

# WALL INDEPENDENT SCHOOL DISTRICT



## EMPLOYEE HANDBOOK

July 2023

## EMPLOYEE HANDBOOK RECEIPT

Name: \_\_\_\_\_

Campus/department: \_\_\_\_\_

I hereby acknowledge that I have been offered the option to receive a paper copy or to electronically access at [www.wallisd.net](http://www.wallisd.net) the board policies regarding employment as required under Education Code 21.204(d), the board policies regarding student discipline as required under Education Code 37.018, and the financial policies & procedures manual.

I have chosen to: (**check one box**)

- ☐ Accept responsibility for assessing the policies through an accessible District computer and printer  
or
- ☐ Receive a hard copy of the employee handbook and understand I am required to contact Monya Waldrop to obtain a hard copy

I have been trained to access these policies from the District's Web page and understand that if I have any questions regarding these policies, I should direct those questions to 651-7790, or the campus principal at Wall ISD

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Campus

## TABLE OF CONTENTS

Introduction .....	4	Dietary Supplements .....	42
District Information.....	5-6	Psychotropic Drugs .....	42
Helpful Contacts .....	7-8	Asbestos Management .....	42
Equal Employment Opportunity .....	9	Gifts and Favors .....	42
Job Vacancy Announcements .....	9	Visitors in the Workplace .....	42
Contract and Noncontract Employment .....	9	Copyright Materials .....	42
Certification & Licenses .....	9	Possession of Firearms and Weapons ..	43
Probationary Contracts .....	9	Safety .....	43
Salaries, Wages, and Stipends .....	10	Notification of Parents Regarding	
Paychecks .....	10	Qualifications .....	43
Overpayments .....	10	Complaints and Grievances .....	44-46
Resignations .....	10		
Health, Dental and Life Insurance .....	11		
Cafeteria Plan Benefits (Section 125) .....	11		
Supplemental Insurance Benefits .....	12		
Workers Compensation Insurance .....	12		
Unemployment Compensation Insurance ...	12		
Teacher Retirement.....	12		
Reassignments and Transfers .....	12		
Workload and Work Schedules .....	13		
Paraprofessional and Auxiliary Employees	13-15		
Breaks for Expression of Milk .....	15		
Pregnant Workers Fairness Act .....	16		
Vacation Time .....	16		
Travel Expense Reimbursement .....	16		
Names and Address Changes .....	16		
Leave and Absences .....	16-22		
Sick Leave .....	22-23		
Employee Standards of Conduct .....	23-25		
Reports to State Board .....	25		
Dress Code .....	26		
Code of Ethics & Standard Practices.....	26-32		
Performance Evaluation .....	28		
Harassment .....	28		
Sexual Harassment .....	29-31		
Child Abuse .....	31		
Bullying .....	32		
Technology Resources .....	33-39		
Health Safety Training .....	40		
Personnel Records .....	40		
Policies for Control of Fraud .....	40		
Cell Phone Usage .....	40		
Student Issues .....	41		
Equal Educational Opportunities .....	41		
Student Records .....	41		
Student Attendance .....	41		
Administering Medication to Students .....	41		

## **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 superintendent.

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of district policies and procedures related to employment. These policies and procedures can be changed at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. District policy is located at [www.wallisd.net](http://www.wallisd.net) under Wall ISD; info for district personnel.

It is the policy of Wall ISD not to discriminate on the basis of sex, handicapped, race, color and national origin in its educational and vocational/career programs, activities or employment as required by Title IX, Section 504, Title VI and OCR guidelines in Sect IV.O.

## DISTRICT INFORMATION

2023-2024

### BOARD OF TRUSTEES

Chris Wilde - President  
Doug Dusek - Vice President  
Michael Jones - Secretary  
Heather Braden - Member  
Curtis Holtman – Member  
Cole Mikulik – Member  
Brett Schniers - Member

### ADMINISTRATION

Russell Dacy – Superintendent  
Ryan Snowden – High School Principal  
Matt Rivers – Jr. High Principal  
Jamie Dudley – Elementary Principal  
Ben Lyons – Assistant Elementary Principal  
Karen Scribner – Fairview DAEP/AEP Principal

**District Information:**

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 curriculum, school taxes, annual budget, employment of the superintendent and other professional staff, facilities, and expansions. The board has complete and final control over school matters within limits established by law and State Board of Education rules.

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

Board meetings will be held at least once a month. It is extremely important that all seven trustees attend each meeting. It's the goal that each trustee be given the opportunity to attend each meeting. In pursuit of having each of the seven board members in attendance, the day of the month for a board meeting will be determined at the prior month's meeting. In the event that large attendance is anticipated, the board may meet at the band hall. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted outside the administration building at least 72 hours before the scheduled meeting time as well as posted on the Wall ISD web site. The written notice will show the date, time, place and subjects of each meeting. In emergencies, a meeting may be held within one-hour notice.

All meetings are open to the public. Under the following circumstances, Texas law permits the board to go into a closed session: to discuss prospective gifts or donations, property acquisition, personnel issues including conferences with employees and employee complaints, security matters, student discipline, or to consult with attorneys.

## **Helpful Contacts:**

From time to time, employees have questions or concerns. The following is a list of administrators and office personnel to contact.

### Superintendent of Schools

Russell Dacy                      651-7790 Ext 5229                      [russell.dacy@wallisd.net](mailto:russell.dacy@wallisd.net)

### Athletic Director & Transportation

Jeremy Williams                      Ext 1278                      [jeremy.williams@wallisd.net](mailto:jeremy.williams@wallisd.net)

### High School Principal

Ryan Snowden                      Ext 1247                      [ryan.snowden@wallisd.net](mailto:ryan.snowden@wallisd.net)

### Jr. High Principal

Matt Rivers                      Ext 2232                      [matt.rivers@wallisd.net](mailto:matt.rivers@wallisd.net)

### Elementary Principal

Jamie Dudley                      Ext 3139                      [jamie.dudley@wallisd.net](mailto:jamie.dudley@wallisd.net)

### Assistant Elementary Principal

Ben Lyons                      Ext 3122                      [ben.lyons@wallisd.net](mailto:ben.lyons@wallisd.net)

### Fairview DAEP/AEP Principal

Karen Scribner                      651-7656 Ext 8711                      [karen.scribner@fv.wallisd.net](mailto:karen.scribner@fv.wallisd.net)

### Technology Director

Mark Stanley                      651-7790 Ext 4226                      [mark.stanley@wallisd.net](mailto:mark.stanley@wallisd.net)

### Superintendent's Secretary

Monya Waldrop                      651-7790 Ext 5221                      [monya.waldrop@wallisd.net](mailto:monya.waldrop@wallisd.net)

### Finance & Budget

Charlotte Weishuhn                      Ext 5230                      [charlotte.weishuhn@wallisd.net](mailto:charlotte.weishuhn@wallisd.net)

### PEIMS Coordinator & Payroll

Cheryl Marsh                      Ext 5231                      [cheryl.marsh@wallisd.net](mailto:cheryl.marsh@wallisd.net)

### Substitute Questions

Monya Waldrop                      Ext 5221                      [monya.waldrop@wallisd.net](mailto:monya.waldrop@wallisd.net)

### High School Secretary

Jennifer Kindle                      Ext 1224                      [jennifer.kindle@wallisd.net](mailto:jennifer.kindle@wallisd.net)

### High School PEIMS

Marcie Holtman                      Ext 1249                      [marcie.holtman@wallisd.net](mailto:marcie.holtman@wallisd.net)

### Jr. High Secretary

Debra Hoelscher                      Ext 2222                      [debra.hoelscher@wallisd.net](mailto:debra.hoelscher@wallisd.net)

Jr. High PEIMS & Student Facilitator

Tonya Lehr

Ext 2233

[tonya.lehr@wallisd.net](mailto:tonya.lehr@wallisd.net)

Elementary Secretary

Kathy Braden

651-7790 Ext 3123

[kathy.braden@wallisd.net](mailto:kathy.braden@wallisd.net)

Elementary PEIMS

Calley Stokes

Ext 3183

[calley.stokes@wallisd.net](mailto:calley.stokes@wallisd.net)

School Nurse

Jennifer Wilson (Elementary)

Ext 3141

[jennifer.wilson@wallisd.net](mailto:jennifer.wilson@wallisd.net)

Beth Smith (MS & HS)

Ext 1246

[beth.smith@wallisd.net](mailto:beth.smith@wallisd.net)

Fairview Secretary

LeAnn Cooper

651-7656 Ext 8710

[leann.cooper@fv.wallisd.net](mailto:leann.cooper@fv.wallisd.net)

The Wall Independent School District does not discriminate against any employee or applicant for employment because of race, religion, sex, age, national origin, disability, military status, 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 qualification, experience, and abilities.

### **Job Vacancy Announcements**

Announcement of job vacancies by position and location are distributed and advertised when needed at all Wall ISD campuses, in the local newspaper and on the Wall ISD web site. All positions will be filled through a process of applications, interviews, and selection by supervisor and/or the school board.

### **Contract and Noncontract Employment**

State law requires the district to employ all full-time professional and administrative employees in positions requiring a certificate and nurses under probationary, term, or continuing contracts. Employees in all other positions are employed at will 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.

### **Certification and Licenses**

Professional employees whose positions require SBEC certification or professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to Russell Dacy (Superintendent), in a timely manner.

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

### **Probationary Contracts**

All full-time, professional employees employed in positions requiring certification and nurses who are new to the district receive probationary contracts during their first year of employment. The probationary period for those who have been employed in public schools for at least five of the eight years preceding employment with the district is one year. For those with less experience, the probationary period will be three years, with an optional fourth year if the district has doubts about whether a term or continuing contract should be given.

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

Employees are paid in accordance with administrative guidelines and a pay structure established for each position. The districts 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 and administrative employees 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 based on hourly wages or provided compensatory time for each overtime hour worked.

Salaries and wages are reviewed on an annual basis and adjusted according to the budgeted amounts approved by the board. All employees will receive written notice of their pay and work schedules before the start of each school year. Classroom teachers and librarians will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular duties may be paid a stipend in addition to their salary according to the districts extra-duty pay schedule. Employees should contact personnel office for more information about the district's pay schedules or their own pay.

### **Paychecks**

All employees are paid monthly. During the school year, paystubs are e-mailed or delivered to each employee. Paystubs will not be released to any person other than the district employee named on the paystub without the employee's written authorization. During summer breaks, paystubs will be mailed or e-mailed.

As of September 1, 2009 all employees are required to be on direct deposit.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated.

### **Overpayments**

Employees are not entitled to any funds the district overpays. An agreement between an employee and the district must be in place in order to deduct any overpayment from one or more paychecks if an overpayment occurs.

### **Resignations**

Contract Employees. Contract employees may resign their position without penalty at the end of the school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the superintendent or other persons designated by the board of trustees, which includes the campus principal.

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 of Educator Certification. (SBEC).

The principal is required to notify the superintendent of an educator's resignation within seven business days following an alleged incident of misconduct for any of the acts listed in *Reports to the Texas Education Agency* on page 22. The superintendent will notify SBEC when an employee resigns and there is evidence to indicate that the employee has engaged in such misconduct.

**Noncontract Employees.** Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to the campus principal at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

The principal is required to notify the superintendent of a 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 of knowing about an employee's resignation or termination following an alleged incident of misconduct described above.

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

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

Employees who are active, contributing TRS members

Employees who are not contributing TRS members and who regularly scheduled to work at least 10 hours per week

TRS retirees and employees who are not contributing TRS members are not eligible to participate in TRS-ActiveCare.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each spring. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees at [www.bcbstx.com/trsactivecare](http://www.bcbstx.com/trsactivecare). Employees should contact Cheryl Marsh for more information.

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

Employees may be eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e., 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.

## **Supplemental Insurance Benefits**

At their own expense, employees can enroll in supplemental insurance programs for dental, cancer and life. Premiums for these programs can be paid by payroll deduction. Employees should contact the personnel office for more information.

## **Workers' Compensation Insurance**

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from Claims Administrative Services, effective 9/01/2000. 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 Cheryl Marsh. 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.

## **Unemployment Compensation Insurance**

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits under the Texas Unemployment Compensation Act. 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 Cheryl Marsh.

## **Teacher Retirement**

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

Employees who plan to retire under TRS should notify Central Administration as soon as possible. Information on the application procedures for TRS benefits are available Central Administration. Additional inquiries should be addressed to: Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web ([www.trs.texas.gov](http://www.trs.texas.gov)).

## **Reassignments and Transfers**

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 reassignment must be approved by the principal at the receiving campus except when reassignment is due to enrollment shifts or program changes. 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)

Employees with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. Teachers requesting a transfer to another campus before the school year begins must submit their request by March. 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 superintendent's office and must be approved by the receiving supervisor.

### **Workload and Work Schedules**

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

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

### **Paraprofessional and Auxiliary Employee:**

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

All salaries or wages paid to non-contractual employees is intended as a 40 hr work week.

The Superintendent shall recommend to the board for approval pay structures and compensation plans for all District employees. Pay structures shall be designed and administered for the purpose of attracting and retaining qualified employees to achieve District goals. The Superintendent shall administer and maintain pay systems in accordance with administrative procedures for the District compensation plan.

### **PAY SYSTEMS DESCRIPTION**

The Superintendent shall assign positions to pay ranges that define the minimum and maximum base pay for the positions.

## PAY INCREASE BUDGET

All employees shall be paid within the assigned pay ranges unless exceptions are granted by the Board.

The Superintendent shall recommend to the Board an amount for employee pay increases as part of the annual budget. Pay increases beyond the budgeted amount for individuals or positions shall be subject to Board approval.

## CLASSIFICATION OF POSITIONS

The Superintendent or designee shall determine the classification of positions or employees as "exempt" or "nonexempt" for purposes of payment of overtime in compliance with the Fair Labor Standards Act.

### EXEMPT

The District shall pay employees who are exempt from the overtime pay requirements of the Fair Labor Standards Act (FLSA) on a salary basis. The salaries of these employees are intended to cover all hours worked, and the District shall not make deductions that are prohibited under the FLSA.

An employee who believes deductions have been made from his or her salary in violation of this policy should bring the matter to the District's attention, through the District's complaint policy [see DGBA]. If improper deductions are confirmed, the District will reimburse the employee and take steps to ensure future compliance with the FLSA.

### NONEXEMPT

Nonexempt employees may be compensated on an hourly basis or on a salary basis. Employees who are paid on an hourly basis shall be compensated for all hours worked. Employees who are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless the employee works more than 40 hours.

A nonexempt employee shall have the approval of his or her supervisor before working overtime. An employee who works overtime without prior approval is subject to discipline but shall be compensated in accordance with the Fair Labor Standards Act.

## COMPENSATORY TIME

Compensation for overtime hours shall be awarded at one and a half times the employee's regular rate of pay or by time and a half earned in compensatory time. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay. Compensatory time earned by nonexempt employees may not accumulate beyond a maximum of 240 hours. If an employee has a balance of more than 240 hours of overtime, the employee will be required to take compensatory time or, at the District's option, will receive overtime pay.

Compensatory time shall be used within the duty year in which it is earned. The District shall pay an employee overtime for all unused compensatory time remaining at the end of the fiscal year. Use of compensatory time may be at the employee's request or as determined by the employee's supervisor to protect the District's schedules and activities.

## WORKWEEK DEFINED

For purposes of FLSA compliance, the workweek for District employees shall be 12:00 a.m. Saturday until 11:59 p.m. Friday.

## SUPPLEMENTAL DUTIES

The Superintendent or designee may assign noncontractual supplemental duties to personnel exempt under the Fair Labor Standards Act, as needed. The employee shall be compensated for these assignments according to the supplemental duty pay schedule established by the Board. These assignments may be discontinued at any time for any reason or no reason, by either party. The assignment of these duties shall not create any expectation of continued assignment to that same duty or any other duty.

## **Breaks for Expression of Breast Milk**

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

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

The Providing Urgent Maternal Protections of Nursing Mothers Act (PUMP Act) requires an employee to notify the district if they believe the district is out of compliance in providing breaks for a nursing mother. The employee must give the district 10 days to come into compliance before making any claim of liability against the district. An employee with concerns should contact Superintendent Russell Dacy at (325)651-7790.

### **Pregnant Workers Fairness Act**

The Pregnant Workers Fairness Act (PWFA) provides consideration of accommodation to employees who have known limitations related to pregnancy, childbirth, or related medical conditions. An employee seeking a PWFA accommodation should contact Superintendent Russell Dacy at (325)651-7790 to begin the interactive process.

### **Vacation Time**

All 12 month (260 days) auxiliary employees will earn one (1) week of paid vacation after 6 months of employment and 2 (two) weeks after 1 year of employment. To be taken at the discretion of the campus principal or superintendent.

### **Travel Expense Reimbursement**

Before any travel expenses are incurred by an employee, the employee's supervisor and/or principal must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule authorized by the board of trustees and the Internal Revenue Service. Employees must submit receipts to be reimbursed for allowable expenses other than mileage.

### **Name and Address Changes**

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

## **LEAVES AND ABSENCES**

### **FAMILY**

For the purposes of state sick leave accrued before May 30, 1995, and local sick leave, the term "immediate family" shall include:  
Spouse.

	<p>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 <i>in loco parentis</i>.</p> <p>Parent, stepparent, parent-in-law, or other individual who stands <i>in loco parentis</i> to the employee.</p> <p>Sibling, stepsibling, sibling-in-law.</p> <p>Grandparent and grandchild.</p> <p>Any person who may be residing in the employee's household at the time of illness or death.</p> <p>For purposes of the Family and Medical Leave Act, the definition of "family" shall include only Spouse, Son or Daughter &amp; Parent, but shall exclude son- or daughter-in-law, and parent-in-law.</p>
FAMILY EMERGENCY	The term "family emergency" shall be limited to natural disasters and life-threatening situations involving the employee or a member of the employee's immediate family.
WORKDAY	An "equivalent workday" for purposes of accumulation, use, or recording shall mean the number of hours per day associated with the employee's usual work assignment, whether full-time or part-time.
STATE PERSONAL LEAVE - RATE OF ACCRUAL	<p>Each employee shall earn state personal leave, in equivalent workdays, at the rate of one-half a workday for each 18 workdays of employment, up to the statutory maximum of five workdays annually.</p> <p>Earned compensatory time shall be used before any available paid state and local leave. [See DEA]</p> <p>Employees are allowed to choose the order in which leave is to be used.</p>
TYPES OF STATE PERSONAL LEAVE	Under authority of Education Code 22.003 and to preserve the employee's leave entitlement while minimizing disruption to the instructional program, the Board requires employees to differentiate between uses of personal leave:
DISCRETIONARY	To be taken at the individual employee's discretion, subject to limitations set out below.
NON-DISCRETIONARY	To be used for the same reasons and in the same manner as state sick leave accumulated prior to May 30, 1995. [See DEC(LEGAL)]
USE OF DISCRETIONARY LEAVE	A notice of request for discretionary personal leave shall be submitted to the principal or designee three days in advance of the anticipated absence; discretionary personal leave shall be granted on a first-come, first-served basis, with a maximum of ten percent of campus employees in each category permitted to be absent at the same time for discretionary personal leave. In emergency situations, the principal or designee may waive the three day notice requirement, but may require documentation to support the failure to meet the requirement.
REQUEST FOR LEAVE	<p>Use of discretionary personal leave shall be considered granted unless the principal or designee notifies the employee to the contrary within two hours of receipt of the request.</p>
DURATION OF	Discretionary personal leave may not be taken for more than two

LEAVE	consecutive days or five days per semester, except in extenuating circumstances as determined by the Superintendent or designee.
SCHEDULE LIMITATIONS	Discretionary leave shall not be allowed on the day before a school holiday, the day after a school holiday, days scheduled for end-of-semester or end-of-year exams, days scheduled for STAAR tests, or professional or staff development days.
ADDITIONAL LOCAL LEAVE	All employees shall earn an additional five equivalent workdays of local sick leave per school year earned concurrently with state leave. Local sick leave shall accumulate to a maximum of 20 workdays and shall be taken with no loss of pay.
USE AND RECORDING	For purposes of personal illness, illness in the immediate family, family emergency, or death in the immediate family, available leave shall be used in the following order: Local sick leave. State sick leave accumulated prior to the 1995-96 school year. State personal leave.  Local sick leave shall be subject to the same terms and conditions applicable to sick leave accumulated prior to the 1995-96 school year, except as otherwise provided by this policy. Local sick leave may also be used for first-year care following the birth or adoption of an employee's son or daughter or the placement of a child with the employee for foster care. Employees shall be charged leave as used even if a substitute is not employed. Leave shall be recorded in whole workdays and half workdays only, except in accordance with provisions for intermittent leave in the Family and Medical Leave Act or when coordinated with workers' compensation benefits as provided in this policy.
AVAILABILITY	Leave shall not be approved for more workdays than have been accumulated in prior years plus those earned during the current year. Leave for the current year shall be available for use at the beginning of the school year. When an employee who has used more leave than he or she had accumulated ceases to be employed by the District, the cost of the unearned leave days shall be deducted from the employee's final paycheck.
OTHER ABSENCES	Any other leaves granted or days of absence shall result in a deduction of the daily rate of pay for each day of absence, unless otherwise provided. [See DMD(LOCAL)]
MEDICAL CERTIFICATION	An employee absent more than five consecutive workdays because of personal or immediate 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 FMLA leave for the employee's

serious health condition, a serious health condition of the employee's spouse, parent, or child, or for military caregiver leave.

HEALTH CARE PROVIDER	Medical certification shall be made by a health care provider as defined by the Family and Medical Leave Act. [See DEC(LEGAL)]
BEREAVEMENT (FUNERAL) LEAVE	Use of state leave and/or local sick leave for death in the immediate family shall not exceed five workdays per occurrence, subject to the approval of the District.
FAMILY AND MEDICAL LEAVE	<p>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 <b>up to 12 workweeks</b> of FMLA leave in a 12 month period for:</p> <ul style="list-style-type: none"><li>• The birth, adoption or foster placement of a child with you,</li><li>• Your serious mental or physical health condition that makes you unable to work,</li><li>• To care for your spouse, child or parent with a serious mental or physical health condition, and</li><li>• Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.</li></ul>

The 12-month period within which employees shall be eligible for 12 weeks of family and medical leave shall be defined as the 12-month period beginning on the first duty day of the school year.

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

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

#### **Am I eligible to take FMLA leave?**

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

- You work for a covered employer.

- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before you 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. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management

### **How do I request FMLA leave?**

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

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

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether 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.

CONCURRENT USE OF LEAVE	The District shall require employees to use family and medical leave concurrently with paid leave and with temporary disability leave if applicable.
COMBINED LEAVE FOR SPOUSES	If spouses who are employed by the District, combined family and medical leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition may be limited to a combined total of 12 weeks as determined by the needs of the District.
INTERMITTENT LEAVE	Intermittent leave shall be permitted for the birth of the employee's child or the adoption or placement of a child with the employee.
CERTIFICATION OF ILLNESS	Upon request for family and medical leave for the employee's serious health condition or that of a spouse, parent, or child, and at 30-day intervals thereafter, the employee shall provide medical certification of the illness or disability.
MEDICAL RELEASE	The employee's request for reinstatement shall be accompanied by medical certification of the employee's ability to perform essential job functions.
TEACHER REINSTATEMEN	A teacher desiring to return to work at or near the conclusion of a semester shall be reinstated in accordance with the END-OF-TERM LEAVE section in DEC(LEGAL).
RESIGNATION	If, at the expiration of the family and medical leave, the employee is able to return to work but chooses not to do so, the District shall require reimbursement of the employee benefits contribution made by the District

during the period in which such leave was taken as unpaid leave.

**TEMPORARY  
DISABILITY  
LEAVE**

The maximum length of temporary disability leave for educators shall be 180 calendar days.

**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 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 nonresponsible for purposes of criminal liability.

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

**COURT  
APPEARANCES**

Absences for court appearances related to an employee's personal business shall be deducted from the employee's personal leave or shall be taken by the employee as leave without pay.

Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employees pay or leave balance.

**WORKERS'  
COMPENSATION**

An employee absent because of a job-related injury or illness shall be assigned to family and medical leave, if applicable.

An employee eligible for workers' compensation wage benefits and not on assault leave shall indicate whether he or she chooses to: Receive workers' compensation wage benefits; or Use available paid leave. Workers' compensation wage benefits shall begin when: Paid leave is exhausted; or The employee elects to discontinue use of paid leave; or Leave payments are less than the employee's pre-injury average weekly wage

**SICK LEAVE**

**SICK LEAVE  
POOL**

A sick leave pool may be established from voluntary donations by District staff to assist a fellow employee suffering from a catastrophic personal illness or disability, or with an immediate family member suffering from a catastrophic illness or disability.

DEFINITION	A catastrophic illness is defined as a severe condition or combination of conditions affecting the mental or physical health of the person that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Immediate family as defined under Family and Medical Leave Act (FMLA) as the employee's spouse, children, and parents. The term "parent" does not include a parent "in-law".
ESTABLISHMENT	An employee must have been employed by Wall ISD for a minimum of one (1) full year to be eligible for catastrophic leave and must have contributed to the sick pool leave including each time a request is made to replenish the pool. To receive days from the pool, the requesting employee must first have used all state and local sick leave, personal leave and vacation days, if applicable. A request for use of days from the sick leave pool shall be made in writing to the superintendent or designee. The superintendent or designee shall initiate the sick leave pool for the employee and notify district staff.
RESTRICTIONS	The sick leave pool shall be created by voluntary contributions of District staff and designated to the sick leave pool. Contributions consist of one local sick leave day per staff member. Once all days in the pool have been exhausted, employees may contribute an additional local sick leave day.
USE	Upon written request to the superintendent, employees may use up to 30 days of sick leave pool and may request in writing to the superintendent for an additional 30 days, for a total of 60 days within a one (1) year period.
COMPENSATION	An individual employee who request benefits from the sick leave pool shall be paid from the Wall ISD minimum salary schedule for certified employees, Wall ISD minimum salary schedule for non-certified employees or the state minimum salary for hourly employees.

## **EMPLOYEE STANDARDS OF CONDUCT**

	All District employees shall perform their duties in accordance with state and federal law, District policy, and ethical standards for professional educators. [See DH(EXHIBIT)]
	All District personnel shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the District. Employees wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]
SAFETY REQUIREMENTS	All employees shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

TOBACCO USE	<p>Employees shall not use tobacco products including smokeless products, electronic cigarettes, and any other electronic vaporizing device on District premises, in District vehicles, or at school or school-related activities.</p>
ALCOHOL AND DRUGS	<p>A copy of this policy, the purpose of which is to eliminate drug abuse from the workplace, shall be provided each employee at the beginning of each year or upon employment.</p> <p>Employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:</p> <p>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.</p> <p>Alcohol or any alcoholic beverage.</p> <p>Any abusable glue, aerosol paint, or any other chemical substance for inhalation.</p> <p>Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.</p> <p>An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.</p>
EXCEPTION	<p>An employee who uses a drug authorized by a licensed physician through a prescription specifically for that employee's use shall not be considered to have violated this policy.</p>
NOTICE	<p>Each employee shall be given a copy of the District's notice regarding drug-free schools. [See DI(EXHIBIT)]</p>
ARRESTS AND CONVICTIONS	<p>An employee must notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, any offense involving moral turpitude, and other offenses listed below:</p> <ul style="list-style-type: none"> <li>• Crimes involving school property of funds</li> <li>• 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</li> <li>• Crimes that occur wholly or in part of school property or at a school-sponsored activity</li> <li>• Crimes involving moral turpitude</li> </ul> <p>Moral turpitude includes, but is not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Dishonesty</li> <li>• Fraud</li> <li>• Deceit</li> <li>• Theft</li> <li>• Misrepresentation</li> <li>• Deliberate violence</li> </ul>

- Base, vile or depraved acts that are intended to arouse or gratify the sexual desire of the actor
- Drug-or alcohol-related offenses
- Felony driving while intoxicated (DWI); or
- Acts constituting abuse or neglect under the Texas Family Code

#### DRESS AND GROOMING

The dress and grooming of District employees shall be clean, neat, in a manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors and approved by the Superintendent.

#### VIOLATIONS

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

### Reports to the Texas Education Agency

The dismissal or resignation of a certified employee will be reported to the Division of Investigations at TEA when the superintendent first learns about an alleged accident of conduct that involves the following:

- Any form of sexual or physical abuse of a minor or any other legal conduct with a student or a minor
- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of school property or funds or permit that would entitle the individual to a professional position or to receive additional compensation associated with a position
- Committing a crime on school property or at a school sponsored event
- Violation assessment instrument security procedures

The superintendent is also required to notify TEA when a certified employee resigns and there is evidence the educator engaged in the conduct listed above.

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. "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 means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

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.

## **Additional Dress & Grooming Standards**

### Men (Monday thru Thursday)

Collared shirts  
No t-shirts or tank tops  
All shirts tucked in  
Slacks and belt  
No sandals  
No visible tattoos  
No visible body piercing  
No shorts in classroom  
No sweat suits or warm-ups  
Shoes & socks

### Women (Monday thru Thursday)

Blouses should cover shoulder  
No low cut blouses  
No shorts in classroom  
Knee length skirts  
No visible tattoos  
No body piercing visible except earrings  
No flip flops  
No tights with long bulky sweaters  
No sweat suits or warm-ups

## **Fridays or Last Workday of Week Exceptions**

### All

Nice jeans  
Wall hawk t-shirts

## **Code of Ethics and Standard Practices for Texas Educators**

### **Statement of Purpose**

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty. 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.

### **Professional Standards**

#### **1. Professional Ethical Conduct, Practices, and Performance**

Standard 1.1 The educator shall not knowingly engage in deceptive practices regarding official policies of the school district or educational institution.

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

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

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

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

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

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

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

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

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

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

Standard 1.12 The educator shall refrain from the illegal use, 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.

## 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, sex, disability, or family status.

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 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 knowingly treat a student in a manner that adversely affects the student's learning, physical health, mental health, or safety.

Standard 3.3 The educator shall not deliberately or knowingly 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, sex, disability, national origin, religion, or family status.

Standard 3.5 The educator shall not engage in physical mistreatment of a student.

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

Standard 3.7 The educator shall not furnish alcohol or illegal/unauthorized drugs to any student or knowingly allow any student to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

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

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

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

## **Performance Evaluation**

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

## **Harassment**

Harassment of a coworker or student motivated by race, color, religion, national origin, disability, or age is a form of discrimination and is prohibited by law. A substantiated charge of harassment against a student or employee shall result in disciplinary action. The term harassment includes repeated unwelcome and offensive slurs, jokes, or other oral, written, graphic, or physical conduct relating to an individual's race, color, religion, national origin, disability, or age that creates an intimidating, hostile, or offensive educational or work environment.

Employees who believe they have been harassed are encouraged to promptly report such incidents to the campus principal or supervisor. If the campus principal or supervisor is the subject of a complaint, the employee shall report the complaint directly to the superintendent. An employee who suspects or knows that a student is being harassed by a school employee or by another student shall inform his or her principal or immediate supervisor.

Any allegation of harassment of students or employees shall be investigated and addressed. An employee may appeal the decision of the principal or supervisor regarding the investigation into the allegations in accordance with the employee complaint and grievance policy and procedures to the greatest extent possible, complaints shall be treated as confidential. Limited disclosure may be necessary to complete a thorough investigation. The district will not retaliate against an employee who in good faith reports perceived harassment. District employees are required to report any cases of bullying to their supervisor.

## **Sexual Harassment**

**Employee-to-Employee.** Sexual harassment of a coworker is a form of discrimination and is prohibited by law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct under the following conditions:

Submission to such conduct is explicitly or implicitly a term or condition of employment. Submission to or rejection of such conduct is used as the basis for employment decisions.

The conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or otherwise offensive work environment.

Employees who believe that they have been sexually harassed by another employee are encouraged to come forward with complaints. The district will promptly investigate all allegations of sexual harassment and will take prompt appropriate disciplinary action against employees found to have engaged in conduct constituting sexual harassment of other employees. The district's policy outlining the process of filing complaints of sexual harassment is reprinted below:

### **EMPLOYEE STANDARDS OF CONDUCT: SEXUAL HARASSMENT/SEXUAL ABUSE**

EMPLOYEE-TO-EMPLOYEE	Employees shall not engage in conduct constituting sexual harassment of other employees. [See DHC(EXHIBIT)] Individuals who believe they have been sexually harassed by other employees are encouraged to come forward with complaints. District officials or their agents shall investigate promptly all allegations of sexual harassment of employees by other employees, and officials shall take prompt and appropriate disciplinary action against employees found to have engaged in conduct constituting sexual harassment of employees.
COMPLAINT PROCEDURE	For the purpose of the following complaint process, "days" mean calendar days.

An employee who believes he or she has been or is being subjected to any form of sexual harassment shall bring the matter to the attention of the principal, immediate supervisor, or Title IX coordinator for employees. No procedure or step in this policy shall have the effect of requiring the employee alleging harassment to present the matter to a person who is the subject of the complaint.

LEVEL ONE The employee shall request a conference with the principal or immediate supervisor by submitting the complaint in writing or by requesting a conference. If the complaint is made orally, the supervisor receiving the complaint shall reduce it to writing.

The principal or supervisor shall hold the conference as soon as possible, but in any event within seven days after receipt of the complaint. The principal or supervisor shall ordinarily have seven days following the conference within which to investigate and respond. The employee shall be informed if extenuating circumstances delay the investigation.

LEVEL TWO If the outcome of the conference at Level One is not to the employee's satisfaction, the employee may request a conference with the Superintendent or designee to discuss the complaint. The request should be in writing and shall be filed within seven days following receipt of a written response or, if no written response is received, within seven days of the response deadline.

The Superintendent or designee shall hold the conference as soon as possible but in any event within seven days after receipt of the written request. The Superintendent or designee shall have seven days following the conference within which to respond.

LEVEL THREE If the outcome at Level Two is not to the employee's satisfaction or if the time for a response has expired, the employee may present the complaint to the Board. The Superintendent shall place the matter on the agenda for the next regular Board meeting. [See BE(LOCAL)]

The Superintendent or designee shall provide the Board with copies of the employee's original complaint, all responses, and any written documentation previously submitted by the employee and the administration.

The Level Three proceeding before the Board shall be recorded by audio tape. The presiding officer shall allow a reasonable time for presentation of the complaint. The Board shall consider the grievance and shall request a response from the administration.

CLOSED MEETING The Board may hear the allegation of sexual harassment in closed meeting, if posted in accordance with law, unless an open hearing is requested in writing by the employee or Board member against whom the complaint or charge is brought.

EMPLOYEE-TO-STUDENT Employees shall not engage in conduct constituting sexual harassment or sexual abuse of students. Sexual harassment includes any welcome or unwelcome sexual advances, requests for sexual favors, and other verbal (oral or written), physical, or visual conduct of a sexual nature. [See DHC(LEGAL)] Romantic relationships between District employees and students constitute unprofessional conduct and are prohibited.

REPORTING REQUIREMENTS	<p>Any District employee who receives information about sexual harassment or sexual abuse of a student that may reasonably be characterized as known or suspected child abuse or neglect shall make the reports to appropriate authorities, as required by law. [See FFG(LEGAL)]</p> <p>An employee who suspects or knows that a student is being sexually harassed or sexually abused by a school employee or by another student shall inform his or her principal, immediate supervisor, or Title IX coordinator. The District shall notify parents of any incident of sexual harassment or sexual abuse by an employee.</p>
INVESTIGATIONS	<p>Any allegations of sexual harassment or sexual abuse of students shall be investigated and addressed.</p> <p>In considering and investigating allegations that an employee has sexually harassed or sexually abused a student [see DHC (LEGAL)], the investigation shall proceed from the presumption that the employee's conduct was unwelcome.</p> <p>[See also FNCJ(LOCAL), which contains the complaint procedure for students alleging sexual harassment or sexual abuse by an employee or by another student]</p>

**Employee-to-Student.** Sexual harassment of students by employees is a form of discrimination and is prohibited by law. Sexual harassment of students includes any welcome or unwelcome sexual advances, requests for sexual favors, and other oral, written, physical, or visual conduct of a sexual nature. Romantic relationships between district employees and students are strictly prohibited. Other prohibited conduct includes the following:

Engaging in sexually oriented conversations for the purpose of personal sexual gratification  
Telephoning students at home or elsewhere and engaging in inappropriate social relationships  
Engaging in physical contact that would reasonably be construed as sexual in nature  
Enticing or threatening students to get them to engage in sexual behavior in exchange for grades or other school-related benefits.

In most instances, sexual abuse of a student by an employee violates the student's constitutional right to bodily integrity. Sexual abuse may include, but is not limited to, fondling, sexual assault, or sexual intercourse.

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 sexual harassment or sexual abuse of a student will be reported to the student's parents and promptly investigated.

### **Reporting Suspected Child Abuse**

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a teacher) must be reported to CPS. Reports to Child Protective

Services can be made online at <https://www.txabusehotline.org/Login/Default.aspx>, to 944-8728 or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person 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 an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

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

Employees who have reasonable cause to believe a child 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 agencies. In addition, employees must cooperate with child abuse and neglect investigators. Reporting the concern to the principal does not relieve the employee of the requirement to report to the appropriate state agency. 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.

### **Procedures for Reporting Allegations of Bullying**

The district prohibits bullying on school property, at school-sponsored or school related activities, or in any vehicle operated by the district. Bullying may be verbal or written expression or expression through electronic means, or physical conduct. Bullying is not tolerated by the district and any student or parent of a student who believes that the student or another student has experienced bullying or that a student has engaged in bullying is encouraged to immediately report the incident. Retaliation against anyone involved in the complaint process is a violation of district policy and is prohibited.

Students or parents may report an alleged incident of bullying, orally or in writing, to a teacher, counselor, principal or other district employee. Students or parents may contact the district to obtain an incident report form that may be used to submit the complaint.

Please note that after submission of the complaint to the district employee, the district may assign the complaint to a campus administrator to follow up on the submitted complaint and any other important matters pertaining to the complaint. We encourage you to communicate with your designated campus administrator during this time.

More information about the district's bullying policy can be found at [FFI (LOCAL)]

## **Wall Independent School District Staff Electronic Communications & Data Management Acceptable Use Policy**

Wall Independent School District is committed to providing our students and staff with the best education possible and preparing them to compete in the world market. One resource that promises to play a major role in this goal is the development of technology in the classroom. Wall ISD has implemented networked computer systems in order to provide our students and staff with access to a world of information, including institutional and government resources, electronic mail, real-time communication, and the internet.

**A Children's Internet Protection Act (CIPA) compliant, content filtering solution is in place in order to prevent access to certain sites that may contain inappropriate material, including pornography, weapons, illegal drugs, gambling, and any other topics deemed to be of non-educational value by Wall ISD. Although a conscious effort will be made by professionals to prevent access to materials that are inappropriate for the educational setting, no safeguard is foolproof. *The user is ultimately responsible for not seeking or initiating access to inappropriate material. Wall ISD is not responsible for the content accessed by users who connect via their own mobile WiFi type service (cell phones, air-cards, etc.)***

### **Education, Supervision and Monitoring**

It shall be the responsibility of assigned teachers to educate minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and on cyberbullying awareness and response, and it is the responsibility of all staff to supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and the Protecting Children in the 21<sup>st</sup> Century Act.

The following guidelines and expectations apply to all persons using the technology resources of Wall ISD. The district provides access to available technology to its employees and students, collectively known as users. The use of these resources is a privilege. Violations of these guidelines or any other inappropriate use will result in loss of technology privileges and/or disciplinary action.

## **Acceptable Use Policy Terms and Conditions**

### **Responsible Use and Digital Citizenship**

Technology is to be utilized in conformity with laws of the United States and the State of Texas. Violations include, but are not limited to, the following: a) criminal acts such as cyberstalking, child pornography, email harassment, vandalism/hacking networks, cyberbullying; b) libel laws which involve defaming people through published materials; c) copyright violations; d) student privacy protection (COPPA); and e) safeguarding internet safety (CIPA).

**Network Etiquette** – Users are expected to abide by the generally accepted rules of network etiquette. These rules include, but are not limited to, the following:

- a. Be polite - Never send, or encourage others to send, abusive messages.

- b. Use appropriate language - You are a representative of Wall ISD. Never swear, use vulgarities, threaten, or use any other inappropriate language.
- c. Privacy – Be cautious when revealing any personal information such as a home address or personal phone number of yourself or others.
- d. Password - Do not reveal your password to anyone.
- e. Electronic Mail - E-mail is not guaranteed to be private. Only send messages that you would not be ashamed for the whole school to see. While using the district's e-mail, users should conduct themselves appropriately and in a manner befitting an employee of Wall ISD. Your communications regarding District business may be subject to public information act requests.
- f. Disruptions - Do not use the network in any way that would disrupt use of the network by others.
- g. Wastefulness – Do not waste limited resources such as disk space, network bandwidth, and printer consumables. Be considerate of other users and the cost to the school district at all times.

**Your Account** – Each user will be supplied with a computer, a Google Apps for Education, and a Wall ISD email account. Users are responsible for the use of their computer account and the activities performed under this account. This means that if you give someone your password, **YOU** are responsible for anything that happens as a result.

**Online Accounts** – Select usernames that are appropriate.

**Respect Others** – Users are forbidden from using technologies to bully or tease other people. Users are also forbidden from making audio or video recordings of students/employees without their prior permission. Posing as someone else using technology is forbidden.

**Chat Rooms/Blogs/Instant Messaging** – Users are prohibited from participating in any chat rooms, newsgroups, non-educational blogs, instant messaging services, or social networking sites. This includes, but is not limited to Facebook, SnapChat, SnapChat, Instagram, Youtube and other similar services.

**Games** – All users are prohibited from playing non-educational games.

**Privacy** - Users must respect the privacy of others. Users shall not obtain copies of or modify files, passwords, or data that belongs to anyone else. No one should represent himself/herself as someone else by using another's account. No one should forward personal material without prior consent. Users are prohibited from unauthorized disclosure, use and dissemination of personal information regarding minors. All use of the Wall ISD network and Internet services may be monitored by network administrators at any time to ensure proper use and maintain system integrity.

### **Unauthorized Equipment Installation/Media Use**

Personal or other purchased equipment not expressly authorized by the Director of Technology or designee will not be installed on the Network. Prohibited equipment is defined as any network attached items including, but limited to: hubs, switches, routers, wireless access points, splitters, network printers, key loggers, and personal PCs, laptops, tablets, cell phones, and other digital media devices. Persons who introduce these devices

on the Network without permission from the Director of Technology will be subject to denial of access, and disciplinary actions, including termination of employees.

### **Inappropriate Behavior\***

**The following actions are not permitted and could result in the consequences outlined per the Handbook and District policy:**

1. Users may not attempt to disable or bypass the Wall ISD content filter, including the use of wireless internet cards or personal hotspots.
2. Users may not illegally access or manipulate the information of a private database/system such as gradebooks and other student information systems.
3. Users may not launch denial of services attacks using personal or work technology (e.g. DOS, DDOS), hack or engage in behavior that attacks the network or internet access.
4. Users may not send, save, view, forward, or create harassing or offensive content/messages. Offensive material includes, but is not limited to, pornographic, obscene, or sexually explicit material, sexual comments, jokes or images that would violate school policies. The school policies against harassment and discrimination apply to the use of technology.
5. Users may not use their District email or district-provided/managed services, to engage in actions deemed inappropriate\* to others subject to District policy.

**\*In addition to behavior described above,** the Director of Technology Department/ /Campus Administrator, and/or Superintendent will deem what is considered to be inappropriate use of the Wall ISD computer network. They may suspend an account or network access at any time. Employee discipline will be referred to campus and/or district administration.

**Software Licensing** - All users must respect the legal protection provided by copyright laws to programs, books, articles, and data. Installation and/or use of unlicensed software will not be permitted under any circumstance.

**Forgery and Plagiarism**– Forgery or attempted forgery of electronic mail messages and data is prohibited. Attempts to read, delete, copy, or modify the electronic mail or data of other system users is prohibited. Interference with the ability of other system users or use of another person's user ID and/or password is prohibited. Plagiarism and cheating using technology is also prohibited.

**Services** – Wall ISD makes no warranties of any kind, whether expressed or implied, for the network service it is providing. The District's system is provided on an "as is, as available" basis. Wall ISD will not be responsible for damages suffered while on this system. Wall ISD specifically denies any responsibility for the accuracy of information obtained through its electronic services.

**Security** – If users identify a security problem, it is their responsibility to notify the personnel in the Technology Office at once. Users should not demonstrate the problem to others. Any user identified as a security risk will be denied access to the information system.

**Vandalism** – Vandalism is defined as any malicious attempt to harm or destroy any equipment or data of any user or any other networks that are connected to the system.

Deliberate attempts to degrade or disrupt system performance are violations of District policy and may constitute criminal activity under applicable state and federal laws. Such prohibited includes, but is not limited to, the uploading or creation of computer viruses. Any vandalism will result in the cancellation of system use privileges and will require restitution for costs associated with system restoration, as well as other appropriate consequences.

**Equipment Checkout** – Technology equipment, such as laptops, that are checked out by individuals are the sole responsibility of that individual and are bound by all district policies. Any hardware and/or software damage that occurs while in the possession of the individual due to neglect or misuse will be repaired and/or replaced at the individual's expense. No software or hardware modifications/installations by the individual will be allowed unless permission is first obtained from the Wall ISD Technology Office.

**Disclaimer of Liability** – Wall ISD shall not be liable for users' inappropriate use of technology, violations of copyright restrictions or other laws, users' mistakes or negligence, and costs incurred by users. Wall ISD filters Internet traffic; however, accuracy, appropriateness, or usability of information found cannot be insured.

**Personal Responsibility** - As a representative of this school, administrators and faculty will accept personal responsibility for reporting any misuse of the network to a technology staff member.

**Personal Use** – The district realizes that from time to time the user may make incidental personal use of the Wall ISD system technology resources. Such use may not consume more than a trivial amount of technology resources and cannot interfere with employee productivity or student education.

Employees who choose to use personal communication devices for business purposes should enable "password protection", blocking any unauthorized users access to its contents. An employee who accesses his or her District e-mail from a cell phone should make a report to the District Technology Department immediately if the cell phone is lost or stolen. The possibly delicate and/or confidential information which could be present on the cell phone is of immediate concern to the District. Electronic mail transmissions and other use of the District's electronic communications system by students and employees shall not be considered private. The District reserves the right to monitor access to and use of District email, District Internet, or other network or computer-related activity, engage in routine computer maintenance and housekeeping, carry out internal investigations, prepare responses to requests for public records, or disclose messages, data, or files to law enforcement authorities. Monitoring shall occur at any time to ensure appropriate use. **Reminder:** As an employee of a public school district, your communications regarding District business is subject to public information act requests. Consider this possibility before sending any communication from a cell phone, or other similar device, which contains information or issues of District business.

Wall ISD strictly prohibits storing any files containing any student personally identifiable information (PH) including, but not limited to, special education, discipline, meeting notes, grades, etc. in personal accounts (such as a personal Google Drive/One Drive/Dropbox etc.) or on personal devices, and/or using personal email accounts to discuss student information. Violation of this policy may result in revocation of school account privileges, school disciplinary action, appropriate legal actions, and/or termination.

**Disciplinary Action** – Misuse of technology may result in disciplinary action. The level of offense will be based on the severity of the offense as determined by the supervisor, technology

director, and/or other administrator of the district. The disciplinary action will follow the level of offense disciplinary guidelines listed in the employee handbook.

Just as everyone in the school system is expected to use physical resources at Wall ISD responsibly, we are also expected to help protect technology resources at Wall. Protecting the networks is not the sole responsibility of Wall ISD system administrators any more than taking care of books is totally the responsibility of librarians. In order to receive a computer account and Internet access, please read and sign the attached agreement and return it to the appropriate campus office.

### **Computer Use and Data Management**

The district's electronic communications systems, including its network access to the Internet is primarily for administrative and instructional purposes. Limited personal use of the system is permitted if the use:

- Imposes no tangible cost to the district.
- Does not unduly burden the district's computer or network resources
- Has no adverse effect on job performance or on a student's academic performance

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

Employees who are authorized to use the system are required to abide by the provisions of the district's communications systems policy and administrative procedures. Failure to do so can result in suspension or termination of privileges and may lead to disciplinary action. Employees with questions about computer use and data management can contact Suzette McIntyre (Technology Director) or Russell Dacy (Superintendent).

### **Personal Use of Electronic Media**

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

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

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

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee shall not use the district's logo or other copyrighted material of the district without express, written consent.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, 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.
  - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law.
  - Confidentiality of district records, including educator evaluations and private e-mail addresses.
  - Copyright law.
  - Prohibition against harming others by knowingly making false statements about a colleague or the school system.

## **Use of Electronic Media with Students**

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through electronic media with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. All other employees are prohibited from communicating with students who are enrolled in the district through electronic media.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization.

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

- *Electronic media* includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), electronic forums (chat rooms), video sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Instagram, SnapChat, Twitter, LinkedIn). *Electronic media* also includes all forms of telecommunications such as landlines, cell phones, and Web-based applications.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted as students (e.g., a posting on the employee's personal social network page or a blog) is not a communication; however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.

- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

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

- The employee 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 p.m. and 6 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:
  - Compliance with the Public Information Act and the Family Educational rights and Privacy Act (FERPA), including retention and confidentiality of student records.
  - Copyright law
  - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student.
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.
- All staff are required to use school email accounts for all email communications with parents. Communication about school issues through personal email accounts are not allowed as they cannot be preserved in accordance with the district's record retention policy.

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.

**If a student inappropriately communicates with an employee, that employee should immediately notify his/her supervisor.**

## **Health Safety Training**

Nurses, physical education teachers, marching band directors, coaches, athletic trainers or sponsors of an extracurricular athletic activity (including cheerleading) that is sponsored or sanctioned by the district or University Interscholastic League (UIL) must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), and extracurricular athletic activity safety. Certification or documentation must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification.

## **Personnel Records**

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

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

The choice to not allow public access to this information may be made at any time by submitting a written request to Russell Dacy (Superintendent). New or terminating employees have 14 days after hire or termination to submit a request. Otherwise, personal information may be released to the public.

## **Policies for Control of Fraud**

Wall ISD has and will continue to adopt policies and practices which will prevent or deter fraudulent activities. The following are just a few of the areas of concern.

1. All organizations or groups sponsored by Wall ISD are required to keep a record of revenues and expenditures.
2. All cash collected through the various organizations should be recorded and deposited within one week of collection.
3. It is against school policy to receive kickbacks or gifts from businesses or individuals doing business or services for the school district.
4. The expenditure of funds from any organization should include the signature of two professional employees (one which should be the campus principal)
5. Any use of credit cards must have administrative approval. Receipts will be verified through the central office.

Fraudulent activity can result in termination of employment.

## **Cell phone Usage**

School cell phones used on school trips (when roaming) should be used only in an emergency. Personal roaming charges are to be reimbursed to the district by the user.

## **STUDENT ISSUES**

### **Equal Educational Opportunities**

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

Questions or concerns about discrimination of students on any of the bases listed above should be directed to the superintendent.

### **Student Records**

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records. The following people are the only people who have general access to a student's records:

Parents of a minor or of a student who is a dependent for tax purposes

The student (if 18 or older or attending an institution of postsecondary education)

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.

### **Student Attendance**

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.

### **Administering Medication to Students**

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), 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**

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**

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.

## **Asbestos Management Plan**

The district is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan for each piece of district property. A copy of the district's management plan is kept in the superintendent's office and is available for inspection during normal business hours

## **Gifts and Favors**

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

## **Visitors in the Workplace**

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

## **Copyrighted Materials**

Employees are expected to comply with the provisions of 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.). Rented videotapes are to be used in

the classroom for educational purposes only. Duplication or backups of computer programs and data must be made within the provisions of the purchase agreement.

### **Possession of Firearms and Weapons**

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 Superintendent Russell Dacy immediately.

### **Safety**

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

Employees with questions or concerns relating to safety programs and issues can contact their principal or superintendent.

### **Notification of Parents Regarding Qualifications**

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 also requires that parents be notified if their child is assigned for more than 30 consecutive days to a teacher who does not hold an appropriate teaching certificate. Inappropriately certified or uncertified teachers include individuals serving with an emergency permit (including individuals waiting to take the EXCET exam) or individuals who do not hold any certificate or permit. No later than the 30th instructional day after the date of assignment the superintendent or designee will send a written notice to parents. Information relating to teacher certification will be made available to the public upon request.

## **Complaints and Grievances**

In an effort to hear and resolve employee complaints in a timely manner and at the lowest administrative level possible, the board has adopted an orderly process that all employees must follow when bringing formal complaints and grievances. Employees are encouraged to discuss problems or complaints with their supervisors or an appropriate administrator at any time.

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

### **PERSONNEL-MANAGEMENT RELATIONS: EMPLOYEE COMPLAINTS/GRIEVANCES**

This policy provides employees an orderly process for the prompt and equitable resolution of grievances when a concern has not been resolved. The Board intends that, whenever feasible, grievances be resolved at the lowest possible administrative level. This policy shall not be construed to create new or additional rights beyond those granted by Board policy or law.

#### **DEFINITIONS**

For purposes of this policy, "days" shall mean calendar days.

The terms "complaint" and "grievance" shall have the same meaning. A grievance under this policy may include, but shall not be limited to, any of the following:

Grievances concerning an employee's wages, hours, or conditions of work. Specific allegations of unlawful discrimination in employment on the basis of sex (including allegations of sexual harassment), race, religion, national origin, age, or disability.

Specific allegations of unlawful discrimination or retaliation on the basis of the employee's exercise of constitutional rights.

Whistleblower complaints.

#### **OTHER REVIEW PROCESSES**

Procedures and information regarding sexual harassment by other employees are found at DHC and information regarding federal nondiscrimination is found at DAA.

An employee's dismissal or nonrenewal may be the subject of a grievance under this policy only if the District does not otherwise provide for a review of the matter.

The following are governed by other review processes and are not subject to this policy:

Grievances regarding suspension without pay of a contractual employee:  
DF series

Grievances regarding termination of an employment contract governed by

	Chapter 21 of the Education Code: DF series Grievances against a District peace officer: CKE Grievances regarding instructional materials: EFA
NOTICE TO EMPLOYEES	The principal of each campus and other supervisory personnel shall ensure that employees under their supervision are informed of this policy.
FREEDOM FROM RETALIATION	Neither the Board nor the administration shall unlawfully retaliate against any employee for bringing a grievance under this policy. [See DG]
WHISTLEBLOWER COMPLAINTS	Employees who allege adverse employment action in retaliation for reporting a violation of law to an appropriate authority shall initiate a grievance under this policy within the time specified by law. [See DG(LEGAL)]  The complaint shall first be filed in accordance with LEVEL TWO, below. Time lines 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 days of the initiation of the complaint.
GENERAL PROVISIONS	A grievance must specify the individual harm alleged. An employee is prohibited from bringing separate or serial grievances regarding the same event or action. All time limits shall be strictly complied with unless modified by mutual consent. Costs of any grievance shall be paid by the party incurring them.
CONSOLIDATION	When the Superintendent determines that two or more individual grievances are sufficiently similar in nature and remedy to permit their resolution through one proceeding, he or she may consolidate the grievances.
DECISIONS	Announcing a decision in the employee's presence constitutes communication of the decision.
INITIATING GRIEVANCE	Unless otherwise specified in policy, an employee shall initiate a grievance as provided at LEVEL ONE, below.
LEVEL ONE	An employee who has a grievance shall request a conference with the principal or immediate supervisor by submitting the grievance in writing on a form provided by the District. The form must be filed within 15 days of the time the employee first knew or should have known of the event or series of events about which the employee is complaining. The principal or supervisor shall hold the conference within seven days after receipt of the written request. The principal or supervisor shall have seven days following the conference within which to respond.
LEVEL TWO	If the outcome of the conference at Level One is not to the employee's satisfaction or if the time for a response has expired, the employee may request a conference with the Superintendent or designee to discuss the grievance. The request shall be in writing on a form provided by the District and must be filed within seven days following receipt of a response or, if no response is received, within seven days of the response deadline. The Superintendent or designee shall hold the conference within seven days after receiving the written request. The Superintendent or designee shall have seven days following the conference within which to respond.
LEVEL THREE	If the outcome of the conference at Level Two is not to the employee's

satisfaction or if the time for a response has expired, the employee may submit to the Superintendent or designee a request to place the matter on the agenda of a future Board meeting. The request shall be in writing on a form provided by the District and must be filed within seven days following receipt of a response or, if no response is received, within seven days of the response deadline.

The Superintendent or designee shall inform the employee of the date, time, and place of the meeting.

The Superintendent or designee shall provide the Board with copies of the employee's original grievance, all responses, and any written documentation previously submitted by the employee and the administration. The Board is not required to consider documentation not previously submitted or issues not previously presented.

The presiding officer may set reasonable time limits. The Board shall hear the grievance and may request a response from the administration. The District shall make an audiotape record of the Level Three proceeding before the Board.

The Board shall then make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting.

**CLOSED MEETING** If the grievance involves the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the employee bringing the grievance, it may be heard by the Board in closed meeting unless the employee bringing the grievance requests that it be heard in public.

**EXCEPTION**

However, if the grievance involves a complaint or charge against another District employee or a Board member, it shall be heard in closed meeting unless an open meeting is requested in writing by the employee or Board member against whom the complaint or charge is brought.

**Parent and Student Complaints (Policy FNG)**

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

Parents are encouraged to discuss problems or complaints with the teachers or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved 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.