Mansfield Independent School District

PROFESSIONALS AND PARAPROFESSIONALS 2026-2027

If you have difficulty accessing the information in this document because of a disability, please contact Human Resource Services for assistance.

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Table of Contents

Employee Handbook Receipt 4
Technology Acceptable Use Agreement 5
Artifical Intelligence and Employee Use Guidelines 9
Introduction 11
District Information 11
Board of Trustees 11
Helpful Contacts and School Directory 12
Mission, Vision, Motto, Values, and Guiding Statements 12
Employment 12
Breaks for Expression of Breast Milk 12
Pregnant Workers Fairness Act 12
Certification and Licenses 13
Recertification of Employment Authorization 13
Contract and Noncontract Employment 13
Employee Involvement 14
Employment After Retirement 14
Equal Employment Opportunity 14
Health Safety Training 15
Job Vacancy Announcements 15
Notification to Parents Regarding Qualifications 15
Outside Employment and Tutoring 16
Performance Evaluation 16
Reassignments and Transfers 16
Searches and Alcohol and Drug Testing 17
Staff Development 17
Mental Health Training 18
Use of Service Animals 18
Workload and Work Schedules 18
ADA Accommodations 18
Compensation and Benefits 19
Automatic Payroll Deposit 19
Cafeteria Plan Benefits (Section 125) 19
Health, Dental, and Life Insurance 19
Overtime Compensation 20
Paychecks 20
Payroll Deductions 20
Salaries, Wages, and Stipends 21
Supplemental Insurance Benefits 21
Teacher Retirement 21
Travel Expense Reimbursement 22

Unemployment Compensation Insurance 22
Workers' Compensation Insurance 22
Leaves and Absences 22
Introduction 22
Use of Leave: Personal, State Sick, Local 22
Family and Medical Leave (FML)—General Provisions 25
Jury Duty 27
Local Procedures for Implementing Family and Medical Leave Provisions 27
Compliance with a Subpoena 28
Truancy Court Appearances 28
Religious Observance 28
Other Leave Options 28
Sick Leave Bank 30
Workers' Compensation Benefits 30
Employee Relations and Communications 31
Complaints and Grievances 31
District Communications 31
Employee Appreciation and Recognition 31
Employee Conduct and Welfare 31
Alcohol and Drug-Abuse Prevention 31
Asbestos Management Plan 32
Associations and Political Activities 32
Attendance at Professional Meetings during Work Hours 32
Charitable Contributions 32
Conflict of Interest 32
Copyrighted Materials 33
Criminal History Background Checks 33
Discrimination, Harassment, and Retaliation 33
Employee Arrests and Convictions 35
Employee Dress Code 35
Fraud and Financial Impropriety 36
Gifts and Favors 37
Personal Use of Electronic Communications 37
Pest Control Treatment 38
Possession of Firearms and Weapons 38
Public Information on Private Devices 38
Reporting Crime 39
Reporting Suspected Child Abuse 39
Reports to Texas Education Agency 40
Safety and Security 40
Scope and Sequence 41
Sexual Abuse and Maltreatment of Children 41

Standards of Conduct 41
Technology Resources 44
Tobacco and Nicotine Products and E-Cigarette Use 45
Use of Electronic Communications Between Employees and Students 45
Visitors in the Workplace 47
General Procedures 47
Emergency School Closing 47
Facility Use 47
Emergencies 48
Name and Address Changes 48
Personnel Records 48
Purchasing Procedures 48
Termination of Employment 49
Dismissal of Noncontract Employees 49
Dismissal of Nonrenewal of Contract Employees 49
Discharge of Convicted Employees 49
Prohibition on Diversity, Equity, and Inclusion 50
Prohibited Classroom Instruction 50
Exit Interviews and Procedures 50
Reports Concerning Court-Ordered Withholding 50
Resignations 50
Student Issues 51
Administering Medication to Students 51
Bullying 51
Dietary Supplements 51
Equal Educational Opportunities 52
Hazing 52
Parent and Student Complaints 52
Psychotropic Drugs 52
Student Attendance 53
Student Conduct and Discipline 53
Student Records 53
Social Media Guidelines 53
Index 55

Employee Handbook Receipt

EMPLOYEE HANDBOOK, TECHNOLOGY ACCEPTABLE USE POLICY AND INTERNET SAFETY POLICY

Print Name _____

Campus/Department _____

You have the option of receiving all three of the documents in electronic form or hard copy. Please indicate your choice by checking the appropriate box below:

- ☐ I choose to receive the **Employee Handbook**, **Technology Acceptable Use Policy**, and the **Internet Safety Policy** in electronic format and accept responsibility for accessing them according to the instructions provided. Go to website http://intranet.mansfieldisd.org; click the "Employee Handbooks" link.
- ☐ I choose to receive a hard copy of the **Employee Handbook**, **Technology Acceptable Use Policy**, and the **Internet Safety Policy**. The hard copy is to be requested through your department/campus and provided by the department/campus designee.

Please initial by the following:

_____ I hereby acknowledge receipt of my personal copy of the Mansfield ISD Employee Handbook, Technology Acceptable Use Policy, and the Internet Safety Policy. I agree to read these documents and abide by the standards, policies, and procedures defined or referenced in the documents listed.

_____ I understand that changes in district policies may supersede, modify, or eliminate the information summarized in the above listed documents. As the district provides updated information, I accept responsibility for reading and abiding by the changes.

_____ I understand that no modifications to contractual relationships or alterations of at-will employment relationships are intended by this handbook.

_____ I understand that I have an obligation to inform my supervisor or department head of any changes in personal information, such as phone number, address, etc. I also accept responsibility for contacting my supervisor or the personnel department if I have questions or concerns or need further explanation.

_____ I understand that my use of the district's technology resources is not private and that the district will monitor my activity.

_____ I have read the district's Technology Acceptable Use Policy, Internet Safety Policy and this user agreement and agree to abide by their provisions. In consideration for the privilege of using the district's technology resources, I hereby release the district, its operators, and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use of, or inability to use, these resources, including, without limitation, the type of damages identified in the district's policy.

I understand that if I violate any procedures or rules, I may face legal or disciplinary action according to applicable law or district/departmental policy.

Signature: _____

Date: _____

NOTE: Sign and date this receipt. Provide the original to your supervisor and keep a copy for yourself. **The employee agreement must be renewed each school year.**

TECHNOLOGY ACCEPTABLE USE POLICY

Internet Postings

The Internet, along with a host of next generation communication tools, has expanded the way in which employees can communicate internally and externally. While this creates new opportunities for communication and collaboration, it also creates new responsibilities for Mansfield ISD employees. This Internet Posting Policy applies to employees who use the following:

- Multimedia and social networking websites such as X, Facebook, Yahoo! Groups and YouTube
- Blogs (Internal and External)
- Wikis such as Wikipedia and any other site where text can be posted

All of these activities are referred to as "Internet Postings" in this policy. Please be aware that violation of this policy may result in disciplinary action up to and including recommendation of termination/non-renewal of employment.

1. Internet Postings that do not identify the author as a MISD employee, do not discuss the district, and are purely personal matters would normally fall outside of this guidance.
2. Common sense is the best guide if you decide to post information in any way relating to the Mansfield ISD. If you are unsure about any particular posting, please contact the Mansfield ISD Communication and Marketing Department.
3. If an Internet posting makes it clear that the author works for the Mansfield ISD, it should include a simple and visible disclaimer such as, "these are my personal views and NOT those of the Mansfield ISD." When posting your point of view, you should neither claim nor imply you are speaking on the district's behalf, unless you are authorized in writing by the Assistant Superintendent of Communications and Marketing.
4. Personal internet postings should not reveal confidential information about the Mansfield ISD, including but not limited to, aspects of district policy or details of internal district discussions. If in doubt about what might be confidential, contact the Communications and Marketing Department.
5. Internet postings should not include Mansfield ISD logos or trademarks, and should respect copyright, privacy, fair use, personal or financial disclosure, and other applicable laws.
6. If a member of the media contacts you about an Internet posting that concerns the business of the Mansfield ISD, please refer that person to the District Communications and Marketing Department.
7. Internet postings should not violate any other applicable policy of the Mansfield ISD.
8. Mansfield ISD shall not be liable, under any circumstances, for any errors, omissions, loss or damage claimed or incurred due to any Internet postings by an employee.
9. Each employee is responsible for regularly reviewing the terms of this policy.

INTERNET SAFETY POLICY FOR MANSFIELD ISD

It is the policy of Mansfield ISD to (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use or dissemination of personal identification information of minors; and (d) comply with the children's Internet Protection Act [Pub. L. No. 106554 and 47 USC 254(h)].

ACCESS TO INAPPROPRIATE MATERIAL: To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter access to inappropriate information.

Specifically, as required by the Children's Internet Protection Act, technology protection measures shall be used to block visual depictions of material that is obscene, contains child pornography, or is harmful to minors.

Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

INAPPROPRIATE NETWORK USAGE: To the extent practical, steps shall be taken to promote the safety and security of users of Mansfield ISD's online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.
In compliance with the Children's Internet Protection Act, Mansfield ISD has adopted and implemented measures to prevent inappropriate network usage, including (a) access by minors to inappropriate or harmful material on the Internet; (b) unauthorized access, including so-called "hacking" and other unlawful activities by minors online; and (c) unauthorized disclosure, use, and dissemination of personal information regarding minors.
EDUCATION, SUPERVISION AND MONITORING: It shall be the responsibility of all members of Mansfield ISD's staff to educate, supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and the Protecting Children in the 21st Century Act.
Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Assistant Superintendent of Technology and Information Services or designated representatives. The Assistant Superintendent of Technology and Information Services may be reached at 817.299.1980.
* CIPA definitions of terms:
TECHNOLOGY PROTECTION MEASURE. The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are: OBSCENE, as that term is defined in section 1460 of title 18, United States Code; CHILD PORNOGRAPHY, as that term is defined in section 2256 of title 18, United States Code; or Harmful to minors HARMFUL TO MINORS. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

> Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; And taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

SEXUAL ACT; SEXUAL CONTACT. The terms "sexual act" and "sexual contact" have the meanings given such terms in section 2246 of title 18, United States Code.

You are being given access to the district's technology resources, meaning electronic communication systems and electronic equipment. It is important that you read the applicable district policies and agreement form. [See policies CQ and DH, and provisions on use of electronic media in the employee handbook] Please contact Dr. Sean Scott, Assistant Superintendent of Technology and Information Services at 817.299.1989 if you have questions or need help understanding this material.

Inappropriate use of the district's technology resources may result in suspension or revocation of the privilege of using these resources, as well as other disciplinary or legal action, in accordance with applicable district policies and laws. As a user of the district's technology resources, you will be able to access:

- An unlimited number of databases, libraries, and resources;
- The Internet and other electronic information systems/networks, which can be used to communicate with schools, colleges, organizations, and individuals around the world; and
- Shared electronic equipment, which may have stored temporary Internet and electronic files of other users.

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

If you are being issued a district technology device that can be used off campus, you will be given additional materials addressing the proper use, care, and return of these devices.

RULES FOR APPROPRIATE USE

- You will be assigned an individual account for hardware and Internet access, and you are responsible for maintaining the security of your account password. You may not share your password with others.
- The account is to be used mainly for purposes related to educational programs, school operations, and performance of job responsibilities, but some limited personal use is permitted.

- You must comply with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student and district records.
- You must maintain the confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law.
- You are expected to conduct yourself respectfully and professionally when utilizing district technology resources to communicate electronically.
- You will be held responsible at all times for the proper use of your account, and the district may suspend or revoke your access if you violate the rules.
- E-mail transmissions and other use of technology resources are not confidential and can be monitored at any time to ensure appropriate use. Email content, internet use history, network communications, and other similar information may be releasable to third parties in compliance with the Public Information Act or as otherwise required by law.
- E-mail users are responsible for mailbox management including organization, cleaning, and compliance with records retention laws.
- E-mail users are responsible for adhering to the E-Mail Encryption policy which requires staff to protect confidential personally identifiable information (PII) for employees and students. Exchange of confidential information must be done in a way that is secure and protects Confidential and Personally Identifiable Information. The policy applies to all employees assigned to an email account with the Mansfield ISD email system.

INAPPROPRIATE USES

- Using the resources for any illegal purpose.
- Accessing the resources to knowingly alter, damage, or delete district property or information, or to breach any other electronic equipment, network, or electronic communications system in violation of the law or district policy.
- Damaging electronic communication systems or electronic equipment, including knowingly or intentionally introducing a virus to a device or network, or not taking proper security steps to prevent a device or network from becoming vulnerable.
- Disabling or attempting to disable any Internet filtering device.
- Encrypting communications to avoid security review.
- Using someone's account without permission.
- Pretending to be someone else when posting, transmitting, or receiving messages.
- Attempting to read, delete, copy, modify, or interfere with another user's posting, transmittal, or receipt of electronic media.
- Using resources to engage in conduct that harasses or bullies others.
- Sending, posting, or possessing materials that are abusive, obscene, pornographic, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyber bullying and "sexting."
- Using e-mail or Web sites to engage in or encourage illegal behavior or to threaten school safety.
- Using inappropriate language such as swear words, vulgarity, ethnic or racial slurs, and any other inflammatory language.
- Violating others' intellectual property rights, including downloading or using copyrighted information without permission from the copyright holder.
- Posting or transmitting pictures of students without obtaining prior permission from all individuals depicted or from parents of depicted students who are under the age of 18.
- Wasting school resources through improper use of the district's technology resources, including sending spam.
- Gaining unauthorized access to restricted information or resources.

CONSEQUENCES FOR INAPPROPRIATE USE

- Suspension of access to the district's technology resources;
- Revocation of the account; or
- Other disciplinary or legal action, in accordance with the district's policies and applicable laws.

REPORTING VIOLATIONS

- You must immediately report any known violation of the district's applicable policies, Internet safety plan, or acceptable use guidelines to the technology coordinator.
- You must report requests for personally identifying information, as well as any content or communication that is abusive, obscene, pornographic, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal to the technology coordinator.

STATEMENT OF RESPONSIBILITY FOR EQUIPMENT AND AUTHORIZATION FOR PAY DEDUCTION

In consideration for your personal use of the Equipment off school property or outside of school-sponsored events, you assume full financial responsibility to pay for any district-approved repairs and/or replace the Equipment if it is damaged, stolen, misplaced, or for any other reason not returned. All repairs and/or replacements must be done in accordance with our district procedures found on our district's Technology intranet.The maximum amount of financial responsibility is the "Replacement Value" of the equipment. In addition, I assume full financial responsibility to pay for fees incurred when using district-owned mobile internet devices outside of the district for non-district business (ex; International fees accrued using a district hotspot). If used for district business, permission must be granted by Technology to take district devices, including cell phones and hotspots, outside of the country.

I agree that MISD may deduct money from my pay, not to exceed the Replacement Value, to cover the cost of repairing or replacing the Equipment that I may damage (other than normal wear and tear), lose, fail to return or take without appropriate authorization during my employment. I further understand that MISD has stated its intention to abide by all applicable federal and Texas wage and hour laws and that if I believe that any such law has not been followed, I have the right to file a wage claim with appropriate Texas and federal agencies. If the equipment is lost or stolen, the Superintendent or designee may reduce or eliminate my liability for loss or theft if (i) a police report is filed immediately and (ii) the Superintendent or designee does not find that the loss or theft resulted from my own wrongful or negligent acts or omissions. Such determinations shall be made on a case-by-case basis. I understand that the equipment should not be left unattended.

This statement acknowledges my possession of Equipment and assumption of financial responsibility for the Equipment usage off school property or outside of a school-sponsored event. I acknowledge that MISD has not required that I enter into this agreement as a condition of my employment with MISD. I further acknowledge that MISD may request the return of the Equipment at any time, and I will be required to return the Equipment within one business day after MISD has made such a request. The term "Equipment" as used in this Agreement shall mean the electronic textbooks or other technology equipment.

Artificial Intelligence and Employee Use Guidelines

Purpose:
The purpose of these guidelines is to provide best practices for the use of artificial intelligence ("AI") systems and applications, such as ChatGPT, ChatBOT, OpenAI, and other similar systems, by employees of Mansfield ISD.

Definition:
AI refers to any software or hardware that can perform tasks that normally require human intelligence, such as natural language processing, computer vision, machine learning, decision making, etc.

Employee Guidelines:
Mansfield ISD recognizes the potential benefits of AI for enhancing teaching and learning outcomes, improving operational efficiency, and supporting data-driven decision making. However, the District must also acknowledge the potential risks and challenges of AI, such as ethical, legal, social, technical, and security issues. Therefore, Mansfield is committed to using AI in a responsible, transparent, secure, and accountable manner that respects the rights and interests of all stakeholders, including administrators, teachers, staff, and students.

The following principles and procedures apply to all employees who use or interact with AI systems and applications in the course of their work for Mansfield ISD:

- Employees should be aware of the possible risks and limitations of AI systems and applications, such as bias, error, misuse, abuse, manipulation, hacking, etc.
- Employees must report any incidents or concerns related to AI systems and applications to the Mansfield ISD Technology Department at 817-299-1980.
- Employees should refrain from inputting any personally identifiable information and other confidential data.

The Mansfield ISD Technology Department will conduct regular risk assessments and audits of AI systems and applications used by the District to identify and mitigate any potential harms or impacts on students, staff, parents, or the public. In addition, the Technology Department will communicate the use and purpose of AI systems and applications to all relevant stakeholders, such as students, staff, parents, or the public, which will include sufficient information and explanation about the data sources, methods, algorithms, outcomes, and limitations of AI systems and applications to enable informed consent and feedback, if necessary.

Employees should respect the privacy and confidentiality of personal data collected or processed by AI systems and applications.

- Security: Employees should follow the established security policies and protocols for protecting the data and infrastructure of AI systems and applications from unauthorized access, modification, deletion, or disclosure. Employees should use strong passwords, encryption, authentication, firewall, antivirus, backup, and recovery measures to safeguard the data and infrastructure of AI systems and applications. Employees should report any security breaches or incidents related to AI systems and applications to their supervisors or the designated AI officer.
- Monitoring: Employees should monitor the performance and behavior of AI systems and applications to ensure that they are functioning properly and accurately. Employees should test and validate the results and outputs of AI systems and applications to verify their reliability and validity. Employees should update and maintain the software and hardware of AI systems and applications to ensure their compatibility and functionality. Employees should report any malfunctions or errors related to AI systems and applications to their supervisors or the designated AI officer.
- Access: Employees should only access or use AI systems and applications that are authorized and relevant for their work duties and responsibilities. Employees should not access or use AI systems and applications for personal or non-work-related purposes. Employees should not share or disclose their login credentials or access rights to AI systems and applications with others. Employees should respect the intellectual property rights and licenses of AI systems and applications.

-Incident Response: Employees should follow the established incident response plan for handling any issues or problems related to AI systems and applications. The incident response plan should include the following steps: 1) identify the issue or problem; 2) contain the issue or problem; 3) analyze the cause and impact of the issue or problem; 4) resolve or mitigate the issue or problem; 5) communicate the issue or problem; 6) document the issue or problem; 7) review and improve the incident response plan.

Student Guidelines
These guidelines apply to all Mansfield ISD students. It is the responsibility of all students to ensure they are complying with District, campus, and educator policies regarding academic integrity, including but not limited to, plagiarism.

Students are expected to adhere to the highest standards of academic integrity and honesty when using AI in all assignments, projects, and exams. Students who use ChatGPT and similar tools on assignments without permission, or who use them in improper ways, are violating the academic integrity rules of Mansfield ISD.

The following guidelines outline the principles and rules that govern the use of AI in student academic work:

- Acknowledge and cite any AI sources or tools that you use in your work, such as websites, apps, software, or online services.
- Indicate the extent and purpose of your use of AI, such as generating, editing, summarizing, translating, or analyzing data or text.
- Do not use AI to plagiarize, which means to copy or use someone else's words, ideas, data, or work without giving proper credit or permission.
- Do not use AI to fabricate, falsify, or misrepresent any data or text that you submit as your own work.
- Do not use AI to bypass or undermine any academic requirements or assessments, such as by generating answers, solutions, or essays that you do not understand or have not learned.
- Do not use AI to harm others or violate their privacy, such as by creating or spreading false or malicious information, impersonating others, or accessing unauthorized data or systems.
- Respect the intellectual property rights of others when using AI, such as by obtaining permission, paying fees, or following licenses when using copyrighted or proprietary data or software.
- Follow any additional guidelines or instructions provided by your District or campus administrators and teachers.

Compliance:
Any violation of these guidelines will be considered academic misconduct and subject to disciplinary action, such as a grade penalty or course failure. An honor council comprised of staff and students will review instances where students are accused of academic dishonesty due to the improper use of AI.

The District reserves the right to use AI tools to detect and prevent any violations of this policy. If you have any questions or concerns about these guidelines or the use of AI in your academic work, please consult your teachers or campus administration.

Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are, have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to Dr. Jennifer Stoecker, Associate Superintendent, Human Resource Services. This handbook is neither a contract nor a substitute for the official district policy manual. It is not intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of district policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. District policies can be accessed online at www.mansfieldisd.org.

District Information

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 laws and regulations.

The board of trustees is elected by the citizens of the district to represent the community's commitment to a strong educational program for the district's children. Board members are elected at large and serve 4 year terms. Board members serve without compensation, must be qualified voters, and must reside in the district. Current board members include:

- Dr. Jandel Crutchfield, President
- Ana-Alicia Horn, Vice President
- Jason Thomas, Secretary
- Michelle Newsom
- Jesse Cannon II
- Dr. Benita Reed
- Michele Gooch

The board usually meets on the fourth Tuesday at 6:00 p.m. at the Dr. Jim Vaszauskas Center for the Performing Arts. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district Web site and at the Administrative Center at least three business days before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a one-hour notice.

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

Helpful Contacts and School Directory

From time to time, employees have questions or concerns. If those questions or concerns cannot be answered by supervisors or at the campus or department level, the employee is encouraged to contact the appropriate department as listed on the MISD Website, MISD intranet or using the IP phone directory.

Mission, Vision, Motto, Values, and Guiding Statements

Policy AE

Mission: **To inspire and educate students to be productive citizens.**

Vision: **A destination district committed to excellence.**

Motto: **MISD: A great place to live, learn, and teach.**

Values: **Students First, Continuous Improvement, Integrity, Communication, Positive Relationships, Resiliency**

Guiding Statements:

- **Students will read on level or higher by the beginning of third grade and will remain on level or higher as an MISD student.**
- **Students will demonstrate mastery of Algebra II by the end of eleventh grade.**
- **Students will graduate life ready.**
- **Students will graduate college and/or career ready.**

Employment

Breaks for Expression of Breast Milk

Policies DEAB, DG

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

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

The Providing Urgent Maternal Protections of Nursing Mothers Act (PUMP Act) requires an employee to notify the district if they believe the district is out of compliance in providing breaks for a nursing mother. The employee must give the district 10 days to come into compliance before making any claim of liability against the district. An employee with concerns should contact Sabine Padilla, Benefits Manager, 817-299-6356.

Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (FWFA) provides consideration of accommodations to employees who have limitations related to pregnancy, childbirth, or related medical conditions. An employee seeking PWFA accommodation should contact Sabine Padilla, Benefits Manager, 817-299-6356 to begin the interactive process.

Certification and Licenses

Policies DBA, DF

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

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

Recertification of Employment Authorization

Policy DC

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

Employees whose immigration status, employment authorization, or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact Human Resources if you have any questions regarding reverification of employment authorization. Failure to verify employment authorization may result in termination.

Contract and Noncontract Employment

Policy DC series

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

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

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

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

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

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

Employee Involvement

Policies BQA, BQB

At both the campus and district levels, Mansfield 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 appropriate area superintendent's office.

Employment after Retirement

Policy DC

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

Equal Employment Opportunity

Policies DAA, DIA

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

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

The district designates and authorizes the following employee as the Title IX Coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: Dr. Tracey Patton, Executive Director of Human Resource Services, 605 East Broad St. Mansfield, TX 76063,

traceypatton@misdmail.org, 817-299-6300. Reports can be made at any time and by any person, including during non-business hours, by mail, email, or phone. During district business hours, reports may also be made in person.

The district designates and authorizes the following employee as the ADA/Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability: Dr. Jennifer Stoecker, Associate Superintendent of Human Resources, 605 East Broad St. Mansfield, TX 76063, jenniferstoecker@misdmail.org, 817-299-6305.

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

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 Assocation, or another authorized organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to the Director of Health Services by September 1.

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 extrernal difibrillator (AED) provided by the Amercican Red Cross, the American Heart Assocation, or another authorized organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to the Director of Health Services by September 1.

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.

Job Vacancy Announcements

Policy DC

Announcements of job vacancies by position and location are posted on a regular basis to the district's Web site.

Notification to Parents Regarding Qualifications

Policies DK, DBA

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

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to an uncertified substitute, inappropriately certified teacher, or an uncertified teacher.This notice is not required if parental notice under ESSA is sent. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and

individuals who do not hold any certificate or permit, 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 call Sarahanne Steffens, HR Certification Specialist, at 817-299-6384.

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

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

Performance Evaluation

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

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

Reassignments and Transfers

Policy DK

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

a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (LOCAL).

A teacher with the required qualifications for a posted position may complete the application process in order to be considered a candidate for the position. The reassignment and transfer processes will be coordinated by the Human Resource Services department.

Searches and Alcohol and Drug Testing

Policy DHE, CQ

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

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

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

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

Employees with questions or concerns relating to alcohol and drug testing policies and related educational material should contact Risk Management at 817.299.6330.

Employees Not Required to Have a Commercial Driver's License. If an employee is going to transport students using a district or rented vehicle, the employee must complete a driving record check through the MISD Tranpsportation department prior to tranporting students

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 evidence-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, district special program liaisons, and supervisors of personnel who regularly interact with students.

Use of Service Animals

Policy FBA

Pets and emotional support animals are not allowed in the workplace/district facilities. Please see policy FBA for information regarding the Use of Service Animals and contact Human Resources for assistance.

Workload and Work Schedules

Policies DEAB, DK, DL, DL Regulation

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

Classroom teachers will have planning periods for instructional preparation including conferences. The schedule of planning periods is set at the campus level but must provide at least 450 minutes within each two-week period in blocks not less than 45 minutes within the instructional day. Classroom teachers may use their statutory planning and preparation time for lesson plan development based on the District curriculum framework and instructional standards. Teachers and librarians are entitled to a duty-free lunch period of at least 30 minutes. The district may require teachers to supervise students during lunch one day a week when no other personnel are available.

Paraprofessional and Auxiliary Employees. Support employees are employed at will and receive notification of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. See *Overtime Compensation* on page 16 for additional information.

ADA Accommodations

Policies DAA, DBB, DIA

The district will provide reasonable accommodations to employees with a disability if the accommodation would allow the individual to perform the essential functions of their job, unless doing so would create an undue hardship. An employee or their supervisor may initiate a request for accommodation by contacting Dr. Jennifer Stoecker at 817-299-6325 and identifying an adjustment or change at work that is needed because of a disability. An employee may also submit a written request to HR using the ADA Accommodation Request Form, which is available at https://www.mansfieldisd.org/departments/human-resources/employee-docs-forms/request-accommodations.

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

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

Compensation and Benefits

Automatic Payroll Deposit

Employees are encouraged to have paychecks electronically deposited into a designated account. A notification period of 30 days is necessary to activate this service. Contact Payroll for more information about the automatic payroll deposit service.

Cafeteria Plan Benefits (Section 125)

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

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

Health, Dental, and Life Insurance

Policy CRD

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

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

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

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 worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours. For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Monday and ends at 12:00 midnight Sunday.

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

Employees may be compensated for overtime (i.e., hours beyond 40 in a workweek) at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

- Employees can accumulate up to 60 hours of comp time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval, as workload permits, or at the supervisor's direction.
- An employee is required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.

Paychecks

All employees are paid monthly. 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 statements.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated. Contact the Payroll department if you have questions about your payroll statement.

Pay dates are on the 20th of each month unless moved up due to holidays or summer hours.

Payroll Deductions

Policy CFEA

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

- Teacher Retirement System of Texas (TRS) or Social Security employee contributions

- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired in the district after March 31, 1986)

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; and higher education savings plans or prepaid tuition programs. Employees also may request payroll deduction for payment of membership dues to professional organizations and MISD Education Foundation. 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 to deduct any overpayment.

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 non-exempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as non-exempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*, page 20.)

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

Employees should contact Human Resource Services for more information about the district's pay schedules.

Supplemental Insurance Benefits

Policy CRD

At their own expense, employees may enroll in supplemental insurance programs during open enrollment. Premiums for these programs can be paid by payroll deduction. Employees should contact Benefits for more information.

Teacher Retirement

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

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

Travel Expense Reimbursement

Policy DEE

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

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 Human Resource Services.

Workers' Compensation Insurance

Policy CRE

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has self-insured workers' compensation coverage, meaning MISD pays for all workers' compensation claim benefits from its own budget.

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 a nurse or supervisor, who will then notify the Workers' Compensation department. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits,* page 30 for information on use of paid leave for such absences.

Leaves and Absences

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

Introduction

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

Use of Leave. Leave is available for the employee's use upon reporting to work at the beginning of the year. However, state and local leave is earned on a yearly basis. If an employee leaves the district before the end of the work year, the cost of any unearned leave days taken shall be deducted from the employee's final paycheck.

Paid leave must be used in half or whole increments. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- Local days
- State days
- Non-duty or non-contract days (226 day employees)

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

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

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

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

If an hourly employee does not report or request 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.

Medical Certification. Any employee who is absent more than 5 days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee's fitness to return to work. The district may require medical certification due to an employee's questionable pattern of absences or when deemed necessary by the supervisor or superintendent. The district may also request medical certification when an employee requests leave under the Family and Medical Leave Act (FMLA) for the employee's serious health condition, a serious health condition of the employee's spouse, parent, or child, or for military caregiver leave.

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

Continuation of Health Insurance. Employees on an approved leave of absence other than family and medical leave may continue their insurance benefits at their own expense. Health insurance

benefits for employees on paid leave and leave designated under the FMLA will be paid by the district as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave. Under TRS-Active Care rules, an employee is no longer eligible for insurance through the district after six months of unpaid leave other than FML. If an employee's unpaid leave extends for more than six months, the district will provide the employee with notice of COBRA rights.

Earned Leave: Personal, State Sick, Local

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

Nondiscretionary. Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary leave will be granted to employees in the same manner as state sick leave.

- An employee absent more than 5 consecutive workdays because of personal illness shall submit, upon return to work, a medical certification of illness and of his or her fitness to return to work.
- An employee absent more than 5 consecutive workdays because of illness in the immediate family shall present, upon return to work, medical certification of the family member's illness.

***Discretionary*.** Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor 5 days in advance of the anticipated absence. The effect of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

- Discretionary leave may not last more than 3 consecutive workdays. Any days above three will be docked at the employee's daily rate of pay.
- Discretionary leave may not be taken on the first day or last day of school or the day before or after a school holiday/break. An employee will be docked the daily rate of pay for leave taken on these days.
- Discretionary leave may not be used to extend days off before or after breaks, holidays, or designated SDCE days. An employee will be docked the daily rate of pay for leave on these days.

Leave Proration. If an employee separates from employment with the district before his or her last duty day of the year, or begins employment after the first duty day, state personal leave will be prorated based on the actual time employed. When an employee separates from employment before the last duty day of the school year, the employee's final paycheck will be reduced by the amount of state personal leave the employee used beyond his or her pro rata entitlement for the school year.

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

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

Local Leave. Employees shall earn an additional five equivalent workdays of local personal leave per school year, concurrently with state personal leave. An employee shall not earn any local leave when he or she is in unpaid status.

Non-Duty Days. Some employees on 226-day contracts who work the entire contract year receive 6 non-duty days per year. These non-duty days may be used as soon as they are granted and are valid for 18 months after their issuance. As a general rule, any non-duty days not used by their expiration date will no longer be valid for use. An employee may ask permission of the Superintendent/Superintendent's Designee to carry over a maximum of 2 non-duty days per year. If an employee separates from employment with the District before his last duty day of the year, then he would not have earned his non-duty days for that year. Therefore, any non-duty days that were taken but not earned will be deducted from the final paycheck in the form of available leave or compensation if no leave time is available. Certain 226-day auxiliary positions have specific calendars designed to ensure the needs of the district are met year-round. Employees working in these positions do not have non-duty days allocated to them. Instead, these employees will adhere to duty day calendars with six non-working days included in place of non-duty days.

Family and Medical Leave (FML)—General Provisions

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

What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take up to 12 workweeks of FMLA leave in a 12-month period for:

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

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

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

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

Am I eligible to take FMLA leave?

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

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

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

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

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

How do I request FMLA leave?

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

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

You **do *not* have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You ***must* also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your **employer *may* request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

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

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress

What does my employer need to do?

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

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

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

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

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

Where can I find more information?

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

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

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

SCAN ME

Jury Duty

Policies DEC,DG

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

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

Local Procedures for Implementing Family and Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in a 12-month period beginning on the first duty day of the school year. For the purposes of an employee's entitlement to FMLA leave, the 12 month period shall be defined as the 12 month period beginning on the first duty day of the school year.

Use of Paid Leave. FML runs concurrently with accrued sick and personal leave, temporary disability leave, compensatory time, assault leave, and absences due to a work-related illness or injury. The district will designate the leave as FML, if applicable, and notify the employee that accumulated leave will run concurrently.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 exigency, an employee may take leave intermittently or on a reduced schedule. Employees must make reasonable efforts to schedule for planned medical treatment so as not to unduly disrupt the employer's operations. Intermittent leave may be taken under the following circumstances:

- An employee is needed to care for a seriously ill spouse, child or parent.
- An employee requires medical treatment for serious illness.
- An employee is seriously ill and unable to work.
- An employee becomes a parent or has a foster child placed in his of her home.

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

Reinstatement. An employee returning to work at the end of FML will be returned to the same position held when the leave began or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FML entitlement, and the district will maintain the employees group health insurance and reinstate the employee at the end of the leave according the procedures outlined in policy (see DECA (LEGAL)).

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

District Contact. Employees that require FML or have questions should contact Sabine Padilla at 817-299-6335 for details on eligibility, requirements, and limitations.

Compliance with a Subpoena

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use personal leave. Employees may be required to submit documentation of their need for leave for court appearances. If the court appearance is due to a personal mater, then days of personal leave must be used for the absence, in accordance with DEC (LOCAL).

Truancy Court Appearances

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

Religious Observance

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

Other Leave Options

The district provides other leave options. Please refer to Board Policies DEC (LEGAL) and DEC (LOCAL) for more information.

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 as assault is a work-related injury, and should be immediately reported to the employee's supervisor.

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

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

Leave for Peace Officers. Refer to Board Policy DEC.

Military Leave. Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to 15 days of paid leave per fiscal year when engaged in authorized training or duty ordered by proper authority. An additional seven days of leave per fiscal year are available if called to state active duty in response to a disaster. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

> ***Reemployment after Military Leave.*** Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. Employees returning to work following military leave should contact Human Resources. In most cases, the length of federal military service cannot exceed five years.
>
> ***Continuation of Health Insurance.*** Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact Benefits for details on eligibility, requirements, and limitations.

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

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for

temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave will not exceed 180 calendar days.

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

When an employee is ready to return to work, Human Resource Services and Benefits 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.

Sick Leave Bank

All full time employees may participate in the District's sick leave bank by completing a form within the first 30 days of employment. Returning employees need to sign up during the month of August during open enrollment. To join, employees must donate 2 sick days. The Sick Leave Bank forms and guidelines are located in the Administrative Handbook under Absences or contact Gina Rietfors 817-299-6330.

Workers' Compensation Benefits

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

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

Benefit payments may be delayed if the doctor fails to make prompt and regular reports to the Workers' Compensation Department. To establish evidence of eligibility to receive benefits under the Workers' Compensation Act, a staff member must comply with the following procedures:

- Personnel injured or involved in an on-the-job accident must report the injury and/or the accident to his/her supervisor **immediately**.
- Employees absent from work two or more days due to a work-related injury must have a doctor's release statement and approval from the Workers' Compensation department before returning to work.
- If the employee injured is unable to report the injury, he/she shall have someone report for him/her to the supervisor. This does not relinquish the responsibilities of the injured employee to report to the supervisor as soon as possible.
- The employee shall choose a treating physician who accepts workers' compensation insurance.
- **During any period of disability, it will be the responsibility of the employee to call the Workers' Compensation department weekly to report the employee's work status and to relay medical information which is pertinent to his/her case.** Each time the employee goes to the doctor, it will be the employee's responsibility to bring or mail a copy of the attending doctor's statement to the Workers' Compensation office, 203 Hillcrest Street, Mansfield, Texas, 76063, or fax to (817) 548-2192. Faiure to comply could affect benefits.

- An employee receiving workers' compensation wage benefits for a work-related illness or injury may choose to use accumulated personal leave or any other paid leave benefits. **An employee choosing to use paid leave will not receive workers' compensation weekly income benefits until all paid leave is exhausted or to the extent that paid leave does not equal the pre-illness or -injury wage.** If the use of paid leave is not elected, then the employee will only receive workers' compensation wage benefits for any absences resulting from a work-related illness or injury, which may not equal to his or her pre-illness or injury wage.
- If an employee is inactive, the District may fill the position, based upon the immediate needs of the District, except when an employee qualifies for the Family Medical Leave Act (FMLA). If on FML, the employee can be put on an inactive list after the FML expires.
- Once an employee receives documentation from his/her attending physician that he/she can return to work, the employee must submit the release to the Risk Management department. If the employee has been placed on inactive status, the employee will be assigned to the most suitable job available at that job's pay grade.
- If an employee provides documentation from his/her attending physician that he/she can return to limited duty with restrictions, the employee must present the stipulated release to the Workers' Compensation department for approval. If an employee is on inactive status and returns to a limited duty position, the employee will be paid at that job's pay rate.
- If the employee's position has been filled, the employee may apply for a position for which he/she is qualified. If the District offers the employee a comparable job after the employee has been released to return to work and the job assignment is refused, the employee will be terminated.

Employee Relations and Communications

Complaints and Grievances

Policy DGBA

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

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees.

District Communications

Throughout the school year, the district's communication office publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements.

Employee Appreciation and Recogition

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

Employee Conduct and Welfare

Alcohol and Drug-Abuse Prevention

Policies DH

Mansfield ISD is committed to maintaining an alcohol- and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the workplace and at school-related or school-sanctioned activities on or off school property. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours or after hours at school activities or events may be dismissed.

Asbestos Management Plan

Policy CSC

Mansfield ISD is committed to maintaining compliance with federal and state regulations concerning asbestos. Should you wish to review the asbestos management plan for your child's school, or if you have any questions about the plan or this federal-mandated program, please contact Derrell Douglas at 817-299-4343.

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.

Attendance at Professional Meetings during Work Hours

Policy DMD

District employees may be permitted to attend meetings of professional organizations during a workday, with pay, if there is a direct school-related purpose. Such release shall not be granted if the meetings are primarily to pursue the business of the organization.

Charitable Contributions

Policy DG

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

Conflict of Interest

Policies CB, DBD

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

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

Employees should contact their supervisor for additional information.

Copyrighted Materials

Policy CY

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

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.

Discrimination, Harassment, and Retaliation

Policies DH, DIA

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

Individuals who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate district official. If the campus principal, 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.

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation DIA (LOCAL) can be found at www.mansfieldisd.org.

Harassment of Students

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

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

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

All allegations of prohibited harassment of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or has reasonable cause to believe that child abuse or neglect occurred must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse*, page 31 and *Bullying,* page 50 for additional information. The district's policy that includes definitions and procedures for reporting and investigating harassment of students can also be found online at www.mansfieldisd.org.

The District's policy *DHB (LEGAL)* includes the following definition:

"Solicitation of a romantic relationship" means deliberate or repeated acts that can be reasonably interpreted as the solicitation by an educator of a relationship with a student that is romantic in nature. A romantic relationship is often characterized by a strong emotional or sexual attachment and/or patterns of exclusivity, but does not include appropriate educator-student relationships that arise out of legitimate contexts such as familial connections or longtime acquaintance. The following acts, considered in context, may constitute prima facie evidence of the solicitation by an educator of a romantic relationship with a student:

1. *Behavior, gestures, expressions, or communications with a student that are unrelated to the educator's job duties and evidence a romantic intent or interest in the student, including statements of love, affection, or attraction. Factors that may be considered in determining the romantic intent of such communications or behavior include:*
   a. *The nature of the communications;*
   b. *The timing of the communications;*
   c. *The extent of the communications;*
   d. *Whether the communications were made openly or secretly;*
   e. *The extent that the educator attempts to conceal the communications;*
   f. *If the educator claims to be counseling a student, SBEC may consider whether the educator's job duties included counseling, whether the educator reported the subject of the counseling to the student's guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate authorities; and*
   g. *Any other evidence tending to show the context of the communications between educator and student.*
2. *Making inappropriate comments about a student's body, creating or transmitting sexually suggestive photographs or images, or encouraging the student to transmit sexually suggestive photographs or images.*
3. *Making sexually demeaning comments to a student.*
4. *Making comments about a student's potential sexual performance.*
5. *Requesting details of a student's sexual history.*

6. *Requesting a date, sexual contact, or any activity intended for the sexual gratification of the educator.*
7. *Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.*
8. *Inappropriate hugging, kissing, or excessive touching.*
9. *Providing the student with drugs or alcohol.*
10. *Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.*
11. *Any other acts tending to show that the educator solicited a romantic relationship with the student.*

19 TAC 249.3(50)

See *FFH (LOCAL)* and FFH (REGULATION) at www.mansfieldisd.org for procedures for reporting and investigating harassment of students.

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 the employee for any felony, any offense involving mnoral turpitude, and any of the other offenses listed below:

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

Moral turpitude includes the following:

- Dishonesty; fraud; deceit; theft; misrepresentation;
- Deliberate violence;
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
- Felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
- Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or
- Acts constituting abuse or neglect under the Texas Family Code.

If an employee is arrested or criminally charged, the superintendent is also required to report the 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.

Employee Dress Code

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.

The administration has the authority to determine any inappropriate dress of faculty and staff.

FACULTY AND STAFF DRESS STANDARDS

All faculty and staff members shall maintain a neat, clean and professional appearance. Employees will follow the rules below:

Daily professional standard for campus and central staff:

- District employees should serve as role models, exemplifying high standards of professional appearance, to instill community values and proper grooming and hygiene.
- Clothing and accessories should have no message, a neutral message, or be a spirit shirt (as determined by administration).
- ID badges shall be visible at all times.
- Pants are considered below the knee.
- Skirt length shall extend to mid-thigh or longer.
- Leggings, jeggings, spandex, tights, or yoga-type pants may be worn under an appropriate-length dress, skirt, or shirt that extends to mid-thigh or longer.
- Halter tops, sleeveless tops with large armholes, tube tops, low cut front or back tops, or tops revealing the middle section of the body, are not permitted. Tops must cover the entire torso at all times, even in movement.
- Sleeveless shirts/tops must cover undergarments.
- Cleavage must be covered.
- Shoes must be worn at all times, but no house slippers or rubber or plastic flip-flops.
- No jeans or coveralls of any color.
- No shorts, sweats or wind suits.
- No t-shirts, except for Spirit Days.
- No more than one single piercing on the face.
- No accessories, jewelry, or tattoos that depict or suggest inappropriate or derogatory language, racism, sexual connotations, and/or are deemed distracting.

Special rules for campus and central staff:

- Casual dress will be determined by the administration as needed for the assignment (i.e. physical education classes, coaching assignments, duty days/bad weather, special projects).
- On spirit days, exceptions to the dress code are determined by the administrator (i.e. jeans-no holes, T-shirts, wind suits).

Any questions concerning dress code for campuses or central office departments should be directed to the appropriate area superintendent or associate superintendent.
Note: *Employees assigned to construction, maintenance, transportation, installation of technology, custodial, and other similar groups - will dress appropriately for their assignments and duties. These individuals may wear jeans or shorts when working in certain environments and temperatures. Questions concerning the Auxiliary Department dress code should be directed to Dr. Paul Cash.*

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:

- 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 policies
- 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

Gifts and Favors

Policy DBD

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

Personal Use of Electronic Communications

Policy 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 includes all forms of telecommunication such as landlines, cell phones, and web-based applications.

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

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

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work

hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.

- The employee shall not use district and campus trademarks, including names, logos, mascots, and symbols or other copyrighted material on social media or in texts without express written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on district business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
    - Confidentiality of student records. *[See Policy FL]*
    - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. *[See 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 DHA (LEGAL)]*

See *Use of Electronic Communications between Emplyoyees and Students*, page 45, for regulations on employee communication with students through electronic media.

Pest Control Treatment

Policies CLB, DI

Employees are prohibited from applying any pesticide or herbicide without appropriate training and prior approval of the integrated pest management (IPM) coordinator. Any application of pesticide or herbicide must be done in a manner prescribed by law and the district's integrated pest management program. Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located in an area of common access of the facility to be treated. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written, or electriconic means. Pest control information sheets are available from campus principals or facility managers upon request.

Possession of Firearms and Weapons

Policies DH, FNCG, GKA

Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs, or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other district provided parking area, provided the handgun or firearm or ammunition is properly stored, and not in plain view. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisor or call the Mansfield ISD Police Department immediately.

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

Reporting Crime

Policy DG

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

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 the facility) within 24 hours after the employee first has reasonable cause to believe that the child has been abused or neglected. Law enforcement agency includes the Texas Department of Public Safety, a municipal police department, a county sheriff's office, or a county 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 taking an adverse employment action against a certified or licensed professional who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

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

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

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

Reports to Texas Education Agency

Policies 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 no 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).

Safety and Security

Policy CK series

The district has developed and promotes a comprehensive program to ensure the safety and security of its employees, students, and visitors. The safety and security program includes written guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. See Emergencies on page 43 for additional information.

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

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

- Observe all safety rules.

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

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

Policy DH (LOCAL)

Each employee shall adhere to District safety rules and regulations, including:

1. Each employee shall keep their classroom door locked at all times during class during the school day, and
2. Each employee shall report unsafe conditions or practices to the appropriate supervisor.

   Violations of district safety policy, regulations, and guidelines may result in disciplinary action, up to and including termination of employment.

Employees with questions or concerns relating to safety programs and issues can contact Risk Management at 817-299-6330.

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.

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 the Counseling Department (817-299-6363). As an employee, it is important 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*.

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 up to and including termination. Enter absence in Skyward and the substitute management system, when applicable, before the absence occurs.
- Know and comply with department and district policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use district time, funds, and property for authorized district business and activities only.

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines, including intentionally making a false claim, offering false statements, or refusing to cooperate with a district investigation may result in disciplinary action, up to and including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC by the superintendent. See *Reports to the Texas Education Agency* page 40 for additional information.

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

Texas Educators' Code of Ethics

Statement of Purpose

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

Enforceable Standards

1. Professional Ethical Conduct, Practices, and Performance

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

Standard 1.2 The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.
Standard 1.3 The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.
Standard 1.4 The educator shall not use institutional or professional privileges for personal or partisan advantage.
Standard 1.5 The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or that are used to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.
Standard 1.6 The educator shall not falsify records, or direct or coerce others to do so.
Standard 1.7 The educator shall comply with state regulations, written local school board policies, and other state and federal laws.
Standard 1.8 The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.
Standard 1.9 The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.
Standard 1.10 The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.
Standard 1.11 The educator shall not intentionally 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, abuse, or distribution of controlled substances, prescription drugs and toxic inhalants.
Standard 1.13 The educator shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.
Standard 1.14 The educator shall not assist another educator, school employee, contractor, or agent in obtaining a new job as an educator or in a school, apart from the routine transmission of administrative and personnel files, if the educator knows or has probable cause to believe that such person engaged in sexual misconduct regarding a minor or student in violation of the law.

2. Ethical Conduct toward Professional Colleagues

Standard 2.1 The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
Standard 2.2 The educator shall not harm others by knowingly making false statements about a colleague or the school system.
Standard 2.3 The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.
Standard 2.4 The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.
Standard 2.5 The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.
Standard 2.6 The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
Standard 2.7 The educator shall not retaliate against any individual who has filed a complaint with SBEC or who provides information for a disciplinary investigation or proceeding under this chapter.
Standard 2.8 The educator shall not intentionally or knowingly subject a colleague to sexual harassment.

3. Ethical Conduct toward Students

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

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

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

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

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

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

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

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

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

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.

Technology Resources

Policy CQ, CQD

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

- Imposes no tangible cost to the district.
- Does not unduly burden the district's technology resources.
- Has no adverse effect on job performance or on a student's academic performance.
- Artificial intelligence (AI) should only be used in a responsible, transparent, secure, and accountable manner that respects the rights and interests of all stakeholders, including administrators, teachers, staff, and students.

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

Employees are required to abide by the provisions of the acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and/or legal action. Employees with questions about computer use and data management may contact Shawntee Cowan, Chief Technology Officer, at 817-299-4393.

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

"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 e-cigarette, 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.

Transporting Students

Policy DH

Employees are prohibited from transporting students in personal vehicles. Employees may only transport students in District vehicles for District-approved purposes and with appropriate parent/guardian permission.

Use of Electronic Communications between Employees, Students, and Parents

Policy DH

A certified employee, licensed employee, or any other employee designated in writing by the Superintendent or a campus principal may use electronic communication, as this term is defined by law, with currently enrolled students only about matters within the scope of the employee's professional responsibilities. 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 email address.

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

- The employee has provided the parent with a copy of this protocol
- The employee and the student have a social relationship outside of school;
- The parent understands that the employee's communications with the student are excepted from district regulation; and

- The parent is solely responsible for monitoring electronic communications between the employee and the student.

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

- *Electronic communications* means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes email, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website.

- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*: however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.

- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, 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 supervisors as a recipient on each text message to the student so that the student and supervisor receive the same message; or
  - For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee's district e-mail address.
- The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity.
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable administration and parents to access the employee's professional page.
- The employee shall not communicate directly with any students between the hours of 9pm and 7am. An employee may, however, make posts to a social network site, blog, or similar application at any time.
- In accordance with ethical standards applicable to all District employees [see DH(EXHIBIT)], an employee shall be prohibited from using electronic communications in a manner that constitutes prohibited harassment or abuse of a District student; adversely affects the student's learning, mental

health, or safety; includes threats of violence against the student; reveals confidential information about the student; or constitutes an inappropriate communication with a student, as described in the Educators' Code of Ethics.

- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics including:
    - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. *[See Policies CPC and FL]*
    - Copyright law. *[See Policy CY]*
    - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. *[See Policy DH]*
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.
- All staff are required to use school email accounts for all electronic communications with parents. Communication about school issues through personal email accounts or text messages are not allowed as they cannot be preserved in accordance with the district's record retention policy.

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

Visitors in the Workplace

Policy GKC

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

General Procedures

Emergency School Closing

Policy EB

The district may close schools because of severe weather, epidemics, or other emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late, to release students early, or to cancel school, district officials will post a notice on the district's website, notify local television and radio stations, and post on district social media platforms.

Facility Use

Policies DGA, GKD

Employees who wish to use district facilities after school hours must follow established procedures. The Facilites Department is responsible for scheduling the use of facilities after school hours. Call 817-473-4343 to request to use school facilities and to obtain information on the fees charged. To schedule the Performing Arts or Professional Development Center call 817-299-1252 or -1257.

Emergencies

Policies CKC, CKD

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

Name and Address Changes

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

Personnel Records

Policy DBA, GBA

Most district records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal email 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
- Social Security number
- Information that reveals whether they have family members

The choice to not allow public access to this information may be made at any time by submitting a written request to Human Resource Services. New or terminated employees have 14 days after hire or termination to submit a request. Otherwise, personal information may be released to the public until a request to withhold the information is submitted or another exception for release of information under law applies. An employee is responsible for notifying the district if he or she is subject to any exception for disclosure of personal or confidential information.

Purchasing Procedures

Policy CH

All requests for purchases must be submitted to the Business Department on an official district purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact Purchasing 817-299-6093 for additional information on purchasing procedures.

Dismissal of Noncontract Employees

Policy DCD, DHC, DPA, DPB

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, sex, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in board policy when pursuing the grievance. (See *Complaints and Grievances*, page 31.)

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

Dismissal or Nonrenewal of Contract Employees

Policy DF Series, DHB, DPA, DPB

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

The reporting requirements for terminiation of a contract employee are the same as those listed 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 available online.

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 placed on deferred adjudication community supervision for the following: .

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

If the Title 5, Penal Code offense is more than 30 years before the date the person's employment began or the person satisfied all terms of the court order entered on conviction, the requirement to discharge does not apply.

Exit Interviews and Procedures

Employees should complete and submit the Resignation Form in Skyward when leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided when submitting the Resignation Form. Separating employees are asked to provide the district with a forwarding addresss and phone number. All district keys, books, property, including intellectual property, and equipment must be returned upon separation from employment.

Prohibition on Diversity, Equity, and Inclusion

Policies 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.

Prohibited Classroom Instruction

Policies 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.

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

Resignations

Policy DFE, DHB

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

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

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

- Certain misconduct, abuse, unlawful act
- Involvement or solicitaton 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
- 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 pupose of promotion or additional compensation
- Committting a criminal offense or any part of a criminal offense on district property or at a school-sponsored event

The superintendent is required to report such conduct to SBEC.

Noncontract Employees. Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to their 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
- Was involved in or solicited a romantic relationship with a student or minor
- Engaged in inappropriate communications with a student or minor
- Failed to maintain appropriate boundaries with a student or minor

The superintendent is required to report such conduct to TEA.

Student Issues

Administering Medication to Students

Policy FFAC, FFAF

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

Bullying

Policy FFI

Bullying is defined by §TEC 37.0832. All employees are required to report student complaints of bullying, including cyberbullying, to their supervisor. The district's policy includes definitions and procedures for reporting and investigating bullying of students and can be found online on the district website.

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.

Equal Educational Opportunities

Policies FB, FFH

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

Questions or concerns about discrimination of students based on any of the reasons listed above should be directed to the Director of Student Services at 817-299-6360.

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.

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.

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 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.

Student Conduct and Discipline

Policies in the FN series and FO series

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

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.

Social Media Guidelines

Mansfield ISD supports the use of social media as a means to facilitate communication. The responsible use of social media by district employees can be both a beneficial and effective way to communicate with both parents and students alike. The following guide serves as MISD expectations for departments, classrooms, campuses, and organizations, and employees.

Authorization for an MISD Social Media Account

- All Mansfield ISD online social media accounts, current and future, must be authorized via attached application.
- Each social media account will be approved by a campus principal or non-campus department supervisor.
- Any existing sites or pages that represent Mansfield ISD are subject to review by campus and department administrators and may be amended or, when necessary, removed.

Social Media Content

- All MISD-authorized social media accounts must follow the District's Acceptable Use Policy, SBEC Code of Ethics, Board policy DH (LEGAL)(LOCAL)(EXHIBIT). Online behavior should reflect the same standards of what is published in the Mansfield Independent School District Employee Handbook.
- All content that is illegal, obscene, pornographic, defamatory, threatening, infringing of intellectual property rights, invasive of privacy, profane, libelous, threatening, harassing, abusive, hateful or embarrassing to any person or entity, inhospitable to a reasonable work environment, or otherwise injurious or objectionable, violates law, policy, or these guidelines is unacceptable and may be removed.
- FERPA and District Directory Information limit the release of private student information. District employees are responsible for becoming familiar with the rules. Do not post an image/video/name of students whose parent has not agreed to the MISD Media Release Form.
- Respect copyright and fair use guidelines. See U.S. Copyright Office - Fair Use.

Employee and Account Administrator Responsibilities

- All MISD employees need to be aware of their responsibilities concerning their personal social media accounts and will be held accountable for content on their social media accounts.
- Be sure to include a disclaimer stating that the information is unofficial and representative of your views and opinions, and not necessarily the views and opinions of Mansfield ISD.
- The account administrator of an MISD-authorized account should ensure that content is consistently updated. Dormant accounts will be removed.

District Role

- Use of District logos must be requested and approved through the Communications Department.
- The District does not endorse or take responsibility for content posted by third parties.
- The District does not permit explicit or implied institutional endorsements of any kind through the use of its names, trademarks, logos or images — including pictures of campus buildings.
- Mansfield ISD does not pre-screen posted content, but it shall have the right to remove content with cause.

Index

Accommodations
  ADA, 18
  pregnancy, 12
Administering medication, 51
Alcohol and drug
  abuse prevention, 31
  testing, 17
Arrests and convictions, 35
Asbestos management plan, 32
Assault leave, 28
Associations and political activities, 32
At-will employment, 14
Automatic payroll deposits, 19
Background checks, 33
Bad weather closing, 47
Benefits
  cafeteria plan, 19
  health insurance, 19
  leave, 22
  retirement, 21
  supplemental insurance, 21
  workers' compensation, 22, 30
Bereavement leave, 28
Board of Trustees
  information, 11
  meeting schedule, 11
  members, 11
Breaks, 12
Breast Milk, 12
Building use, 47
Bullying, 51
Cafeteria plan benefits, 19
Certification
  health and safety training, 15
  maintaining, 13
  parent notification, 15
Change of address, 48
Charitable contributions, 32
Child abuse
  reporting, 39
  sexual, 41
Code of ethics, 41
Committees, 14
Compensation, 19
Compliance with a subpoena, 28
Complaints
  employee, 31
  parent and student, 52
Compliance coords, 15, 50
Conduct and welfare, 31
Conflict of interest, 32
Contract
  employment, 13
  noncertified employees, 13
  nonrenewal, 49
Copyright materials, 33
Court appearances, 28
Court-ordered withholding, 50
Crime reporting, 39
Criminal history, 33
Dietary supplements, 51
Directories
  helpful contacts, 12
Disability, 18
Discrimination
  employee, 14
  student, 33
Dismissal
  contract employees, 49
  noncontract employees, 49
District
  communications, 31
  mission statement, 12
Diversity, Equity, and Inclusion, 50
Drug
  abuse prevention, 31
  psychotropic, 52
  testing, 17
E-cigarettes, 45
Electronic communications, 4-10, 45
Emergencies, 47
Employee
  conduct and welfare, 31
  dress code, 35
  involvement, 14
  recognition, 31
Employment
  after retirement, 14
  at-will, 13
  authorization documents, 13
  noncontract, 14
  outside, 16
Equal opportunity
  employment, 14
Every Student Succeeds, 15
Exit interviews, 50
Family and medical leave, 25
Firearms, 38
Form I-9, 13
Fraud, 36
General procedures, 47
Gifts and favors, 37
Grievances, 31
Guiding Statements, 12
Harassment, 33
Hazing, 52
Health insurance, 19
Health safety training, 15

Helpful contacts, 12
Insurance
health, 19
supplemental, 21
unemployment, 22
Internet use, 4-10, 37, 44
Job vacancy announcements, 15
Jury duty, 27
Leave
assault, 28
bank, 30
bereavement, 28
court appearances, 28
discretionary, 22
family and medical, 25
jury duty, 27
local, 22
medical certification, 23
military, 28
nondiscretionary, 23
personal, 23
religious observance, 28
sick, 30
temporary disability, 29
truancy court appearance, 28
workers' compensation, 30
Maltreatment of children, 41
Medications, 51
Mental health training, 18
Military leave, 28
Mission statement, 12
Motto, 12
Name and address changes, 48
Nicotine products and use, 45
Nonrenewals, 49
Nursing mothers, 12
Outside employment, 16
Overpayments, 20
Overtime, 20
Parent and student complaints, 52
Parent notification, 15
Paychecks, 20
Payroll
automatic deposits, 19
deductions, 20
schedule, 20
Performance evaluation, 16
Personal leave, 22
Personnel records, 48
Pest control treatment, 38
Political activities, 32
Possession of firearms and weapons, 38
Pregnant Workers Fairness Act, 12
Prohibited Classroom Instruction, 50
Prohibition on Diversity, Equity, and Inclusion, 50
Psychotropic drugs, 52
Purchasing procedures, 48
Reassignments, 16
Religious observance, 28
Resignations, 50
contract employees, 50
noncontract employees, 50
Retaliation, 33
Retirement
benefits, 21
employment after,14
Safety and Security, 40
Salaries, 21
School closing, 47
Searches, 17
Sexual harassment, 33
Sick leave, 30
Staff development, 17
Standards of conduct, 41
Student
attendance, 53
bullying, 51
complaints, 52
dietary supplements, 51
discipline, 53
equal educational opportunities, 52
harassment, 33
hazing, 52
medication, 51
records, 53
Supplemental insurance, 21
TEA reports, 40
Teacher retirement, 21
Technology resources, 44
Temporary disability leave, 29
Termination
disimissal during the contract term, 49
exit interviews, 50
noncontract employees, 49
nonrenewal, 49
reports to TEA, 40
resignation, 50
Text messaging, 4-9, 45
Tobacco products use, 44
Training
health and safety, 15
staff development, 17
Transfers, 16
Travel expenses, 22
Truancy court appearance, 28
Tutoring, 16
Unemployment insurance, 22
Unlawful acts, 49

Vacancy announcements, 15
Values, 12
Vision Statement, 12
Visitors, 47
Wages, 21
Weapons, 38
Whistleblower Act, 39
Work schedule, 18
Workers' compensation benefits, 22, 30
Workload, 18