earn local leave in accordance with the following administrative regulations:

- An employee in a position that requires 10 months of service shall earn five local paid leave days.
- An employee in a position that requires 11 months of service shall earn six local paid leave days.
- An employee in a position that requires 12 months of service shall earn seven local paid leave days.

Local leave shall accumulate without limit.

Local leave shall be used according to the terms and conditions of state sick leave accumulated before the 1995-96 school year, except that an employee may donate local leave to a sick leave pool. [See *DEC (Local)* and State Sick Leave Section]

Reimbursement at Retirement
An employee who retires from the District shall be eligible for payment for accumulated local leave. The employee shall receive payment for each day of accumulated local leave, to a maximum of 50 days, at the current daily rate of pay for a substitute. If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee.

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

An employee is considered officially retired from the district once the district receives formal

confirmation of retirement from the Teacher Retirement System (TRS), including the TRS retirement certification form.

Definition of "Immediate Family"

The term "immediate family" is defined as:

1. Spouse
2. Son or daughter, including a biological, adopted, 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*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee's household at the time of illness or death.

For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son or daughter, and next of kin are found in DECA(LEGAL).

State Sick Leave (Accumulated prior to 1995)

District employees retain any sick leave accumulated as state minimum sick leave under former Section 13.904(a) of the Education Code. Accumulate sick leave may be used for the following reasons only:

- Illness of the employee.
- Illness of a member of the employee's immediate family.
- Family emergency.
- Death in the employee's immediate family.
- During military leave [see Use During Military Leave, below].

Order of Use
A board's policy governing an employee's use of state personal leave may not restrict the order in which an employee may use state personal leave and any additional personal leave provided by the school district. An employee who retains any state sick leave is entitled to use the state sick leave, state personal leave, or local personal leave in any order to the extent that the leave the employee uses is appropriate to the purpose of the leave.

Use During Military Leave
An employee with available personal leave is entitled to use the leave for compensation during a term of active military service. "Personal leave" includes personal or sick leave available under former law or provided by local policy. Education Code 22.003(d), (e) [See DECB]

Vacation

Policy DED (Local)

Eligible employees in positions normally requiring 261 days of service annually shall receive paid vacation days in accordance with administrative regulations that address the following:

- Eligibility Criteria
- Accrual rates and availability;
- Request and approval process;
- Accumulation and carryover limits; and
- Treatment of vacation days upon separation from service

Employees on a 261-day work schedule are eligible for up to five (5) paid vacation days upon completion of their first year of employment, granted on their work anniversary date. Beginning with the second anniversary and each year thereafter, eligible employees will receive ten (10) paid vacation days annually, also awarded on their work anniversary. Use of vacation days must be approved by the employee's supervisor. Vacation days will not carry over each work anniversary year and are unpaid upon separation from the district.

Holidays

Eligible employees in positions normally requiring 261 days of service annually shall receive 10 paid holidays in accordance with the employee's duty calendar. The specific calendar dates may vary each year depending on the official 261 day duty calendar, but typically occur around August 16 of the current year and August 15 of the following year.

Non-duty Days

Employees in positions that require 226 workdays annually are eligible for non-duty days each year. Non-duty days are not considered paid leave; rather, they are designated non-workdays built into the annual work calendar. The number of non-duty days may vary each year based on the approved district calendar. These days may be used at any time during the calendar year with prior approval from the employee's supervisor. Non-duty days for each new work year are granted on July 1 and must be used by June 30 of the following year. Unused non-duty days do not carry over, and employees may not borrow non-duty days from future years. If a non-exempt employee has exhausted all comp time, non-duty days should be used prior to electing state or local leave.

Non-Duty Day Allocation for Late Hires

Employees assigned a work calendar that includes non-duty days for use during the contract year (July 1–June 30) will receive access to those days only if there is a reasonable opportunity to utilize them prior to June 30. Employees hired on or after April 1 of the applicable contract year will not receive non-duty days in their leave balance. Instead, the District will compensate the employee through payroll for the value of the non-duty days through June 30th.

Temporary Disability Leave

Policy DEC (Local)

Employees in the district are eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time staff 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.

Any full-time employee whose position requires educator certification by the State Board for Educator Certification (SBEC) or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. Any full-time employee whose position does not require educator certification by SBEC or by the District shall also be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 60 calendar days upon approval of the Superintendent. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.]

Employees must request approval for temporary disability leave. An employee's notification of a 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. An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Leave Specialist as a request for temporary disability leave. The District shall require the employee to use temporary disability leave and paid leave, including any compensatory time, concurrently with FMLA leave.

When an employee is ready to return to work, the Leave Specialist in the Human Resources Department should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties. Certified employees returning from leave will be reinstated to the school to which they were previously assigned if an appropriate position is available. If an appropriate position is not available, the employee may be assigned to another campus, subject to the approval of the campus principal. If a position is not available before the end of the school year, the employee will be reinstated to a position at the original campus at the beginning of the following school year.

Professional Leave (School Business Leave)

"Professional Leave" is leave granted for the purpose of enabling an employee to participate in professional activities (e.g., teacher workshops or serving on professional committees) which can serve to improve the school District's instructional program or enhance the employee's ability to perform his duties. Professional leave may be used in half or full day increments. Any employee seeking professional leave must make a written request to his or her immediate supervisor, setting forth the information necessary for the supervisor to make an informed decision. The supervisor's decision is subject to review and overruling by the superintendent. Budgeting concerns and the potential benefit for the District's students will be taken into consideration in reviewing a request for professional leave. **Note: Professional leave cannot be used to take a certification test.*

Sick Leave Pool

The purpose of the Waller ISD Sick Leave Pool is to provide additional sick leave days to district employees who have exhausted all paid leave and vacation days as well as any applicable compensatory time and who suffer from a catastrophic illness or injury or are absent due to the catastrophic illness or injury of a member of the employee's immediate family. The sick leave pool program allows employees to voluntarily donate a maximum of three (3) accrued state or local sick leave days per school year to any one employee per donated request. If the employee is unable to request donated leave, a member of the employee's immediate family or the employee's supervisor may submit the request.

In order to request sick leave pool days, staff must submit a sick leave pool request form and a certification of healthcare provider form *(medical certification)* to the Human Resources Leave Specialist. All requests will be anonymously presented to a sick leave pool committee for review and approval. Details on sick leave pool procedures and committee guidelines can be found on the Waller ISD Human Resources website, under Sick Leave Pool Information.

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 who work for a covered employer 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,
- To bond with a child (leave must be taken within one year of the child's birth or placement),
- 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 a covered service member's spouse, child, parent, or next of kin may also take up to 26 work weeks of FMLA leave in a single 12-month period to care for the service member with a serious injury or illness.

You have the right to use FMLA in one block of time. When it is medically necessary or otherwise permitted, employees may take FMLA leave intermittently in separate blocks of time, or on a reduced

schedule by working fewer hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is ***not* paid leave**. FMLA leave shall run concurrently with applicable paid leave and compensatory time, as applicable. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

Am I eligible for 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 for at least 12 months;
- You have at least 1,250 hours of service in the 12 months before taking leave; and
- Your employer has at least 50 employees within 75 miles of your work location

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.

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

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.

Local Procedures for Implementing Family & Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period beginning on the first duty day of the school year.

Requests for Family and Medical Leave
Forms for applying for a Family and Medical Leave are available to employees from the Leave Specialist in the Human Resources Department. Family and Medical Leave forms are to be submitted to the Waller ISD Leave Specialist.

Upon receipt by the Leave Specialist of a request for Family and Medical Leave and appropriate medical certification, the Leave Specialist will determine the employee's eligibility for the Family and Medical Leave. The employee and his/her principal or supervisor will be notified in writing of the approval or denial of the requested Family and Medical Leave.

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.

Failure to submit proper medical certification, if required, or to timely notify the Leave Specialist of an employee's absences due to a qualifying serious health condition, may result in the denial of a Family and Medical Leave. [See Policy DEC (LEGAL)]

Family Emergency
The term "family emergency" shall be limited to natural disasters and life-threatening situations involving the employee or a member of the employee's immediate family.

Catastrophic Illness or Injury
A catastrophic illness or injury is a life-threatening condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee's immediate family that requires the service of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time and, if applicable, vacation days earned by that employee and to lose compensation from the district. Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Complications resulting from pregnancy shall be treated the same as any other condition.

Use of Paid Leave
Family & Medical Leave (FML) runs concurrently with accrued sick and personal leave, temporary disability leave, compensatory time, assault leave, and absences due to a work-related illness or injury. The district will designate the leave as FML, if applicable, and notify the employee that accumulated leave will run concurrently. Teachers have the option of not using paid leave during an FML absence for pregnancy or birth or adoption of a child.

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

Intermittent Leave
When medically necessary or in the case of a qualifying emergency, 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, for adoption, or the placement of a child with the employee.

Certification of Leave
When an employee requests leave, the employee shall provide certification of the need for leave, in accordance with FMLA regulations.

Fitness for Duty
An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. When leave is taken for the employee's own serious health condition, the certification must address the employee's ability to perform essential job functions. 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 employee's group health insurance and reinstate the employee at the end of the leave according to the procedures outlined in policy [see DECA (LEGAL)].

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

District Contact
Employees that require Family Medical Leave (FML) or have questions should contact the Leave Specialist in the Human Resources Department for details on eligibility, requirements, and limitations.

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 a possible assault is a work-related injury and should be immediately reported to the campus principal or immediate supervisor as well as the Leave Specialist in the Human Resources Department. An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person non-responsible for purposes of criminal liability.

An 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.

Jury Duty

Policy 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 with a copy of the summons to document the need for leave.

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

Compliance with a Subpoena

Policy DEC

Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance. Absences for court appearances related to an employee's personal business shall be deducted from the employee's personal leave or shall be taken by the employee as leave without pay.

- If the subpoena is school-related, the employee may use professional leave.
- If the employee is subpoenaed as a witness by state or federal authorities for an incident unrelated to school business, they must contact Human Resources to determine the appropriate leave classification.
- If the court appearance is for personal matters, the employee must use available personal leave or take leave without pay if no personal leave is available.

Upon receiving a subpoena, employees must immediately notify their direct supervisor and the Chief Human Resources Officer or Director of Human Resources. Documentation may be required to verify the need for leave. When possible, subpoenaed records should be submitted in advance to assist with scheduling and employee attendance.

Bereavement (Funeral) Leave

Use of state and/or local sick leave for a death in the immediate family shall not exceed five (5) workdays per occurrence, subject to the approval of the district. Leave for attending a funeral of a person other than one defined as a family member may be approved as discretionary leave if available. Such leave shall not be granted without prior approval of the District.

Truancy Court Appearances

An employee who is a parent or guardian of a child and any 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.

Workers' Compensation Benefits

The safety and welfare of all employees is a primary concern of the Waller Independent School District and the Board of Education. Safe working conditions and practices are of vital importance to the district and each one of its employees. While a continuing partnership must exist between the employer and the employee to provide a safe and injury-free workplace, the district provides workers' compensation insurance benefits for any employee who is injured or becomes disabled or ill as a result of his or her employment responsibilities with Waller Independent School District.

Insurance Coverage and Application

All active employees are provided the benefits of Waller Independent School District's workers' compensation plan. Workers' compensation insurance benefits are applicable only for job-related injuries or illness sustained while an employee is engaged in his or her own authorized duties. An employee who is absent from duty because of a job-related illness or injury may be eligible for worker's compensation weekly income benefits if the absence exceeds seven calendar days.

An employee absent because of a job-related injury or illness shall be assigned to family and medical leave, Temporary Disability Leave, if applicable. An employee eligible for workers' compensation wage benefits, and not on assault leave, shall indicate whether he or she chooses to:

1. Receive workers' compensation wage benefits; or
2. Use available paid leave. Workers' compensation wage benefits shall begin when:
    a. Paid leave is exhausted; or
    b. The employee elects to discontinue the use of paid leave; or

If an employee is hurt on the job and lives in a service area described in the Notice of Network Requirements from Workwell, TX, the employee understands that:

1. They must choose a treating doctor from the list of doctors in the network. Or, they may ask their HMO primary care physician to agree to serve as their treating doctor. If the employee selects their HMO primary care physician as the treating doctor, they will call Texas Mutual Insurance Company at (800) 859-5995 to notify them of their choice.
2. The employee must go to their treating doctor for all health care for their injury. If a specialist is needed, the treating doctor will refer the employee to a specialist. In case of emergency care, the employee may go anywhere.
3. Texas Mutual will pay the treating doctor and other network providers for the treatment for the compensable injury.
4. The employee may have to pay the bill if they get health care from someone other than a network doctor without prior network approval.

Knowingly making a false workers' compensation claim may lead to a criminal investigation that could result in criminal penalties such as fines and imprisonment.

When to Report

The principal or immediate supervisor is responsible for reporting an employee injury to the Employee Benefits office within 24 hours following the incident. Fatal or serious injuries must be reported at once by telephone by calling the Human Resources Leave Specialist.

Military Leave

Paid Leave for Military Service
Any employee who is a member of the Texas National Guard, Texas State Guard, a reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to 15 days of paid leave per fiscal year when engaged in authorized training or duty orders 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 a time of active military service.

Reemployment after Military Leave
Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment within the time specified by law to the Human Resources Department. 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. Contact the Payroll & Benefits Office at (936) 372-4035.

Mental Health Leave for Peace Officers and Licensed Telecommunicators

Districts employing peace officers and licensed telecommunicators are required to provide these employees with paid mental health leave. Include a description of the leave benefits based on Policy DEC(LOCAL), local leave regulations, and applicable procedures.

Complaints and Grievances

Policy DGBA

In an effort to hear and resolve employee concerns or complaints in a timely manner and at the lowest administrative level possible, the board has adopted an orderly grievance process that all employees must follow. Employees are encouraged to discuss their concerns or complaints with their supervisors or an appropriate administrator at any time. The District does not prohibit employees from communicating with a member of the Board regarding District operations, unless there is a pending hearing or appeal, at which time such communication would be inappropriate.

The formal grievance process provides all employees with an opportunity to be heard by the highest level of management if they are dissatisfied with an administrative response. Once all administrative grievance procedures are exhausted, employees can bring concerns or complaints to a mediator who will make a recommendation to the board of trustees. For ease of reference, the district's policy concerning the process of bringing concerns or complaints and grievances is reprinted as follows or may be accessed from the District's website at www.wallerisd.net > *About WISD* > *Board of Trustees* > *Board Policies.* Grievance forms can be obtained by requesting a copy from the Human Resources Director, Stephanie Fletcher at sfletcher@wallerisd.net.

Complaints
In this policy, the term "complaint" and "grievance" shall have the same meaning.

Other Complaint Processes
Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process has been followed:

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability), shall be submitted in accordance with DIA.
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with DIA.
4. Complaints concerning instructional resources shall be submitted in accordance with the EF series.
5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with the CKE series.
6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.
7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.

Notice to Employees

The District shall inform employees of this policy through appropriate District publications and on the District's website.

Informal Process
The Board encourages employees to discuss their concerns with their supervisor, principal, or other appropriate campus or District administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

If an employee has engaged in the informal process in an attempt to resolve the complaint with the District and has not reached a resolution during the process, the employee must file a complaint within 15 business days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance. All deadlines shall be strictly followed unless otherwise required by law or modified by mutual written consent.

Deadline Extensions
All deadlines shall be strictly followed unless otherwise required by law or modified by mutual written consent.

Formal Process
An employee may initiate the formal process described below by timely filing a written complaint form. The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

The complaint form shall be filed with the lowest level administrator who has the authority to remedy the alleged problem. In most circumstances, the employee shall file Level One complaints with the campus principal for any complaint on a matter related to a campus. For a complaint that arises on a matter that is unrelated to a campus, the complaint shall be filed with the appropriate District level administrator.

If the subject matter of the complaint requires a Board decision, is a complaint about a Board member, or is a complaint about the Superintendent, the complaint shall be initiated at the Board level. A preliminary hearing to develop a record or recommendation for the Board may be conducted by an appropriate administrator.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

Option to Continue Informal Process
Even after initiating the formal complaint process, the employee is encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.

Notice of Complaint
A district employee against whom a complaint has been filed shall be provided notice of the complaint in accordance with administrative regulations. The employee shall have sufficient opportunity to submit a written response to the complaint that shall be included in the record of the complaint.

Freedom from Retaliation
Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.

Whistleblower Complaints
Whistleblower complaints shall be filed within the time specified by law and may be made beginning at Level Two. Timelines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. [See DG]

Complaints Against Supervisors
Complaints alleging a violation of law by a supervisor may be made to the Superintendent. Complaints alleging a violation of law by the Superintendent may be submitted directly to the Board or Board's designee.

Direct Communication with Board Members
Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.

General Provisions

Filing
Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three business days after the deadline.

Scheduling Hearings
The District shall make reasonable attempts to schedule hearings at a mutually agreeable time. If the employee fails to appear at a scheduled hearing, the District may hold the hearing and issue a decision in the employee's absence.

Decision
A“decision” shall mean a written communication to the employee from the appropriate administrator that provides an explanation of the basis of the decision, an indication of each document that supports the decision, and any relief or redress to be provided. A decision shall be issued on the merits of the concern raised in the complaint notwithstanding any procedural errors or the type of relief or redress requested.

The decision shall also include information regarding the filing of an appeal in accordance with this policy. After a hearing at Level Three, the decision shall include information on submitting an appeal to the commissioner.

A “decision” may be hand-delivered, sent by electronic communication to the employee’s email address of record, or sent by U.S. Mail to the employee’s mailing address of record. Mailed decisions shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Representative
“Representative” shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent the employee in the complaint process.

The employee may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three business days’ notice to the District before a scheduled hearing, the District may reschedule the hearing to a later date, if desired, in order to include the District’s counsel. The District may be represented by counsel at any level of the process.

Consolidating Complaints
To promote efficiency in addressing complaints, the appropriate administrator shall determine if separate or serial complaints arising from an event or series of related events shall be consolidated.

Costs Incurred
Each party shall pay its own costs incurred in the course of the complaint.

Complaints and Appeal Forms
Complaints and appeals under this policy shall be submitted on a form provided by the District.

Copies of any documents that support the complaint should be included with the complaint form. If the employee does not have copies of these documents, copies may be presented at the Level One hearing. After the Level One hearing, the employee may supplement the record with additional documents or include additional claims.

Record
A record of each complaint hearing shall be created and retained in accordance with this policy. The record shall include documents submitted by the employee who filed the complaint, documents determined relevant by District personnel, and the decision.

Remand
A complaint or appeal form that is incomplete in any material aspect shall be refiled, if at Level One, and remanded at all other levels in order to develop an adequate record of the complaint.

If an adequate record has not been developed, the appropriate administrator may remand the complaint to a lower level. The Board or Board committee may remand a complaint to a lower level if at the Board level of review an adequate record has not been developed.

Assignment of Hearing Officer
When a District employee is the subject of a complaint, the hearing shall be conducted by an administrator who is in a supervisory or higher organizational role. The District employee who is the subject of the complaint shall recuse themselves from reviewing the complaint at any level in the process.

Investigation
The District may conduct an investigation at any level in the complaint process. If the District and the employee mutually agree, all deadlines shall be suspended during an investigation.

Audio Recording
As provided by law, an employee shall be permitted to make an audio recording of a hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.

Complaint Levels

Level One
At Level One, the appropriate hearing officer shall hold a hearing with the employee within 10 calendar days after receipt of the written complaint. The hearing officer may set reasonable time limits for the hearing.

The hearing officer shall provide the employee a decision within 20 calendar days following the hearing. In reaching a decision, the hearing officer may consider information provided with the complaint form and any other relevant documents or information the hearing officer believes will help resolve the complaint.

Level Two
If the employee did not receive the relief requested at Level One or if the time for a decision has expired, the employee may request a hearing at Level Two to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the district, within 20 calendar days of the date of the Level One decision or, if no decision has been communicated to the employee, within 20 calendar days of the Level One decision deadline.

After receiving notice of the appeal, the Level One hearing officer shall prepare and forward a record of the Level One complaint to the Level Two hearing officer and provide a copy of the Level One record to the employee.

The Level One record shall include:

1. The original complaint form and any attachments.
2. Any other documents submitted by the employee at Level One.
3. If the complaint is against a District employee, the written response of the District employee, if any.
4. The decision issued at Level One and any attachments.
5. All other documents relied upon by the Level One hearing officer in reaching the Level One decision.

The hearing officer shall hold a hearing within 10 calendar days after the appeal notice is filed. The hearing officer may set reasonable time limits for the hearing.

The hearing officer shall provide the employee a decision within 20 calendar days following the hearing. In reaching a decision, the hearing officer may consider the Level One record, any additional information provided prior to the Level Two hearing, and any other relevant documents or information the hearing officer believes will help resolve the complaint.

Recordings of the Level One and Level Two hearings, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the employee did not receive the relief requested at Level Two or if the time for a decision has expired, the employee may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within 20 calendar days of the date of the Level Two decision or, if no decision has been communicated to the employee, within 20 calendar days of the Level Two decision deadline.

Unless the Board delegates a committee in accordance with law, the Board shall hear the appeal of the Level Two decision.

After receiving notice of the appeal, the Board or Board committee shall hold a meeting to discuss the complaint no later than 60 calendar days after the date on which the Level Two decision was made.

The Superintendent shall inform the employee whether the Board or a Board committee will hear the appeal and of the date, time, and place of the meeting at which the complaint will be on the agenda for presentation to the Board or Board committee.

At least five business days before the Board or Board committee meeting, the Superintendent shall provide the employee a description of any information the Board intends to rely on that is not contained in the record created at the previous hearing levels, including any preliminary hearing.

The Superintendent shall provide the Board the record of the Level Two complaint. The employee may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. Any other documents submitted by the employee at Level Two.
4. The decision issued at Level Two and any attachments.
5. All other documents relied upon by the administration in reaching the Level Two decision.

The employee may request that the complaint be heard in open or closed meeting. The District shall honor that request unless the Texas Open Meetings Act or other applicable law requires otherwise. [See BE]

At the meeting, the presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the employee and administration to each make a presentation and provide rebuttal and an opportunity for questioning by Board members.

In addition to any other record of the meeting required by law, the Board or Board committee shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the employee or the employee's representative, any presentation from the administration, and questions from Board members with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board or Board committee shall then consider the complaint. It shall make a decision no later than 30 calendar days after the date of the Board or Board committee meeting at which the complaint was presented. The employee shall be provided a decision in accordance with this policy and state law.

Employee Conduct & Welfare

Standards of Conduct

Policy DH, DHA

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

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

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violations of policies, procedures, 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 by the Superintendent. See the section on *Reports to the Texas Education Agency* for additional information.

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

Texas Educators' Code of Ethics

Purpose and Scope

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward the 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. (19 TAC 247.1(b))

Enforceable Standards

1. Professional Ethical Conduct, Practices, and Performance

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

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

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

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

Standard 1.5 The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.

Standard 1.6 The educator shall not falsify records, or direct or coerce others to do so.

Standard 1.7 The educator shall comply with state regulations, written local school board policies, and other state and federal laws.

Standard 1.8 The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.

Standard 1.9 The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.

Standard 1.10 The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.

Standard 1.11 The educator shall not intentionally or knowingly 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.

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

2. Ethical Conduct toward Professional Colleagues

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

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

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

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

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

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

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

3. Ethical Conduct toward Students

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

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

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

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

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

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

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

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

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

1. the nature, purpose, timing, and amount of the communication;
2. the subject matter of the communication;
3. whether the communication was made openly or the educator attempted to conceal the communication;
4. whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
5. whether the communication was sexually explicit; and
6. whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

Discrimination, Harassment, and Retaliation

Policies DH, DIA

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

Individuals who believe they have been discriminated against and/or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate District official. If the campus principal, supervisor, or District official is the subject of a complaint, the 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.

This district's policy which includes definitions and procedures for reporting and investigating harassment is reprinted below or may be accessed from the District's website at www.wallerisd.net > *About WISD > Board of Trustees > Board Policies.*

DIA (Local)

EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

> **Note:** *This policy addresses harassment of district employees. For harassment of students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.*

Definitions

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

Statement of Nondiscrimination

The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Discrimination

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.

In accordance with law, discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.

Prohibited Conduct
In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]

Prohibited Harassment
Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law, when the conduct is so sever, persistent, or pervasive that the conduct:

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

Examples
Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, gender identity, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; cyberharassment; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

Sex Based Harassment
As required by law, the District shall follow the procedures below at Response to Sexual Harassment—Title IX upon a report of sex-based harassment, including sexual harassment, when such allegations, if proved, would meet the definition of sexual harassment under Title IX. [See FFH(LEGAL)]

Sexual Harassment
Sexual harassment of an employee is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical, verbal, or nonverbal conduct, or other conduct or communication of a sexual nature when:

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

Examples
Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually

motivated conduct, contact, or communication, including electronic communication.

Reporting Procedures
Any employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.

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

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

Title IX Coordinator - Reports of discrimination based on sex, including sexual harassment, may be directed to the designated Title IX coordinator. [See DIA(EXHIBIT)]

Angie Davis, Deputy Superintendent
adavis@wallerisd.net
20600 Fields Store Road, Waller, TX 77484
(936) 931- 3685

Employee: ADA / Section 504 Coordinator - Employee reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See DIA(EXHIBIT)]

Angie Campbell Pulido, Chief Human Resources Officer
acampbellpulido@wallerisd.net
20600 Fields Store Road, Waller, TX 77484
936-931-0371

Superintendent
The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.

Alternative Reporting Procedures
An employee shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

Timely Reporting
To ensure the District's prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.

Notice of Report
Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

Any District employee who receives a report of prohibited conduct based on sex, including sexual harassment, shall immediately notify the Title IX coordinator.

Investigation of Reports Other Than Title IX

The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, see the procedures below at Response to Sexual Harassment—Title IX.

The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.

Initial Assessment - Upon receipt or notice of a report, the District official shall determine whether the allegations, if proved, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately authorize or undertake an investigation, regardless of whether a criminal or a regulatory investigation regarding the same or similar allegations is pending.

Interim Action - If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

District Investigation - The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal or supervisor shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

Concluding the Investigation - Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

District Action - If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

Confidentiality - To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

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

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

Response to Harassment - Title IX
For purposes of the District's response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).

General Response - When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:

- Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;
- Consider the complainant's wishes with respect to supportive measures; and
- Explain to the complainant the option and process for filing a formal complaint.

The District's response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.

If a formal complaint is not filed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and administrative procedures.

Title IX Formal Complaint Process - To distinguish the process described below from the District's general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District's "Title IX formal complaint process."

The Superintendent shall ensure the development of a Title IX formal complaint process that complies with legal requirements. [See FFH(LEGAL)] The formal complaint process shall be posted on the District's website. In compliance with Title IX regulations, the District's Title IX formal complaint process shall address the following basic requirements:

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;
3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;
6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
7. A statement of the standard of evidence to be used to determine responsibility for all Title IX

formal complaints of sexual harassment;
8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;
9. A description of the supportive measures available to the complainant and respondent;
10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;
11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and
12. Other local procedures as determined by the Superintendent.

Standards of Evidence - The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.

Retaliation
The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or otherwise participates or refuses to participate in an investigation.

Examples
Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, intimidation, coercion, unjustified negative evaluations, unjustified negative references, or increased surveillance.

Records Retention
The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records control schedules, but for no less than the minimum amount of time required by law. [See CPC]

[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]

Access to Policies and Procedures
Information regarding this policy and any accompanying procedures shall be distributed annually to District employees. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and readily available at each campus and the District's administrative offices.

Harassment of Students

Policies DF, DH, DHB, FFG, FFH, FFI

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

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

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

The district's policy which includes definitions and procedures for reporting and investigating harassment of students is reprinted below or may be accessed from the District's website at www.wallerisd.net > *About WISD* > *Board of Trustees* > *Board Policies.*

FFH (Local)

STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

> **Note:** *This policy addresses discrimination, including harassment, and retaliation against District students. For provisions regarding discrimination, including harassment, and retaliation against District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. Note that FFH shall be used in conjunction with FFI (bullying) for certain prohibited conduct. policy addresses harassment of district employees. For harassment of students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.*

Prohibited Conduct

In this policy, the term "prohibited conduct" includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]

Statement of Nondiscrimination

The District prohibits discrimination, including harassment, against any student. Discrimination is defined as treating a student or group of students differently from similarly situated students on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. One type of harassment this policy prohibits is dating violence, as defined below. Retaliation against anyone exercising their rights under this policy is a violation of District policy and is prohibited.

Harassment
Harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples
Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name calling, slurs, or rumors; cyberharassment; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

Title IX Sexual Harassment
As required by law, the District shall follow the procedures below at Response to Title IX Sexual Harassment upon a report of sex-based harassment, including sexual harassment, gender-based harassment, and dating violence, when such allegations, if proved, would meet the definition of sexual harassment in an education program or activity and against a person in the United States under Title IX. [See FFH(LEGAL)]

Other Sexual Harassment

By an Employee - Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it:
    a. Affect the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
    b. Creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or other inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See DH]

By Others - Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples - Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, contact, or communications, including electronic communication.

Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.

Gender-Based Harassment

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples - Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; cyberharassment; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

Dating Violence

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense.

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples - Examples of dating violence against a student may include physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the student's household. Additional examples may include destroying property belonging to the student, threatening to commit suicide or homicide if the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student's spouse or current dating partner, or encouraging others to engage in these behaviors.

Reporting Procedures

Student Report - Any student who believes that he or she has experienced prohibited conduct and any person who believes that a student has experienced prohibited conduct should immediately report the alleged acts to a teacher, school counselor, principal, other District employee, or the appropriate District official listed in this policy.

Employee Report - 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 shall immediately notify the appropriate District official listed in this policy and take any other steps required by this policy.

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

Title IX Coordinator - Reports of discrimination based on sex, including sexual harassment, may be directed to the designated Title IX coordinator. [See FB (EXHIBIT)]

Angie Davis, Deputy Superintendent
adavis@wallerisd.net
20600 Fields Store Road, Waller, TX 77484
(936) 931- 3685

Student: ADA / Section 504 Coordinator - Student reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See FB (EXHIBIT)]

Jennifer "Meagan" White, Chief Academic Officer
jwhite@wallerisd.net
20600 Fields Store Road, Waller, TX 77484
936-931-3685

Superintendent - The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.

Alternative Reporting Procedures
An employee shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

Timely Reporting
To ensure the District's prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.

Notice to Parents
The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult. [For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]

When the District receives a report of prohibited conduct that includes dating violence, the appropriate District official shall immediately notify the parent or guardian of the student who has been identified in the report as the alleged victim or perpetrator.

Investigation of Reports Other Than Title IX
The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, including sexual harassment, gender-based harassment, and dating violence, see the procedures below at Response to Title IX Sexual Harassment.

The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.

Initial Assessment - Upon receipt or notice of a report, the District official shall determine whether the allegations, if proved, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at Criminal Investigation.

If the District official determines that the allegations, if proved, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI.

Interim Action - If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District’s investigation.

District Investigation - The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

Criminal Investigation - If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation

Concluding the Investigation - Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.

Notification of Outcome - Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.

District Action

Prohibited Conduct - If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.

Corrective Action - Examples of corrective action may include a training program for those involved in the report, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination, harassment, and retaliation.

Bullying - If the results of an investigation indicate that bullying occurred, as defined by policy FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District officials shall refer to policy FDB for transfer provisions.

Improper Conduct - If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.

Confidentiality - To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

Appeal - A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student or parent has the right to file a complaint with the United States Department of Education Office for Civil Rights.

Response to Title IX Sexual Harassment
For purposes of the District's response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).

General Response - When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:

- Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;
- Consider the complainant's wishes with respect to supportive measures; and
- Explain to the complainant the option and process for filing a formal complaint.

The District's response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.

If a formal complaint is not filed or dismissed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and the Student Code of Conduct. The Title IX coordinator also reserves the right to sign a formal complaint, initiating the Title IX grievance process, if it would be deliberately indifferent not to investigate and respond to the prohibited conduct in accordance with Board policies and the Student Code of Conduct.

Title IX Formal Complaint Process - To distinguish the process described below from the District's general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District's "Title IX formal complaint process."

The Superintendent shall ensure the development of a Title IX formal complaint process that complies with legal requirements. [See FFH(LEGAL)] The formal complaint process shall be posted on the District's website. In compliance with Title IX regulations, the District's Title IX formal complaint process shall address the following basic requirements:

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;
3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow

for temporary delays or the limited extension of time frames with good cause and written notice as required by law;
6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;
8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;
9. A description of the supportive measures available to the complainant and respondent;
10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;
11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and
12. Other local procedures as determined by the Superintendent.

Standards of Evidence - The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.

Retaliation

The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or participates in an investigation. The definition of prohibited retaliation under this policy also includes retaliation against a student who refuses to participate in any manner in an investigation under Title IX. In the absence of a formal complaint, allegations of retaliation shall be investigated under Investigation of Reports Other Than Title IX, above.

Examples

Examples of retaliation may include threats, intimidation, coercion, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

False Claim

A student who intentionally makes a false claim or offers false statements in a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action in accordance with law.

Records Retention

The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records control schedules, but for no less than the minimum amount of time required by law. [See CPC]

[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]

Access to Policy and Procedures

Information regarding this policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and readily available at each campus and the District's administrative offices

Reporting Suspected Child Abuse

Policies DG, FFG, GRA

All employees with reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect, as defined by Texas Family Code §261.001, are required by state law to make a report to a law enforcement agency, the 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 include the Texas Department of Public Safety, a municipal police department, a county sheriff's office, or a county constable's office and does not include the district police.

If the alleged or suspected abuse or neglect involves a person responsible for the care, custody, or welfare of a child (including a teacher), the report of alleged abuse or neglect must be made 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 person with a disability.

Reports to DFPS can be made using the Texas Abuse Hotline https://www.txabusehotline.org/Login/Default.aspx or (800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

Under state law, a person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

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

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

Policy FFG

The district has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed in our District Improvement Plan found at the following link: https://www.wallerisd.net/departments/state-federal-programs. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or maltreated. Abuse in the Texas Family Code is defined to include any sexual conduct harmful to a child's mental, emotional, or physical welfare, including conduct that constitutes the offense of continuous sexual abuse of a young child or disabled individual, indecency with a child, improper relationship between an educator and a student, sexual assault, or encouraging a child to engage in sexual conduct, as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who has reasonable cause to believe that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect following the procedures described above in *Reporting Suspected Child Abuse*.

Report to Texas Education Agency

Policy DF, DHB, DHC

The conduct of an employee must be reported to TEA within 48 hours 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 not later than the seventh business day after termination or resignation or notice from the principal:

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

Scope and Sequence

Policy DG

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

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

Technology Resources

Policy CQ

The district's technology resources, including its networks, computer systems, email accounts, devices connected to its networks, and all district-owned devices used on or off school property, are primarily for administrative and instructional purposes. Limited personal use of the system 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 a student's academic performance
- Artificial intelligence (AI) should only be used as a support tool to improve student outcomes, not to replace the decisions made by teachers or students. Employees must complete district-approved training on WISD Artificial Intelligence (AI) Guidelines before being granted access to or using AI tools.

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. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action, including termination of employment. Employees with questions about computer use and data management can contact the Director of Technology.

Personal Use of Electronic Communications

Policies CQ, CY, DHA

Electronic communications 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 communications also include all forms of telecommunication such as landlines, cell phones, and web-based applications.

As role models for the district's students, employees are responsible for their public conduct even when they are not acting as district employees. Employees will be held to the same professional standards in their public use of electronic communications as they are for any other public conduct. If an employee's use of electronic communications interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for Web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content. An employee who uses electronic communications for personal purposes shall observe the following:

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee shall limit the use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours unless there is an emergency or the use is authorized by a supervisor to conduct district business.
- The employee shall not use district and campus trademarks, including names, logos, mascots, and symbols or other copyrighted material on social media or in texts without express, written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or district business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus.

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

Use of WISD Electronic Communication Systems on Personal Devices

Monitoring
A person utilizing the Waller ISD POP or SMTP mail service on their personal device may be subject to an open records request.

User Responsibility
Waller ISD Technology Services must be notified immediately when a personal device accessing the SMTP or POP service may have been lost, or stolen.

- To report a lost or stolen personal device, call the Waller ISD Technology Services at (936) 931-0313.
- The user is responsible for removing Waller ISD email information before switching to a new phone.

Waller ISD Limit of Liability
Waller ISD Technology Services will only provide the necessary information to set up POP & SMTP mail service, but it is the user's sole responsibility to set up and maintain their personal device. Waller ISD Technology Services will not provide troubleshooting and/or technical support for personal devices.

Electronic Communications between Employees & Students

Policy DH

A certified or licensed employee, or any other employee designated in writing by the Superintendent or a campus principal, may use electronic communications with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. Electronic communications between all other employees and students who are enrolled in the district are prohibited. Employees are not required to provide students with their personal phone number or e-mail address.

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

- *Electronic communications* mean any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data

assistant, or pager. The term includes e-mail, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website.

- *Communicate* means to convey information and includes 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 *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, school psychologists, and athletic trainers.

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

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
- Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
    - The employee shall include at least one of the student's parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;
    - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or
    - For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee's district e-mail address.
- The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable the administration and parents to access the employee's professional page.
- The employee shall not communicate directly with any student between the hours of 9:00 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.
- 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 DHB]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently- enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through email, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.
- An employee shall notify his or her 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.

Public Information on Private Devices

Policy DH, GB

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

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

Criminal History Background Checks

Policy DBAA

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

Employee Arrests and Convictions

Policy DH, DHB, DHC

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

- Crimes involving school property or funds.
- Crimes involving an attempt by fraudulent or unauthorized means to obtain or alter a

certificate or permit that would entitle any person to 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, but is not limited to, the following:

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

If an employee is arrested or criminally charged, the superintendent is also required to report the educator's 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

Waller ISD is committed to maintaining an alcohol and drug-free environment and will not tolerate the use of alcohol or 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 Substance Act during working hours may be dismissed. The district's policy regarding employee drug abuse is below or may be accessed from the District's website: www.wallerisd.net > *About WISD* > *Board of Trustees* > *Board Policies.*

DH (Local)

Alcohol and Drugs
As a condition of employment, an employee shall abide by the terms of the following drug-free workplace provisions. An employee shall notify the Superintendent in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace in accordance with Arrests, Indictments, Convictions, and Other Adjudications, below.

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

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

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

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

1. Manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities;
2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use; or
3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian.

Sanctions
An employee who violates these drug-free workplace provisions shall be subject to disciplinary sanctions. Sanctions may include:

1. Referral to drug and alcohol counseling or rehabilitation programs;
2. Referral to employee assistance programs;
3. Termination from employment with the District; and
4. Referral to appropriate law enforcement officials for prosecution.

Notice
Employees shall receive a copy of this policy.

Tobacco and Nicotine Products and E-Cigarette Use

Policies DH, FNCD, GKA

State law prohibits smoking, using, or possessing e-cigarettes or tobacco products on all district-owned property and at all school-related or school-sanctioned activities, on or off school property. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of district-owned vehicles are prohibited from smoking or 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.

"E-cigarette" means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device, regardless of whether the liquid solution or material contains nicotine. The term does not include a prescription medical device,

prescription medication, or other prescribed substance unrelated to the cessation of smoking. The term "e-cigarette" includes:

1. A device regardless of whether it is manufactured, distributed, or sold as an ecigarette, e-cigar, or e-pipe or under another product name or description; and
2. A component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

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

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, but is not limited to, the following:

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

If you suspect fraud or financial impropriety within the District, you should report your suspicions using the Crisis Go Reporting form on the District's website. You may access the form at www.wallerisd.net. In completing the report, your contact information is optional, but if submitted shall be treated as confidential to the extent permitted by law.

Conflict of Interest

Policy CB, DBD

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

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

Employees should contact their supervisor for additional information.

Gifts and Favors

Policy DBD

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks, electronic textbooks, instructional materials, or technological equipment may result in the 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 must 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 fundraiser 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* for more information.

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

To prevent and minimize injuries to employees, co-workers, 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 judgment on whether to use hands-free technology while the vehicle is in motion.

Employees with questions or concerns relating to safety programs and issues can contact Jamie Woodall, Executive Director of Safety and Security at (936) 931-3685.

Possession of Firearms and Weapons

Policy 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 another district-provided parking area, provided the handgun or firearm or ammunition is properly stored, unloaded, 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 911 immediately.

Visitors in the Workplace

Policy GKC

All visitors to the schools, including parents and Board members, are welcome to visit the campus; however, prominent notices shall be posted at each campus that all visitors must first report to the building's main office. Campus visitors must be processed through the electronic check-in system. Authorized visitors will receive directions or be escorted to their destination.

Visits to individual classrooms during instructional time shall be permitted only with the principal's approval and with a one-day notice. Such visits shall not be permitted if their duration or frequency interferes with the delivery of instruction or disrupts the normal school environment. Employees who observe an unauthorized individual on the district premises should immediately direct him or her to the building office or contact the administrator in charge.

Asbestos Management Plan

Policy 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 Waller ISD Maintenance Office and is available for inspection during normal business hours.

Pest Control Treatment

Policies CLB, DI

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

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located in the building's main office. Pest control information is available from campus principals or facility managers upon request.

Dress and Grooming for Employees

Policy DH (Local)

An employee's dress and grooming shall be clean, neat, in a manner appropriate for his or her assignment, and in accordance with any additional standards established by his or her supervisor and approved by the Superintendent. Waller Independent School District recognizes that educators are professionals who strive to be held in high esteem and seek to earn the respect of members of the learning community. Professional dress ensures a learning environment that is conducive to establishing high expectations in the pursuit of educational goals.

Guidelines:

1. All district employees are role models and should dress accordingly to reflect good judgment and the high standards of the community. Apparel or grooming that has, or may have, an adverse impact on the educational process is not permitted.
2. The dress and grooming of district employees shall be professional, clean, neat, and appropriate for the job assignments.
3. Inappropriate attire is any item that causes a distraction to employees / students or creates an unsafe environment.
4. Consideration shall be given to staff member's content area assignment, grade level assignment, or special program assignment.
5. Personal dress or grooming should be safe in regard to working around machinery and equipment.
6. Professional dress for men includes dress slacks and collared shirts with appropriate shoes and socks.
7. Professional dress for women includes dresses, professional slacks/capris, or skirts with appropriate blouse/top and shoes.
8. Campus Principals / Department Supervisors have the option to schedule professionally casual spirit days or special event days.
9. All employees shall be required to wear an approved district identification badge in a manner easily visible to others.
10. The Principals or Supervisors, in collaboration with their staff members, may set additional guidelines to meet the needs of the specific campus or building. Each employee needs to check with his / her Supervisor for specific dress/grooming codes.
11. If specific concerns regarding an employee's dress, grooming, or appearance should arise, the employee's Supervisor will determine the appropriateness of the item in question.
12. The Superintendent has final approval on all dress and grooming of employees.

Violations

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

General Procedures

Emergency School Closing

Policies EB

The District may close schools or facilities 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 early, or to cancel school, District officials and campus leaders will coordinate with the Communications Department to post a notice on the District's website at www.wallerisd.net, official social media accounts, and notify local media. In the event such actions require the alteration of the annual school calendar, the Superintendent shall prepare recommendations to the Board for approval of a revised annual calendar as soon as practicable.

The procedures for making the decision to close schools due to weather or other emergencies is a collaborative and ongoing process amongst school district administrators, emergency management officials, and weather experts. During events that may impact safe roadway travel or the safety of the school day, conditions are monitored around the clock. Delayed opening and/or early dismissal is possible contingent on conditions.

In the event of any change to normal schedules due to weather conditions or other emergencies, Waller ISD will utilize all parent and employee communication systems including, but not limited to the school district website (www.wallerisd.net), official social media accounts, and the district's mass notifications system to notify via email, phone message, and/or text message. Announcements will also be sent to media outlets.

Employees are automatically subscribed to the district's mass notification system for phone and email messages.

Communication Tools:
Mass Notifications System (Phone & Email Messages)
District Website — www.wallerisd.net
Official Social Accounts

Emergencies

Policies CKC, CKD

All employees should be familiar with the safety procedures for responding to emergencies, including medical emergencies, and the evacuation diagrams posted in their work areas. Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Each campus is equipped with an automatic external defibrillator, Bleed Control Stations, and opioid antagonist kits. Fire extinguishers are located throughout all district buildings. Employees should know the location of these devices and the procedures for their use.

Purchasing Procedures

Policy CH

All requests for purchases must be submitted via Skyward. Once all reviews and approvals have occurred, an official district purchase order (PO) will be issued by the Business Services Department. No purchases, charges, or commitments to buy goods or services for the district can be made without an approved PO. The district will not reimburse employees or assume responsibility for purchases made without prior authorization and a purchase order. Employees are not permitted to purchase supplies or equipment for personal use through the district. Contact the Business Services Department 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 Resources Department 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 Resources Department. Employees with certifications issued by SBEC are also required to maintain current name and address information with SBEC.

Personnel Records

Policy DBA

Most district records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal e-mail 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

The choice not to allow public access to this information may be made at any time by submitting a written request to the Human Resources Department. New or terminated 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.

Updating Credentials and Renewing Certifications

Policy DBA

All employees who have earned certificates, endorsements, or degrees of higher rank since the previous school year must file the documents with the District by submitting them to the Human Resources Department. Individuals holding renewable SBEC certificates are responsible for obtaining the required training hours, maintaining appropriate documentation, and renewing the certification with SBEC.

Facility Use

Policy DGA, GKD

The Waller ISD Board of Trustees permits public use of designated school facilities for educational, recreational, civic, or social activities when these activities do not conflict with school use or with Waller ISD Policy [see GKD (LOCAL)].

The campus principal and/or the Assistant Superintendent of Secondary Schools is responsible and authorized to approve/schedule the use of campus facilities for after-school hours. The Superintendent and/or the Assistant Superintendent of Secondary Schools is authorized to approve the use of other district facilities. Contact the campus secretary or the administration office to request to use school facilities and to obtain information on the fee charged.

Termination of Employment

Resignations

Policies DE, DFE, DHB

Contract Employees

Contract employees may resign their position without penalty at the end of any school year if written notice is received 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the Superintendent or other persons designated by the Board of Trustees, which includes the Chief Human Resources Officer and Director of Human Resources. Contract employees may resign at any other time only with the approval of the Superintendent or the Board of Trustees. Resignation without the consent of the Board 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

Non-contract employees may resign from their positions at any time. A written notice of resignation should be submitted to the Human Resources department supervisor 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, or
- Was involved in or solicited a romantic relationship with or solicited or engaged in sexual conduct 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 TEA.

Dismissal or Non-Renewal of Contract Employees

Policy DF Series, DHB, DP, DPB

Employees on probationary or term contracts can be dismissed during the school year or non-renewed at the end of the year according to the procedures outlined in district policies. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The timelines and procedures to be followed when a suspension, termination, or non-renewal occurs will be provided when written notice is given to an employee.

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 located at www.wallerisd.net.

Dismissal of Non-Contract Employees

Policy DCD, DHC, DP, DPB

Employees not hired under a contract are employed on an at-will basis. This means employment may be ended at any time, with or without notice, and with or without a reason, as determined by the needs of the District. At-will employees who are dismissed will be paid through their last day worked.

The District will not dismiss any employee for unlawful reasons, including race, color, religion, sex, national origin, age, disability, military status, genetic information, or any other protected category, nor will it dismiss an employee in retaliation for exercising legally protected rights.

Employees who are dismissed have the right to appeal the decision through the District's complaint and grievance process in accordance with DGBA(LOCAL). See the Complaints and Grievances section of this handbook for additional information.

Termination reporting requirements for noncertified employees follow the same procedures outlined in the Resignations/Noncontract Employees section.

Discharge of Convicted Employees

Policy DF

The district shall discharge any employee who has been convicted of a felony under Title 5 Penal Code or convicted of or place 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 for does not apply.

Prohibition on Diversity, Equity and Inclusion

Policy BT, DF, DH

Except as required by state or federal law, district employees are prohibited from engaging in diversity, equity, and inclusion activities, including assigning diversity, equity, and inclusion duties to any person. Any employee who intentionally or knowingly engages in or assigns diversity, equity, and inclusion duties to another person will be subject to appropriate discipline, including termination of employment.

Definition

"Diversity, equity, and inclusion duties" means:

1. Influencing hiring or employment practices with respect to race, sex, color, or ethnicity except as necessary to comply with state or federal antidiscrimination laws;
2. Promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity;
3. Developing or implementing policies, procedures, trainings, activities, or programs that reference race, color, ethnicity, gender identity, or sexual orientation, except for the purpose of student recruitment efforts by colleges and universities designated as historically black colleges and universities in collaboration with school districts, or as necessary to comply with state or federal law;
4. Compelling, requiring, inducing, or soliciting any person to provide a diversity, equity, and inclusion statement or giving preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.

Prohibited Activities

Except as required by state or federal law, a district may not assign diversity, equity, and inclusion duties to any person and must prohibit a district employee, contractor, or volunteer from engaging in diversity, equity, and inclusion duties at, for, or on behalf of the district.

Discipline Policy: The district shall adopt a policy and procedure for the appropriate discipline, including termination, of a district employee or contractor who intentionally or knowingly engages in or assigns to another person diversity, equity, and inclusion duties. The policy and procedure adopted by the district must ensure that an employee or contractor receives adequate due process and an opportunity to appeal disciplinary actions, including termination, in the same manner provided for other disciplinary actions.

Notice: The district shall provide a physical and electronic copy of the policy and procedure to each district employee or contractor.

Activities Not Prohibited

Nothing in this policy may be construed to:

1. Limit or prohibit a district from contracting with historically underutilized businesses or businesses owned by members of a minority group or by women in accordance with applicable state law;
2. Limit or prohibit a district from acknowledging or teaching the significance of state and federal holidays or commemorative months and how those holidays or months fit into the themes of history and the stories of this state and the United States of America in accordance with the TEKS adopted under Education Code, Subchapter A, Chapter 28;
3. Affect a student's rights under the First Amendment to the U.S. Constitution or Section 8, Article I, Texas Constitution;
4. Limit or prohibit a school district from analyzing school-based causes and taking steps to eliminate unlawful discriminatory practices as necessary to address achievement gaps and differentials described by Education Code 39.053; or
5. Apply to:
    a. Classroom instruction that is consistent with the TEKS adopted by the State Board of Education;
    b. The collection, monitoring, or reporting of data;
    c. A policy, practice, procedure, program, or activity intended to enhance student academic achievement or postgraduate outcomes that is designed and implemented without regard to race, sex, color, or ethnicity; or
    d. A student club that is in compliance with the requirements of Education Code 33.0815.

Certification Required

Not later than September 30 of each year, the superintendent of a school district shall certify to the Texas Education Agency (TEA) that the district is in compliance with Education Code 11.005 (prohibition on diversity, equity, and inclusion duties) and the instructional requirements and prohibitions under Education Code 28.0022 [see EMB]. The certification shall be submitted electronically. TEA shall post each certification received under Education Code 39.008(a) on TEA's website.

Requirements: The certification must include:

1. A description of the policies and procedures required by Education Code 11.005(c) and 28.0022(h) and the manner in which district employees and contractors were notified of those policies and procedures;
2. Any existing policies, programs, procedures, or trainings that were altered to ensure compliance with Education Code 39.008, 11.005, or 28.0022; and
3. Any cost savings resulting from actions taken by the school district to comply with this section.

Board Approval: The certification required by Education Code 39.008(a) must be approved by a majority vote of the board at a public meeting that includes an opportunity for public testimony and for which notice was posted on the district's website at least seven days before the date on which the meeting is held.

Prohibited Classroom Instruction

Policy DF, DH

District employees are prohibited from engaging in an act prohibited by Education Code 28.0022 (Certain Instructional Requirements and Prohibitions). Any district employee intentionally or knowingly engaging in or assigning to another individual activities related to controversial topics described in Education Code 28.0022 is subject to disciplinary action, including termination of employment.

Exit Interviews and Procedures

Exit interviews will be scheduled for all employees leaving the district and may be done through an informal survey. 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. The district may withhold the cost of any unreturned items from the final paycheck.

Reports Concerning Court-Ordered Withholding

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

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

Student Issues

Equal Educational Opportunities

Policies FB, FFH

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

Questions or concerns should be directed to the following:

Title IX Coordinator - Reports of discrimination based on sex, including sexual harassment, may be directed to the designated Title IX coordinator. [See FB (EXHIBIT)]

Angie Davis, Deputy Superintendent
adavis@wallerisd.net
20600 Fields Store Road, Waller, TX 77484
(936) 931- 3685

Student: ADA / Section 504 Coordinator - Student reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See FB (EXHIBIT)]

Jennifer "Meagan" White, Chief Academic Officer
jwhite@wallerisd.net
20600 Fields Store Road, Waller, TX 77484
936-931-3685

Office of the Superintendent - All other questions or concerns relating to discrimination based on any other reasons.

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

Administering Medication to Students

Policy FFAC, FFAF

Only designated employees may administer prescription medication, nonprescription medication, and approved herbal or dietary supplements to students in accordance with District policy. Exceptions apply to the administration of medication for respiratory distress, medication for anaphylaxis (e.g., EpiPen), opioid antagonists, and medication for diabetes management, if the medication is administered in accordance with district policy and procedures. Except for emergency medications administered in accordance with District policy and individualized health plans, a student who must take medication during the school day must provide 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.

No employee shall give any student prescription medication, nonprescription medication, herbal substances, anabolic steroids, or dietary supplements of any type, except as authorized by this or other District policy.

Medication Provided by Parent

The Superintendent shall designate the employees who are authorized to administer medication that has been provided by a student's parent. An authorized employee is permitted to administer the following medication in accordance with administrative regulations:

1. Prescription medication in accordance with legal requirements.
2. Nonprescription medication in accordance with legal requirements.
3. Herbal substances or dietary supplements provided by the parent and only if required by the individualized education program or Section 504 plan for a student with disabilities.

Medication Provided by District
Except as required by law and provided by this policy, the District shall not purchase medication to administer to a student.

Opioid Antagonist
This provision shall be applicable to each campus that serves students in grades 6-12.
The District authorizes school personnel who have been adequately trained to administer an opioid antagonist in accordance with law and this policy. Administration of an opioid antagonist shall only be permitted when an authorized and trained individual reasonably believes a person is experiencing an opioid-related overdose. Each applicable campus shall have at least one individual who is authorized and trained to administer an opioid antagonist present during regular school hours. Each applicable campus shall have at least two unused, unexpired opioid antagonist doses available. All opioid antagonists shall be stored in a secure location and shall be easily accessible by individuals who are authorized and trained to administer an opioid antagonist. The Superintendent shall develop administrative regulations addressing acquisition, maintenance, expiration, and disposal of opioid antagonists in the District, as well as reporting, employee training, and emergency notification requirements.

Students at Risk for Anaphylaxis
Procedures regarding the care of students with diagnosed food allergies who are at risk for anaphylaxis shall include:

1. Development and implementation of food allergy action plans, emergency action plans, individualized health-care plans, and Section 504 plans, as appropriate.
2. Training, as necessary, for employees and others to implement each student's care plan, including strategies to reduce the student's risk of exposure to the diagnosed allergen.
3. Review of individual care plans and procedures periodically and after an anaphylactic reaction at school or at a school-related activity.

Information regarding this policy and the District's food allergy management plan shall be distributed annually in the student handbook and made available at each campus.

Dietary Supplements

Policies DH, FFAC

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

Psychotropic Drugs

Policy FFAC

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

District employees are prohibited by state law from doing the following:

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

Student Conduct and Discipline

Policies in the FN series and FO series

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

Student Attendance

Policy FEB

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

Bullying

Policy FFI

Bullying is defined by §TEC 37.0832. All employees are required to report student complaints of bullying, including cyberbullying, to the campus principal or a campus administrator. Moreover, any district employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the campus principal or a campus administrator. The district prohibits bullying as defined by Policy FFI. Policy FFI includes definitions and procedures for reporting and investigating bullying of students and may be found online at www.wallerisd.net > *About WISD > Board of Trustees > Board Policies.*

FFI (Local)
STUDENT WELFARE: FREEDOM FROM BULLYING

> **Note:** *This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyberbullying. For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.*

Bullying Prohibited
The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Examples
Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism

Minimum Standards
In accordance with law, the Superintendent shall develop administrative procedures to ensure that minimum standards for bullying prevention are implemented.

Retaliation
The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

Examples
Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

False Claim
A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

Timely Reporting
Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

Reporting Procedures:

Student Report - To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

Employee Report - Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

Report Format - A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

Periodic Monitoring - The Superintendent shall periodically monitor the reported counts of bullying incidents, and that declines in the count may represent not only improvements in the campus culture because bullying declines but also declines in the campus culture because of a decline in openness to report incidents

Notice of Report - When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.

Prohibited Conduct - The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

Investigation of Report - The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate

Concluding the Investigation - Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.

The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee

Notice to Parents - If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

District Action:

Bullying - If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.

Discipline **-** A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

Corrective Action **-** Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.

Transfers **-** The principal or designee shall refer to FDB for transfer provisions.

Counseling **-** The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options

Improper Conduct - If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.

Confidentiality - To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

Appeal - A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.

Records Retention - Retention of records shall be in accordance with CPC(LOCAL).

Access to Policy and Procedures - This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

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.

Appendix

The following employment policies and the entire Waller ISD Board Policy Manual are available on the Waller ISD website at www.wallerisd.net. All employees are responsible for reviewing, understanding, and adhering to Board policies and administrative regulations. The following is a list of key employment-related policies, including (Legal) and (Local) policies and exhibits, that employees are expected to know and follow.

- BJA - Superintendent: Qualifications and Duties
- BJCF - Superintendent: Nonrenewal
- BT - Prohibition on Diversity, Equity, and Inclusion Activities
- CAA - Financial Ethics
- CDC - Gifts and Solicitations
- CJ - Contracted Services
- CMD - Equipment and Supplies Management: Instructional Materials Care and Accounting
- CQ - District Computers, Electronic Communications, and Technology Resources
- CQA - Technology Resources: District, Campus, and Classroom Websites
- DAA - 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 Probationary Contract
- DFBA - Term Contracts: Suspension/Termination During Contract
- DFBB - Term Contracts: Nonrenewal
- DFD - Hearings before Hearing Examiner
- DFE - Resignations
- DFF Series - Reduction in Force
- DG - Employee Right and Privileges
- DGBA - Employee Complaints
- DH - Employee Standards of Conduct, Educator Code of Ethics, SBEC Reporting, TEA 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
- DP Series - Personnel Positions
- EMB - Miscellaneous Instructional Policies: Teaching about Controversial Issues
- FOA - Student Discipline: Removal by Teacher or Bus Driver