KILGORE

INDEPENDENT SCHOOL DISTRICT

2026-2027

EMPLOYEE HANDBOOK

If you have difficulty accessing the information in this document because of a disability, please contact Human Resources.

Kilgore ISD reserves the right to amend this handbook as needed. An updated copy will be available on the KISD website.

Kilgore Independent School District, does not discriminate on the basis of sex, disability, race, color, age or national origin in its educational programs, activities, or employment as required by Title IX, Section 504 and Title VI.

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Employee Handbook Acknowledgement

All employees must electronically acknowledge their acceptance of the Kilgore ISD Employee Handbook. This will include acknowledgment of understanding of how to access the Employee Handbook located on the KISD website. The electronic acknowledgment is completed at the beginning of each school year during the annual online compliance training and at the time of hire.

Employees may view the Kilgore ISD Employee Handbook at any time on the KISD website. To access the Employee Handbook electronically on the KISD Human Resources Department page at www.kisd.org. Click on the Employee Handbooks link to view the the Kilgore ISD Employee Handbook as a pdf document. Employees may print or save a copy of the handbook. Employees also have the option of requesting a hard copy of the KISD Employee Handbook by contacting Kilgore ISD Human Resources.

Employees may access all Board policies at www.kisd.org on the Board Policy page or via Board Policy Online at https://pol.tasb.org/PolicyOnline?key=539. Employees are reposonisble for reading, understanding, and complying with the procedures, guidelines, and requirements contained in the Handbook.

The information in this handbook is subject to change. Changes in District policies may supersede, modify, or render obsolete the information summarized in this document. As the District provides updated policy or procedure information, all employees accept responsibility for reading and abiding by the changes. No modifications to contractual relationships or alterations of at-will relationships are intended by the Employee Handbook.

Employees have an obligation to inform the Human Resources Department of any changes in personal information, such as phone number, address, etc. Employees accept responsibility for contacting their supervisor or the Human Resources Department for questions, concerns, or further explanation regarding the Employee Handbook.

Introduction

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

This handbook is neither a contract nor a substitute for the official District policy manual. Nor is this handbook intended to alter the at-will status of noncontract employees in any way. Rather, the Employee Handbook 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.

This handbook does not represent a contract or create any employment right. Should conflicts exist between this handbook and District Policy, then District Policy governs.

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 department. District policies can be accessed online at www.kisd.org.

District Information

Description of the District

Kilgore ISD is located in the Piney Woods of Northeast Texas, approximately 120 miles east of Dallas, TX and 70 miles west of Shreveport, LA. The district serves over 4,000 students across six campuses and employs over 500 faculty and staff. Kilgore ISD believes in preparing today's students for tomorrow's opportunities through quality instruction, responsible citizenship, academic achievement, and extracurricular excellence. Our teachers focus on building academic success one student at a time by employing hands-on learning experiences and providing real life applications for classroom knowledge. Students are more than a number or a face in the crowd at Kilgore ISD. Every student and staff member become a part of a family. These families of students, faculty, staff, and community members build the optimal learning environment needed for our students to learn.

Mission, Vision, and Values

Policy AE

Mission

Kilgore ISD believes it is our responsibility to prepare our students for tomorrow's opportunities through quality instruction, responsible citizenship, academic citizenship, academic achievement, and extracurricular excellence.

Vision

Kilgore ISD is committed to providing innovative educational experiences meaningfully designed to challenge, support, and empower our students to achieve their absolute maximum potential within a learning environment grounded in our Bulldog community's traditions, values, and expectations.

Values

1. **Teaching & Learning:**
   Our school system will ensure that all students will receive meaningful classroom instruction designed to empower students.
2. **Engagement:**
   Our school system will implement engagement plans intended to cultivate a culture of parental and community support and cooperation.
3. **Facilities:**
   Our school system will provide and maintain state-of-the-art facilities that support innovative instructional practice, advanced student performance, and community partnership.
4. **Employee Development:**
   Our school system will recruit, develop, and retain employees whose philosophies and experiences align with those of the district.
5. **Funding & Finance:**
   Our school system will ensure exemplary financial management and maximize funding resources to optimize student achievement and classroom innovation.

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 annually and serve 3-year terms. Board members serve without compensation, must be qualified voters, and must reside in the District.

Board of Trustees

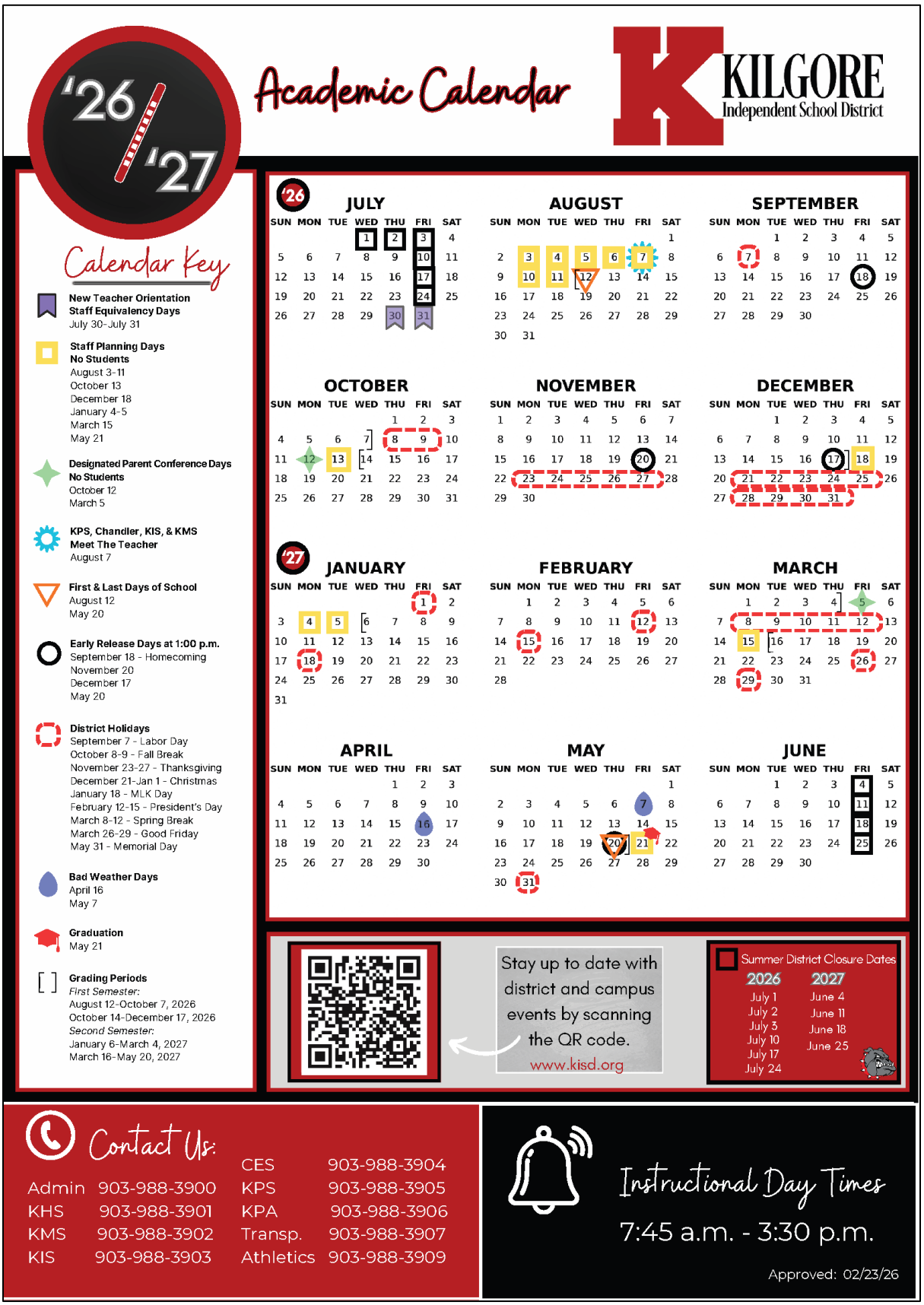
- Position 1: Dereck Borders
- Position 2: Jason Smith, President
- Position 3: Alan Clark
- Position 4: Reggie Henson
- Position 5: Johna Tritt
- Position 6: Rachel Harrington, Secretary
- Position 7: Dana Sneed, Vice President

Board Meeting Schedule

The Board usually meets on the fourth Monday of each month at 6:00 p.m. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and at the Central Administration Building at least three business days before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with 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.

Calendar


'26 / '27
Academic Calendar
KILGORE
Independent School District
Calendar Key
New Teacher Orientation
Staff Equivalency Days
July 30-July 31
Staff Planning Days
No Students
August 3-11
October 13
December 18
January 4-5
March 15
May 21
Designated Parent Conference Days
No Students
October 12
March 5
KPS, Chandler, KIS, & KMS
Meet The Teacher
August 7
First & Last Days of School
August 12
May 20
Early Release Days at 1:00 p.m.
September 18 - Homecoming
November 20
December 17
May 20
District Holidays
September 7 - Labor Day
October 8-9 - Fall Break
November 23-27 - Thanksgiving
December 21-Jan 1 - Christmas
January 18 - MLK Day
February 12-15 - President's Day
March 8-12 - Spring Break
March 26-29 - Good Friday
May 31 - Memorial Day
Bad Weather Days
April 16
May 7
Graduation
May 21
Grading Periods
First Semester:
August 12-October 7, 2026
October 14-December 17, 2026
Second Semester:
January 6-March 4, 2027
March 16-May 20, 2027
'26
JULY
AUGUST
SEPTEMBER
OCTOBER
NOVEMBER
DECEMBER
'27
JANUARY
FEBRUARY
MARCH
APRIL
MAY
JUNE
Stay up to date with district and campus events by scanning the QR code.
www.kisd.org
Summer District Closure Dates
2026
July 1
July 2
July 3
July 10
July 17
July 24
2027
June 4
June 11
June 18
June 25
Contact Us:
Admin 903-988-3900
KHS 903-988-3901
KMS 903-988-3902
KIS 903-988-3903
CES 903-988-3904
KPS 903-988-3905
KPA 903-988-3906
Transp. 903-988-3907
Athletics 903-988-3909
Instructional Day Times
7:45 a.m. - 3:30 p.m.
Approved: 02/23/26

Administration

NAME	TITLE	EXT
Dr. Andy Baker	District Superintendent of Schools	2008
April Cox	Assistant Superintendent	2012
Trish Hall	Chief Financial Officer	2013
Stephanie Schminkey	Chief Academic Officer	2044
Mark Sprague	Chief Technology Officer	2031
Amy Broaddus	Director of Human Resources	2032
Charles Presley	Director, Safety and Emergency Management	2038
Leah Gorman	Coordinator of Communications	2056
Shelley Turner	Coordinator, Superintendent Office/Board Services & Federal Programs	2043

Helpful Contacts

NAME	TITLE	EXT
Administration Building		
Matt Abbott	Technology Coordinator	2029
Patricia Brooks	KISD Administration Receptionist	2001
Melissa Brown	District PEIMS Coordinator	2027
Athletics		
Clint Fuller	Athletic Director	2955
Business Office		
Carla Bell	Accounts Payable Specialist	2021
Tiffany Whitaker	Payroll Support Specialist	2020
Leslie White	Payroll Supervisor	2011
Curriculum		
Delina Chitwood	Director, Secondary Learning & Instructional Technology	2023
Brittney McCarty	Coordinator, Elementary Learning	2046
Ana Jimenez Moreno	Director, Bilingual Education/ ESL Program	2005
Misty Lewis	Director of CTE	2126
Becci Thurston	Director, Special Education	2030
Health Services		
Cassandra Roberts	Health Services Coordinator	2503
Human Resources		
Michelle Kopp	HR Specialist	2004
Monica McFarland	Coordinator, Staffing & TIA	2014
Angela Rhoads	Coordinator, Leaves and Benefits	2045
Maintenance		
Mike Brown	Director, Maintenance	2705
School Nutrition		
Sonia Padron	Director, School Nutrition	2042
Transportation		
Ronnie Garvin	Director, Transportation	2711

School Directory

Kilgore Primary School PK/HS - 1st		
Main Tel #	**903-988-3905**	
255 Baughman Rd, Kilgore, TX 75662		
Principal	**Lisa Richardson**	**2507**
Admin Asst	Mollie Shelton	2505
Asst Principal	Pamela O'Neal	2511
Asst Principal	Sara Alfred	2506
Nurse	Cassie Roberts	2503
Computer Tech	Angelica Martinez	2046

Chandler Elementary School 2nd & 3rd		
Main Tel #	**903-988-3904**	
2500 Chandler St, Kilgore, TX 75662		
Principal	**Steven Collins**	**2410**
Admin Asst	Jennifer McKay	2404
Asst Principal	Kimberly Breashears	2403
Nurse	Emily Carroll	2407
Computer Tech	Juan Resendiz	2022

Kilgore Intermediate School 4th & 5th		
Main Tel #	**903-988-3903**	
2201 Whipporwill Ln, Kilgore, TX 75662		
Principal	**Sheri Payne**	**2302**
Admin Asst	Lacy Toler	2301
Asst Principal	Jeromy McMurray	2306
Nurse	Jamie Thurmond	2308
Computer Tech	Juan Resendiz	2022

Kilgore Middle School 6th - 8th		
Main Tel #	**903-988-3902**	
455 Baughman Rd, Kilgore, TX 75662		
Principal	**Alexandra Ramos**	**2208**
Admin Asst	Melba Hampton	2206
Asst Principal	Sheri Peterson	2223
Asst Principal	Stephanie Carter	2205
Asst Principal	Mason McCormack	2216
Nurse	Jonna Martin	2204
Computer Tech	Angelica Martinez	2046

Kilgore High School 9th - 12th		
Main Tel #	**903-988-3901**	
711 N. Longview St, Kilgore, TX 75662		
Principal	**Otis Amy**	**2106**
Admin Asst	Amanda Craven	2104
Assoc Principal	Tim Banks	2107
Asst Principal	Karla Square	2105
Asst Principal	Stephanie Hinojosa	2102
Asst Principal	Bethanie Williams	2141
Nurse	Melissa LeBlanc	2109
Computer Tech	Joseph Collum	2155

Kilgore Pathways Academy		
Main Tel #	**903-988-3906**	
820 N. Kilgore St. Kilgore, TX 75662		
Principal	**James Haley**	2601
Admin Asst	Rosemary Ramirez	**2610**

KISD Administration
Main Tel # **903-988-3900**
301 N. Kilgore St. Kilgore, TX 75662
Monday – Friday 7:30 am – 4:00 pm

Employment

Equal Employment Opportunity

Policies DAA, DIA

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

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

The district designates and authorizes the following employee as the Title IX coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: *April Cox, Assistant Superintendent, 301 N. Kilgore St, Kilgore, TX 75662, acox@kisd.org, 903-988-3900*. 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: *April Cox, Assistant Superintendent, 301 N. Kilgore St, Kilgore, TX 75662, acox@kisd.org, 903-988-3900.*

Questions or concerns relating to discrimination for any other reason should be directed to: *Amy Broaddus, Director of Human Resources, 301 N. Kilgore St, Kilgore, TX 75662, abroaddus@kisd.org, 903-988-3900.*

Job Vacancy Announcements

Policy DC

Announcements of job vacancies by position and location are posted on a regular basis to the District's website. Board policy DC (Legal) requires posting of certified positions. The interview and consideration process may begin immediately following posting. Candidates will be selected based on the knowledge, skills, and abilities required for the position. Only those candidates with the strongest qualifications may be selected for an interview. When a campus or department is undergoing a reorganization supported by Administration, there may be movement opportunity only available to current employees of that campus or department. There may also be times when only internal District employees are eligible to apply for an open position. These cases will be identified on the respective posting.

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*. Applicants

must contact TRS for additional information by calling 800-223-8778 or 512-542-6400 prior to employment with Kilgore ISD. Information is also available on the TRS Website (www.trs.texas.gov).

Contract and Noncontract Employment

Policy DC series

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

Probationary Contracts. 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 two school years (i.e., two one-year contracts).

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

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

Noncertified Professional and Administrative Employees. Employees in professional and administrative positions that do not require SBEC certification (such as non-instructional administrators) are employed by a one- or two-year contract that is not subject to the provisions for nonrenewal or termination under the Texas Education Code unless grandfathered through an existing term contract or required by Board policy.

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

Certification and Licenses

Policies DBA, DF

Employees whose positions require SBEC certification or a professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to Kilgore ISD Human Resources in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify Kilgore ISD 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. A paraprofessional employee whose position requires SBEC certification is subject to separation if the individual does not

hold a valid certification or fails to fulfill the requirements necessary to renew or extend a certification. Contact Kilgore ISD Human Resources if you have any questions regarding certification or licensure requirements.

Recertification of Employment Authorization

Policy DC

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

Searches and Alcohol/Drug Testing

Policy CQ, DHE

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

Health Safety Training

Policies DBA, DMA

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

Nurses, athletic coaches or sponsors, PE teachers, marching band directors, cheerleading coaches, and other certain employees must obtain and maintain certification in the principles and techniques of cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED) provided by the American Red Cross, the American Heart Association, or another authorized organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to Kilgore ISD Human Resources prior to the activity commencing.

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

Reassignments

Policy DK

All employees 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. Employees may be assigned additional duties within a reasonable scope of their job description in order to make sure the campus or department is running effectively and efficiently. Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA(Local).

Transfers

Policy DK

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

An employee with the required qualifications for a position may request a transfer to another campus or Department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit their request by the last day of the

previous instruction year. If the request for transfer is due to interest in filling a District vacancy, an online employment application must be completed for employment consideration by the hiring manager or interviewing committee. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Human Resources office, and must be approved by the receiving supervisor and the Superintendent.

Workload and Work Schedules

Policies DEAB, DK, DL

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

Classroom teachers will have planning periods for instructional preparation including conferences. The schedule of planning periods is set at the campus level but must provide at least 450 minutes within each two-week period in blocks not less than 45 minutes within the instructional day. Teachers and librarians are entitled to a duty-free lunch period of at least 30 minutes. The District may require teachers to supervise students during lunch one day 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. The workday is not the same as the instructional day. Principals and supervisors may set *on duty* hours for employees that begin before daily instruction and end after daily instruction. See *Overtime Compensation* for additional information.

Employees wishing to leave their campus during the day for any reason other than taking a duty-free lunch must receive permission form the principal or direct supervisor.

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 Kilgore ISD Human Resources and identifying an adjustment or change at work that is needed because of a disability. An employee may also submit a written request using the ADA Accommodation Request Form, which is available by contacting Kilgore ISD Human Resources.

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

After meeting with the employee and reviewing medical documentation, HR will determine whether the employee is a qualified individual with a disability and develop a reasonable accommodation plan for the employee. Accommodation will

be determined on a case-by-case basis. HR will work closely with the employee and supervisor to ensure that reasonable accommodation is provided and effective.

Breaks for Expression of Breast Milk

Policies DEAB, DG

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

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

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

Pregnant Workers Fairness Act

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

Notification to Parents Regarding Qualifications

Policies DK, DBA

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

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to 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 contact Kilgore ISD Human Resources.

Outside Employment and Tutoring

Policy DBD

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

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

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

Performance Evaluation

Policy DN series

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Written evaluations will be completed on forms approved by the District. Reports, correspondence, and memoranda may also 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.

Teachers are appraised using the Texas Teacher Evaluation and Support System (T-TESS) and will receive orientation to the system early each school year. Teachers appraised with T-TESS are required to complete T-TESS Teacher Orientation prior to being appraised by their supervisor. Contact the campus principal or Curriculum and Instruction Department for the T-TESS calendar.

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

Employee Involvement

Policies BQA, BQB

District and campus site-based committees provide a valuable service to the District and campus. Kilgore 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 KISD website at www.kisd.org.

Staff Development

Policy DMA

Staff development activities are organized to meet the needs of employees and the district. To grow and develop people as identified by the district mission and beliefs, Kilgore ISD is committed to professional learning experiences that advance the knowledge, skills, dispositions, and practices of teachers, administrators, instructional and non-instructional staff. Kilgore

ISD provides a system of professional learning that 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, food service providers, etc.) and continued employee skill development.

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

Required Training

Policy DMA

Compliance training for employees is made available through an online learning management system. Employees have individual access to the system with a syllabus of courses reflective of requirements for their position. The KISD Human Resources Department will provide guidance for accessing and completing training modules. Successful completion of the compliance trainings is mandatory. Failure to complete the compliance training could result in disciplinary action including termination. All non-exempt/hourly employees must be clocked in while completing the training. These courses are not available for exchange time.

Mental Health Training

Policy DMA

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

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

Equivalency Days

Throughout the school year and summer months, professional development opportunities are available to strengthen effective teaching and learning so that students' performance is positively impacted. Employment calendars shall include workdays to be designated as "equivalency" or "exchange" days." The principal or director is responsible for setting the parameters for acceptable activities that may be used. An employee who has not accrued the required professional development credit prior to the Time Equivalency day must report to work as directed by the principal or follow the procedures for non-discretionary leave.

Nepotism

Policies DBE, DCD, BBFB, BBBD, FB

The District will consider a member of an employee's immediate family for employment if the applicant possesses all of the qualifications for employment for the position. An immediate family member may not be hired, however, if the employment would:

- violate state law and the District's nepotism policy
- create either a direct or indirect supervisor/subordinate relationship with a family member
- create an actual conflict of interest or the appearance of a conflict of interest

These criteria will also be considered when assigning, transferring or promoting an employee.

"Immediate family" includes the employee's:

spouse, partner, brother, sister, mother, father, grandfather, grandmother, uncle, aunt, niece, nephew, stepmother, stepfather, children, stepchildren, father-in-law, mother-in- law, sister-in- law, brother-in-law, daughter-in-law, son-in-law, and any other member of the employee's household.

Employees who marry or become members of the same household may continue employment as long as there is not a direct or indirect supervisor/subordinate relationship between the employees and/or an actual conflict of interest or the appearance of a conflict of interest does not exist. If one of the above situations occur, the District will attempt to find a suitable position within the District to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the affected employees will be permitted to determine which of them will resign.

Any exceptions to must be approved by the Department Director, the KISD Director of Human Resources, and the KISD Superintendent of Schools. Written justification for the exception must be submitted to Human Resources prior to any employment decisions.

The District reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if no direct reporting relationship or authority is involved.

Faculty/Staff Meetings/Special Campus Events

Principals and directors will routinely schedule meetings for all teachers and professional staff, as well as other staff, as part of their employment obligations. Such meetings include Open House, Meet the Teacher night, Faculty/Staff general meetings, ARDs, 504 meetings, and similar professional meetings. These meetings will typically be in late afternoon or evening after students have been released for the day. Important information about district and campus operations and programs at the campus are communicated in these meetings, which also provide an opportunity for employees to communicate ideas and issues to the administration.

Many of these meetings include parents and are critical opportunities for us to solicit their support as partners in the education process. You must attend these meetings unless you have contacted the principal in advance and received permission to be absent. Reasonable efforts will be made to minimize these meetings while still meeting the educational objectives of the campus.

Conference Period

Policy DL

All full-time teachers will receive planning periods totaling at least 450 minutes within each two-week period in blocks not less than 45 minutes. The purpose of the conference period is for teachers to plan and prepare instruction, to grade student work, and/or to hold meetings with parents. You are required to use your conference period for the stated purpose. Without prior approval from your direct supervisor, you will not be permitted to leave campus during your conference period to run errands, keep doctor or other appointments, or for any other purpose. For safety and/or security reasons, the campus principal may require a teacher to oversee another teacher's classroom during a conference period to provide for an unexpected absence or other administrative reason.

Compensation and Benefits

Salaries, Wages, and Stipends

Policies DEA, DEAA, DEAB

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

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 with 10- or 11-month contracts or assignments will have a portion of their monthly salary set aside each month to provide a regular paycheck during the one or two months in the summer when they are not actively providing service to the school district. This is known as annualizing compensation.

It is each employee's responsibility to review the accuracy of their pay regularly through the online Employee Access Portal in Skyward. Employees should speak with their immediate supervisor to request a review of their individual pay. Employees may contact the KISD Business Department/Payroll Supervisor or the KISD Director of Human Resources for more information regarding pay schedules and practices.

Paychecks and Automatic Payroll Deposit

Policy CFEA, CRG

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 statement and should contact the Kilgore ISD Business Office if they have any questions.

Employee paycheck statements can be accessed online via the Skyward Employee Access Portal. Paycheck statements contain detailed information including deductions, withholding information, and benefits paid by the district for each employee. Paychecks are distributed on the 26th of each month. If the 26th falls on a weekend or holiday, payday will be the last business day prior to the weekend or holiday. Employees should contact the KISD Payroll Supervisor for questions pertaining to payroll or payroll statements.

Automatic Payroll Deposit

Employees can have their paychecks electronically deposited into a designated account. All paychecks not set up on direct deposit will be mailed. Contact the KISD Payroll Supervisor for more information about the automatic payroll deposit service.

Payroll Deductions

Policy CFEA

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

- Teacher Retirement System of Texas (TRS) or Social Security employee contributions
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)
- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, 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. Non-exempt employees must have their Social Security contributions deducted. All employees working on a less than 12-month basis will be paid on an annualized basis. Salary deductions are automatically made for unauthorized or unpaid leave.

Employees are eligible to participate in section 403(b) or 457(a) of the Internal Revenue code allowing pre-tax savings. The district uses a Third-Party Administrator (TPA) to process these contributions to ensure compliance with all state and federal guidelines. The TPA charges a monthly administrative fee per employee, which is deducted along with the employee contribution. The District will not accept, process, or authorize deduction changes without approval from the employee and the TPA.

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

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

Overtime Compensation

Policies DEAB, DEC

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

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. For the purpose of calculating overtime, a workweek begins at 12:00 a.m. Sunday and ends at 11:59 p.m. Saturday.

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

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:

- At the District's option, nonexempt employees may receive compensatory time off (comp time), rather than overtime pay, for overtime work. The employee shall be informed in advance if overtime hours will accrue comp time rather than pay.
- Comp time earned by nonexempt employees shall be approved by the employee's campus principal or Department head. Comp time may not accrue beyond a maximum of 22.5 hours above the number of hours

required to satisfy equivalency time built into the District calendar. Any variation of the maximum hours shall have written approval from the Superintendent.

- Comp time must be used in the duty year that it is earned. If an employee has any unused comp time remaining at the end of a duty year, the District shall pay the employee for the comp time.
- Use of comp time may be at the employee's request with supervisor approval, as workload permits, or at the supervisor's direction.
- Earned comp time must be used before any available paid state and local leave.
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.

Travel Expense Reimbursement

Policy DEE

Approval for Travel. Before any travel expenses are incurred by an employee, the employee must obtain approval from their immediate supervisor and/or the appropriate administrator. This applies whether the function involves expenditure of money or is free. Approval must be submitted at least two weeks prior to the event. 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.

Travel Objectives. Travel should serve to improve the District as it relates to the employee job assignment. Administrators approving such travel are responsible for ensuring the: a) travel fulfills the stated objective, b) request is based upon stated program need, c) quality of requested program, d) reasonableness of number attending and frequency of attendance, e) lessons learned are communicated with additional staff/key stakeholders; and f) funding is available for requested travel expenses.

KISD Travel Support

- Only in-state travel will be considered for approval without extenuating circumstances.
- District employees may choose to use their own vehicles and be reimbursed for mileage or may reserve and use a District-owned vehicle. The District will pay mileage for only one vehicle per four people attending a function if employees could have traveled together and chose not to do so.
- Plane tickets will only be paid for in extenuating circumstances. Without extenuating circumstances, airplane travel will only be paid up to the standard mileage that would have been allowable to the same destination. Additional expenditures will be assumed by the employee, including rental vehicle if applicable.
- Employees will be reimbursed on a per-meal basis upon submission of actual receipts up to the maximum allowable meal rate. If a conference banquet meal exceeds District reimbursement rates, the District will reimburse the conference meal in lieu of the standard allowable meal amount. Meals provided as part of the conference or included in the hotel cost will not be reimbursed.

Travel Cards. Travel cards may only be used for selected items, such as hotel expenses and, when traveling in a District owned vehicle, expenses associated with that vehicle. Items such as meals, etc. may not be charged to the KISD Travel card. When checking out a card, the employee must present a copy of their approved travel request and sign a cardholder agreement form. Improper usage will result in disciplinary action and the withholding of improper charges from the employee paycheck if not corrected by other means. Business Department personnel will determine which type of procurement card employees need for their particular travel. All District Travel cards must be checked out from the Business Department on the business day before departure. The travel card and original receipts should be returned to the Business Department immediately upon return from the travel.

Hotel/Motel Expenses. If a personal card cannot be used to make the reservation, the employee must provide approval documentation to the Business Department to obtain a District Travel card. Charges that occur due to failure to cancel reservations could result in charges being withheld from the employee's pay unless there are extenuating circumstances. Hotel receipts must show all detailed charges and payment of the bill. Employees are responsible for reviewing the hotel bill and verifying that no state taxes were charged prior to hotel departure.

Advances. Employees will not receive travel advances for travel that does not involve students. Advances for per diem

meals when travel involves students will be made upon completion of proper request form. Requests must be made at least two weeks in advance to allow sufficient time to generate the requested check.

District Vehicles. District vehicles are provided based on transportation needs. Teams or groups will be given preference in most cases. Remaining vehicles will be distributed on a first come, first served basis. A Transportation Request form is required to reserve a District vehicle. Cards for fuel expenses will be distributed by the Transportation Department at the time the vehicle keys are picked up. Travel cards, receipts for vehicle charges and the vehicle keys must be returned immediately.

Detailed receipts are required. Credit card signature slips showing only a total amount are not acceptable documentation.

Travel Expense Report. In all cases, a travel expense report should be completed upon return from travel within one week of travel completion. This is true even when there is no additional money due the employee. It is imperative that the employee and the supervisor make sure the form is completed correctly, as correcting errors to the form could delay the actual reimbursement.

Travel with Students. Employees will follow the same guidelines as above with several additional requirements.

- Student meals will be reimbursed for the smaller of the actual or per diem amounts.
- Advances for meal money will be given when appropriate paperwork is completed.
- If students are given per diem travel amounts, employees must have the students sign for receipt.
- If actual meals are charged, copies of detail receipts must be submitted.
- When travel requires overnight stay, same sex students are required to stay four to a room.
- Expenses must be reconciled using the appropriate form and returned with all unused funds. Amounts due to the employee must be supported with detailed receipts or other documentation, such as signed student roster showing more students attended than for which funds were originally requested.

Transporting Students

Employees are not to transport students in their personal vehicle unless approved by the district.

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. Contact Kilgore ISD Human Resources for additional information.

Supplemental Insurance Benefits

Policy CRD

At their own expense, employees may enroll in supplemental insurance programs for dental, vision, supplemental life, disability, and other supplemental benefits. Premiums for these programs can be paid by payroll deduction.

Cafeteria Plan Benefits (Section 125)

Policy CFEA, DEA

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.

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 workers' compensation coverage is administered by Deep East Texas Self Insurance Fund, effective March 1, 2003.

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 campus nurse. 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* for use of paid leave for such absences. Contact Kilgore ISD Human Resources for more information.

Unemployment Compensation Insurance

Policy CRF

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

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 contact TRS and notify KISD Human Resources as soon as possible. Information regarding the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the web at www.trs.texas.gov. Refer to the TRS Employment After Retirement handbook for additional information on restrictions of employment of retirees in Texas public schools.

Leaves and Absences

Policies DEC, DECA, DECB

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

Paid leave must be used in half and whole day 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:

1. Local sick leave
2. State sick leave accumulated prior to the 1995-1996 school year
3. State personal leave

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

Job Abandonment. 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 three consecutive days without notice is considered to have abandoned their job and may face disciplinary consequences up to and including termination.

Leave Proration. If an employee separates from employment with the district before his or her last duty day of the year, or begins employment after the first duty day, all 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.

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

4. Spouse
5. 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.
6. Parent, stepparent, parent-in-law, or other individual who stands in loco parentis to the employee.
7. Sibling, stepsibling, and sibling-in-law
8. Grandparent and grandchild
9. Any person residing in the employee's household at the time of illness or death

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

Medical Certification. Any employee, who is absent more than five 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.

State Personal Leave

State law entitles all employees to five days of paid personal leave per year. Personal leave is available for use at the beginning of the year. A day of personal leave is equivalent to the number of hours per day in an employee's usual assignment, whether full-time or part-time. State personal leave accumulates without limit, is transferable to other Texas school Districts, and generally transfers to education service centers. Personal leave may be used for two general purposes: 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 may be used in the same manner as sick leave. An employee absent more than five consecutive workdays because of personal illness shall submit medical certification of illness and fitness to return to work.

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 five 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.

Guidelines for Use of Discretionary Leave. Request for discretionary state personal leave shall be submitted to the principal or supervisor five days in advance of the anticipated absence. Discretionary state personal leave will be granted on a first-come, first-serve basis and will be subject to the following limitations:

- **Reason for Leave:** In deciding whether to approve or deny state personal leave, the approver shall not seek or consider the reasons for which an employee requests to use leave.
- **Duration of Leave:** Discretionary use of state personal leave shall not exceed three consecutive workdays unless approved in advance by supervisor.
- **Prohibited Days:** Discretionary use of leave shall not be allowed on the following days:
    - before or after a school holiday
    - days scheduled for end-of-semester, end-of-year, or mandatory assessments
    - days scheduled for professional or staff development

In accordance with administrative regulations, an exception may be made if an employee's supervisor determines that the employee's requested absence is not expected to have a detrimental effect on the educational program or District operations, and that a substitute is likely to be available.

State Sick Leave

(Accumulated before 1995)

State sick leave is no longer earned. State sick leave accumulated prior to 1995 is retained by the employee and may be transferred to other school Districts in Texas. State sick leave can be used only in whole and half work-day increments, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

State sick leave may be used for the following reasons only:

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

Local Leave

Policy DEC (Local)

All full- time employees shall earn five days of paid local sick leave per school year in accordance with administrative regulations. Local leave shall accumulate to a maximum of twenty leave days. An employee shall not earn any local leave when he or she is in unpaid status. An employee using full or proportionate paid leave shall be considered to be in paid status. An employee absent more than five consecutive workdays because of personal illness shall submit medical certification of illness and fitness to return to work.

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

Non-Contract Leave

All year-round employees on a 239-day or 226-day work calendar are allocated 'Non-Contract' Days, which may be used under the same guidelines as personal leave. These days are prorated based on the employee's start date and may be used for either discretionary or nondiscretionary leave. Non-Contract Days roll over annually but must be used by the following December or they will expire.

Use of Partial Day Sick Leave

Local partial days are no longer issued to employees, but accrued, partial leave balances are still available for use as needed. Partial days may only be used for reasons that state sick leave may be used for and may not under any circumstance be used for personal days. Partial day sick leave may only be used when an employee has exhausted all other leave.

Sick Leave Bank

The District has established a Sick Leave Bank (SLB) that employees may join through contribution of local leave or state leave during the annual enrollment period. Leave contributed to the SLB shall be solely for the use of participating employees. An employee who is a member of the SLB may request leave from the SLB if the employee or a member of the employee's immediate family experiences a catastrophic illness or injury and the employee has exhausted all paid leave, including catastrophic sick leave, and any applicable compensatory time.

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

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

A sick Leave Bank Committee shall be established each school year to review applications and make determinations.

Family and Medical Leave Act (FMLA)—General Provisions

Policy DEC

The following text is from the federal notice, Your *Employee Rights Under the Family and Medical Leave Act*. This information can be found on the Department of Labor (DOL) website. Specific District information that has been 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 the DOL FMLA Fact Sheet #28 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

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.

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

Local Procedures for Implementing Family and Medical Leave Provisions

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

Use of Paid Leave. FML runs concurrently with accrued sick and personal leave, temporary disability leave, compensatory time, assault leave, and absences due to 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. The District does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

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

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

In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FML entitlement, and the District will maintain the employees group health insurance and reinstate the employee at the end of the leave according 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 Kilgore ISD Human Resources for details on eligibility, requirements, and limitations.

Temporary Disability Leave

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

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

must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days.

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

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

Workers' Compensation Benefits

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

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

Assault Leave

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

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

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

Jury Duty

Policies DEC, DG

The District provides paid leave to employees who are summoned to jury duty including service on a grand jury. The District will not discharge, threaten to discharge, intimidate, or coerce any regular employee because of juror or grand juror service

or for the employee's attendance or scheduled attendance in connection with the service in any court in the United States. Employees who report to the court for jury duty may keep any compensation the court provides. An employee should report a summons for jury duty to his or her supervisor as soon as it is received and may be required to provide the District a copy of the summons to document the need for leave.

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

Compliance with a Subpoena

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use personal leave. Employees may be required to submit documentation of their need for leave for court appearances. Absences for court appearances related to an employee's personal business shall be deducted from the employee's leave.

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.

Military Leave

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

Reemployment after Military Leave. Employees who leave the District to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the District will be reemployed provided they can be qualified to perform the required duties. Employees returning to work following military leave should contact the Kilgore ISD 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 the Kilgore ISD Human Resources for details on eligibility, requirements, and limitations.

Mental Health Leave for Peace Officers and Licensed Telecommuters

Policies DEC, DG

A District peace officer who experiences a traumatic event in the scope of employment shall be granted a maximum of three days of mental health leave per traumatic event. Such leave shall be provided in accordance with administrative regulations and shall not be deducted from the employee's pay or leave balance.

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

1. Circumstances or reasons under which a peace officer may use mental health leave;
2. Procedures for requesting mental health leave and maintaining the anonymity of the requester;
3. The administrator authorized to approve requests for mental health leave; and
4. Other procedures deemed necessary for administering this provision.

Quarantine Leave for Peace Officers

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

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

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

Leave for Peace Officers for Illness or Injury

A full-time district employed licensed police officer who regularly serves in a law enforcement capacity in a district police department is entitled to a paid leave of absence (LOA) for an illness or injury related to the person’s line of duty. If necessary, the leave shall continue for at least one year.

If unable to return to work at the end of the paid leave and any extension, a police officer may use accumulated sick, vacation, and other accrued leave before being placed on unpaid temporary leave. At the end of temporary leave, the police officer will be reinstated at the same rank and with the same seniority the person had before going on temporary leave.

Administrative Leave/Suspension

Policies DFAA, DFBA

An employee may be suspended with or without pay and placed on administrative leave by the Superintendent during an investigation of alleged misconduct by the employee or at any time the Superintendent determines that the District's best interest will be served by the suspension.

Neutral Absence Control

If an employee does not return to work after exhausting all available paid and unpaid leave, the District shall provide the employee written notice that he or she no longer has leave available for use. The District shall automatically pursue termination of an employee who has exhausted all available leave, regardless of the reason for the absence. [See DF series] If terminated, the individual may apply for reemployment with the District.

Absence Requests

Employees must request absences through Skyward Time Off in the Skyward Employee Access portal. Employees whose position requires a substitute will automatically be redirected to Frontline (our absence management system) to request a substitute. Frontline's only function is to announce the absence so that a substitute can accept the job, whereas Skyward Time Off is where leave is recorded.

It is the employee's responsibility to ensure accurate information is submitted in the Skyward Time Off system. No revisions to the type of leave elected by the employee can be made once processed by the Business Department.

Excessive Absenteeism

An employee's presence at work is essential to the success of the District's educational mission. Absences in excess of ten days are considered to be excessive. Absences due to approved FMLA, temporary disability, assault, jury duty, subpoena, or an accommodation under ADA are not considered when determining excessive absenteeism. Campus and department supervisors are responsible for reviewing all absences in excess of ten days, except approved job-protected absences, and will take corrective action as appropriate, up to and including termination in accordance with District policies.

Employees are expected to use available leave responsibly and conserve days for unforeseen events. Once all paid leave has been exhausted, additional absences will result in deductions at the employee's daily or hourly rate, as applicable. Unauthorized leave may result in loss of pay and disciplinary action.

Employee Relations and Communications

Employee Recognition and Appreciation

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

District Communications

Policy GKDA

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

Social Media

Social media accounts (Facebook, Instagram, TikTok) can be useful and effective communication tools for parents, students and community communication to:

- Share district, school, classroom and student news
- Share and invite users to school events
- Share school photos and videos
- Recognize and celebrate student and staff accomplishments
- Communicate important information in a quick manner

All social media accounts associated with Kilgore ISD (including school, athletics, clubs, organizations, academic programs, etc.) must be registered with the Communications Department. Send an email to Leah Gorman, KISD Communications Coordinator, at lgorman@kisd.org and include the following:

- Organization
- Username
- Account administrators
- Administrator contact information

At least three campus employees, including the campus principal and the Communications Department should have the password and access to the organization account.

In a crisis situation, do not post on district associated accounts. The Communications Department and the Superintendent's Office serve as the official spokesperson for Kilgore ISD and is responsible for all formal communication.

Personal Responsibility When Posting on Social Media. In today's digital environment, the boundaries between public and private, and personal and professional, are often blurred. As an employee of Kilgore ISD, any online content that identifies you or is associated with you may reflect on the district. Employees are expected to ensure that their social media activity remains professional, appropriate, and consistent with the values and expectations of Kilgore ISD. Content that could negatively impact your role, the learning environment, or the district's reputation should be avoided.

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. The district encourages employees to resolve concerns at the lowest possible level. Employees are encouraged to attempt an informal resolution by meeting directly with the individual involved followed by talking to your principal or supervisor. If this is not successful, the formal grievance process is available to address concerns through the appropriate chain of command.

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.

If an issue cannot be resolved informally, employees may submit a formal written complaint using the District's grievance form within 15 business days of when the employee first became aware of the issue. If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. KISD District policy generally provides for a three-step process, beginning with the principal or immediate supervisor and ending with the Board of Trustees.

At-will employees may complain about the termination of their employment through this process. All other employees must use the specific processes described in law and policy to raise issues related to contract nonrenewal or termination.

For ease of reference, the District's policy concerning the process of bringing concerns and complaints is reprinted as follows:

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

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

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability), shall be submitted in accordance with DIA.

2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.
3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with DIA.
4. Complaints concerning instructional materials shall be submitted in accordance with EFA.
5. Complaints concerning a commissioned peace Department who is an employee of the District shall be submitted in accordance with CKE.
6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.
7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.

Notice to Employees. The District shall inform employees of this policy through appropriate District communications.

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

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

Direct Communication with Board Members. Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.
An employee may initiate the formal process described below by timely filing a written complaint form. Grievance forms may be obtained from Kilgore ISD Human Resources or the Superintendent's office.

Formal Process. Even after initiating the formal complaint process, employees are encouraged to seek informal resolution. An employee whose concerns are resolved may withdraw a formal complaint at any time. The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

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

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

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

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

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

Response. At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's e-mail address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Days. "Days" shall mean District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."

Representative. "Representative" shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process. The employee may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.

Consolidating Complaints. Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.
When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.

Untimely Filings. All time limits shall be strictly followed unless modified by mutual written consent. If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

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

Complaint and Appeal Forms. Complaints and appeals under this policy shall be submitted in writing on a form provided by the District. Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference. A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.

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

Level One

Complaint forms must be filed:

- Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
- With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

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

The appropriate administrator shall investigate as necessary and schedule a conference with the employee within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

Level Two

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The employee may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

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

Level Three

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

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

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

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

The Level Two record shall include:

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

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding Department may set reasonable time limits and guidelines for the presentation, including an opportunity for the employee and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

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

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

Employee Conduct and Welfare

Standards of Conduct

Policy DH

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

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

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

All district employees are required to adhere to the Educators' Code of Ethics adopted by the State Board for Educator Certification (SBEC). Employees are expected to read and understand the standards outlined in the Code, as these represent the ethical and professional expectations the District will uphold and enforce.

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

Policy DH

Purpose and Scope

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

Enforceable Standards

1. Professional Ethical Conduct, Practices, and Performance

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

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

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

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

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

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

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

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

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

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

Standard 1.11. The educator shall not intentionally, knowingly, or recklessly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.

Standard 1.12. The educator shall refrain from the illegal use, abuse, or distribution of controlled substances, prescription drugs and toxic inhalants.

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

Standard 1.14. The educator shall comply with the prohibitions on diversity, equity, and inclusion duties in Texas Education Code (TEC), §11.005.

Standard 1.15. The educator shall comply with the prohibitions on assistance with social transitioning in TEC, §11.401.

Standard 1.16. The educator shall comply with the restrictions on instruction regarding sexual orientation and gender identity in TEC, §28.0043.

Standard 1.17. The educator shall comply with the requirements to provide full information to a parent concerning a student in TEC, §26.008.

Standard 1.18. The educator shall not promote, advocate, or encourage, in a manner that is reasonably accessible or visible to students, illegal conduct:

I. described by TEC, §22A.201(a); or
II. directly related to student behavior or school property.

2. Ethical Conduct toward Professional Colleagues

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

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

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

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

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

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

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

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. Factors that may be considered in context and on the totality of the circumstances in assessing whether appropriate boundaries were maintained include, but are not limited to:

I. physical proximity or physical contact beyond the professional role or that the student has indicated is unwelcome, unless such contact is professionally required;
II. contacting or meeting the student beyond the professional role or making efforts to gain access to or time alone with a student with no discernible professional purpose;
III. transporting the student without permission from the student's legal guardian or in violation of school board policy, unless for an emergency;
IV. taking or possessing a photo or video of the student beyond the professional role or in violation of school board policy; and
V. showing favoritism or isolation through gifts, rewards, or privileges.

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 context and on the totality of the circumstances in assessing whether the communication is inappropriate include, but are not limited to:

I. the nature, purpose, timing, and amount of the communication;
II. the subject matter of the communication;
III. whether the communication was made openly, or the educator attempted to conceal the communication;
IV. whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
V. whether the communication was sexually explicit;
VI. whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student; and
VII. whether the communication could be reasonably interpreted as threatening the welfare and/or safety of the student.

Employee Professional Appearance Guidelines

Policy DH Local

Purpose

Kilgore ISD believes professionalism is demonstrated through character, relationships, preparation, and service to students. The District values the professionalism of its employees and considers all faculty and staff ambassadors for our schools and role models for our students. Employees are expected to maintain a professional appearance that reflects positively on the District while simultaneously supporting a safe, welcoming, and engaging learning environment.

Professional Dress/Attire/Grooming

Examples of appropriate professional dress/attire/grooming include, but are not limited to:

- Dress slacks, chinos, khakis, and wind pants when worn over athletic coaching shorts
- Denim jeans, including colored denim, when maintained and worn in a professional condition
- Dresses, skirts, jumpers, and business-casual attire
- Polo shirts, collared shirts, blouses, sweaters, and professional tops
- District, campus, college, military, or career-related t-shirts and sweatshirts
- Professional footwear, including sandals and athletic shoes
- Hair and nails that are clean, neat, and professionally maintained.

Examples of inappropriate professional dress/attire/grooming include, but are not limited to:

- Clothing or attire with rips, holes, tears, fraying, or excessive wrinkles
- Clothing or attire that is revealing, transparent, ill-fitting, or that allows skin or undergarments to be visible
- T-shirts not directly related to District, campus, college, military, or career
- Yoga and yoga style pants, and athletic wear such as wind suits, joggers, and shorts
- Pajamas, sleepwear, beachwear, or swimwear
- Visible body gauges or jewelry in piercings other than in the ears
- Hair color that is unnatural and distracts from an employee's professional responsibilities
- Visible tattoos that contain offensive, inappropriate, discriminatory, violent, or distracting images, words, or messages and are not consistent with a professional educational environment.

CROWN Act. HB 567 of the 88th Regular Session of the Texas Legislature, effective September 1, 2023. This bill is also known as the CROWN Act, which stands for Creating a Respectful and Open World for Natural Hair. The bill prohibits an employer from adopting or enforcing a dress or grooming policy that discriminates against a hair texture or protective hairstyle commonly or historically associated with race. This bill does not define “protective hairstyle,” but specifies these hairstyles include braids, locks, and twists.

Discrimination, Harassment, and Retaliation

Policies DH, DIA, FFH

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees, 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 harassment.

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.

District employees who believe they have experienced prohibited conduct based on sex, including sexual harassment, or believe that another employee has experienced such prohibited conduct, should immediately report the alleged acts. Employees may report the alleged acts to their supervisor, the campus principal, the Title IX Coordinator, the Superintendent, or Kilgore ISD Human Resources. 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 is reprinted below. For discrimination, harassment, and retaliation involving *students*, see Policy FFH. For reporting requirements related to child abuse and neglect, see Policy FFG.

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is reprinted below:

Employee Welfare: Freedom from Discrimination, Harassment, and Retaliation

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

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

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

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

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

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

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

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

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

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

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

While an isolated incident of inappropriate sexual conduct may not meet the legal definition of sexual harassment, such behavior is strictly prohibited under Kilgore ISD's standards of conduct. All incidents must be reported to an administrator for review and appropriate action.

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

Reporting Procedures
Employees who believe they have experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. Employees may report the alleged acts to their supervisor or campus principal.

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

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

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

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

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

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

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

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

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

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

Investigation of Reports Other Than Title IX
The following procedures apply to all allegations of prohibited conduct, including sexual harassment. For allegations of sex-based harassment that are brought through a formal complaint only under Title IX, see FFH and administrative regulations.

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

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

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

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

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

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

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

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

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

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

Appeal
A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level. The complainant may have a right to file a complaint with appropriate state or federal agencies.

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

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

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

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

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

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

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

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;
3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;
6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;
8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;
9. A description of the supportive measures available to the complainant and respondent;
10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;
11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and
12. Other local procedures as determined by the Superintendent.

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

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

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

Records Retention
The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records control schedules, but for no less than the minimum amount of time required by law. [See CPC] For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and administrative regulations.

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

Harassment of Students

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

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

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

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

The district's policy that includes definitions and procedures for reporting and investigating harassment of students is reprinted below:

Employee Standards of Conduct: Reports to State Board for Educator Certification

Permissive Reports
The Superintendent may notify the State Board for Educator Certification (SBEC) of any educator misconduct they believe in good faith may be subject to sanctions under 19 Administrative Code, Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, and/or Chapter 247, Educators' Code of Ethics. *19 TAC 249.14(d)*

Required Reports
A Superintendent shall notify SBEC if:

1. An educator employed by or seeking employment with the District, or an applicant or holder of an SBEC certificate, has a criminal record and the District obtained information about the educator's criminal record by a means other than the criminal history clearinghouse established by the Texas Department of Public Safety under Government Code 411.0845;
2. An educator's employment at the District was terminated and there is evidence that the educator engaged in misconduct listed below [see Reportable Misconduct, below];
3. The educator submitted a notice of resignation and there is evidence that the educator engaged in misconduct listed below [see Reportable Misconduct, below]; or
4. The educator engaged in conduct that violated the assessment instrument security procedures established under Education Code 39.0301.

Education Code 21.006, 22.087; 19 TAC 249.14(d)

Reportable Misconduct
A Superintendent shall make a report to SBEC under items 2 and 3, above, if an educator was terminated or resigned and there is evidence that the educator:

- Sexually or physically abused a student or minor or engaged in any other illegal conduct with a student or minor;
- Possessed, transferred, sold, or distributed a controlled substance, as defined by Health and Safety Code Chapter 481 or by 21 U.S.C. 801 et seq.;
- Illegally transferred, appropriated, or expended school property or funds;
- Attempted by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to be employed in a position requiring such certificate or permit or to receive additional compensation associated with a position;
- Committed a crime, any part of such crime having occurred on school property or at a school-sponsored event; or
- Solicited or engaged in sexual conduct or a romantic relationship with a student or minor.

Education Code 21.006(b); 19 TAC 249.14(d)

Investigation
A Superintendent shall complete an investigation of an educator that involves evidence that the educator may have engaged in misconduct described above at Reportable Misconduct, items 1 and 6, despite the educator's resignation from employment before completion of the investigation. *Education Code 21.006(b-1); 19 TAC 249.14(d)(3)(C)*

Deadline to Report
The Superintendent shall promptly notify SBEC in writing by filing a report within seven business days after the date the Superintendent receives a report from a principal [see DP(LEGAL)] or knew of the circumstances described above. *Education Code 21.006(c); 19 TAC 249.14(d)* [See Required Reports, above]

Contents of Report
The report must be in writing and in a form prescribed by SBEC and may be filed through a confidential and secure internet portal developed and maintained by SBEC. The report shall include the name or names of any student or minor who is the victim of abuse or unlawful conduct by an educator and the factual circumstances requiring the report and the subject of the report by providing the following available information:

1. Name and any aliases;
2. Certificate number, if any, or social security number;
3. Last known mailing address and home and daytime phone numbers;
4. All available contact information for any alleged victim or victims;
5. Name or names and any available contact information of any relevant witnesses to the circumstances requiring the report;
6. Current employment status of the subject, including any information about proposed termination, notice of resignation, or pending employment actions; and
7. Involvement by a law enforcement or other agency, including the name of the agency.

Education Code 21.006(c-1); 19 TAC 249.14(f)

The name of the student or minor is not public information under the Public Information Act. [See GBAA] *Education Code 21.006(h)*

Notice to the Board and Educator
A Superintendent shall notify the Board and the educator of the filing of a written report with SBEC. The Superintendent shall notify the Board before filing the report. *Education Code 21.006(d); 19 TAC 249.14(d)(3)(B)*

Before Accepting Resignation
Before accepting an employee's resignation that requires filing a report, the Superintendent shall inform the educator in writing that a report will be filed and that sanctions against his or her certificate may result as a consequence. *19 TAC 249.14(d)(3)(A)*

Exception to Notice Requirements
A Superintendent is not required to notify SBEC or file a report with the Board if, before the educator's termination or resignation, the Superintendent:

1. Completes an investigation into an alleged incident of misconduct for:
   a. Abuse or unlawful act with a student or minor; or
   b. Involvement in a romantic relationship with or solicitation or engagement in sexual contact with a student or minor; and
2. Determines the educator did not engage in the alleged incident of misconduct. *Education Code 21.006(c-2)*

Policy to Notify Parents
The Board shall adopt a policy under which notice is provided to the parent or guardian of a student with whom an educator is alleged to have abused or otherwise committed an unlawful act with a student or minor. [See FFF] *Education Code 21.0061*

Sanctions for Failure to Report
SBEC shall determine whether to impose sanctions, including an administrative penalty against a Superintendent who fails to file a report. *Education Code 21.006(f); 19 TAC 249.14(d), (h), .15(b)(4)*

Administrative Penalty
If a Superintendent is required to file a report and fails to file the report by the required date, SBEC may impose an administrative penalty of not less than $500 and not more than $10,000. SBEC may not renew the certification of an educator against whom an administrative penalty is imposed until the penalty is paid. *Education Code 21.006(i)*

Criminal Offense
A Superintendent required to file a report commits a state jail felony if the Superintendent fails to file the report by the required date with intent to conceal an educator's criminal record or alleged incident of misconduct. *Education Code 21.006(j)*

Immunity
A Superintendent or principal who, in good faith and while acting in an official capacity, files a report with SBEC or communicates with another Superintendent or principal concerning an educator's criminal record or alleged incident of misconduct is immune from civil or criminal liability that might otherwise be incurred or imposed. *Education Code 21.006(e)*

Definitions

I. **Abuse** - "Abuse" includes the following acts or omissions:

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

   19 TAC 249.3(1)

II. **Reported Criminal History** - "Reported criminal history" means information concerning any formal criminal justice system charges and dispositions. The term includes arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction. *19 TAC 249.3(44)*

III. **Solicitation of a Romantic Relationship** - "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. Violating written directives from school administrators regarding the educator's behavior toward a student.
11. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.
12. Any other acts tending to show that the educator solicited a romantic relationship with the student.

19 TAC 249.3(51)

Termination: Certain Offenses Against Students

Mandatory Termination

If a district receives notice that SBEC has revoked the certificate of a person based on conviction of or placement on deferred adjudication community supervision for an offense for which the person is required to register as a sex offender under Code of Criminal Procedure, Chapter 62; a conviction of a felony under Penal Code Title 5 if the victim of the offense was under 18 years of age at the time the offense was committed; or conviction of or placement on deferred adjudication community supervision for an offense under Penal Code 43.24 (Sale, Distribution, or Display of Harmful Material to Minor), the district shall:

1. Immediately remove the person whose certificate has been revoked from campus or from an administrative office, as applicable, to prevent the person from having any contact with a student; and
2. If the person is employed under a probationary or term contract, with the approval of the board or its designee:

a. Suspend the person without pay;

b. Provide the person with written notice that the person's contract is void [see Notice to Employee, below]; and

c. Terminate the employment of the person as soon as practicable.

Education Code 21.058(a), (c)

Discretionary Termination
If a district becomes aware that a person employed by the district under a probationary or term contract has been convicted of or received deferred adjudication for a felony offense, and the person is not subject to the mandatory termination provision above, the district may, with the approval of the board or its designee:

1. Suspend the person without pay;
2. Provide the person with written notice that the person's contract is void [see Notice to Employee, below]; and
3. Terminate the employment of the person as soon as practicable.

Education Code 21.058(c-1)

Notice to Employee
A person's probationary or term contract is void if, with the approval of the board or its designee, the district provides written notice to the person, under the mandatory or discretionary termination provisions above, that the person's contract is void. *Education Code 21.058(c-2)*

No Appeal
Action taken by a district under the mandatory or discretionary terminations provisions above is not subject to appeal under Education Code Chapter 21 and the notice and hearing requirements of Chapter 21 do not apply to the action. *Education Code 21.058(e)*

Student Welfare: Freedom from Discrimination, Harassment, and Retaliation

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

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

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

Statement of Nondiscrimination
The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, sex, gender, national origin, disability, age, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

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

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

Harassment includes dating violence as defined by law and this policy.

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

Title IX Sexual Harassment
As required by law, the District shall follow the procedures below at Response to Title IX Sexual Harassment upon a report of sex-based harassment, including sexual harassment, gender-based harassment, and dating violence, when such

allegations, if proved, would meet the definition of sexual harassment in an education program or activity and against a person in the United States under Title IX. [See FFH(LEGAL)]

Other Sexual Harassment

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reporting Procedures

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

Employee Report
Any District employee who suspects or receives notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed in this policy and take any other steps required by this policy.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reporting Suspected Child Abuse

Policies DG, FFG, GRA

All employees with reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect, as defined by Texas Family Code §261.001, are required by state law to make a report to a law enforcement agency, the Department of Family and Protective Services (DFPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the facility) within **24 hours** after the employee has reasonable cause to believe that the child has been abused or neglected. Law enforcement agency includes the Texas Department of Public Safety (DPS), 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 Child Protective Services can be made Online at https://www.txabusehotline.org/Login/Default.aspx or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the District is prohibited from taking 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 make the required report may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report may result in disciplinary procedures by SBEC for a violation of the Texas Educators' Code of Ethics. If you are not certain whether you have observed child abuse or neglect, **always err on the side of reporting**.

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

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

Sexual Abuse and Maltreatment of Children

The District has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed at www.kisd.org in the Kilgore ISD District Improvement Plan. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or 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*.

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 not later than the seventh business day after termination or resignation or notice from the principal:

- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of district or school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on district property or at a school-sponsored event.

The reporting requirements above are in addition to the superintendent's ongoing duty to notify TEA when a certified employee or an applicant for certification has a reported criminal history or engaged in conduct violating the assessment security procedures established under TEC §39.0301. "Reported criminal history" means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction that is obtained by a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

Reporting Crime

Policy DG

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

Scope and Sequence

Policy DG

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

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

Technology Resources and System Access

Policy CQ

The following information is provided so that employees are aware of responsibilities involved in the efficient, ethical and legal use of technology resources. Anyone using a district computer will be required to adhere to all district policies in order to be granted access to district technology resources.

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 as a support tool to improve student outcomes, not to replace the decisions made by teachers or 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.

Access to the district's electronic communications system is a privilege, not a right. This includes access to the district's wireless network. All users shall be required to acknowledge receipt and understanding of acceptable use of the system.

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

Personal Use of Electronic Communications

Policy CQ, CY, DH

Electronic communications include all forms of social media, such as text messaging, instant messaging, electronic mail (email), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic communications also include all forms of telecommunication such as landlines, cell phones, and web-based applications.

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

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

- The employee may not set up or update the employee's personal social network page(s) using the District's computers, network, or equipment.
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct District business.
- The employee shall not use the District's logo or other copyrighted material of the District without express written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on District business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
    - Confidentiality of student records. [See Policy FL]
    - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See DH (EXHIBIT)]
    - Confidentiality of District records, including educator evaluations and private email addresses. [See Policy GBA]
    - Copyright law [See Policy CY]
    - Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH]

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

Electronic Communications between Employees, Students, and Parents

Policy DH

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

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

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

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

- *Electronic communications* means any communication facilitated by the use of any electronic device, including a telephone, cellular 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, licensed therapists, school psychologists, and athletic trainers.

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

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the District unless a specific exception is noted below.
- Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
    - The employee shall include at least one of the student's parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;
    - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or

- For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee's District email address.

- The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable administration and parents to access the employee's professional page.
- The employee shall not communicate directly with any student between the hours of 10:00 p.m. and 6:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics including:
    - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
    - Copyright law [Policy CY]
    - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DH]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through email, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee 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.

Public Information on Private Devices

Policy DH, GB

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

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

Criminal History Background Checks

Policy DBAA

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

Employee Arrests and Convictions

Policy DH

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

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

Moral turpitude includes the following:

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

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

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

Alcohol and Drug-Abuse Prevention

Policy DH

Kilgore ISD is committed to maintaining an alcohol- and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the workplace and at school-related or school-sanctioned activities on or off school property. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. If the District has any reason to believe that an employee is under the influence of alcohol or drugs at school or while engaged in any school activity, the employee will be tested by a trained official. The District's policy regarding employee drug use follows:

Alcohol and Drugs / Notice of Drug-Free Workplace
As a condition of employment, an employee shall abide by the terms of the following drug-free workplace provisions. An employee shall notify the Superintendent in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace in accordance with Arrests, Indictments, Convictions, and Other Adjudications, below.
An employee shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while on District property or at school-related activities during or outside of usual working hours:

- Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
- Alcohol or any alcoholic beverage.
- Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
- Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.
- An employee need not be legally intoxicated to be considered “under the influence” of a controlled substance.

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

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

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

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

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.

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

Fraud and Financial Impropriety

Policy CAA

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

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

Conflict of Interest

Policy CB, DBD

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

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

Employees should contact their supervisor for additional information.

Gifts and Favors

Policy DBD

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

"Gifts and gratuities" mean a payment, loan, subscription, advance, deposit of money, services, goods, merchandise, tickets, gift cards or cash, present or promised, unless consideration of substantially equal or greater value is received. Gifts and gratuities may include any tangible or intangible benefit in the nature of gifts, favors, entertainment, discounts, passes, transportation, accommodation, hospitality, or offers of employment. A gift of cash, gift card, or similar monetary gift is strictly prohibited.

Acceptance not otherwise prohibited by law or policy of the following items shall be allowed:

- A gift that is not a gift card or cash with a value of less than $50 provided to a teacher by a student or parent of a student, such as an end-of-year gift.
- Unsolicited advertising products or promotional material, such as pens, pencils, note pads, calendars, other items of not more than $25 value.

Copyrighted Materials

Policy CY, EFA

Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Electronic media, including motion pictures and other audiovisual works, are to be used in the classroom for instructional purposes only. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement. If you are unsure about copyright, seek guidance from your campus or department administrator, who will clarify or seek legal assistance.

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.

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.

School facilities and equipment, however, cannot be used for any political or partisan purpose, except as authorized by the principal or superintendent under district policy. The District also will not permit partisan political activity or campaigning by employees in the classroom or other instructional settings or at school-sponsored or school-sanctioned activities or events, including wearing campaign paraphernalia. Employees may not use district property including email systems and technology to campaign.

Charitable Contributions

Policy DG

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

Safety and Security

Policy CK series

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

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.

We strive to maintain a safe and healthy work environment. All employees share the responsibility for helping to keep the workplace safe and to avoid injury to themselves or others.

Employees with questions or concerns relating to safety programs and issues can contact the Director of Safety and Emergency Management.

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 Superintendent's office immediately 903-988-3900.

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 unauthorized individuals on the District premises should immediately direct them to the building's main office or contact the administrator in charge.

Asbestos Management Plan

Policy CSC

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

Pest Control Treatment

Policies CLB, DI

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

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

Maintenance and Repairs

We strive to keep all our facilities clean, well-maintained, and in good repair. Teachers and other employees may not store items in their classrooms or offices that will attract pests of any kind. If your classroom or office needs maintenance or a repair, contact Maintenance through your principal or supervisor to submit a work order. If you believe that your work area or classroom is not being adequately cleaned, contact your principal or supervisor.

General Procedures

Emergency School Closing and Inclement Weather

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, official social media, and the District's official messaging service.

Emergencies

Policies CKC, CKD

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

Kilgore ISD have developed a district-wide plan for use in case of dangerous weather or other emergency or crisis situations. This plan is posted at each campus in the office. You must be familiar with these procedures and follow them. Your calm demeanor and confidence in dealing with an emergency or crisis situation at school will help your students remain calm so that they can respond as needed. We will conduct emergency procedure exercises periodically—some announced to staff, some unannounced.

Purchasing Procedures

Policy CH

All requests for purchases must be submitted to the Business Department/Purchasing Office using the official District purchase order procedures with the appropriate approvals. 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 Department. Contact the KISD Business Department for additional information.

District Credit Cards and Procurement Cards

Policy CH

We will issue district credit cards and procurement cards to certain employees, campuses, and departments. Your principal or supervisor will provide detailed information on use of district cards; however, these cards are for school-related and approved use only. If you are issued or allowed to use a district credit card, you may not use it for any personal expense at any time. It is a violation of the terms under which the card is issued to us and of employee standards of conduct for you to make a personal purchase with the card, even if you reimburse the district at a later time.

Handling Money

Policies DBD, CAA, CDA

The district has specific expectations for any employee who handles money for the district or any student organization. The Campus Accounting Manual, available on the district intranet, provides detailed instructions for handling and accounting for district funds. Familiarize yourself with the expectations before accepting or handling any funds.

Contracts (With Vendors, etc.)

Policies CH, CHE, CHF

All district contracts must be processed through the appropriate chain of command, including legal review and execution by the Superintendent. No school employee other than the superintendent and others specifically designated by the Board of Trustees can sign a contract that binds the district. All contracts for purchases of goods or services, including vending contracts, yearbook publication contracts, graduation supply contracts, terms of service for online services, and so on must be submitted to the legal office for review and approval before they are signed. If you sign a contract other than in accordance with these requirements, the district will not be responsible for any amounts to be paid under that contract and you may be personally responsible.

Before using an app for performing duties for KISD, the app must be on the approved list of apps. If you choose to use an app that is not currently on the approved list, please submit the app to your principal or supervisor to be processed through the appropriate chain of command, in order to ensure appropriate confidentiality safeguards, terms, and conditions are in place.

Records Management

Policy CPC

All employees considered custodians of records (which can include: electronic, on-line, magnetic tape, optical disk, CD-ROM, paper and microfilm), shall maintain the records in their care and carry out the preservation, microfilming, destruction, or other disposition of the records in accordance with the policies and procedures of the district's records management program.

Current or former employees do not have a personal or property right to public information the employee created or received while acting in an official capacity. A temporary custodian with possession, custody, or control of public information shall, upon request, surrender or return the information to the district within 10 days. A temporary custodian includes a district employee or former employee who created or received public information in the employee's official capacity that has not been provided to the district's officer for public information.

Personnel Records

Policy DBA, GBA

Most District records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal email address is confidential and may not be released without the employee's permission. Employees may choose to have the following personal information withheld:

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

The choice to not allow public access to this information or change an existing choice may be made at any time by submitting a written request to the Kilgore ISD Human Resources. 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.

Name and Address Changes

It is important that employment records be kept up to date. Employees must notify Kilgore ISD Human Resources if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be obtained from the KISD HR page on the KISD District website at www.kisd.org or from the campus/department administrator.

Facility Use

Policies DGA, GKD

Employees who wish to use District facilities after school hours must follow established procedures. Contact the Business Department to request the use of facilities after school hours and to obtain information on the fees charged.

Termination of Employment

Resignations

Policy DFE, DHB

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

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

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

The superintendent is required to report such conduct to TEA.

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 supervisor 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.

Dismissal or Nonrenewal of Contract Employees

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

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

Dismissal of Noncontract Employees

Policies DCD, DP

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

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

Discharge of Convicted Employees

Policy DF

The District shall discharge any employee who has been convicted of or placed on deferred adjudication community supervision for an offense requiring the registration as a sex offender or convicted of a felony under Title 5 Penal Code if the victim was a minor. If the offense is more than 30 years before the date the person's employment began or the person satisfied all terms of the court order entered on conviction the requirement to discharge does not apply.

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.

Exit Surveys and Procedures

Exit interviews will be scheduled for employees leaving the District at the employee's request. Information on the continuation of benefits will be mailed to the employee. Separating employees are asked to provide the District with a forwarding address and phone number. All District keys, books, property, including intellectual property, and equipment must be returned upon separation from employment.

Reports to Texas Education Agency

Policies DF, DHB, DHC

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

- Any form of sexual or physical abuse of a minor, or any other unlawful conduct with a student or a minor
- Soliciting or engaging in sexual contact or a romantic relationship with a student or minor
- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of District or school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on District property or at a school-sponsored event.

The 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).

Noncertified Employees. The voluntary or involuntary separation of a noncertified employee from the District must be reported to the Division of Investigations at TEA by the Superintendent if there is evidence the employee abused or otherwise committed an unlawful act with a student or minor, was involved in a romantic relationship with a student or minor, or solicited or engaged in sexual contact with a student or minor.

Reports Concerning Court-Ordered Withholding

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

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

Student Issues

Equal Educational Opportunities

Policies FB, FFH

In an effort to promote nondiscrimination and as required by law, Kilgore 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 against students based on sex, including sexual harassment should be directed to *Stephanie Schminkey, Chief Academic Officer, 301 N. Kilgore St, Kilgore, TX 75662, sschminkey@kisd.org, and 903-988-3900*, the District Title IX Coordinator for students.

Questions or concerns about discrimination on the basis of a disability should be directed to *Becci Thurston, Director of Special Education, 301 N. Kilgore St, Kilgore, TX 75662, bthurston@kisd.org, and 903-988-3900*, the District ADA/Section 504 Coordinator for students.

Student Records

Policy FL

Student records are confidential and are protected from unauthorized inspection or use by the Family Education Rights and Privacy Act (FERPA). Employees should take precautions to maintain the confidentiality of all student records. The following people are the only people who have general access to a student's records:

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

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

Parent and Student Complaints

Policy FNG

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

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

Administering Medication to Students

Policy FFAC

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

Dietary Supplements

Policies DH, FFAC

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

Psychotropic Drugs

Policy FFAC

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

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

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

Student Conduct and Discipline

Policies in the FN series and FO series

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

Teachers must file a written report with the principal or another appropriate administrator when they have knowledge that a student has violated the Student Code of Conduct. A copy of this report will be sent by the principal or administrator to the student's parents within 24 hours.

Student Attendance

Policy FEB

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

Bullying

Policy FFI

Bullying is defined by §TEC 37.0832. All employees are required to report student complaints of bullying, including cyber bullying, to the campus principal or designee. Included below is the District's policy, including definitions and procedures for reporting and investigating bullying of students:

Note: This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyberbullying.

For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

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

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

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

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

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

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

REPORTING PROCEDURES

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

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

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

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

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

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

CONCLUDING THE INVESTIGATION
Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation. The principal or designee shall prepare a final, written report of the investigation. The report shall

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

NOTICE TO PARENTS
If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

DISTRICT ACTION

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

DISCIPLINE
A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action. The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

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

TRANSFERS
The principal or designee shall refer to FDB for transfer provisions.

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

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

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

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

RECORDS RETENTION
Retention of records shall be in accordance with CPC(LOCAL).

ACCESS TO POLICY AND PROCEDURES
This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative Departments.

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.