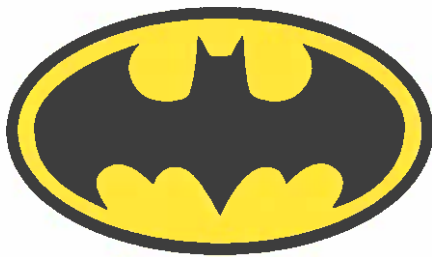


# ***El Jardin Elementary School***

## **STAFF HANDBOOK**

### **2021-2022**



BISD does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or genetic information in employment or provision of services, programs or activities.

BISD no discrimina a base de raza, color, origen nacional, sexo, religión, edad, discapacidad o información genética en el empleo o la disposición de servicios, programas o actividades.

# LONGHORN

Passion

Otstanding

Winning

Expertise

Reputation





## Vision Statement

ACADEMIC EXCELLENCE FOR ALL STUDENTS

## Mission Statement

The Mission of El Jardin Elementary is to educate all students to become critical thinkers by providing a strong foundation towards a college bound future.

We at El Jardin Elementary believe that the following is needed to fulfill the needs of our students.



- TEAMWORK
- HIGH EXPECTATIONS FOR EVERYONE
- DATA ANALYSIS
- EFFECTIVE TEAM PLANNING
- STRUCTURE IN THE CLASSROOM
- DISCIPLINE (ROUTINES, PROCEDURES & BEHAVIOR EXPECTATIONS)
- ENGAGING LESSONS
- HANDS-ON ACTIVITIES
- OPEN-ENDED QUESTIONS
- EXPLORE
- VOCABULARY WALLS
- FLUENCY TRACKING "DAILY"
- READ (LOVE AND/OR FUN)
- ROUTINE
- FIDELITY
- STUDENT ACCOUNTABILITY
- MOTIVATION
- PARENTAL INVOLVEMENT (PARENTS AS PARTNERS)





LEAD



INSPIRE



EMPOWER

***Excellence*** is never an  
accident; it is always the result of  
**high intention, sincere  
effort, intelligent  
direction, skillful  
execution, and the vision  
to see obstacles as  
opportunities.**

*Author Unknown*



# EL JARDIN SCHOLARS

## GRADE LEVEL UNIVERSITY

3 YEAR OLD

HOUSTON

PRE-K

ATM

KINDER

PRINCETON

FIRST

BOSTON

SECOND

UT AUSTIN

THIRD

RICE

FOURTH

BAYLOR

FIFTH

COLUMBIA

### **OBJECTIVE:**

EACH GRADE LEVEL IS IDENTIFIED WITH A UNIVERSITY . . . THE PURPOSE IS TO DEVELOP UNIVERSITY AWARENESS. EVERY YEAR, THE CHILDREN ACQUIRE KNOWLEDGE ABOUT THEIR GRADE LEVEL UNIVERSITY. AS THE CHILDREN MASTER EACH GRADE LEVEL, THEY BUILD ON UNIVERSITY EXPOSURE. IF A CHILD REMAINS AT EL JARDIN THROUGHOUT HIS/HER ELEMENTARY YEARS, THEY WILL BECOME FULLY VERSED IN ALL EIGHT UNIVERSITIES.







# PRIDE PASSION DRIVE



# work ethic

a belief in the moral benefit and importance of work and its inherent ability to strengthen character

ACTING in ways CONSISTENT with what society and INDIVIDUALS typically think are good VALUES.

ETHICAL BEHAVIOR tends to be good for BUSINESS and involves demonstrating respect for key MORAL PRINCIPLES that include honesty, fairness, equality, dignity, diversity and individual rights.



VS.



I TEACH. WHAT'S YOUR  
*Superpower?*  
teach • design • grow





## PROFICIENT TEACHER (SUPERHERO TEACHER)

- TEAMWORK
- PASSION & DRIVE (FOCUS: CHILDREN)
- KNOW YOUR STUDENTS SINCE DAY 1 (PRC: BILINGUAL, SP. ED., 504, DYSLEXIA, RTI, ETC)
- HIGH EXPECTATIONS (100% MASTERY – NO CHILD LEFT BEHIND)
- CONSTANT COMMUNICATION, PLANNING AND SHARING WITH THE TEAM/GRADE LEVELS (GRADE LEVEL PLANNING, DATA MEETINGS, LONGHORN PLANNING, VERTICAL ALIGNMENT, ETC)
- DATA DRIVEN (FLUENCY; WRITING, MATH & SCIENCE JOURNALS; DASHBOARD; AR, PROGRESS MONITORING; TELPAS, ETC)
- CONSTANT REVIEW AND REFERENCE TO PRIOR KNOWLEDGE “ALWAYS SPIRAL BACK TO LEARNING”
- PROVIDE READY-MADE NOTES FOR MATH AND SCIENCE TO PREVENT LOSS OF TIME & MAINTAIN ACCURACY. (THE TEACHER WILL PROVIDE A COPY OF THE NOTES & THE CHILDREN WILL GLUE ONTO THE JOURNAL. (OPTIONAL: PERSONALIZATION AND CREATIVITY PLUS COLORING OF THE JOURNAL CAN BE COMPLETED AT HOME FOR EXTRA CREDIT.)
- UTILIZE ANCHOR CHARTS & ON-GOING REFERENCE
- HANDS-ON ACTIVITIES
- VISUALS & WORD WALLS IN THE ROOM
- TARGET WEAKNESSES/SPECIFIC TEKS “BEFORE SCHOOL, DURING PE, MORNING OR AFTERSCHOOL TUTORIALS OR SATURDAY”
- TUTORIALS
- CONSTANT MODELING
- IMPLEMENT STRATEGIES (READING, WRITING, MATH & SCIENCE)
- PROBLEM SOLVING “DAILY”
- JOURNAL WRITING “DAILY”
- FLUENCY “DAILY”
- MATH WARM-UPS “DAILY”
- STUDENTS WORK ON PRACTICE SHEETS (FREE TIME/DURING LUNCH)
- SCIENCE & MATH VOC. REVIEW DAILY (5<sup>TH</sup> GRADERS CAN RETAIN FLASH CARDS TO REVIEW DAILY)
- SCIENCE 40% LABS
- AR (TRACKING & FIDELITY) “TAKE A BOOK TO READ IN THE CAFETERIA”
- MONITOR ATTENDANCE “DAILY”
- DISCIPLINE (ALL AROUND)
- COMPLY WITH JOB DESCRIPTION
- COMPLY WITH ADMINISTRATIVE DIRECTIVES
- COMMUNICATE WITH PARENTS (ON-GOING)
- RESPECT ONE ANOTHER
- MODEL WHAT YOU EXPECT
- POSITIVE ATTITUDE
- MAKE A DIFFERENCE

**TOGETHER, WE WILL BE ELITE!**





AN EARLY COLLEGE DISTRICT

# BROWNSVILLE

INDEPENDENT SCHOOL DISTRICT

## 2021-2022 Instructional Calendar

JULY 2021							AUGUST 2021							SEPTEMBER 2021							OCTOBER 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3	1	2	3	4	5	6	7				1	2	3	4						1	2
4	5	6	7	8	9	10	8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9
11	12	13	14	15	16	17	15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16
18	19	20	21	22	23	24	22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23
25	26	27	28	29	30	31	29	30	31					26	27	28	29	30			24	25	26	27	28	29	30
																					31						

NOVEMBER 2021							DECEMBER 2021							JANUARY 2022							FEBRUARY 2022						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6				1	2	3	4						1			1	2	3	4	5	
7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8	6	7	8	9	10	11	12
14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15	13	14	15	16	17	18	19
21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22	20	21	22	23	24	25	26
28	29	30					26	27	28	29	30	31		23	24	25	26	27	28	29	27	28					
														30	31												

MARCH 2022							APRIL 2022							MAY 2022							JUNE 2022						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5						1	2	1	2	3	4	5	6	7			1	2	3	4	
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21	12	13	14	15	16	17	18
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	25
27	28	29	30	31			24	25	26	27	28	29	30	29	30	31					26	27	28	29	30		

**First Class Day: August 17**

**Last Class Day: June 2**

**School Schedule:**

Middle Schools – 7:40 AM - 2:50 PM

Elementary Schools – 8:05 AM - 3:15 PM

High Schools – 8:50 AM - 4:00 PM

**PEIMS Snapshot: October 29**

**Holidays and Vacations**

Labor Day ..... September 6

Columbus Day ..... October 11

Thanksgiving ..... November 22-26

Christmas (Employees) ..... Dec. 20-31

Christmas (Students) ..... Dec. 20-Jan. 4

Martin Luther King Day ..... January 17

Charro Days ..... February 25

Spring Break ..... March 14-18

Easter ..... April 15

Memorial Day ..... May 30

**Teacher Preparation Days**

August 16 • June 3

**Campus Staff Development Days**

August 11, 12 • January 3

**New Employee Orientation**

August 6

January 8

**District Staff**

**Development Day**

August 13 • January 4

**Early Dismissal Day**

February 24

**Make-Up Days**

October 11 • February 25

**Additional Days**

Dec. 4, 11

Apr. 2, 9, 23, 30

May 7 • June 6 • 29

*Additional days are scheduled within the year.*

**Six Weeks Grading Periods**

Period	Total Days	Last Day
1st 6 Wks.	28 Days	September 24
2nd 6 Wks.	29 Days	November 5
3rd 6 Wks.	25 Days	December 17
1st Semester	82 Days	December 17
4th 6 Wks.	32 Days	February 18
5th 6 Wks.	33 Days	April 14
6th 6 Wks.	33 Days	June 2
2nd Semester	98 Days	June 2
TOTAL: 180 Instructional Days		

**Early Dismissal Schedule**

Middle Schools – 11:45 AM

Elementary Schools – 12:15 PM

High Schools – 1:00 PM

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**EL JARDIN ELEMENTARY**

PRINCIPAL: MARINA FLORES

2021-2022

<b>ADMINISTRATION</b>			<b>SPECIAL PROGRAMS</b>		
FLORES, MARIA MARINA			COLUNGA-HENSLEY, DIANA		
DE LEON, HECTOR			DIAGNOSTICIAN (A-L)		
TREVINO, LAURA L.			DIAGNOSTICIAN (M-Z)		
			GONZALEZ, DEBBIE		
<b>EARLY EDUCATION</b>			IBARRA, BELLA		
RUEDAS, JENNIFER			LONGORIA, MONICA		
			PADILLA, JUAN A.		
<b>PRE-KINDER</b>			PENA, SONYA		
FLORES, LETICIA			RODRIGUEZ, ESMERALDA		
ROBLES, ROCIO			<b>RODRIGUEZ, JAIME</b>		
			RUEDIGER, LISA A.		
<b>KINDER</b>					
<b>GOMEZ, DAVID</b>			<b>CLASSIFIED</b>		
SOSA, CRISTELA			CARR, MARIA J.		
			CONTRERAS, SARITA S.		
<b>FIRST</b>			DEVEN, MIROSLAVA		
<b>GARCIA-DAY, DENISE</b>			GARZA, CORINA		
MEDINA, ANGELINA			HERNANDEZ, MINERVA		
URBINA, CARMEN			LEYVA, FELIPE		
			MARTINEZ, ARACELI		
<b>SECOND</b>			ORDAZ, MELISSA L.		
DE LA GARZA, ICELA			PENA, MARICELA J.		
GUERRA, EVA E.			RAMIREZ, ALMA		
			RAMIREZ, DELLANIRA I.		
<b>THIRD</b>			VARGAS, HILDA		
<b>HERNANDEZ, EDNA V.</b>					
LUNA, CLARA			<b>SECURITY</b>		
			RAMIREZ, LUIS E.		
<b>FOURTH</b>					
<b>BENAVIDEZ, MARLA</b>			<b>CUSTODIANS</b>		
GUAJARDO, CLAUDETTE			<b>BARRIENTOS, JUAN</b>		
			BECERRA, NORMA		
<b>FIFTH</b>			RAMIREZ JR., JOSE A.		
AVENDANO, ESTER A.			SALINAS, RICARDO		
FERNANDEZ, SUSANA					
<b>GONZALEZ, DORA N.</b>			<b>CAFETERIA</b>		
			DIAZ, ALICIA		
<b>LIFESKILLS</b>			GARCIA, SYLVIA M.		
ESPINOSA, BEATRIZ			LECHUGA, JUAN M.		
			<b>MUÑOZ, JOSE J.</b>		
			OCHOA, PAULA M.		
			SOLIS, DORA I.		

## *Administrative Duties*

### **(Héctor De León - Asst. Principal)**

Textbooks Administrator  
LPAC Supervisor  
Discipline (campus/transportation)  
Safety Coordinator  
Testing Coordinator  
Duty: Morning / Lunch / Afterschool  
Lesson Plans / Walk-throughs  
Evaluations (Certified/Classified)  
Fixed Assets' Administrator  
PEIMS Supervisor  
504 / Dyslexia / Special Education Administrator

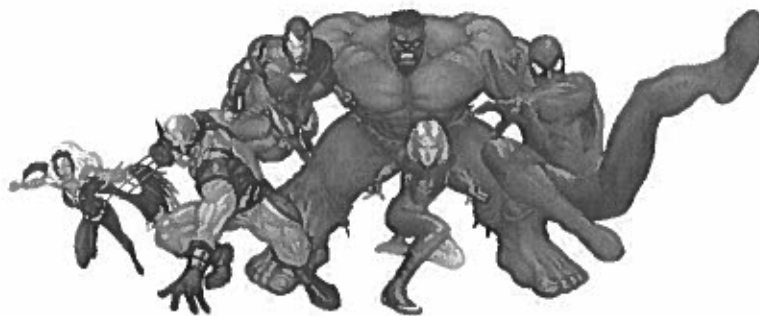
### **(Laura L. Treviño – Dean of Instruction)**

Staff Development Administrator  
CIP Plan  
RTI: Academic / Behavior  
Advanced Academics Supervisor  
Spelling Bee Supervisor  
Computer Lab Supervisor  
Testing Assistant  
UIL Supervisor  
Extended Day / Tutorial Administrator  
SBDM Coordinator  
Duty: Academic Activities  
Lesson Plans / Walk-throughs  
Science Fair Coordinator  
Brainsville Coordinator  
Academic Celebrations Coordinator  
Grade Level Meetings / LONGHORN Planning  
Vertical Alignment Coordinator

### ***IMPORTANT NOTE TO REMEMBER:***

- Follow the above chain of command. *The PRINCIPAL will oversee all duties.* (For example, if you have a question regarding eSchool Plus, you will speak to the ASST. PRINCIPAL. If you have questions regarding TUTORIAL, you will consult with the DEAN OF INSTRUCTION.)

TEAM: Together Everyone Achieves More





## *Administrative Duties*

### **(Héctor De León - Asst. Principal)**

- Testing Coordinator
- Textbooks Administrator
- Fixed Assets' Administrator
- Special Programs Administrator
  - A. 504/Dyslexia
  - B. Sp. Ed. Supervisor/ARDs
- PEIMS Supervisor
  - A. Date Entry
  - B. Attendance
    - 1. Attendance Committee
  - C. Records
    - 1. Registration
    - 2. eSchoolPLUS Supervisor
- Safety Coordinator
  - A. Duty (morning, lunch & afterschool)
  - B. Fire Drills
  - C. Workmen's Compensation
  - D. EOP
- Evaluations
  - A. Certified / Classified
  - B. Lesson Plans/Walk-throughs
- Discipline (campus/transportation)
- LPAC Supervisor

#### **IMPORTANT NOTES TO REMEMBER:**

- Follow the above chain of command. *The PRINCIPAL will oversee all duties.* (For example, if you have a question regarding eSchoolPLUS, you will speak to the ASST. PRINCIPAL. If you have questions regarding TUTORIAL, you will consult with the DEAN OF INSTRUCTION.)

**TEAM: Together Everyone Achieves More**



## *Administrative Duties*

### **(Laura L. Treviño – Dean of Instruction)**

-Staff Development Administrator

- A. In-Service
- B. Grade Level Meetings
- C. LONGHORN Planning
- D. Vertical Alignment
- E. SBDM
- F. CIP

-Testing Assistant

-RTI (Academic/Behavior)

-Advanced Academics Supervisor

-Tutorial Administrator

-Spelling Bee Supervisor

-UIL Supervisor

-Lesson Plans/Walk-throughs

-Computer Lab Supervisor

-Academic Celebrations Coordinator

-Duty: Academic Activities

-Science Fair Coordinator

-Brainsville Coordinator

### ***IMPORTANT NOTE TO REMEMBER:***

- Follow the above chain of command. *The PRINCIPAL will oversee all duties.* (For example, if you have a question regarding eSchoolPLUS, you will speak to the ASST. PRINCIPAL. If you have questions regarding TUTORIAL, you will consult with the DEAN OF INSTRUCTION.)

TEAM: Together Everyone Achieves More



# TIMES/ ASSIGNMENTS

## ***Teachers/Nurse/Counselor:***

7:45 a.m. - 3:30 p.m.

30 minute LUNCH

## ***Instructional Assistants:***

7:00 a.m. – 3:30 p.m. (*as assigned*)

7:15 a.m. – 3:45 p.m. (*as assigned*)

7:30 a.m. - 4:00 p.m. (*as assigned*)

30 minute LUNCH

\* Duties (*as assigned*)



## ***Office Personnel:***

- In order for the OFFICE telephone to be manned at all times, the ***office personnel*** will alternate a 30-minute or one hour lunch period.

PLEASE NOTE: All **Certified & Classified Personnel** is expected to **sign-in & out.** (*Failure to follow these procedures will be cause for disciplinary action.*) **NO EXCUSES**

***\*\*\*Certified Personnel that leave campus are expected to SIGN-OUT & IN – booklet.\*\*\****

***\*\*\*Due to "wage and hour" regulations, each Classified Personnel on campus must sign-in & out; this includes anytime you leave the campus to pick-up lunch at the proper times in order to avoid sanctions imposed by the District.\*\*\****

***PLEASE NOTE: Leaving campus to pick up lunch is included as part of the 30 minutes.***

\* Employees are not to leave before their designated "quitting time". Staff members should not leave the building before the appropriate time unless arrangements have been made with an ADMINISTRATOR or you have been assigned to attend a meeting or special training. The employee is responsible for filling out the "***Request To Leave Early Form***" or notify the principal in writing or via e-mail and obtaining the principal's signature or confirmation via e-mail before leaving the building. *These forms may be obtained from the office staff.*

NOTE: Wear a "badge" for identification.





## DUTY SCHEDULE



### ***IMPORTANT NOTE:***

- Attending to duty assignments is of the utmost importance in order to ensure the safety of all students. Punctuality, active supervision and discipline are required at all times. ***Teachers are expected to escort and pick up their students in the cafeteria "lunch" and PE. (NOT PARAPROFESSIONALS, PARENT VOLUNTEERS or STUDENTS)***
- ***Special Education Paras*** will eat with their appropriate grade levels; YOU will eat before or after your students enjoy lunch. (PLEASE NOTE: Each Sp. Ed. Staff Member is *guaranteed a 30 min. duty free lunch.*)

### ***Safety Patrol Morning and After School Duties***

- Administration will assign these duties. It is important that these duties take priority for "STUDENT" SAFETY. ***Punctuality is vital!***



***IMPORTANT NOTE:***

Clerks' and secretary's workday begins at 7:00-8:00 AM (*according to schedule*). In order to provide an office environment which is conducive to efficient time usage and maximum office performance, please follow these guidelines when needing assistance from the office staff.

- Office Personnel will assist persons requesting general information.
- The principal will maintain an OPEN DOOR POLICY. If one needs to talk to the PRINCIPAL or an administrator and he/she is busy, leave a note or inform office personnel that you need to see an administrator; he/she will get back to you ASAP.

Please be respectful of the office staff's work time. The following actions infringe on the office staff's work time . . .

- *"hanging out" in the office area,*
- *dropping by to chat,*
- *making requests of office clerks for "special" help (copies), ETC.*



## CUSTODIAN SCHEDULE 2021-2022

Mr. R. Salinas	Mr. J. Barrientos	Mr. J. Ramirez	Mrs. N. Becerra
6:30-10:30 AM	7:00-11:00 AM	11:00 AM-3:00 PM	11:00 AM-2:00 PM
(LUNCH)	(LUNCH)	3:00-3:30 PM (LUNCH)	2:00-2:30 PM (LUNCH)
3:30-7:30 PM	3:30-7:30 PM	3:30-7:30 PM	2:30-7:30 PM

### **PLEASE NOTE:**

- Follow the CHAIN OF COMMAND. First, inform the custodian of your classroom needs. (DOCUMENT) If the room needs are not being met then, consult with Administration.
- Refrain from placing boxes on the floor. (It is difficult for the custodians to clean rooms accordingly when boxes, books, piles of papers are on the floor.)
- Bring room keys DAILY. (It is an extra burden on the custodian when he/she needs to open a classroom routinely.)
- Do not block the A/C vent or place items/boxes in the utility room . . . it is not a storage room.

### **CLEANLINESS IS A VIRTUE.**

(quality, service, cleanliness, & value)

DAILY . . . tidy & sanitary . . . our health/safety depends on cleanliness.)



# TOGETHER, HAND IN HAND WE CAN.

- Get to know your custodian; build a rapport with him/her.
- Inform custodian of your “classroom” needs.
- Assist the custodian by asking students to help clean up after themselves at the end of the day. (Students can assist by picking up their chairs and collecting papers from the floor.)
- If concerns or questions arise, inform ADMINISTRATION.

*Together, our school will shine!*

*P.S. hours change when a custodian works on Saturday*

During the **school day**, the custodians work on numerous jobs including cleaning, tending to emergencies, yard work, fixing & assembling items, painting, moving items, preparing for campus events (moving tables/chairs and cleaning cafeteria/gym for events), ETC . . . anything and everything to maintain our campus looking sharp.

On **Saturday**, they clean and maintain the campus in order for tutorials plus, they tend to cleaning, yard work, painting, ETC.



## GENERAL GUIDELINES & RESPONSIBILITIES

- Classified & Certified Staff must utilize the **ATTENDANCE SYSTEM** for absences. ***Failure to comply with directive will merit a FORMAL WARNING to BISD.*** PLEASE NOTE: Substitutes are difficult to find especially, last minute. If you plan to be absent, request your substitute in advance.

### ***PHONE NUMBERS:***

Marina Flores

Héctor De León

Laura L. Treviño

### ***HOME***

399-9472

542-1621

544-2565

### ***CELL***

367-2558

545-9063

466-8801



## ***IMPORTANT NOTES***

Teachers and Instructional Assistants should not leave campus during working hours. All doctors' appointments should be scheduled after school hours. If this is not possible, 1/2 day of sick leave is recommended. ***(PLEASE do not place Administration in an unwarranted predicament. At the school "in the workplace", students are the priority; they come first.)***

Attendance, punctuality and responsibility is crucial! Staff and faculty are not to come in late or leave campus during "instructional time". Failure to comply with rules and regulations will merit a written memo from administration.

- Teachers WILL NOT encourage students to go to the room without permission from the office. If a teacher allows students into the classroom, he/she must remain in the classroom at all times to supervise. ***SAFETY FIRST! If an accident occurs, the teacher will be held responsible.***
- Each teacher is to accompany his/her class at all times when traveling in a group to the playground, cafeteria, library, assemblies, fire drills, ETC. Teachers (not Paraprofessionals, Parents or Students) are responsible for escorting their classes all the way to the playground for "physical education" and for picking them up after class. ***Be punctual when picking up your class.***
- ***NOTE:*** The Grade Level Teacher (not Paraprofessional, Parent or Student) will remain in "elective classes (Library, Music and Computer Lab) to help monitor and supervise students.





### **PLEASE NOTE:**

It is important that every teacher establish a procedure on how to enter and exit the classroom, Cafeteria, Elective Classes, ETC. Have students make several stops as they move in line and establish unity. Do not walk in front of the line giving your back to your students but rather towards the middle/back of the line. *Always accompany and supervise your students.*

- Teachers will take their classes for water and restroom breaks. Students in the lower grades should go to the restroom when supervised by the teacher. **SAFETY!!!** (*Monitor time and refrain from loss of time.*)
- Teachers will monitor student's time in the restroom. **Maintain a LOG** – one or two students at a time. **MONITOR TIME SPENT IN THE RESTROOM. (Retain LOG for EOY Clearance.)**
- It is mandatory that Teachers remain with their class during ELECTIVE classes. (*FYI: If "elective" class is contrary to PLANNING PERIOD.*) *These classes are considered part of the instructional day activities. GOAL: The CLASSROOM TEACHER needs to become an integral part of the elective class – constant communication for meaning and purpose. Link/connect what is taught in the classroom and the elective course.*
- **DO NOT** send students to the office to get you water, cokes, coffee, cafeteria trays, ETC. (*BISD provides teachers with a 30 minute lunch and 45 min. "Planning "Period".*) *NOTE: BISD will remove COKE MACHINES from a campus if they become aware that students are purchasing soft drinks in the lounge.*
- Post daily schedule, instructional assistant's schedule, classroom rules & consequences, Fire Escape Plan, ELLPS Lang. Objectives, ETC in the classroom (*neatly & at view*).
- Place Lesson Plans outside the door and/or near the door for easy access. Include a student chart.
- No BEEPERS or CELLULAR PHONES are allowed on campus unless, issued by BISD. (*POLICY*) **"DO NOT use "telephones / cell phones" in your classroom for personal use during instructional time."** *FYI: NO TEXTING during school hours. (REMEMBER: Students go home and tell their Parents everything that happens in the classroom. Also: Parents will "always" ask . . . Where was the Teacher? What was the Teacher doing?)*
- During rainy and cold days, we recommend that all teachers report fifteen minutes "earlier" on such days. *Be prompt and remain with your students.*
- *Counseling and nursing services is available on a full-time basis (including classroom presentations/other related services). All students needing to see the counselor and/or nurse must have a written referral from their teacher/administration.*
- All campus personnel must be familiar with and implement all areas of the *Campus/BISD Handbook, CIP (Campus Improvement Plan) and SBDM (Site-Based Management Meeting Plan)*. *NOTE: El Jardin and BISD HANDBOOK is on-line.*
- Planning and preparation shall be carried out daily. Each teacher shall have 45 minutes of planning / conference time daily. Utilize this period for data collection, evaluation and preparation of classroom activities.



# ***DOCUMENT, DOCUMENT, DOCUMENT. It is vital!***

## ***COMMUNICATION***

- Teachers will make every effort to meet with all of their students' parent(s).  
BISD

requires that at least two PARENT CONFERENCES be held and documented for

each student. A log of each effort and response must be maintained. *Teachers will make every effort to increase parental involvement and communication.*

**NOTE: CONFERENCE LOGS IS INCLUDED IN THE END-OF-THE-YEAR CLEARANCE LIST. (Retain LOG for EOY Clearance.)**



## ***PUBLIC RELATIONS "CUSTOMER SERVICE"***

- Always seek to make a GOOD FIRST IMPRESSION. Make parents feel WELCOME to our school. Make it a point to call all your parents at the beginning of the year to "welcome" them and their child to your classroom. (Don't forget to do this as you get new students in your room.)  
**GOAL: Treat Students and Parents with golden gloves . . . they are our customers.**
- Communicate with parents on a professional not a personal level. Don't let parents interrupt instructional time. (NOTE: Parents and/or Parent Volunteers are not allowed to sell plates and/or collect money during school hours furthermore; they can not interrupt instruction to handle this matter.)
- When contacting parents, make it a point to report at least one good or complimentary quality about their child.
- Use a pleasant tone of voice. **Be careful WHAT YOU SAY and HOW YOU SAY IT.** Remember that your body language and mannerisms sometimes come across louder than words.
- The student is the KEY outlet for your public relations; he or she talks about you to his/her family and friends.
  - FACULTY MEETING and/or staff development program meetings will be held as needed. (These meetings are required of "all" personnel.)
  - GRADE LEVEL MEETING will be held every Tuesday and/or as needed during planning time with the DEAN OF INSTRUCTION. *Agendas, minutes, and attendance sign-in rosters will be maintained on file.*
  - LONGHORN PLANNING will transpire as needed; it will be closely monitored.
  - VERTICL ALIGNMENT will transpire as time and funds permit.



- All staff members are expected to attend committee meetings (ONCE A MONTH); chairperson is responsible for agendas and sign-in sheets. **INFORM Miss Flores/Laura L. Trevino if members are not attending scheduled meetings. (The Chairperson is responsible to maintain the Committee in compliance.)**  
*NOTE: A documentation binder will be submitted at the end of the year for clearance."*
- Teachers are required to attend the District scheduled OPEN HOUSE.
- Mailboxes must be checked daily. All messages, memos and other communication will be deposited in the boxes. No one will be called to the telephone during class time except for an "extreme" emergency. DO NOT LEAVE CLASSES UNATTENDED in order to use the phone or to check for messages. **Student safety is vital.** (Accidents happen in the blink of an eye.) Parents will always inquire, "Where was the Teacher when the incident took place?" **RECOMMENDATION: Be ready to respond.**
- All staff members are responsible for any written (newsletters, memos, notes, e-mails, handouts, etc.) or oral (intercom) information disseminated. In order to safeguard instruction, the P.A. System will be limited. (*On occasion, EMERGENCIES may require further use.*)
- A "weekly" newsletter will be issued outlining the activities for the week. **IMPORTANT . . . take the time to read.**

### **CONCERNS / QUESTIONS / SUGGESTIONS**

- STAFF MORALE and CAMPUS CLIMATE is the responsibility of ALL staff members. Communication concerns, questions, suggestions for campus improvement and/or change or requesting clarification leads to improved building climate and decreased job related stress. Any concerns, questions or suggestions expressed by staff members, parents or the community should be communicated to the PRINCIPAL. If the information is URGENT and the Principal is "not available, see the Assistant Principal or Dean of Instruction.





### VISITORS / VOLUNTEERS

- **ALL** visitors **MUST** report to the office and receive a VISITOR'S TAG. Don't allow any parents at your door after 8:00 AM; *instruction must not be interrupted*. It is the teacher's responsibility to refer anyone in the halls/building who is not an employee to the office immediately. If the person refuses to report to the office, call the office at once. Parents are **WELCOME** to visit classrooms, but must inform the teacher or office at least 24 hours in advance and limit the visit to 30 minutes (more time may be allotted through prior arrangements made with administration). There should not be discussion or conference while the parent is visiting. PLEASE *do not* bring or invite your children or relatives to class during the instructional day. Informing your family and friends of these guidelines in advance will avoid future concerns.
- Parents are always **WELCOME** to volunteer but "District" guidelines must be followed before anyone may volunteer. Before allowing anyone to help in your classroom, he/she must fill out a BISD "volunteer" application which is located in the office or Parent Center with Ms. H. Vargas (Parent Liaison). **"Consistency is the key. If you do for one, you do for all."**
  - A volunteer must meet all requirements & receive **BISD CLEARANCE** before volunteering in the classroom or attending fieldtrips. *"See Ms. Vargas for information."*
  - All volunteers are expected to follow the DRESS CODE and **all** "District" and "campus" guidelines.
  - Volunteers should be treated with the same respect that they are given as parents. They volunteer their time to make our school a better place for students to learn and grow.
  - Volunteers / Parents are **WELCOME** to eat in the cafeteria. (At no time, can we deny a parent this privilege.)

#### **PLEASE NOTE:**

- **DO NOT** discuss students, personnel or school policies in front of students or volunteers. If any problems arise, notify the PRINCIPAL.



#### **DRESS CODE (Dress to impress. GOAL: Make our campus look elite.)**

- B.I.S.D. Policy DH (Local) outlines the DRESS CODE. The staff is expected to use common sense and good taste in their manner of dress. (*Dress Code Attached*)



## ***SOLICITING***

- No fees may be collected from students for "any" purpose; NO outside organizations of any sort may solicit contributions of any type from students within the schools.
- **NO PERSONAL** sales are to be made on campus. This includes items such as taquitos, candles, corsages, pins, Avon, ETC where profits are for "personal" profit.
- The District shall strive to safeguard the students and their parents from fundraising plans outside organizations, commercial enterprises, and individuals particularly in reference to sales of tickets, articles or services except those directly sponsored or handled by school authorities. (*Outside organizations shall not be permitted to advertise events through the school or use students to sell tickets except those jointly school sponsored or approved parent/teacher activities.*)
- Fundraising campaigns that do not involve school activities and/or call for the participation of students & staff shall not be allowed.
- School sponsored "fund" raising activities by student groups and/or school sponsored projects shall be allowed with prior administrative approval and under the supervision of the SPONSOR. ***PLEASE NOTE: The BOARD shall regularly be informed of approved fundraising projects and will periodically review the effect of such activity on the student body, the instructional program, and the community.***
- Fund-raising projects shall be subject to the approval of the **PRINCIPAL** and AREA SUPERINTENDENT. (*Submit to Miss Flores . . . one month in advance.*) ***NOTE: Candy and Photo Sale Fundraisers will NOT be approved for Teacher, Classroom and/or Grade level . . . only campus-wide.***
- Student participation in approved fund-raising activities shall not interfere with the regular instructional program; see EMH. Funds raised shall be received, deposited and disbursed in accordance with CFD (Local).

***\*\*\*NOTIFY THE OFFICE OF SOLICITORS.\*\*\****





## ***PERMIT TO LEAVE / VISIT***

1. Be **CAUTIOUS** about releasing students from the classroom. *(Once a student is on campus, he/she is not allowed to leave without written permission from the PRINCIPAL/OFFICE.)*
- **WHEN IN DOUBT . . . DO NOT RELEASE ANY STUDENT TO ANY PERSON (PARENTS INCLUDED) WITHOUT WRITTEN CONSENT FROM THE PRINCIPAL / SCHOOL OFFICE.**

ALWAYS refer to the Campus Student Release Plan. Only with the administrator's permission may a student leave the school or be released to another person during the day. Student release forms are to be updated regularly in the office whenever the parent updates the form in the teacher's room. It is a good practice to cross-reference release forms regularly between the office and the teacher's forms. (mutual effort between the Teacher and Office Personnel - SAFETY)

- PLEASE NOTE: The following personnel will check that teachers have turned in student release forms to the office: Ms. Hilda Vargas & Ms. Miroslava Deven
2. All visitors must report to the office; all visitors will sign appropriate log.



## ***ACCIDENTS / MEDICATION***

1. STUDENT accident/injury must be reported "immediately" to the SCHOOL NURSE and ADMINISTRATION. Accident reports must be completed and filed in the office. **(ELECTIVES included . . . please do not place the burden on the Teacher-of-Record if the accident happened in the ELECTIVE CLASS.)**
2. EMPLOYEE accident / injury must be reported to ADMINISTRATION within 24 hours. *(Accident reports must be completed and filed with the BISD INSURANCE OFFICE . . . ASAP.)*
3. Dispensing medication to students is STRICTLY PROHIBITED.





## CHILD ABUSE

- Any person who has cause to believe that a child's physical, mental health, or welfare has been or may be adversely affected by abuse or neglect shall make such reports as required by law within 48 hours after the hour the person first suspects that the child has been or may be abused or neglected (*Family Code 34.01*). Communicate with the campus COUNSELOR / PRINCIPAL as to proper procedures to follow. Child Protective Services (CPS) number is **1-800-252-5400**. (NOTE: If a child makes an OUTCRY to YOU, **YOU take action**. YOU follow-up . . . contact Parents (depending on the situation at hand), consult with the Counselor/Administration and/or report to CPS. Your duty is to maintain the child safe.)



## FIELD TRIPS

- A field trip is recognized as an extension of the experience of a group that takes place out of the classroom (i.e. visits - industrial plants, libraries, museums, and government buildings). It should be emphasized that a field trip should be viewed as a functional part of the whole teaching experience and is not designed to serve advertisers or public relations interests. **Field trips must be planned in advance.** They must be exact (neat, typed & free from errors). Submit "completed" paperwork to (secretary) at least 6 weeks prior to the event. **NOTE: The OFFICE STAFF will not type or complete the paperwork.** Furthermore, last minute fieldtrips/changes will not be approved. **NOTE: It is the teacher's responsibility to follow-up on FIELD TRIP plans (Nurse "medication", Cafeteria "lunch", Transporation, Permission Slips, Student Motivational Account "funds", ETC).** **Failure to do so will warrant an Official Warning to BISD.**
- Field trips should be scheduled between the hours of 8:30 AM and 2:30 PM. Teachers are expected to accompany and "effectively" supervise students on the trip. (RATIO 10-1 . . . teachers must plan "in advance" and invite "BISD" Parent volunteers to assist if needed. **Do not plan on utilizing campus personnel to help on the trip unless, the Paraprofessional are in your classroom daily (EE, PK and Life Skills.)** NOTE: 90 STUDENTS = 9 ADULTS / 22 STUDENTS = 3 ADUTLS "ROUND TO THE BIGGEST NUMBER"
- Field Trips that serve as an extension of the classroom instruction will not be deprived from any student as a form of discipline as per District policy. *Trips for fun and entertainment "only" will not be approved.*





4. Statement of Administrative Policy:

- Field trips are an integral part of the teaching procedure. They provide opportunities for experiential learning and develop the students' power of observation & discrimination. *(Plan field trips carefully in order to vary students' learning experiences year after year.)*
- Field trips must be evaluated by teachers with documentation upon conclusion of the trip.

5. Field trips that have educational value and/or are relevant to the CIP must be approved by the PRINCIPAL. All in-district field trips require the approval of the AREA ADMINISTRATOR.

6. Every student leaving the school grounds MUST have a FIELD TRIP PERMIT FORM and AUTHORIZATION FOR EMERGENCY MEDICAL TREATMENT signed by either the parent or guardian for each particular field trip. All trips are considered to be round trip. *(REMINDER: Forms are required for each designated trip. Plus, the OFFICE must be provided with a list of students attending the trip.)*

- *FOR EXAMPLE:* If John participates in 3 different trips throughout the year; he will have a form on file for each trip.)

**PLEASE NOTE:** FIELD TRIP PERMISSION SLIPS must be submitted to Miss Flores 2 weeks before the field trip for review. Ascertain that the forms are completely filled in before submitting . . . student's full name, ID # vs. SSN, address, student and Parent's Signature, date, ETC. (Adm. will not cater to Teacher's lack of responsibility. *NOTE:* We will not deprive the children of a trip, but we will reprimand the Teacher.)

7. Notify the NURSE of field trip. It is imperative that the TEACHER SPONSOR inform the nurse of the grade level/students attending field trip in order to make medical arrangements.

8. Inform the CAFETERIA MANAGER. It is crucial that the TEACHER SPONSOR notify the Cafeteria Manager of the grade level/student attending field trip in order to plan accordingly for lunch.

9. Students not enrolled in a school will not be allowed to go on a field trip with school students.

10. Parents CAN NOT board a District bus without "approved" BISD documentation.

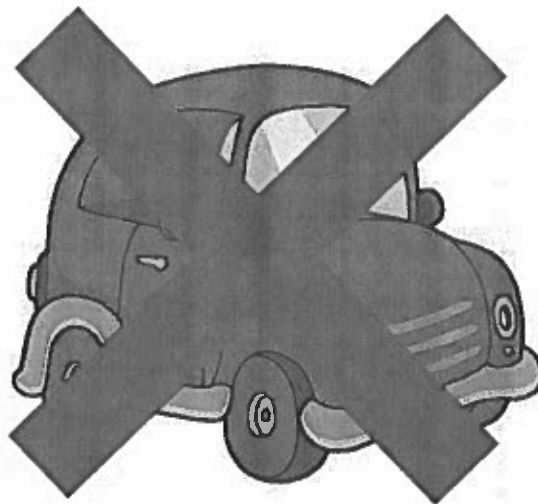
11. Students are not to be left unsupervised upon the completion of a field trip or an extra-curricular event. If parents/guardians have NOT picked up the student(s) after a 60-minute time frame, call BISD security (956) 698-2085 for assistance. Under **NO** circumstances shall faculty/staff personnel transport a student(s).





### **TRANSPORTATION OF STUDENTS**

- The Brownsville Independent School District does not approve the transporting of students by private vehicles for school functions. BISD will not assume any responsibility for accidents or injuries which result from the transportation of students by privately owned vehicles. The District will make every effort possible to transport students as designated on the Transportation Requisition Form to approved school function.
- The school district disclaims any liability for a student who is injured while being transported by "private" vehicle. District personnel who transport or arrange for the transportation of a student(s) by private vehicle(s) are in violation of BISD directive thereby subject themselves to personal liability. District personnel are advised that even a statement or release from the parent(s) or guardian(s) of the student in question does not constitute an authorization by BISD to arrange or provide such travel, but may adequately protect the employee against potential personal liability. **(FOOD FOR THOUGHT: Don't transport an extremely ill co-worker – call the ambulance or a family member – major liability.)**
- TRANSPORTATION REQUEST FORM must be submitted to the office six weeks before the scheduled event. *(It is the teacher's responsibility to follow-up with regarding "field trip" transportation. Failure to do so will warrant "disciplinary action").*





## ***USE AND CARE OF CLASSROOM***

1. Appeal to the pupils' sense of pride, school spirit and respect for property. Set the tone for a conducive "learning" environment.
  - BULLETIN BOARDS enhance instruction and should be used as a tool for instructional displays, self-esteem, students' work, ETC. ***Change bulletin boards frequently.***
  - NOTE: Use "only" the bulletin board area. ***Please do not glue or tape on the walls. DO NOT cover the door and/or small window on the door. "no paper or staples on the door – outside or inside"***
2. Keep desks and floor clean from paper and trash. Please do not mark nor deface the wood work, doors and walls with staples, tape, ETC.
3. Do not move furniture or equipment out of the classroom without previous approval of ADMINISTRATION. Teachers will be accountable for all their furniture, AV equipment and instructional inventories.
4. All cooking activities in the classroom must be part of the curriculum and subject to PRINCIPAL approval due to "safety and health" sanitation requirements.
5. DO NOT eat (*food items*) in the presence of your students "during class time" unless, they are eating as well. *NO ONE should be eating after 8:15 AM "school working hours" unless, it is your planning period.* ***NOTE: As Per BISD, no child will be denied breakfast – there is no time constraint.***



## ***PARTIES***

1. Birthday Parties are allowed the last 15 minutes of the day (3:00PM since we begin to call out students at 3:15PM). *EE, PK and K can link the Birthday Party to their designated "snack time". (Adhere to BISD guidelines for treats.)*



## ***TEACHERS' LOUNGE & WORKING AREA***

1. Students will not be allowed in the teachers' work or lounge area. *P.S. BISD will remove Coke Machines from a campus if students are allowed to purchase soft drinks.*
2. ALL PERSONNEL must make every effort to keep the lounge and work room neat and tidy. ***Each person is responsible to clean up his/her area. GOAL: Healthy & Safe Environment***
3. NO SMOKING on school grounds; a smoking area is not available.
4. All staff personnel will take a 30 minute duty-free lunch period – NO WORKING LUNCHES.



## ***OFFICE EQUIPMENT***

1. OFFICE COPIER and FAX MACHINE will be used ONLY by office personnel.
2. Teachers will use copier in teachers' workroom for printing "instructional" material. *Keep the following rules in mind when printing.*
  - Plan ahead and DO NOT leave your classroom unattended in order to use the copier.
  - DO NOT copy material that has a "copyright" clause.
  - Do not use copier for personal reasons.
  - Large printing like booklets need ADMINISTRATION approval.
  - Be considerate of other staff members trying to use the copier; printing should be moderate.
  - DO NOT send students to the office to run off copies. ***PLAN AHEAD!***

PLEASE NOTE: Research studies indicate that students learn best and retain information when learning is meaningful and active. ***BEST PRACTICE:*** less dittos more interaction - hands-on, cooperative learning, communication, writing, projects, ETC

***IMPORTANT:*** Parents running off copies must respect Teachers' Planning time. Therefore, Parents will "graciously" stop running off copies in order to allow the Teachers to run off copies during their **PLANNING TIME**.

## ***TEACHER APPRAISAL / WALKTHROUGHS***

1. Administrators' walkthroughs under the teachers' appraisal system, T-TESS (TEXAS TEACHER EVALUATION SUPPORT SYSTEM) are of the utmost importance.



# El Jardin Elementary

2021-2022

## T-TESS/Evaluations

Marina Flores (Principal)		Hector De Leon (Asst. Principal)	
T-TESS	Evaluations	T-TESS	Evaluations
Avendano, Ester	De Leon, Hector	De La Garza, Icela	Barrientos, Juan J.
Benavidez, Marla	Deven, Miroslava	Flores, Leticia	Beccerra, Norma
Espinosa, Beatriz	Gonzalez, Debbie	Garcia-Day, Denise	Carr, Maria J.
Fernandez, Susana	Pena, Maricela J.	Gomez, David	Contreras, Sarita S.
Gonzalez, Dora	Rodriguez, Esmeralda	Guerra, Eva	Garza, Corina
Guajardo, Claudette	Ruediger, Lisa A.	Longoria, Patricia	Hernandez, Minerva
Hernandez, Edna	Trevino, Laura L.	Medina, Angelina	Leyva, Felipe
Ibarra, Bella	Vargas, Hilda	Robles, Rocio	Martinez, Araceli
Luna, Clara		Ruedas, Jennifer	Ordaz, Melissa L.
Padilla, Juan		Sosa, Cristela	Ramirez Jr., Jose A.
Rodriguez, Jaime		Urbina, Carmen	Ramirez, Alma
			Ramirez, Dellanira
			Salinas, Ricardo

# DAY 1: NON-NEGOTIABLES FOR THE CLASSROOM

- BE ON TIME "7:55AM". (RECOMMENDATION: PLAN TO BE PRESENT 10 MIN. BEFORE 7:55AM.)
- KNOW YOUR STUDENTS.
- FLAG IN THE CLASSROOM (US & TEXAS)
- PLEDGE (US & TEXAS)
- CLOCK IN THE CLASSROOM
- CLASSROOM SCHEDULE (POSTED OUTSIDE & INSIDE THE CLASSROOM)
- CLASSROOM RULES, REWARDS & CONSEQUENCES
- FIRE DRILL ESCAPE PLAN
- VISION & MISSION STATEMENT
- LESSON PLANS (IN VIEW) "outside or inside the door"
- OBJECTIVE FOR THE LESSONS OF THE WEEK
- TEKS FOR THE LESSONS OF THE WEEK
- ELPS OBJECTIVES
- TLI REQUIRED ITEMS
- DASHBOARD (ACCESSIBLE) – TRACK STUDENTS THAT FAILED TELPAS/NRT/STAAR.
- LOW PERFORMING STUDENTS IN THE FRONT AREA OF THE ROOM
- SEATING CHART VISIBLE & AVAILABLE "in view"
- RESTROOM LOG IN & OUT (*EOY Clearance Item*)
- LABEL DESKS WITH STUDENT NAMES (PK3-2 . . . DAY 1)
- IEPs "HANDY" (Sp. Ed., Dyslexia, 504, ETC)
- WORD WALLS (*mandatory*)
- ANCHOR CHARTS
- RTI FOLDERS HANDY TO MONITOR STUDENT PROGRESS
- DISPLAY THE ATTENDANCE SIGN WHEN YOU GET 100% ATTENDANCE FOR THE DAY. (IF YOU NEED A SIGN, LET ME KNOW.)
- TRACK ATTENDANCE (TRUANCY: TARDINESS & ABSENCES / MONITOR PATTERNS) – (*EOY Clearance Item*)
- FLUENCY TRACKING "HANDY"
- MATH, WRITING & SCIENCE JOURNALS "HANDY"
- AR POINTS TRACKING "HANDY"
- PARENT/TEACHER CONFERENCES (*EOY Clearance Item*)
- DECORATE HALLWAY BULLETIN BOARDS
- UNIVERSITY DRIVEN: SUPPORT THE GRADE LEVEL UNIVERSITY
- HANDS-ON ACTIVITIES (FIFTH GRADE SCIENCE . . . 40% OF THE TIME)

Marina Flores (6-18-20)

TO ALL STAFF:

*As you prepare for the upcoming year, keep in mind the following.*

- Provide a beautiful/positive school climate in the classroom. Offer a conducive learning environment. (clean, neat, tidy and organized) *NOTE: Your classroom/office is like a second home. To many students, it is the best environment.*
- Clean out your closets. FOOD FOR THOUGHT . . . if you did not use it last year, throw it away unless, it is BISD property. REMINDER: Roaches, ants, possums, rats accumulate in dirty places.
- Dust your rooms . . . the custodians can only do so much.
- Storage is not available. Place unwanted “good” furniture outside the classroom for Teachers to take as needed. The custodians will pick up broken items – safety concern.
- NO personal microwave and/or refrigerator in the classroom – BISD directive.
- BISD textbooks (current & out-of-adoption) will remain in your classroom.

EXCELLENCE

ALL-THE-WAY . . .

EXEMPLARY!



# KNOW YOUR STUDENTS "DAY 1"

*(Review the child's PRC. / Build relationships.)*

HOME LANGUAGE  
-YEARS IN US

MOBILITY  
-SCHOOLS

BEHAVIOR  
-PATTERNS

AGE

ACADEMIC HISTORY  
-GRADE LEVEL  
-RETENTION  
-RTI (Academic/Behavior)  
-SPECIAL PROGRAMS  
    \*BILINGUAL (ELL)  
    \*504  
    \*DYSLEXIA  
    \*SP. ED.  
    \*GT

FAMILY ENVIRONMENT  
-PARENTS  
-SIBLINGS



BE AN ADVOCATE FOR YOUR STUDENTS.

"SPEAK ON THEIR BEHALF; BE THEIR VOICE."

**NCLB (NO CHILD LEFT BEHIND)**

**CLIMB HIGH. CLIMB FAR.**

**YOUR GOAL . . . THE SKY.**

**YOUR AIM . . . THE STARS.**

**Language Objectives Aligned to Cross Curricular Student Expectations**  
(subsection c)

<b>Learning Strategies</b>	
<p>1A: Use what they know about ____ to predict the meaning of ...</p> <p>1B: Check how well they are able to say ...</p> <p>1C: Use ____ to learn new vocabulary about...</p> <p>1D: Use strategies such as ____ to discuss...</p>	<p>1E: Use and reuse the words/phrases ____ in a discussion/writing activity about...</p> <p>1F: Use the phrase ____ to learn the meaning of ...</p> <p>1G: Use formal/informal English to describe...</p> <p>1H: Use strategies such as ____ to learn the meaning of...</p>
<b>Listening</b>	<b>Speaking</b>
<p>2A: Recognize correct pronunciation of ....</p> <p>2B: Recognize sounds used in the words ...</p> <p>2C: Identify words and phrases heard in a discussion about ...</p> <p>2D: Check for understanding by ..../Seek help by ...</p> <p>2E: Use ____ (media source) to learn/review ....</p> <p>2G: Describe general meaning, main points, and details heard in ...</p> <p>2H: Identify implicit ideas and information heard in ...</p> <p>2I: Demonstrate listening comprehension by...</p>	<p>3A: Pronounce the words ____ correctly.</p> <p>3B: Use new vocabulary about ____ in stories, pictures, descriptions, and/or classroom communication ...</p> <p>3C: Speak using a variety of types of sentence stems about ...</p> <p>3D: Speak using the words ____ about...</p> <p>3E: Share in cooperative groups about ...</p> <p>3F: Ask and give information using the words...</p> <p>3G: Express opinions, ideas and feelings about ____ using the words/phrases...</p> <p>3H: Narrate, describe and explain ....</p> <p>3I: Use formal/informal English to say ...</p> <p>3J: Respond orally to information from a variety of media sources about...</p>
<b>Reading</b>	<b>Writing</b>
<p>4A: Identify relationships between sounds and letters by...</p> <p>4B: Recognize directionality of English text.</p> <p>4C: Recognize the words/phrases....</p> <p>4D: Use prereading supports such as ____ to understand...</p> <p>4E: Read materials about ____ with support of simplified text/visuals/word banks as needed.</p> <p>4F: Use visual and contextual supports to read ...</p> <p>4G: Show comprehension of English text about ...</p> <p>4H: Demonstrate comprehension of text read silently by...</p> <p>4I: Show comprehension of text about ____ through basic reading skills such as ...</p> <p>4J: Show comprehension of text/graphic sources about ____ through inferential skills such as ...</p> <p>4K: Show comprehension of text about ____ through analytical skills such as ...</p>	<p>5A: Learn relationships between sounds and letters when writing about ...</p> <p>5B: Write using newly acquired vocabulary about ...</p> <p>5C: Spell English words such as ...</p> <p>5D: Edit writing about ...</p> <p>5E: Use simple and complex sentences to write about ...</p> <p>5F: Write using a variety of sentence frames and selected vocabulary about ...</p> <p>5G: Narrate, describe, and explain in writing about ...</p>



## ATTENDANCE

- STATE RULES and BISD POLICY for "student" attendance will be implemented.
- The Office Staff and Teachers will work together to excel in Attendance. (We recommend that Teachers monitor their classroom absences and maintain "constant" contact with the Parents to increase attendance.) **NOTE: Homerom Parent "increase ATTENDANCE (97.5%) & STAAR Performance"**
- The TARDY students will be escorted to the Auditorium "morning" and issued a TARDY SLIP. **NOTE: *The Teacher is responsible to retain ALL tardy slips for each child and submit for EOY Clearance.***
- Teachers will generate a list of absences "daily" and submit to the Office by 8:30AM.
- Ms. Deven will generate a list of absences every Friday "afternoon" for Teachers to verify & follow-up.
- Teachers will follow BISD Student/Parent Handbook procedures to determine if a student's absence is excused or unexcused. Teachers will keep all documentation regarding student excuses for the ATTENDANCE COMMITTEE.
- In case of an illness, ONLY the school NURSE/ADMINISTRATION will grant permission for a student to go home.
- A school district shall excuse a student for temporary absence resulting from health care professionals if that student commences classes or returns to school on the same day of the appointment and provides a doctor's excuse. **(FYI: *The student is counted present for ADA purposes but does not qualify for the Perfect Attendance Award, six weeks or end-of-the-year.*)**



**PLEASE NOTE:** A student that is released early before the instructional day ends is NOT ELIGIBLE for PERFECT ATTENDANCE for the six weeks and end of year award. "maintain documentation"

## ATTENDANCE RECORDS

All school districts are required to have an attendance accounting system that ensures accurate recording and reporting of attendance. The state funding for each student is derived from the AVERAGE DAILY ATTENDANCE (ADA) calculated from the attendance records in the Principal's Term Report.

- It is of utmost importance to complete the ATTENDANCE SHEETS accurately and professionally. The teacher is solely responsible for all entries and corrections.

**\*\*\*Please follow these instructions when completing attendance sheets.\*\*\***

- The student's entry date is the first day that the student is physically present during the official attendance accounting period on a particular campus. (Add a 1 next to the child's name; if not present . . . leave BLANK.) *A student CANNOT be absent on the entry or re-entry date nor on the first day of school.*
- Verify all students' PEIMS NUMBERS.
- Be neat and make all entries with black ink. **DO NOT use pencil nor write over it with ink.**
- DO NOT use an eraser or correction fluid on your attendance sheets. Cross out all errors and initial each one.

## PLEASE NOTE:

Work very closely with the DATA MANAGEMENT CLERK when making corrections and verifying students' absences. *Accurate documentation and record keeping of attendance is a professional duty and responsibility that is reflected in the teachers' appraisal system (T-TESS).*

# STUDENT ATTENDANCE

"Any student not exempted from compulsory school attendance may be excluded as provided by this section for temporary absence resulting from personal sickness, death in the family, quarantine, weather, road conditions making travel dangerous or any other unusual cause acceptable to the teacher, principal or superintendent of the school."

The following procedures will be used at "El Jardin Elementary" for documenting absences:

- Doctor and Parental written excuses are required. Teachers must keep record of all notes and provide the "Data Management Clerk" with a copy for documentation. *If a student forgets to bring his/her note, the teacher will write a letter home requesting an excuse.*
- Retain a copy of student excuses in your classroom. (EOY Clearance) NOTE: original excuse with Data Management Clerk
- The teacher will consult "questionable" excuses with Administration for approval/disapproval.
- Entries on the *register* or *attendance report* are the sole responsibility of the teacher; substitutes may not enter attendance on these records. This is an official document; keep it neat and up-to-date.

**PLEASE NOTE: (NO CHILD LEFT BEHIND)**

**El Jardin's attendance goal is 100%!**

Follow-up on TRUANT students "immediately".

*Together, we will accomplish our objective.*

## EL JARDIN ATTENDANCE DATA

2016-2017	95.8%	
2017-2018	96.4%	+ .6
2018-2019	95.9%	- .5
2019-2020	95.1%	- .8
2020-2021	98.5%	+3.4

### IMPORTANT NOTE:

- Under no conditions are students permitted to CHECK ROLL and/or MAKE ENTRIES on the register/attendance report; *this is the sole responsibility of the teacher.* Substitutes may not enter attendance on these records either. (This is an official document and must be kept neat and up-to-date.) Attendance must be INPUTTED "daily" onto eSchool Plus by 9:40 AM. Mistakes on ATTENDANCE is the responsibility of the teacher not the Data Management Clerk. Always notify the Data Management Clerk whenever you make a correction on your attendance sheet.





- Classes "officially" begin at **8:00 AM** and end at **3:15 PM**.
- **OFFICE PERSONNEL** will be in charge of "new" student registrations.
- All **NEW** students must clear with the **PRINCIPAL** before entering your classroom. **Accept ONLY students who are on your roster.**
- Each teacher will compile the following forms for his/her classroom and submit to the office by the end of the first week of school.
  - **Student Release Form**
  - **Early Release in the Custody of Adults**
  - **Emergency Card "YELLOW" / Medical Care Information**
  - **Student Code of Conduct Booklet/Forms (2)**
  - **Parent Compact**
  - **Technology Consent Form**
  - **"Walker" note "if applies"**



\* All TEACHERS will review the STUDENT CODE OF CONDUCT BOOKLET (*during the first week of school*) with his/her students and collect both forms . . . Student Code of and Student Parent Handbook Acknowledgement & Receipt of Hardcopy. Ascertain for "Parent/Student signature" and date. Submit to Miss Flores when all are complete and retain a copy for yourself.

\* All teachers will review and send home a copy of the classroom rules, consequences and rewards (*first week of school*).



## ***STUDENT PERMANENT RECORDS (Know your students.)***

1. Permanent records are to be kept in the office under LOCK & KEY; they DO NOT leave the school. (*Lost PRCs will warrant a WRITE-UP.*)
2. DO NOT send students or volunteers for permanent records.
3. DO NOT use red ink, pencil or correction fluid on permanent records; be as neat as possible.
4. DO NOT use instructional time to work on PRCs; PRCs for NO SHOWS need to be submitted to the office as soon as possible. **FYI: Review & monitor PRCs regularly.**
  - **Lacking a PRC/grades: Submit a request to Ms. Miroslava Deven ASAP.**



## ***TEXTBOOKS***

1. Teachers will be responsible for all books issued to them.
2. Students will be required to pay for lost books and/or damages before another book is issued.
3. Textbooks will be issued to teachers through a computerized inventory list that must be signed and returned to the **ASST. PRINCIPAL** by the designated due date. (*This documentation serves as accountability for both the teacher and administration.*) Administration will conduct two inventories throughout the year, initial & end of year clearance.
4. Request textbooks through a TEXTBOOK REQUISITION FORM. (*Forms are located in the office.*)



# Fixed Assets

As per DISTRICT POLICY CFB (Local) “Employees are responsible for the safekeeping of assigned equipment. In the event that the assigned items are damaged, stolen, lost . . . the employee shall assume financial responsibility of replacing such items.”

- The “ASST. PRINCIPAL” is the administrator for **Fixed Assets**. Ascertain that you follow campus regulations and comply with the “Inventory Checklist”; inventory will be verified approximately 3 times throughout the year. PLEASE DO NOT move or transfer any equipment without her consent. *Documentation is crucial!*

**NOTE: Mrs. L. Ruediger - TST**

- **Be cautious and lock your room at ALL TIMES.** Take care of your valuables; DO NOT leave them out in the open. At the end of the day, close your classroom windows and lock your door. **Let’s work together; our goal is to eliminate INTERNAL THEFF.**



# LESSON PLANS

## LESSON PLANS:

LESSON PLANS will be prepared and submitted to view by Administration “on-line” according to the schedule below. (RECOMMENDATION: Be proactive – three weeks in advance.) ***“LESSON PLANS must be up-to-date and ready for review at all times . . . walk-throughs, campus visitors, ETC.”***

DUE DATE	SUBMIT TO	DUE DATE	SUBMIT TO	DUE DATE	SUBMIT TO	DUE DATE	SUBMIT TO
08/13/2021	M. Flores	10/15/2021	M. Flores	01/07/2022	M. Flores	03/11/2022	M. Flores
08/20/2021	L. Treviño	10/22/2021	L. Treviño	01/14/2022	L. Treviño	03/25/2022	L. Treviño
08/27/2021	H. De León	10/29/2021	H. De León	01/21/2022	H. De León	04/01/2022	H. De León
09/03/2021	M. Flores	11/05/2021	M. Flores	01/28/2022	M. Flores	04/08/2022	M. Flores
09/10/2021	L. Treviño	11/12/2021	L. Treviño	02/04/2022	L. Treviño	04/14/2022	L. Treviño
09/17/2021	H. De León	11/19/2021	H. De León	02/11/2022	H. De León	04/22/2022	H. De León
09/24/2021	M. Flores	12/03/2021	M. Flores	02/18/2022	M. Flores	04/29/2022	M. Flores
10/01/2021	L. Treviño	12/10/2021	L. Treviño	02/25/2022	L. Treviño	05/06/2022	L. Treviño
10/08/2021	H. De León	12/17/2021	H. De León	03/04/2022	H. De León	05/13/2022	H. De León

Lesson Plans must include the following:

- TEKS for all objectives
- supplemental materials/books, etc. (Use "textbooks" as a resource for instructional programs.)
- Home work (independent level - will vary according to the grade level "See GRADING PROCEDURES BOOKLET. "PLEASE NOTE: ***Homework must be checked by the teacher in order to show meaning and value.***
- Note "library" and "computer" visits/objectives.
- Note Fluency, AR, Writing (TEKS & Journal Writing), Science (TEKS & Voc.) and Math Vocabulary.



## **GRADES:**

ESchoolPLUS (including SPECIAL PROGRAMS) must be kept up-to-date and ready for review at all times. DATA MANAGEMENT CLERK/ADMINISTRATION/COUNSELOR will view grades regularly. (**NOTE: It is the Teacher's responsibility to notify the (Records Clerk) if a child is missing grades due to school transfer.)** Monitor 69s . . . questionable.

- ESchoolPLUS data will include TEKS, TEST DATES, DAILY ASSIGNMENTS, RETEACHING DATES, ETC. **REMINDER:** This is an official document and should be kept NEAT, CLEAN AND ORGANIZED.
- **PROGRESS REPORTS** will be sent home every three weeks. Document and file notices & responses to failing reports. (Adhere to academic report schedule on the district calendar.) **ALSO:** Fill in the CONDUCT and FLUENCY section.
- **REPORT CARDS** will be issued every six weeks in accordance with BISD policy. Use ONLY black ink and cross out errors & initial them. (Adhere to BISD grading procedure guidelines.) **ALSO:** Fill in the CONDUCT and FLUENCY section.



## **HELPFUL NOTES FOR THE SUBSTITUTE**

**TEACHERS:** Please provide the following items for your substitute.

- Lesson Plans (*mandatory*) - understandable, clearly written and coherent
- manual / guides - visible & easily found
- extra assignments, games, or activities for students
- daily classroom schedule
- seating chart
- Leave a note for the SUBSTITUTE to take written attendance and send it over to the Data Management Clerk.
- List students with "Health" issues or children that may need to leave the classroom (Ex. CMC).
- Provide the name of a nearby teacher who could help in case of an emergency.
- If absence is going to be extended by 2 days or more, ensure that CLASS MANAGEMENT is in place, the room is orderly and adequate lesson plans are available for instruction to continue.
- Ascertain that "evacuation procedures" are in place and clearly posted.

## **FRIENDLY REMINDER:**

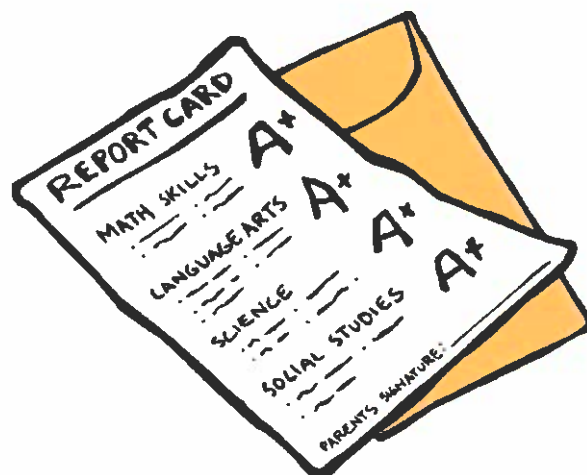
- Entries on the *attendance report* are the sole responsibility of the teacher; **SUBSTITUTES** may not enter attendance on these records. This is an official document; keep it neat and up-to-date.

TEAM: Together Everyone Achieves More



## PROGRESS REPORT & REPORT CARD SCHEDULE

END OF SIX WEEKS	PROGRESS REPORT DATE TO VERIFY	PROGRESS REPORT GO OUT TO PARENTS	REPORT CARD DATE TO VERIFY	REPORT CARD GO OUT TO PARENTS
09/24/2021	09/07/2021	09/08/2021	09/27/2021	09/28/2021
11/05/2021	10/18/2021	10/19/2021	11/08/2021	11/09/2021
12/17/2021	12/06/2021	12/07/2021	01/03/2022	01/05/2022
12/18/2022	01/24/2022	01/25/2022	02/21/2022	02/22/2022
04/14/2022	03/21/2022	03/22/2022	04/18/2022	04/19/2022
06/02/2022	05/09/2022	05/10/2022	05/18/2022 (CUT OFF)	06/02/2022





## DISCIPLINE MANAGEMENT

1. All teachers are responsible for implementing a BISD Discipline Management Program and Student Code of Conduct. The teachers must review the "Student Code of Conduct" with all their students. All teachers will post classroom rules using ASSERTIVE DISCIPLINE TECHNIQUES. Classroom rules must be clear, reasonable, enforceable and legal. **NOTE: ALL Teachers (including "elective" classes) are required to submit a copy of their Classroom Discipline Plan to Administration (Marina Flores, Dean of Instruction & the Asst. Principal) within the first three weeks of school.**



### NOTE:

Submit the "original" form for both the Student Code of and Student Parent Handbook Acknowledgement & Receipt of Hardcopy to Miss Flores. **Retain a copy for your files.**

2. Students referred to the office must have a DISCIPLINE REFERRAL FORM completed by the teacher. (Students will not be addressed for disciplinary reasons unless the teacher has completed discipline form "11-114".) **NOTE: MAJOR issues will be addressed immediately. MINOR issues need to be addressed in the classroom by the Teacher "CLASSROOM MANAGEMENT".** EX: chewing gum, homework concerns, talking, ETC.

3. DO NOT stand a child outside the classroom or assign homework for disciplinary measures.

4. DO NOT kick a child out of class. (Documentation is critical! Provide documentation of the Teacher's intent/effort to assist and/or correct the issue before requesting the removal of a student from the classroom. Example: Behavior RTI)



5. DO NOT leave money or valuables in the classroom.

6. Maintain classroom doors locked during lunch and/or any other breaks. (safety)

### • RECOMMENDED CLASSROOM RULES

- FOLLOW DIRECTIONS.
- SHOW COURTESY AND RESPECT TO STUDENTS AND ADULTS.
- BE PREPARED.
- KEEP HANDS, FEET, AND ALL OTHER OBJECTS TO YOURSELF.
- ACT IN AN ORDERLY MANNER WHILE WALKING, SITTING AND SPEAKING.
- FOLLOW ALL RULES IN THE CODE OF CONDUCT HANDBOOK.

### • CONSEQUENCES (**DOCUMENT, DOCUMENT, DOCUMENT!**) **NOTE: Food will not be deprived as a form of punishment.**

- FIRST TIME: VERBAL WARNING
- SECOND TIME: NAME ON BOARD
- THIRD TIME: TIME OUT IN THE CLASSROOM
- FOURTH TIME: PHONE CALL/CONFERENCE WITH PARENT
- SEVERE DISRUPTION: OFFICE REFERRAL

**REWARD SAMPLES:** free reading time, short walk around school, computer/listening station time, etc.  
**INCENTIVE SAMPLES:** stickers, pencils, small tokens, etc.

### BOTTOM PORTION OF CONTRACT:

\*\*\*\*\*  
I HAVE READ THE CLASSROOM RULES AND AGREE WITH THEM.

PARENT'S SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

STUDENT'S SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_



## ***REFERRALS TO THE OFFICE:***

- Discipline shall be administered when necessary to protect students, school employees, property, etc. and maintain essential order and discipline.
- Students shall be treated ***respectfully, fairly and equitably***. Discipline shall be based on careful assessment of the circumstances in each individual case. ***Factors to consider shall include . . .***
  - seriousness of the offense,
  - student's age,
  - frequency of misconduct, (**Behavior RTI – frequent misbehavior**)
  - student's disability (*if applies – Sp. Ed., Dyslexia, 504*)
  - student's attitude,
  - potential effect of the misconduct on the school environment, ETC.
- All discipline referrals shall be submitted through E Schools. "If submitted in WRITING . . . use the proper DISCIPLINE REFERRAL FORM. Make sure that the form is properly filled out; the student must write his/her side of the incident before referring to the office. Include date, time and student phone number. (*Students without proper documentation will be sent back to the classroom.*)
- If a student is placed in IN-SCHOOL SUSPENSION, the classroom teacher will be responsible for providing assignments for the duration of the child's stay. PLEASE NOTE: **ISS will be hosted within the GRADE LEVEL.**

***Referral Procedures:*** Before a student is sent to the office, the following steps must have occurred previously.

- Follow the CLASSROOM DISCIPLINE PLAN.
- Contact Parents (phone call / conference "documentation on file").
- Refer student to Counselor.

### ***PLEASE NOTE:***

- ***Management of Student Discipline***
- ***Food will not be deprived as a punishment.***
- ***During SNACK TIME, ALL students eat or no-one eats.***



# SCHOOL RULES



## *El Jardin Elementary students will . . .*

- cooperate with all school personnel.
- follow directions and control behavior at all times.
- walk on campus at all times.
- use a "low voice" when inside a building.
- respect the property of others.
- respect the rights, privileges and feelings of all people.



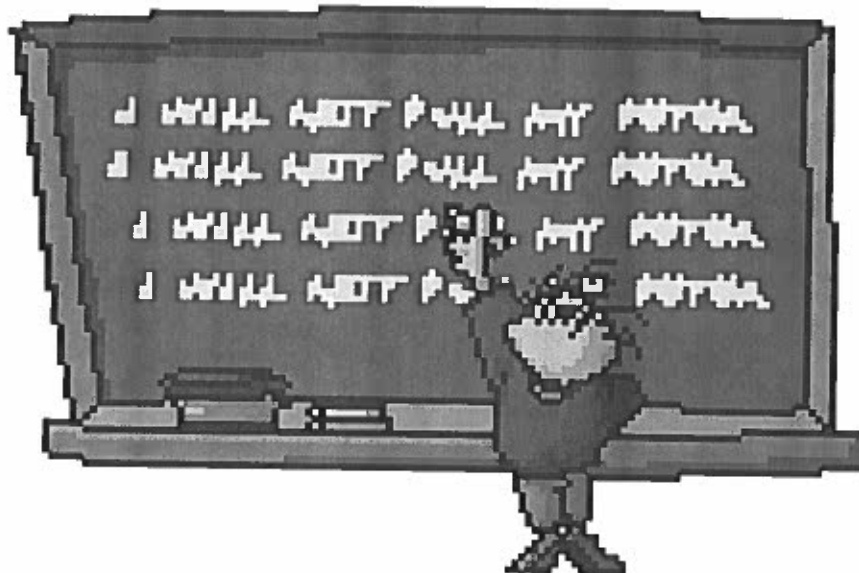
# DISCIPLINE



Besides adhering to the BISD "Discipline Management Plan", the following procedures will be used at EL JARDIN ELEMENTARY. ***Be consistent with your DISCIPLINE; it works!***

## ***CLASS RULES:***

- Each classroom and/or grade level will design and implement a Discipline Plan. Each teacher will write his/her classroom rules and submit a copy to Administration (Principal, Dean of Instruction & Asst. Principal). Design rules (limit to 5 or less) and include consequences, exceptional incidents, severe clauses and rewards. ***Rules must be clear, reasonable, enforceable and legal.***
- Post rules (visible) in each classroom and review during the FIRST WEEK of school and as needed throughout the year. Teach the rules as you would teach a new skill; *all students must understand the rules and consequences.*
- Each teacher must send home a letter/note with the Student Code of Conduct Book, Class Rules, and Discipline Plan. Acquire Parent Signature and retain a file. Both Student Code of Conduct Forms will be filed in the Office/student's PRC – mandatory. ***(Retain a copy for your files.)***



# CONSEQUENCES OF OFFICE REFERRAL

## ***FIRST OFFENSE:***

- The teacher will conference with the student. He/she will follow all ***DUE PROCESS*** procedures with the student. *The teacher will document student's behavior and disciplinary actions taken.*

## ***SECOND OFFENSE:***

- The teacher will conference with the student and parent. The parent will be contacted by the teacher and notified of the conference. ***(NO PARENT CONTACT is not acceptable. If you are unable to locate a parent, consult with Ms. Vargas "Parent Liaison" for a Home Visit.)***

## ***THIRD OFFENSE:***

- The teacher will conference with the student, parent and administration. The parent will be contacted by the teacher and notified of the conference. ***(NO PARENT CONTACT is not acceptable. If you are unable to locate a parent, consult with Ms. Vargas "Parent Liaison" for a Home Visit.)***

## ***FOURTH OFFENSE:***

- A student will be placed in IN-SCHOOL SUSPENSION. ***OSS (Out-of-School Suspension) is no longer an Elem. BISD option. NOTE: RTI for BEHAVIOR***

***Discipline Task Force:*** (meets for make major decisions)

- Administration
- Counselor
- Discipline Committee Chairperson
- Teacher Involved



## RULES FOR EXTRA-CURRICULAR ACTIVITIES

### The STUDENT will . . .

- pass all classes.
- obey all campus rules.
- refrain from fighting on school grounds and/or meetings. *(Any student involved in a fight will be suspended from the TEAM.)*
- respect all teachers and administrators.
- respect all "cafeteria" rules.
- behave when transferring from one class to another - NO RUNNING.
- go home and return at scheduled practice time when TUTORIAL IS CANCELLED.
- display a "positive" attitude at all times.
- refrain from OFFICE referrals.



- The "Discipline" Committee and Sponsors will review the discipline record of a student in extra-curricular activities to determine appropriate consequences.

**FIRST OFFENSE:** The student will not attend practice for a week.

**SECOND OFFENSE:** The student will not participate in upcoming events.

**THIRD OFFENSE:** The student will be dropped out of the PROGRAM.

**PLEASE NOTE:** In a MAJOR offense, the student is immediately dismissed from the PROGRAM.



# LIBRARY PROCEDURES

- LIBRARY TIME is part of "Language Arts" and a lesson should be planned (***co-planning***) by the TEACHER and LIBRARIAN. ***LESSON PLANS should reflect the lesson.***
- It is the teacher's responsibility to order necessary tapes or other items from the MEDIA CENTER in advance. (*Plan Accordingly.*)
- Teachers will remain with their class in the library (if not **PLANNING PERIOD**). The Foundations for Meeting the Exemplary Standard of Texas Education Agency Code 33.021: School Library Programs . . . "The school librarian will collaborate with teachers through formal planning sessions to develop, implement and evaluate learning experiences in a flexibly-scheduled environment."
- Follow your schedule and be prompt. The PRINCIPAL is the only person who can reschedule any classes that may have been canceled. If a library period is missed, it will not be rescheduled; the students will have to wait until the next scheduled period. ***REMEMBER: Students look forward to Library time; this is one way to enrich the LOVE FOR READING.***
- All audiovisual material that is rented, borrowed or personal property of the teacher must be approved by the PRINCIPAL before use (*including videos*). This ruling includes audiovisual materials that may be used by any "guest speaker" in a classroom. When in doubt, call the MEDIA CENTER at 548-8144 and verify if the proposed video is on the BISD approved listing. (*All film titles must be documented on LESSON PLANS and correlated to INSTRUCTIONAL OBJECTIVES.*)
- Promote and enforce AR; it will be faithfully implemented – ***accountability for All Grade Level Teachers.***



# RTIs / REFERRALS

*(in general to everyone)*

**Dot all your i(s) and cross all your t(s). ALWAYS submit your best work.**

## **THINGS TO REMEMBER:**

- Answer ALL questions; don't leave any blanks. If there is no data and/or does not apply, write N/A.
- Acquire all SIGNATURES and DATE your data.  
-RTI Team includes the Classroom Teacher, Marina Flores, Héctor De León, Laura L. Treviño, Counselor, and Nurse.
- Work samples must be DATED in order to monitor time lapse, progress and/or regression.
- Monitor how you CHECK OFF boxes. *NOTE:* Some check marks are not in the box.
- Fill complete information requested. If they are asking for the ADDRESS don't forget the city, state and zip code.
- Attach a copy of the items on the RTI Pending Items List. *(copy attached)*
- Remove unnecessary paperwork/extra forms.
- Remove staples (The paperwork does not need to be stapled because the Diag. will place in a folder/binder.)
- Submit the RTI "academic or behavior" to Mrs. Treviño (EE-5<sup>th</sup> Gr.) for review. Next, the Committee will review and make the decision to proceed with "further interventions" and/or submit to the Diagnostician.



- **IMPORTANT:**

If you are working on an RTI . . . submit accordingly; DO NOT prolong till May/June 2022. Complete and submit your BEST WORK. An incomplete RTI is of no use for the future Teacher. (El Jardin Elem. Deadline: **Jan. 31, 2022.**)

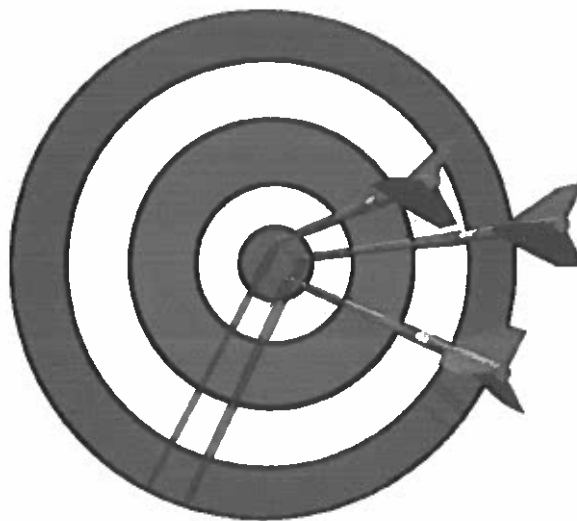
**Special Ed. Co-Planning** will be programmed once a six weeks. (All Grade Level Teachers are required to attend the MEETING on the assigned dates during PLANNING.) During this time, take the opportunity to review and inquire about concerns/issues "if any". All Grade Levels: review, discuss, and plan for STAAR . . . modifications / accommodations. (Sp. Ed. Teachers will maintain a binder with SIGN-IN sheets and submit at the end of the year for clearance.)

**NOTE:**

If a student concern arises, consult with a Sp. Ed. Teacher immediately. *REMEMBER:* There is no timeframe to discuss and/or voice a concern. **YOU can request a Staffing and/or ARD at any time.** (*Example:* a child is too low academically / a child is regressing vs. progressing / a child demands extensive assistance / a child warrants further testing / what is presently in place is not effective, ETC)

FOCUS . . . STAAR

MISSION: ACADEMIC EXCELLENCE



**EL JARDIN ELEMENTARY**

**RTI ITEMS ON FILE BEFORE ADM. REVIEW**

**"LEFT SIDE – as you open the folder"**

- \_\_\_\_\_ STUDENT PHOTO (taped inside "left side")
- \_\_\_\_\_ STUDENT PROFILE
- \_\_\_\_\_ HOME LANGUAGE
- \_\_\_\_\_ BILINGUAL INFORMATION (if applies – ALL GRADE LEVELS)
- \_\_\_\_\_ BIRTH CERTIFICATE
- \_\_\_\_\_ REPORT CARD
- \_\_\_\_\_ ATTENDANCE
- \_\_\_\_\_ TPRI (BOY, MOY AND/OR EOY) "include comparison summary by CLASS & GRADE LEVEL"
- \_\_\_\_\_ TELPAS
- \_\_\_\_\_ STAAR/BENCHMARK SCORES

**"RIGHT SIDE – as you open the folder"**

- \_\_\_\_\_ WORK SAMPLES (WITH DATES – organize by date on right side "Aug.-May")
- \_\_\_\_\_ BEHAVIOR PLAN / BEHAVIOR CHECK SHEET (if applies)
- \_\_\_\_\_ MEDICAL DOCUMENTATION (if applies)
- \_\_\_\_\_ HEALTH SCREENER
- \_\_\_\_\_ CLASSROOM OBSERVATION (BEHAVIOR RTI)

TEACHER SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

ADMINISTRATOR: \_\_\_\_\_ DATE: \_\_\_\_\_

UPDATED: Marina Flores 6-18-2020

**NOTE:** Incomplete RTI(s) will be returned furthermore; they must be in order, neat and organized according to the list above.

## **Sp. Ed. “Folder Holder” Responsibilities**

### **GOAL: EXCELLENCE**

- Ascertain that IEP GOALS & OBJECTIVES for the student(s) considered for STAAR are at GRADE LEVEL and not “functional level”.
- Monitor “grades” on eSchoolPLUS. If questions/concerns arise, “folder holder” will conference with the student’s teacher in a PROFESSIONAL and POSITIVE manner.

\* *PLEASE NOTE:* If you don’t have access to eSchoolPLUS, please see Mrs. Deven.

- FOLLOW-UP on STUDENT needs . . . ARD(s) “including failure”, Testing, informal “Point Sheets” and/or BIP.
- COMPLY with ARD Checklist.
  - Send invitations to the parents. Call the day before the ARD to confirm with parents.
  - If it is a 5<sup>th</sup> grade ARD, do not forget to invite the MIDDLE SCHOOL.
  - Bring PRC to the ARD. Know the “Bilingual Status” of the student.
  - Invite the REGULAR ED. TEACHER. Have him/her ready to present “student” progress.
  - Invite other Sp. Ed. Personnel that need to be at the ARD. (i.e.: SI, SE Counselor, OT, PT, APE, VI, etc.)

***FOR QUESTIONS and/or CONCERNS, consult with the following: H. De León (Special Ed. Supervisor), (Diagnostician) and/or Marina Flores (Principal).***

**(TEAMWORK / POSITIVE ATTITUDE / SUCCESS)**

**Teachers of Sp. Ed. Students**

- \* Ascertain that IEP GOALS & OBJECTIVES for students are followed to PERFECTION.
- \* Assure that students receive INCLUSION, CMC and/or RESOURCE classes according to IEP PLANS. Failure to comply . . . violates “student” needs/rights – **MAJOR LIABILITY ISSUE**.
- \* Make sure that “student” ACCOMODATIONS are followed according to the LAW.
- \* Plan for ARDs; comply with the El Jardin Elementary “Progress Report”. (*It must be completely filled out before an ARD.*) **IMPORTANT NOTE:** The “Progress Report” is a public document; be careful what we document in WRITING.

*PLEASE NOTE:*

***Documentation is crucial! Always plan and prepare for possible LITIGATION.***  
ACCOMODATIONS. . .

- must be in “writing”;
- and ASSESSMENT go hand-in-hand;
- must occur **51%** or more of the time.

**NOTE:**

Know your students. Review and monitor the following regularly.

- PRCs
- Academic Grades (prior and present year “constantly” / failing grades)
- Assessment Data “level & objective(s)”
- Language (Bilingual/ESL)
- Special Programs (GT; Sp. Ed.; Dyslexia; 504; Bilingual (ELL), At-Risk; ETC)
- RTIs
- Intra & Inter District / Dual Residence
- Attendance / Tardies / Early Dismissal / Withdrawal

**TOGETHER, we “shine” amongst the stars.**

**UNITED, WE WILL EXCEL!**

# Lead Teacher's Role / SBDM Member

- Successfully Lead and motivate the Grade Level and/or “assigned” Committee.
- Guide the Grade Level and/or Committee to EXCELLENCE.
- Maintain the Grade Level and/or Committee UNITED.
- Meet with the Principal, Asst. Principal and/or Dean of Instruction to discuss upcoming events.
- Share “Staff development” and other pertinent information.
- Schedule meetings within the GRADE LEVEL (*as needed*).
- Share information from trainings / In-Service that you have attended.
- Assist teachers within your grade level for instructional purposes.
- Distribute and collect materials within the grade level.
- Adhere to other duties and responsibilities as deemed necessary by the school Principal.
- Tend to end of year clearance - PRCs & Report Cards.
- Work with Strategic Committee at the end of the year.
- Be available for CIP updates.
- Be the chairperson or co-chairperson of a committee. Facilitate committee meetings. (*Notify the PRINCIPAL of COMMITTEE MEMBERS not attending scheduled meetings.*)



## LEAD TEACHERS

PK3 & PK4: Rocio Robles  
KINDER: David Gomez  
FIRST: Denise Garcia-Day  
SECOND: Eva Guerra  
THIRD: Edna Hernandez  
FOURTH: Marla I. Benavidez  
FIFTH: Dora Gonzalez  
SP. ED. DEPT.: Juan Padilla  
ELECTIVES: Jaime Rodriguez



## INSTRUCTIONAL ASSISTANT'S ROLE IN THE CLASSROOM

1. Work with your teacher to develop techniques and skills that will make the instructional program effective for all students.
2. Work with your teacher(s) to diagnose individual student problems.
3. Use the checklist prepared by the teacher to record necessary information about individual students.
4. Conduct individual and small group learning experiences.
5. Work with a small group of students as directed by the teacher.
6. Assist teacher in supervising "small groups" that may be working independently.
7. Read stories to students and listen to student's reading.
8. Assist students in need of special attention with independent work.
9. Reinforce classroom school rules / regulations within the classroom.
10. Prepare instructional materials (copies, bulletin boards, ETC during teacher's planning and not instructional time). *Instructional Assistants DO NOT HAVE A PLANNING PERIOD.*
11. Prepare classrooms for daily activities (set up chairs, books needed, ETC).
12. Assist teacher with morning activities.
13. Assist with tutorial in assigned grade levels.
14. Attend faculty and other meetings at the request of the Principal.
15. Be consistent with your discipline in the classroom as well as throughout the day.
16. Supervise students during assigned scheduled time. *(It is important that the students are supervised at all times.)*
17. Assist with preparation of campus needed instructional material.





## ***WELLNESS POLICY***

**Foods of Minimal Nutritional Value (FMNV)** refers to the four categories of foods and beverages (soda water, water ices, chewing gum, and certain candies) that are restricted by the U.S. Department of Agriculture under the child nutrition programs.

**National School Lunch Program (NSLP)** is a federally assisted meal program operating in public and nonprofit private schools and residential childcare institutions. It provides nutritionally balanced, low-cost or free lunches to children each school day.

**Normal School Day** is the time period spanning from the first bell of the day that begins the first class period to the last bell of the day ending the final class period.

## ***WELLNESS MISSION***

The District is committed to providing a school environment that enhances learning and encourages lifelong wellness practices by establishing healthy school nutrition environments, reducing childhood obesity and preventing diet related chronic diseases. The District shall promote the general wellness of all students through nutrition education, physical activity and other school-based activities.

**CATCH PROGRAM** focuses on providing quality physical education in which students engage in maximum amounts of enjoyable MVPA (moderate to vigorous physical activity) during class time.

## ***NUTRITION GUIDELINES***

The District shall ensure that nutritional guidelines for reimbursable school meals shall be at least as restrictive as federal regulations and guidance and that all foods available on each campus are in accordance with the Texas Public School Nutrition Policy.

The District shall comply with the current USDA Dietary Guidelines for Americans, Texas Public School Nutrition Policy as well as adhere to guidelines and restrictions.

- Under USDA's Provision 2 program, every student is allowed a free breakfast and lunch during the school day.
- Breakfast and Lunch meal services times are set by the local school administrator and may vary from school to school.
- Adherence to the National School Lunch meal service time policy, which states that lunch times must fall between 10 AM and 2 PM and breakfast must be served before 10 AM (mandatory).





### ***Sharing Food and Beverages***

Parents may provide lunch or snacks for their children but they may not provide them for other students nor are children allowed to share their items from home with other students.

### ***Elementary Schools***

Except for sales from the Food & Nutrition Services, foods and beverages from competitive restaurants, vending machines, or any other type of food sales, shall not be made available to students at any time during the school day.

### ***Beverages***

Plain bottled, unflavored water, and 100% fruit and vegetable juices may be sold at any time and anywhere on the school campus, however there is a 12 oz. serving size limit on 100% fruit juice.

NOT ALLOWED: Soda water – any carbonated beverage may not be sold or provided anywhere on elementary school campuses during the school day.

### ***Snacks***

For instructional purposes, teachers may use foods as long as the food items are not considered foods of minimal nutritional value (FMNV) or candy. *El Jardin Elem.: Silver Award (2017-2018)*

### ***Fundraising Activities***

No food fundraising will be allowed on an elementary school campus during the school day; however, schools or school-approved organizations may take orders to sell vouchers during the school day for candy or other restricted items and deliver these items after the end of the school day.

Students may be given FMNV, candy items or other restricted foods during the school days approved by BISD.



### ***Field Trips***

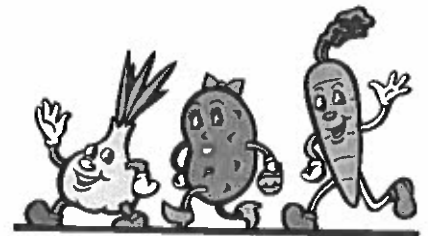
School-approved field trips are exempt from the nutrition policy.

The nutrition policy does not apply to students who leave campus to travel to athletic, UIL, band or other competitions. The school day is considered to have ended for these students.

### ***Food Safety***

Encourage classes to order foods for classroom parties from the school's food service program or sources providing food to ensure compliance with food safety and sanitation regulations.

Meet applicable local and state standards concerning health; safe food preparation; handling, and storage; drinking water; sanitation; and workplace safety.





KNOW THE CHILD

MOTIVATE

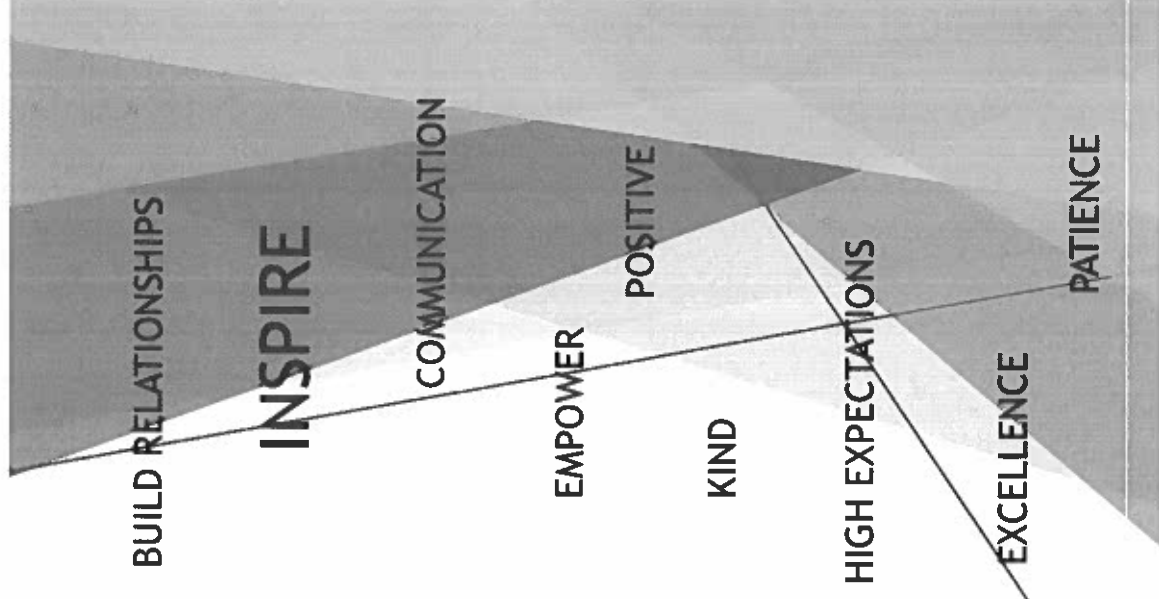
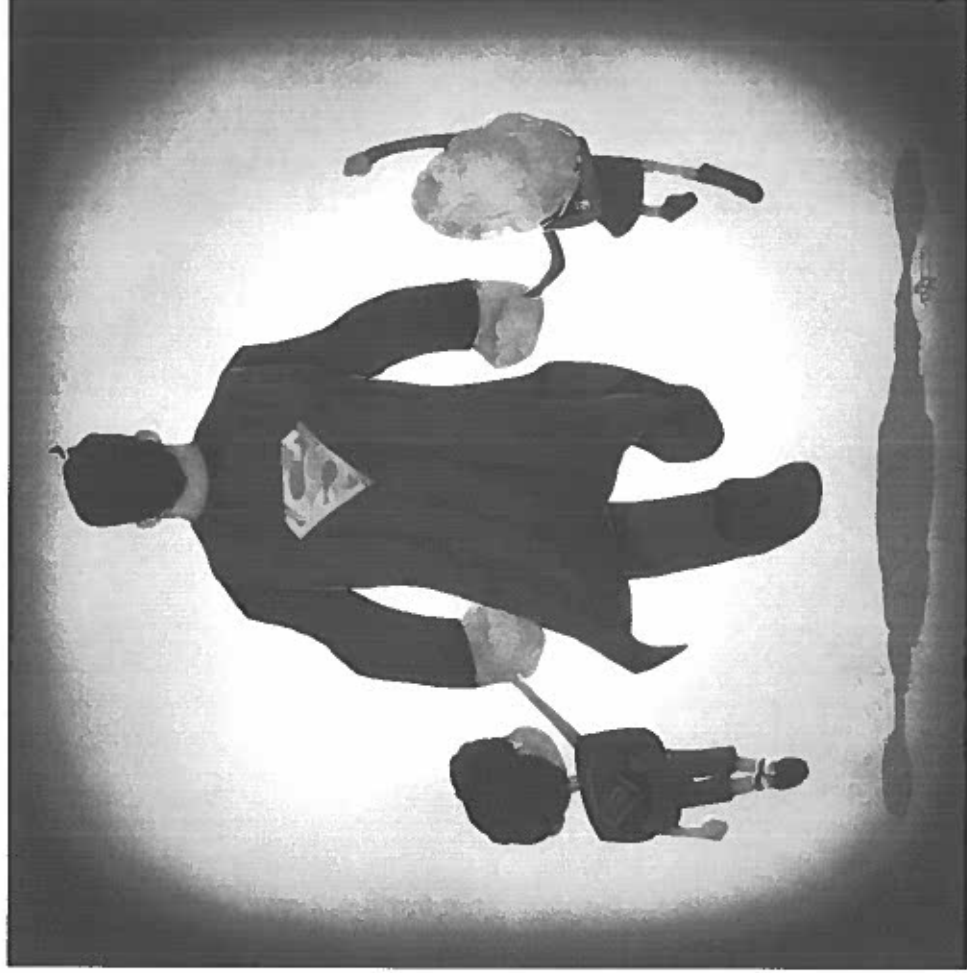
RESPECT

CARE

SECURITY

TRUST

LEAD



# POLICY

# POLICY

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**Capitalization  
Threshold**

The capitalization threshold for purposes of classifying capital assets shall be \$5,000.

ACCOUNTING  
INVENTORIES

CFB  
(REGULATION)

<b>Accountability</b>	Fixed asset management will address the full range of fixed asset activities, including planning, attainment, reporting, responsibility, storage, standards and quality assurance, issue and receipt control, valuation, and disposition. Fixed asset strategies, goals, objectives, and performance measures should be established and set forth in writing.
<b>Fixed Asset Definition</b>	<p>All fixed assets donated to the District or purchased by the District from any funding source are subject to this policy. Fixed assets are defined as equipment items that have a multiyear useful life and a property value of at or above the capitalization threshold.</p> <p>Anything bought out of the capital account should be inventoried.</p>
<b>Capitalization Threshold</b>	<p>The capitalization threshold for purposes of classifying capital assets will be set in accordance with CFB(LOCAL).</p> <p>All fixed assets valued at or above the capitalization threshold at time of purchase will be purchased under the appropriate 6630 level object code. Items of a lesser value will be coded and maintained in the District's fixed asset accounting system for tracking purposes.</p>
<b>Depreciation Method</b>	<p>Depreciation of the District's fixed assets will be calculated using the straight-line depreciation method, which is calculated as follows:</p> $\text{Cost of asset} / \text{useful life} = \text{Annual depreciation amount}$
<b>Tagging and Identification of Fixed Assets</b>	Fixed asset items will be tagged with a permanent, machine-readable label and documented in a fixed asset control system in the fixed assets office.
<b>Central Receiving and Initial Inventory of Fixed Assets</b>	<p>Fixed asset items will be received at a central warehouse facility and will be tagged and inventoried as described above. The purchasing department will make sure that the delivery instructions for fixed asset purchases stipulate the appropriate central receiving facility's address.</p> <p>The inventory information will be entered into the fixed asset inventory control system by the fixed asset personnel. The location information for the fixed asset control system database will correspond to the location requesting purchase of the item even though the fixed asset is to be delivered to the warehouse.</p> <p>The central warehouse receiving facility personnel will maintain strict control over the unused fixed asset control tags and over all fixed assets being received from vendors and distributed within the District.</p>

ACCOUNTING  
INVENTORIES

CFB  
(REGULATION)

**Perpetual  
Inventorying of Fixed  
Assets Annual  
Inventory Cycle**

A physical inventory schedule will be conducted annually for state defined and District-controlled assets. The results will be submitted to the site administration and the respective area superintendent. The results will be used as a component on the principal's end-of-year checklist and personnel evaluation instruments.

**Change in  
Administrator  
Inventory**

When a change in principal or administrator occurs, a joint inventory of the items listed will be taken by the internal audit department with the assistance from the fixed asset department. That inventory will be reported for reconciliation with the last regular inventory.

**Removal of Fixed  
Assets**

Equipment assigned to a particular campus or building will not be transferred except with the appropriate, duly authorized documentation.

Fixed assets moved from one room to another within the same location will be updated into the fixed assets inventory control system by the District location. The administrator is responsible for the safeguarding of District assets. Equipment taken from the primary location for work-related use will be authorized by the campus/department administrator.

**Accountability for  
Missing Fixed  
Assets**

The fixed asset staff will perform the necessary reconciliation of the inventory and will report the results to the principal or department administrator, the appropriate associate superintendent, and the internal auditor. The principal or department administrator will be required to account for missing equipment. The internal audit department will intervene as appropriate to determine what action should be taken regarding missing fixed assets. Employees are responsible for the safekeeping of assigned equipment. In the event that the assigned items are damaged, stolen, or lost, the employee will assume financial responsibility of replacing such items at the adjusted value basis (after straight-lined depreciation).

**Violations**

Employees will 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. The internal audit and security services department will be contacted to report any unusual, illegal, or control-lapse situations involving fixed assets. Misappropriation of District furniture, fixtures, and equipment is an activity constituting inappropriate conduct. Violation of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCD and DF series]

**Disciplinary Action**

Necessary disciplinary action, including the immediate physical removal of an employee from his or her work site, will follow careful

consideration of an employee's violation or misbehavior and its impact on the District.

**Management of  
Specific Types of  
Fixed Assets**

Certain types of fixed assets such as maintenance, technology, musical instruments, media center equipment, and the like, require daily management by personnel assigned to those program areas. Notwithstanding the special program nature of these fixed asset items, those departments will be responsible for the accurate and timely maintenance of the fixed asset database consistent with the requirements of this policy and the fixed asset regulations promulgated by the fixed assets department.

**Unusual Fixed Asset  
Control Situation**

The Superintendent may dispose of surplus personal property in the most appropriate method listed below. [For disposal of school buses, see CNB(LEGAL).]

All questions regarding this policy and its implementation procedures will be directed to the fixed assets department. [For disposal of school properties, see CI(LOCAL).]

SCHOOL PROPERTIES DISPOSAL

CI  
(LOCAL)

The Superintendent is authorized to declare District materials, equipment, personal property such as vehicles, and supplies to be unnecessary and shall dispose of unnecessary materials, equipment, personal property such as vehicles, and supplies for fair market value. If the unnecessary property has no value, the Superintendent may dispose of such property according to administrative discretion.

Instructional materials shall be disposed of in accordance with law.  
[See CMD(LEGAL)]

Property obtained with federal funds or as federal surplus shall be managed in accordance with federal law.



EMPLOYMENT OBJECTIVES  
EQUAL EMPLOYMENT OPPORTUNITY

DAA  
(LEGAL)

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**Note:** This policy addresses the prohibition against discrimination in hiring and discharging employees. For legally referenced material relating to prohibited discrimination, harassment, and retaliation with respect to compensation, terms, conditions, or privileges of employment, see DIA(LEGAL).

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**Unlawful Hiring and Discharge**

It is an unlawful employment practice for a district to fail or refuse to hire or to discharge any individual because of such individual's:

1. Race, color, or national origin;
2. Religion;
3. Sex;
4. Age;
5. Disability; or
6. Genetic information [see DAB].

**Federal Law**

Section 1981 of the Civil Rights Act of 1866 (Section 1981)—race. *42 U.S.C. 1981*

Title VII of the Civil Rights Act of 1964 (Title VII)—race, color, religion, sex, and national origin. *42 U.S.C. 2000e et seq.*

Age Discrimination in Employment Act of 1967 (ADEA)—age, over 40. *29 U.S.C. 621 et seq.*

Section 504 of the Rehabilitation Act of 1973 (Section 504)—disability in programs receiving federal funds. *29 U.S.C. 794*

Title I of the Americans with Disabilities Act of 1990 (ADA)—disability. *42 U.S.C. 12101 et seq.*

Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)—genetic information. *42 U.S.C. 2000ff et seq.*

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**Note:** Title VII, the ADA, and GINA do not apply to employers unless the employer has 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year. *42 U.S.C. 2000e(b); 42 U.S.C. 12111(5); 42 U.S.C. 2000ff(2)(B)*

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**State Law**

Texas Commission on Human Rights Act (TCHRA)—race, color, disability, religion, sex, national origin, age, and genetic information. *Labor Code 21.051, .402*

EMPLOYMENT OBJECTIVES  
EQUAL EMPLOYMENT OPPORTUNITY

DAA  
(LEGAL)

	State policy on employment of persons with disabilities. <i>Human Resources Code 121.003(f)</i>
<b>Discriminatory Practices</b>	Title VII proscribes employment practices that are overtly discriminatory (disparate treatment), as well as those that are fair in form but discriminatory in practice (disparate impact). <u><i>Wards Cove Packing Co. v. Atonio</i></u> , 490 U.S. 642 (1989)
Disparate Treatment	Disparate treatment (intentional discrimination) occurs when members of a protected group have been denied the same employment, promotion, membership, or other employment opportunities as have been available to other employees or applicants. 29 C.F.R. 1607.11
Disparate Impact	Disparate impact occurs when an employer uses a particular employment practice that causes a disparate (disproportionate) impact on a protected group and the employer fails to demonstrate that the challenged practice is job-related and consistent with business necessity. 42 U.S.C. 2000e-2(k)(1)(A); Labor Code 21.115, .122
<b>Limited Exception—Bona Fide Job Qualification</b>	A district may take employment actions based on religion, sex, national origin, or age in those certain instances where religion, sex, national origin, or age is a bona fide occupational qualification. 42 U.S.C. 2000e-2(e); 29 U.S.C. 623(f); Labor Code 21.119
<b>Prohibition on Retaliation</b>	A district may not discriminate against any employee or applicant for employment because the employee or applicant has opposed any unlawful, discriminatory employment practices or participated in the investigation of any complaint related to an unlawful, discriminatory employment practice. 29 U.S.C. 623(d) (ADEA); 42 U.S.C. 2000e-3(a) (Title VII); 42 U.S.C. 12203 (ADA); Labor Code 21.055 [See DIA]
<b>Notices</b>	A district shall post in conspicuous places upon its premises a notice setting forth the information the Equal Employment Opportunity Commission deems appropriate to effectuate the purposes of the anti-discrimination laws. 29 U.S.C. 627; 42 U.S.C. 2000e-10
Section 504 Notice	<p>A district that employs 15 or more persons shall take appropriate steps to notify applicants and employees, including those with impaired vision or hearing, that it does not discriminate on the basis of disability.</p> <p>The notice shall state:</p> <ol style="list-style-type: none"><li>1. That the district does not discriminate in employment in its programs and activities; and</li><li>2. The identity of the district's 504 coordinator.</li></ol>

EMPLOYMENT OBJECTIVES  
EQUAL EMPLOYMENT OPPORTUNITY

DAA  
(LEGAL)

Methods of notification may include:

1. Posting of notices;
2. Publication in newspapers and magazines;
3. Placing notices in district publications; and
4. Distributing memoranda or other written communications.

If a district publishes or uses recruitment materials containing general information that it makes available to applicants or employees, it shall include in those materials a statement of its nondiscrimination policy.

*34 C.F.R. 104.8*

**Employment  
Postings**

A district shall not print or publish any notice or advertisement relating to district employment that indicates any preference, limitation, specification, or discrimination based on race, color, religion, sex, disability, or national origin, unless the characteristic is a bona fide occupational qualification. *42 U.S.C. 2000e-3(b); Labor Code 21.059*

**Religious  
Discrimination**

The prohibition against discrimination on the basis of religion includes all aspects of religious observances and practice, as well as religious belief, unless a district demonstrates that it is unable to reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship to the district's business. "Undue hardship" means more than a *de minimus* (minimal) cost. *42 U.S.C. 2000e(j); 29 C.F.R. 1605.2; Labor Code 21.108*

**Unlawful Inquiry into  
Religious Affiliation**

A person employed or maintained to obtain or aid in obtaining positions for public school employees may not directly or indirectly ask about, orally or in writing, the religion or religious affiliation of anyone applying for employment in a public school of this state. A violation of this provision is a Class B misdemeanor. A person who violates this provision is subject to civil penalties. *Education Code 22.901*

**Sex Discrimination  
Pregnancy**

The prohibition against discrimination because of sex includes discrimination on the basis of pregnancy, childbirth, or related medical conditions. A district shall treat women affected by pregnancy, childbirth, or related medical conditions the same as other employees for all employment-related purposes, including receipt of benefits under fringe benefit programs. *42 U.S.C. 2000e(k); 29 C.F.R. 1604.10; Labor Code 21.106*

EMPLOYMENT OBJECTIVES  
EQUAL EMPLOYMENT OPPORTUNITY

DAA  
(LEGAL)

Gay and Transgender	The prohibition against discrimination because of sex includes discrimination on the basis of an individual being gay or transgender. <u>Bostock v. Clayton County, Georgia</u> , 17-1618, 2020 WL 3146686, (U.S. June 15, 2020)
Gender Stereotypes	A district may not evaluate employees by assuming or insisting that they match the stereotype associated with their group. <u>Price Waterhouse v. Hopkins</u> , 490 U.S. 228 (1989)
<b>Age Discrimination</b>	The prohibition against discrimination on the basis of age applies only to discrimination against an individual 40 years of age or older. 29 U.S.C. 631; Labor Code 21.101
Bona Fide Employee Benefit Plan	A district may take an employment action on the basis of age pursuant to a bona fide seniority system or a bona fide employee benefit plan. However, a bona fide employee benefit plan shall not excuse the failure to hire any individual and no such benefit plan shall require or permit the involuntary retirement of any individual because of age. 29 U.S.C. 623(f); Labor Code 21.102
<b>Disability Discrimination</b>	<p>A district may not discriminate against a qualified individual on the basis of disability in job application procedures, hiring, advancement, or discharge of employees, compensation, job training, and other terms, conditions, and privileges of employment. 42 U.S.C. 12112(a); 29 C.F.R. 1630.4(b); Labor Code 21.051</p> <p>In addition, each district that receives assistance under the Individuals with Disabilities Education Act (IDEA) must make positive efforts to employ, and advance in employment, qualified individuals with disabilities in programs assisted by the IDEA. 34 C.F.R. 300.177(b)</p> <p>[See DIA]</p>
<b>Other Forms of Discrimination</b>	
Military Service	A district shall not deny initial employment, reemployment, retention in employment, promotion, or any benefit of employment on the basis of membership in a uniformed service, performance in a uniformed service, application for uniformed service, or obligation to a uniformed service. A district shall not take adverse employment action or discriminate against any person who takes action to enforce protections afforded by the Uniformed Services Employment and Re-employment Rights Act (USERRA). 38 U.S.C. 4311 [See also DECB]
Bankruptcy Discrimination	A district may not deny employment to, terminate the employment of, or discriminate with respect to employment against, a person that is or has been a debtor under federal bankruptcy laws, solely because the bankrupt or debtor is or has been a debtor under federal bankruptcy laws; was insolvent before the commencement of a bankruptcy case or during the case but before the debtor was

EMPLOYMENT OBJECTIVES  
EQUAL EMPLOYMENT OPPORTUNITY

DAA  
(LEGAL)

Student Loan  
Repayment

granted or denied a discharge; or has not paid a debt that is dischargeable in the bankruptcy case or that was discharged under the bankruptcy laws. *11 U.S.C. 525(a)*

A district that issues a license may not take disciplinary action against a person based on the person's default on a student loan or breach of a student loan repayment contract or scholarship contract including by:

1. Denying the person's application for a license or license renewal;
2. Suspending the person's license; or
3. Taking other disciplinary action against the person.

*Occupations Code 56.001, .003*

EMPLOYEE STANDARDS OF CONDUCT

DH  
(LOCAL)

**General Guidelines**

Employees shall be courteous to one another and the public, working together in a cooperative spirit to serve the best interests of the District. The District holds all employees accountable to the Educators' Code of Ethics. [See DH(EXHIBIT)]

Each District employee shall perform his or her duties in accordance with state and federal law, District policy, and ethical standards. [See DH(EXHIBIT)]

Each District employee 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.

An employee wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

**Employee  
Responsibilities**

Every employee shall be responsible for:

1. Arriving at work on time every day and following attendance procedures;
2. Satisfactorily completing the duties as specified by the job description and/or contract, if any;
3. Relating to colleagues and supervisors with respect, courtesy, and in a professional manner;
4. Spending the workday on work-related activities to the exclusion of personal business;
5. Dressing in a manner that is appropriate for the job assignment, that reflects positively on the District, and that includes the use of all issued safety equipment;
6. Recognizing that employment with the District is not guaranteed, but is dependent on employee performance, budget, and need;
7. Following the established rules of behavior for the District and society in general as defined by local, state, and federal laws;
8. Conducting their duties in a safe manner, following the District's general safety policies and department rules regarding proper use of approved safety equipment and apparel; and
9. Following the directives of the supervisor.

EMPLOYEE STANDARDS OF CONDUCT

DH  
(LOCAL)

**Violations of  
Standards of  
Conduct**

Each employee 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 his or her status as a District employee. Violation of any policies, regulations, or guidelines, including intentionally making a false claim, offering a false statement, or refusing to cooperate with a District investigation, may result in disciplinary action, including termination of employment. [See DCD and DF series]

**Weapons Prohibited**

The District prohibits the use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on District property at all times.

**Exceptions**

No violation of this policy occurs when:

1. Use or possession of a firearm by a specific employee is authorized by Board action; [See CKE]
2. A District employee who holds a Texas handgun license stores a handgun or other firearm in a locked vehicle in a parking lot, parking garage, or other parking area provided by the District, provided the handgun or other firearm is not in plain view; or
3. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]

**Electronic  
Communication**

**Use with Students**

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

Unless an exception has been made in accordance with the employee handbook or other administrative regulations, an employee shall not use a personal electronic communication platform, application, or account to communicate with currently enrolled students.

Unless authorized above, all other employees are prohibited from using electronic communication directly with students who are currently enrolled in the District. The employee handbook or other administrative regulations shall further detail:

1. Exceptions for family and social relationships;
2. The circumstances under which an employee may use text messaging to communicate with individual students or student groups;

EMPLOYEE STANDARDS OF CONDUCT

DH  
(LOCAL)

3. Hours of the day during which electronic communication is discouraged or prohibited; and
4. Other matters deemed appropriate by the Superintendent or designee.

In accordance with ethical standards applicable to all District employees [see DH(EXHIBIT)], an employee shall be prohibited from using electronic communications in a manner that constitutes prohibited harassment or abuse of a District student; adversely affects the student's learning, mental health, or safety; includes threats of violence against the student; reveals confidential information about the student; or constitutes an inappropriate communication with a student, as described in the Educators' Code of Ethics.

An employee shall have no expectation of privacy in electronic communications with students. Each employee shall comply with the District's requirements for records retention and destruction to the extent those requirements apply to electronic communication. [See CPC]

**Personal Use**

All employees shall be held to the same professional standards in their public use of electronic communication as for any other public conduct. If an employee's use of electronic communication violates state or federal law or District policy, or 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.

**Personal  
Telecommunication  
Devices**

*Definition*

A personal, non-District, or unauthorized telecommunications device is a piece of equipment that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor and is not issued or authorized by the District as required for the normal discharge of the employee's duties.

*Use*

An employee shall not interrupt the performance of his or her duties, or leave the classroom or other work site, to answer, respond to, or use a personal, non-District, or unauthorized telecommunications device. The use of personal telecommunications devices shall not interfere with the employee's fulfillment of assigned duties. In the interest of safety, no District employee shall use a personal, non-District, or unauthorized telecommunications device while driving a District vehicle or a personal vehicle while on District business. [See CNB and CNC]

**Reporting Improper  
Communication**

In accordance with administrative regulations, an employee shall notify his or her supervisor when a student engages in improper electronic communication with the employee.



EMPLOYEE STANDARDS OF CONDUCT

DH  
(LOCAL)

<b>Disclosing Personal Information</b>	An employee shall not be required to disclose his or her personal email address or personal phone number to a student.
<b>Outside Activities</b>	An employee shall conduct his or her outside activities and affairs in a manner that does not adversely affect the employee's professional status or daily performance of instructional duties.
<b>Profanity</b>	When dealing with staff and students, an employee shall not use profane language nor engage in obscene conversations on the job.
<b>Reports of Misconduct</b>	The Board encourages employees and others connected with the District to bring forward reports in the form of complaints, comments, and suggestions in order to maintain effective and efficient operations, free from disruptions that detract from the District's main objective of educating children.
<b>Workplace Bullying</b>	<p>The District considers workplace bullying to be unacceptable and shall not tolerate it under any circumstances.</p> <p>Workplace bullying shall be defined as engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs in the workplace that:</p> <ol style="list-style-type: none"><li>1. Has the effect or will have the effect of physically harming another employee, damaging the employee's property, or placing the employee in reasonable fear of harm to the employee's person or of damage to the employee's property;</li><li>2. Is sufficiently severe, persistent, and pervasive that the action or threat creates an intimidating, threatening, or abusive work environment for the employee;</li><li>3. Exploits an imbalance of power between the employee perpetrator and the employee victim through written or verbal expression or physical conduct; or</li><li>4. Interferes with the victim's employment or substantially disrupts the operation of the work location.</li></ol> <p>Workplace bullying shall not include the legitimate exercise of employee management, including task assignment, employee coaching, and work-related employee discipline.</p>
<b>Disruptive Activity</b>	A staff member who instigates or otherwise incites disruptive activity involving staff or students on school property or at a school event shall be subject to disciplinary action by the Superintendent and the Board.
<b>Safety Requirements</b>	Each employee shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

EMPLOYEE STANDARDS OF CONDUCT

DH  
(LOCAL)

**Harassment or Abuse**

An employee shall not engage in prohibited harassment, including sexual harassment, of:

1. Other employees. [See DIA]
2. Students. [See FFH; see FFG regarding child abuse and neglect.]

While acting in the course of employment, an employee shall not engage in prohibited harassment, including sexual harassment, of other persons, including Board members, vendors, contractors, volunteers, or parents.

An employee shall report child abuse or neglect as required by law. [See FFG]

**Relationships with Students**

An employee shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See FFH]

As required by law, the District shall notify the parent of a student with whom an educator is alleged to have engaged in certain misconduct. [See FFF]

**Tobacco and E-Cigarettes**

An employee shall not smoke or use tobacco products or e-cigarettes on District property, in District vehicles, or at school-related activities. [See also GKA]

**Alcohol and Drugs / Notice of Drug-Free Workplace**

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

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

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

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4. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.

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

**Exceptions**

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

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

**Sanctions**

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

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

**Notice**

Employees shall receive a copy of this policy.

A copy of this policy, a purpose of which is to eliminate drug abuse from the workplace, shall be provided to each employee at the beginning of each year or upon employment.

An employee who tests positive for prohibited drugs and/or alcohol shall be subject to termination, except when an employee voluntarily admits to alcohol or illegal drug use and commences counseling or rehabilitation prior to an event that leads to the initiation of any alcohol or drug testing. Such an employee must thereafter refrain from using alcohol and/or illegal drugs.

**Unauthorized  
Persons on District  
Premises**

A District employee shall not bring his or her own relative, personal aide, or hired helper to assist the employee in the performance of duties on District premises or at school-sponsored activities without prior approval from the principal/work location supervisor and/or Human Resources Department.

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**Money Lending**

The District prohibits loans made by one employee to another with the intent of collecting interest.

**Annual Criminal  
History Record  
Check**

An annual criminal background check shall be conducted on all active personnel who do not have electronic fingerprints on file with the Texas Department of Public Safety.

Review Committee

A review committee will assess the records of employees found to have criminal records that may bar them from continued employment in the District.

**Responsibility to  
Report Charges**

An employee shall notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:

1. Crimes involving school property or funds;
2. 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;
3. Crimes that occur wholly or in part on school property or at a school-sponsored activity; or
4. Crimes involving moral turpitude, which include:
  - Dishonesty; fraud; deceit; theft; misrepresentation;
  - Deliberate violence;
  - Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
  - Felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
  - Felony driving while intoxicated (DWI); or
  - Acts constituting abuse or neglect under the Texas Family Code.

Reassignment  
Pending Final  
Disposition

An employee shall be subject to being temporarily reassigned when the District becomes aware of any pending charge, previous conviction, or deferred adjudication. The decision to reassign an employee shall be made by the appropriate direct report to the Superintendent or designee.

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**Determination Upon  
Final Disposition**

A determination regarding what action, if any, to take shall be made after the final disposition of the pending charge(s) or, in the case of a conviction or deferred adjudication, after a recommendation is made to the Administrator in charge, Human Resources (HR), by the criminal history review committee. In the case of an employee, final disposition of pending charges means a conviction, deferred adjudication, or dismissal of the charges. An employee's completion of probation or other sentencing is not required for a final disposition by the District.

**Dress and Grooming**

An employee's dress and grooming shall be clean, neat, in a manner appropriate for his or her assignment, and in accordance with the following standards of dress and hygiene:

1. An employee shall dress in neat clean clothing in good state of repair and appropriate for the assignment and safety of the job.
2. Good personal hygiene shall be expected of each employee, including well-groomed, neatly trimmed hair. Men are allowed to wear a neatly trimmed mustache or beard.

Additional standards shall be established by supervisors and approved by the Superintendent.

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## **Educators' Code of Ethics**

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

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

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

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

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

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

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

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

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

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

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

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

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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.

**Ethical Conduct Toward Professional Colleagues**

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

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

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

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

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

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

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

Standard 2.8. The educator shall not intentionally or knowingly subject a colleague to sexual harassment.

**Ethical Conduct Toward Students**

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

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

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

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

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

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

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

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

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

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

19 TAC 247.2



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**Employee Free  
Speech**

District employees do not shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.

However, neither an employee nor anyone else has an absolute constitutional right to use all parts of a school building or its immediate environs for unlimited expressive purposes. When a public employee makes statements pursuant to his or her official duties, the employee is not speaking as a citizen for First Amendment purposes, and the Constitution does not insulate the communications from employer discipline.

*Garcetti v. Ceballos*, 547 U.S. 410 (2006); *Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503 (1969) [See also GKD]

**Whistleblower  
Protection**

A board or its agents shall not suspend or terminate the employment of, or take other adverse personnel action against, an employee who in good faith reports a violation of law by a district or another public employee to an appropriate law enforcement authority.

A "report" is made to an "appropriate law enforcement authority" if the authority is a part of a state or local governmental entity or the federal government that the employee in good faith believes is authorized to:

1. Regulate under or enforce the law alleged to be violated in the report; or
2. Investigate or prosecute a violation of criminal law.

*Gov't Code 554.002*

A supervisor who suspends or terminates the employment of or takes an adverse personnel action against an employee for reporting a violation of law shall be subject to civil penalties. *Gov't Code 554.008*

**Definitions**

"Employee" means an employee or appointed officer who is paid to perform services for a district. It does not include independent contractors. *Gov't Code 554.001(4)*

"Law" means a state or federal statute, an ordinance of a local governmental entity, or a rule adopted under a statute or ordinance. *Gov't Code 554.001(1)*

A "good faith" belief that a violation of the law occurred means that:

1. The employee believed that the conduct reported was a violation of law; and
2. The employee's belief was reasonable in light of the employee's training and experience.

*Wichita County v. Hart*, 917 S.W.2d 779 (Tex. 1996)

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A "good faith" belief that a law enforcement authority is an appropriate one means:

1. The employee believed the governmental entity was authorized to:
  - a. Regulate under or enforce the law alleged to be violated in the report, or
  - b. Investigate or prosecute a violation of criminal law; and
2. The employee's belief was reasonable in light of the employee's training and experience.

Tex. Dep't of Transp. v. Needham, 82 S.W.3d 314 (Tex. 2002)

**Whistleblower  
Complaints**

An employee who alleges a violation of whistleblower protection may sue a district for injunctive relief, actual damages, court costs, and attorney's fees, as well as other relief specified in Government Code 554.003. *Gov't Code 554.003*

**Initiate Grievance**

Before suing, an employee must initiate action under a district's grievance policy or other applicable policies concerning suspension or termination of employment or adverse personnel action.

The employee must invoke a district's grievance procedure not later than the 90th day after the date on which the alleged suspension, termination, or other adverse employment action occurred or was discovered by the employee through reasonable diligence.

**Legal Action**

If a board does not render a final decision before the 61st day after grievance procedures are initiated, the employee may elect to:

1. Exhaust a district's grievance procedures, in which case the employee must sue not later than the 30th day after the date those procedures are exhausted to obtain relief under Government Code Chapter 554; or
2. Terminate district grievance procedures and sue within the time lines established by Government Code 554.005 and 554.006.

*Gov't Code 554.005, 554.006* [See DGBA regarding grievance procedures]

**Burden of Proof**

If the employee brings a lawsuit, the employee has the burden of proof unless the suspension, termination, or adverse personnel action occurred within 90 days after the employee reported a violation of law, in which case the suspension, termination, or adverse personnel action is presumed, subject to rebuttal, to be because the employee made the report.

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<b>Affirmative Defense</b>	<p>It is an affirmative defense to a whistleblower suit that the district would have taken the action against the employee that forms the basis of the suit based solely on information, observation, or evidence that is not related to the fact that the employee made a report protected under the whistleblower law.</p> <p><i>Gov't Code 554.004</i></p>
<b>Notice of Rights</b>	<p>A board shall inform its employees of their rights regarding whistleblower protection by posting a sign in a prominent location in the workplace. The design and content of the sign shall be as prescribed by the attorney general. <i>Gov't Code 554.009</i></p>
<b>Right to Report a Crime</b>	<p>A district employee may report a crime witnessed at the school to any peace officer with authority to investigate the crime. A district may not adopt a policy requiring a school employee to refrain from reporting a crime witnessed at the school or to report a crime witnessed at the school only to certain persons or peace officers.</p> <p><i>Education Code 37.148</i></p>
<b>Protection for Reporting Child Abuse</b>	<p>A district may not suspend or terminate the employment of, discriminate against, or take other adverse employment action against a professional employee who in good faith:</p> <ol style="list-style-type: none"><li>1. Reports child abuse or neglect to:<ol style="list-style-type: none"><li>a. The person's supervisor,</li><li>b. An administrator of the facility where the person is employed,</li><li>c. A state regulatory agency, or</li><li>d. A law enforcement agency; or</li></ol></li><li>2. Initiates or cooperates with an investigation or proceeding by a governmental entity relating to an allegation of child abuse or neglect.</li></ol> <p>"Adverse employment action" means an action that affects an employee's compensation, promotion, transfer, work assignment, or performance evaluation, or any other employment action that would dissuade a reasonable employee from making or supporting a report of abuse or neglect under Family Code 261.101.</p> <p>A person may sue for injunctive relief, damages, or both if the person is suspended or terminated from the person's employment; is discriminated against; or suffers any other adverse employment action.</p>

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A district employee who has a cause of action under the provisions at Whistleblower Protection, above, may not bring an action under Protection for Reporting Child Abuse.

*Family Code 261.110(a)-(c), (l)*

**Protection from  
Disciplinary  
Proceedings**

For purposes of the following provisions, "disciplinary proceeding" means discharge or suspension of a professional employee, or termination or nonrenewal of a professional employee's term contract. [See DGC regarding immunity] *Education Code 22.0512(b)*

**Reporting Child  
Abuse or  
Maltreatment**

A district employee may not be subject to any disciplinary proceeding resulting from an action taken in compliance with Education Code 38.0041 [prevention of child abuse and other maltreatment, see FFG]. *Education Code 38.0041(g)*

**Use of Physical  
Force**

A professional employee may not be subject to disciplinary proceedings for the employee's use of physical force against a student to the extent justified under Penal Code 9.62. This provision does not prohibit a district from enforcing a policy relating to corporal punishment or bringing a disciplinary proceeding against a professional employee of the district who violates the district policy relating to corporal punishment. *Education Code 22.0512(a); Tex. Att'y Gen. Op. GA-0202 (2004)*

Penal Code 9.62 provides that the use of force, other than deadly force, against a person is justified:

1. If the actor is entrusted with the care, supervision, or administration of the person for a special purpose; and
2. When and to the degree the actor reasonably believes the force is necessary to further the special purpose or to maintain discipline in a group.

*Penal Code 9.62*

**Failure to Follow  
Scope and Sequence**

A district may not penalize a teacher who does not follow a recommended or designated scope and sequence for a subject in the required curriculum under Education Code 28.002(a) in a particular grade level based on the teacher's determination that the teacher's students need more or less time in a specific area to demonstrate proficiency in the essential knowledge and skills for that subject and grade level [see EHAA].

A district may take appropriate action with respect to a teacher for conduct described above based on documented evidence of a deficiency in classroom instruction obtained through observation or substantiated and documented third-party information.

*Education Code 28.0027(b), (c)*

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**Instructional  
Materials and  
Technological  
Equipment**

A board may not require an employee who acts in good faith to pay for instructional materials or technological equipment that is damaged, stolen, misplaced, or not returned. An employee may not waive this provision by contract or any other means.

**Exception**

A district may enter into a written agreement with an employee whereby the employee assumes financial responsibility for electronic instructional material or technological equipment usage off school property or outside of a school-sponsored event in consideration for the ability of the employee to use the electronic instructional material or technological equipment for personal business.

The written agreement shall be separate from the employee's contract of employment, if applicable, and shall clearly inform the employee of the amount of the financial responsibility and advise the employee to consider obtaining appropriate insurance. An employee may not be required to enter into such an agreement as a condition of employment.

*Education Code 31.104(e); 19 TAC 66.107(c)*

**Jury Duty**

A district may not discharge, threaten to discharge, intimidate, or coerce any permanent employee because the employee serves as a juror or grand juror, or for the employee's attendance or scheduled attendance in connection with the service, in any court in the United States. An employee who is discharged, threatened with discharge, intimidated, or coerced is entitled to return to the same employment that the employee held when summoned for jury or grand jury service if the employee, as soon as practical after release from jury or grand jury service, gives the employer actual notice that the employee intends to return. *Civ. Prac. and Rem. Code 122.001*

A district may not discharge, discipline, reduce the salary of, or otherwise penalize or discriminate against a school district employee because of the employee's compliance with a summons to appear as a juror. For each regularly scheduled workday on which a nonsalaried employee serves in any phase of jury service, a school district shall pay the employee the employee's normal daily compensation [see DEC]. *Education Code 22.006(a), (b)*

**Breaks for Nursing  
Mothers—  
Nonexempt  
Employees**

A district shall provide a nonexempt employee a reasonable break to express breast milk, each time the employee needs to express breast milk for her nursing child, for one year after the child's birth. The district shall provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.

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A district is not required to compensate the employee receiving reasonable break time for any work time spent for such purpose.

A district that employs fewer than 50 employees is not subject to these requirements if the requirements would impose an undue hardship by causing the district significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the district.

*29 U.S.C. 207(r)*

**Right to Express  
Breast Milk**

A district employee is entitled to express breast milk at the employee's workplace. *Gov't Code 619.002*

The district shall develop a written policy on the expression of breast milk by employees under Government Code Chapter 619. The policy must state that the district shall support the practice of expressing breast milk and make reasonable accommodations for the needs of employees who express breast milk.

A district shall provide a reasonable amount of break time for an employee to express breast milk each time the employee has need to express the milk. The district shall provide a place, other than a multiple user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk.

A district may not suspend or terminate the employment of, or otherwise discriminate against, an employee because the employee has asserted the employee's rights under Government Code Chapter 619. Government Code Chapter 619 does not create a private or state cause of action against a district.

*Gov't Code Ch. 619*

**Charitable  
Contributions**

A board or a district employee may not directly or indirectly require or coerce any district employee to:

1. Make a contribution to a charitable organization or in response to a fund-raiser; or
2. Attend a meeting called for the purpose of soliciting charitable contributions.

A board or district employee may not directly or indirectly require or coerce any district employee to refrain from the same acts.

*Education Code 22.011*

**Protection of Nurses**

A district may not suspend, terminate, or otherwise discipline or discriminate against a nurse who refuses to engage in an act or omission relating to patient care that:

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1. Would constitute grounds for reporting the nurse to the Board of Nurse Examiners under Occupations Code Chapter 301, Subchapter I;
2. Constitutes a minor incident, as defined at Occupations Code 301.419; or
3. Would violate Occupations Code Chapter 301 or a rule of the Board of Nurse Examiners, if the nurse notifies the district at the time of the refusal that this is the reason for refusing to engage in the act or omission.

*Occupations Code 301.352(a)*

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<b>Complaints</b>	In this policy, the terms "complaint" and "grievance" shall have the same meaning.
<b>Other Complaint Processes</b>	<p>Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process:</p> <ol style="list-style-type: none"><li>1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability), shall be submitted in accordance with DIA.</li><li>2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.</li><li>3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with DIA.</li><li>4. Complaints concerning instructional resources shall be submitted in accordance with EF.</li><li>5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.</li><li>6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.</li><li>7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.</li></ol>
<b>Notice to Employees</b>	The District shall inform employees of this policy through appropriate District publications.
<b>Delegation</b>	The Board delegates to the Superintendent the ability to abate a grievance timely filed when in his or her opinion adequate resolution of the grievance will be aided by the results of an investigation. Such investigation shall be conducted expeditiously to bring prompt closure to the grievance process. District employees shall receive periodic and timely updates.
<b>Guiding Principles</b> Informal Process	The Board encourages employees to discuss their concerns with their supervisor, principal, or other appropriate administrator who



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	<p>has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.</p> <p>Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.</p>
<p>Direct Communication with Board Members</p>	<p>Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.</p>
<p>Formal Process</p>	<p>An employee may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.</p>
<p><b>Freedom from Retaliation</b></p>	<p>Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.</p>
<p><b>Whistleblower Complaints</b></p>	<p>Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. 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 calendar days of the initiation of the complaint. [See DG]</p>
<p><b>Complaints Against Supervisors</b></p>	<p>Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaint forms alleging a violation of law by the Superintendent may be submitted directly to the Board or designee.</p>
<p><b>General Provisions</b> Filing</p>	<p>Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including e-mail and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the</p>

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	appropriate administrator or designated representative no more than three days after the deadline.
Scheduling Conferences	The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the employee fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the employee's absence.
Response	At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's e-mail address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.
Days	<p>"Days" shall mean District business days, unless otherwise noted. In calculating time lines under this policy, the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance shall be "day one." The following District business day shall be "day two."</p> <p>With regard to administration time lines requiring the setting of grievances or responses required herein by the administration, the day a document is filed shall be "day one." The following business day shall be "day two."</p>
Representative	<p>"Representative" shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.</p> <p>The employee may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.</p>
Consolidating Complaints	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p> <p>When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.</p>

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Untimely Filings	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice. Such appeal shall be limited to the issue of timeliness. A grievant who is untimely a second time shall not be eligible to continue the complaint process.</p>
Costs Incurred	<p>Each party shall pay its own costs incurred in the course of the complaint.</p>
Complaint and Appeal Forms	<p>Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.</p> <p>Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.</p> <p>A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.</p>
Audio Recording	<p>As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.</p>
Level One	<p>Complaint forms must be filed:</p> <ol style="list-style-type: none"><li>1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and</li><li>2. With the lowest level administrator who has the authority to remedy the alleged problem.</li></ol> <p>In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.</p>

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

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

The appropriate administrator shall investigate as necessary and schedule a conference with the employee within 15 days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

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

Introduction of  
Evidence

All parties must introduce all evidence at Level One of the grievance procedure. If a grievance is filed because of a written document received from the employee's supervisor, all evidence must also be introduced at Level One of the grievance procedure. All other grievances that are filed with the administration may introduce evidence at Level One and/or Level Two. All parties may introduce new evidence if the new evidence occurred after the previous hearing date. The new evidence must be received by the opposing party at least five business days prior to the upcoming hearing.

**Level Two**

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

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

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

The Level One record shall include:

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

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

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

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

**Level Three**

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

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

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

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

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.

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3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

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

The grievant has the right to ask for an open or closed hearing before the Board.

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

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

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

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

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**Note:** This policy addresses discrimination, harassment, and retaliation against District employees. For Title IX and other provisions regarding discrimination, harassment, and retaliation against students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.

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<b>Definitions</b>	Solely for purposes of this policy, the term "employee" includes former employees, applicants for employment, and unpaid interns.
<b>Statement of Nondiscrimination</b>	The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.
<b>Discrimination</b>	<p>Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.</p> <p>In accordance with law, discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.</p>
<b>Prohibited Conduct</b>	<p>In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.</p> <p>Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]</p>
<b>Prohibited Harassment</b>	<p>Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:</p> <ol style="list-style-type: none"><li>1. Has the purpose or effect of unreasonably interfering with the employee's work performance;</li><li>2. Creates an intimidating, threatening, hostile, or offensive work environment; or</li><li>3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.</li></ol>
<b>Examples</b>	Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or

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practices, accent, skin color, gender identity, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; cyberharassment; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

**Sex-Based  
Harassment**

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

**Sexual Harassment**

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

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

**Examples**

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

**Reporting  
Procedures**

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

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

**Definition of District  
Officials**

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

*Title IX  
Coordinator*

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



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<i>ADA / Section 504 Coordinator</i>	Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See DIA(EXHIBIT)]
<i>Superintendent</i>	The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.
<b>Alternative Reporting Procedures</b>	<p>An employee shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
<b>Timely Reporting</b>	To ensure the District's prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.
<b>Notice of Report</b>	<p>Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.</p> <p>Any District employee who receives a report of prohibited conduct based on sex, including sexual harassment, shall immediately notify the Title IX coordinator.</p>
<b>Investigation of Reports Other Than Title IX</b>	<p>The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, see the procedures below at Response to Sexual Harassment—Title IX.</p> <p>The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.</p>
<b>Initial Assessment</b>	Upon receipt or notice of a report, the District official shall determine whether the allegations, if proved, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.
<b>Interim Action</b>	If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

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Concluding the Investigation	<p>Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.</p>
District Action	<p>If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.</p> <p>The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.</p>
Confidentiality	<p>To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.</p>
Appeal	<p>A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.</p> <p>The complainant may have a right to file a complaint with appropriate state or federal agencies.</p>
<b>Response to Sexual Harassment—Title IX</b>	<p>For purposes of the District's response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).</p>
General Response	<p>When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:</p>

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

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

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

Title IX Formal  
Complaint Process

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

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

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

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

**Standard of Evidence**

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

**Retaliation**

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

**Examples**

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

**Records Retention**

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

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

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**Access to Policy and  
Procedures**

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

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**Note:** This policy addresses the prohibition against discrimination, harassment, and retaliation with respect to compensation, terms, conditions, or privileges of employment. For legally referenced material relating to the prohibition against discrimination in hiring and discharging employees, see DAA(LEGAL).

For provisions related to harassment of students, including the district's response to sexual harassment as defined by Title IX, see FFH.

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**Unlawful  
Employment  
Discrimination**

It is an unlawful employment practice for a district to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's:

1. Race, color, or national origin;
2. Religion;
3. Sex;
4. Age;
5. Disability; or
6. Genetic information [see DAB].

**Federal Law**

Section 1981 of the Civil Rights Act of 1866 (Section 1981)—race. *42 U.S.C. 1981*

Title VII of the Civil Rights Act of 1964 (Title VII)—race, color, religion, sex, and national origin. *42 U.S.C. 2000e et seq.*

Age Discrimination in Employment Act of 1967 (ADEA)—age, over 40. *29 U.S.C. 621 et seq.*

Section 504 of the Rehabilitation Act of 1973 (Section 504)—disability in programs receiving federal funds. *29 U.S.C. 794*

Title I of the Americans with Disabilities Act of 1990 (ADA)—disability. *42 U.S.C. 12101 et seq.*

Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)—genetic information. *42 U.S.C. 2000ff et seq.*

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**Note:** Title VII, the ADA, and GINA do not apply to employers unless the employer has 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year. *42 U.S.C. 2000e(b); 42 U.S.C. 12111(5); 42 U.S.C. 2000ff(2)(B)*

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State Law	<p>Texas Commission on Human Rights Act (TCHRA)—race, color, disability, religion, sex, national origin, age, and genetic information. <i>Labor Code 21.051, .402</i></p> <p>State policy on employment of persons with disabilities. <i>Human Resources Code 121.003(f)</i></p>
Prohibition on Retaliation	<p>A district may not discriminate against any employee or applicant for employment because the employee or applicant has opposed any unlawful, discriminatory employment practices or participated in the investigation of any complaint related to an unlawful, discriminatory employment practice. 29 U.S.C. 623(d) (ADEA); 42 U.S.C. 2000e-3(a) (Title VII); 42 U.S.C. 12203 (ADA); <i>Labor Code 21.055</i></p>
Harassment-Free Workplace	<p>Harassment on the basis of a protected characteristic is a violation of Title VII. A district has an affirmative duty, under Title VII, to maintain a working environment free of harassment on the basis of sex, race, color, religion, and national origin. 42 U.S.C. 2000e, et seq.; 29 C.F.R. 1604.11(a), 1606.8(a)</p>
Sexual Harassment	<p>Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:</p> <ol style="list-style-type: none"><li>1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;</li><li>2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or</li><li>3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.</li></ol> <p>Where employment opportunities or benefits are granted because of an individual's submission to the employer's sexual advances or requests for sexual favors, the employer may be held liable for unlawful sex discrimination against other persons who were qualified for but denied that employment opportunity or benefit.</p> <p>29 C.F.R. 1604.11(a), (f), (g)</p>
Same-Sex Harassment	<p>Same-sex sexual harassment constitutes sexual harassment. <u><i>Oncale v. Sundowner Offshore Services, Inc.</i></u>, 523 U.S. 75 (1998)</p>
Criminal Offense—Official Oppression	<p>A public servant acting under color of the public servant's office or employment commits an offense if the public servant intentionally subjects another to sexual harassment.</p>

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A public servant acts under color of the public servant's office or employment if the person acts or purports to act in an official capacity or takes advantage of such actual or purported capacity.

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, submission to which is made a term or condition of a person's exercise or enjoyment of any right, privilege, power, or immunity, either explicitly or implicitly.

*Penal Code 39.03(a)(3), (b), (c)*

*Unpaid Interns*

A district commits an unlawful employment practice if sexual harassment of an unpaid intern occurs and the district or its agents or supervisors know or should have known that the conduct constituting sexual harassment was occurring, and fail to take immediate and appropriate corrective action. *Labor Code 21.1065*

National Origin  
Harassment

Ethnic slurs and other verbal or physical conduct relating to an individual's national origin constitute harassment when this conduct:

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

*29 C.F.R. 1606.08(b)*

Severe and  
Pervasive

Harassment violates Title VII if it is sufficiently severe and pervasive to alter the conditions of employment. *Pennsylvania State Police v. Suders*, 542 U.S. 129 (2004)

Title VII does not prohibit all verbal and physical harassment in the workplace. For example, harassment between men and women is not automatically unlawful sexual harassment merely because the words used have sexual content or connotations. *Oncale v. Sun-downer Offshore Services, Inc.*, 523 U.S. 75 (1998)

Prevention

A district should take all steps necessary to prevent unlawful harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate penalties, informing employees of their right to raise and how to raise the issue of harassment under Title VII, and developing methods to sensitize all concerned. *29 C.F.R. 1604.11(f)*



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Responsibility for Harassment by Third Parties	<p>A district is responsible for acts of unlawful harassment by fellow employees and by nonemployees if the district, its agents, or its supervisory employees knew or should have known of the conduct, unless the district takes immediate and appropriate corrective action. 29 C.F.R. 1604.11(d), (e), 1606.8(d), (e)</p> <p>When no tangible employment action is taken, a district may raise the following affirmative defense:</p> <ol style="list-style-type: none"><li>1. That the district exercised reasonable care to prevent and promptly correct any harassing behavior; and</li><li>2. That the employee unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer or to avoid harm otherwise.</li></ol> <p><u>Burlington Industries, Inc. v. Ellerth</u>, 524 U.S. 742 (1998); <u>Faragher v. City of Boca Raton</u>, 524 U.S. 775 (1998)</p>
Religious Discrimination	<p>The prohibition against discrimination on the basis of religion includes all aspects of religious observances and practice, as well as religious belief, unless a district demonstrates that it is unable to reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship to the district's business. "Undue hardship" means more than a <i>de minimus</i> (minimal) cost. 42 U.S.C. 2000e(j); 29 C.F.R. 1605.2; Labor Code 21.108</p>
Burden on Free Exercise	<p>A district may not substantially burden an employee's free exercise of religion, unless the burden is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that interest. <i>Civ. Prac. &amp; Rem. Code</i> 110.003</p>
Sex Discrimination Pregnancy	<p>The prohibition against discrimination because of sex includes discrimination on the basis of pregnancy, childbirth, or related medical conditions. A district shall treat women affected by pregnancy, childbirth, or related medical conditions the same as other employees for all employment-related purposes, including receipt of benefits under fringe benefit programs. 42 U.S.C. 2000e(k); 29 C.F.R. 1604.10; Labor Code 21.106</p>
Gay and Transgender	<p>The prohibition against discrimination because of sex includes discrimination on the basis of an individual being gay or transgender. <u>Bostock v. Clayton County, Georgia</u>, 17-1618, 2020 WL 3146686, (U.S. June 15, 2020)</p>
Gender Stereotypes	<p>A district may not evaluate employees by assuming or insisting that they match the stereotype associated with their group. <u>Price Waterhouse v. Hopkins</u>, 490 U.S. 228 (1989)</p>

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<b>Age Discrimination</b>	The prohibition against discrimination on the basis of age applies only to discrimination against an individual 40 years of age or older. <i>29 U.S.C. 631; Labor Code 21.101</i>
Bona Fide Employee Benefit Plan	A district may take an employment action on the basis of age pursuant to a bona fide seniority system or a bona fide employee benefit plan. However, a bona fide employee benefit plan shall not excuse the failure to hire any individual and no such benefit plan shall require or permit the involuntary retirement of any individual because of age. <i>29 U.S.C. 623(f); Labor Code 21.102</i>
<b>Disability Discrimination</b>	<p>A district may not discriminate against a qualified individual on the basis of disability in job application procedures, hiring, advancement, or discharge of employees, compensation, job training, and other terms, conditions, and privileges of employment. <i>42 U.S.C. 12112(a); 29 C.F.R. 1630.4(b); Labor Code 21.051</i></p> <p>In addition, each district that receives assistance under the Individuals with Disabilities Education Act (IDEA) must make positive efforts to employ, and advance in employment, qualified individuals with disabilities in programs assisted by the IDEA. <i>34 C.F.R. 300.177(b)</i></p>
Discrimination Based on Lack of Disability	The ADA and the TCHRA do not provide a basis for a claim that an individual was subject to discrimination because of the individual's lack of disability. <i>42 U.S.C. 12201(g); 29 C.F.R. 1630.4(b); Labor Code 21.005(c)</i>
Definition of Disability	<p>"Disability" means:</p> <ol style="list-style-type: none"><li>1. An actual disability: a physical or mental impairment [see definition, below] that substantially limits one or more of an individual's major life activities;</li><li>2. A record of having such an impairment; or</li><li>3. Being regarded as having such an impairment.</li></ol> <p>An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.</p>
"Regarded as" Having an Impairment	An individual meets the requirement of being "regarded as" having an impairment if the individual establishes that he or she has been subjected to an action prohibited by the ADA because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.
Transitory and Minor	The "regarded as" prong of the definition does not apply to impairments that are transitory or minor. A transitory impairment is one

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with an actual or expected duration of six months or less. The “transitory” exception does not apply to the “actual disability” or “record of disability” prongs of the definition.

*Mitigating  
Measures*

The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures, such as medication, medical supplies, low-vision devices, prosthetics, hearing aids, mobility devices, oxygen therapy, assistive technology, or learned behavioral or adaptive neurological modifications.

The ameliorative effects of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity. Ordinary eyeglasses and contact lenses are lenses that are intended to fully correct visual acuity or to eliminate refractive error.

42 U.S.C. 12102(1), (3), (4); 29 C.F.R. 1630.2(g), (j)(1); Labor Code 21.002, .0021

Other Definitions

*Physical or  
Mental  
Impairment*

“Physical or mental impairment” means:

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine; or
2. Any mental or psychological disorder, such as an intellectual disability (formerly termed “mental retardation”), organic brain syndrome, emotional or mental illness, and specific learning disabilities.

29 C.F.R. 1630.2(h)

*Major Life  
Activities*

“Major life activities” include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working.

“Major life activities” also include the operation of major bodily functions, including functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within the body system.

42 U.S.C. 12102(2); 29 C.F.R. 1630.2(i); Labor Code 21.002

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*Qualified  
Individual*

"Qualified individual" means an individual who:

1. Satisfies the requisite skill, experience, education, and other job-related requirements of the employment position such individual holds or desires; and
2. With or without reasonable accommodation, can perform the essential functions of such position. Consideration shall be given to a district's judgment as to what functions of a job are essential. A written job description prepared before advertising or interviewing applicants for the job is evidence of the job's essential functions.

*42 U.S.C. 12111(8); 29 C.F.R. 1630.2(m)*

*Reasonable  
Accommodations*

A district is required, absent undue hardship, to make a reasonable accommodation to an otherwise qualified individual who meets the definition of disability under the "actual disability" or "record of disability" prongs. A district is not required to provide a reasonable accommodation to an individual who meets the definition of disability solely under the "regarded as" prong. *42 U.S.C. 12112(b)(5); 29 C.F.R. 1630.2(o)(4), .9; 29 U.S.C. 794; 34 C.F.R. 104.11; Labor Code 21.128 [See DBB regarding medical examinations and inquiries under the Americans with Disabilities Act]*

"Reasonable accommodation" includes:

1. Making existing facilities used by employees readily accessible to and usable by individuals with disabilities; and
2. Job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modification of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

*42 U.S.C. 12111(9); 29 C.F.R. 1630.2(o); 34 C.F.R. 104.12(b)*

"Undue hardship" means an action requiring significant difficulty or expense when considered in light of the nature and cost of the accommodation needed, overall financial resources of the affected facility and the district, and other factors set out in law. *42 U.S.C. 12111(10); 29 C.F.R. 1630.2(p); 34 C.F.R. 104.12(c)*

*Discrimination  
Based on  
Relationship*

A district shall not exclude or deny equal jobs or benefits to, or otherwise discriminate against, a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a family, business, social, or other relationship or

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	association. 42 U.S.C. 12112(b)(4); 29 C.F.R. 1630.8; 34 C.F.R. 104.11
Illegal Drugs and Alcohol	The term "qualified individual with a disability" does not include any employee or applicant who is currently engaging in the illegal use of drugs, when a district acts on the basis of such use.
Drug Testing	A district is not prohibited from conducting drug testing of employees and applicants for the illegal use of drugs or making employment decisions based on the results of such tests.  42 U.S.C. 12114(c), (d); Labor Code 21.002(6)(A) [See DHE]
Alcohol Use	The term "qualified individual with a disability" does not include an individual who is an alcoholic and whose current use of alcohol prevents the employee from performing the duties of his or her job or whose employment, by reason of such current alcohol abuse, would constitute a direct threat to property or the safety of others. 42 U.S.C. 12114(a); 29 U.S.C. 705(20)(C); 29 C.F.R. 1630.3(a); 28 C.F.R. 35.104; Labor Code 21.002(6)(A)
Qualification Standards	It is unlawful for a district to use qualification standards, employment tests, or other selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities, on the basis of disability, unless the standard, test, or other selection criteria, as used by the district, is shown to be job related for the position in question and is consistent with business necessity. 29 C.F.R. 1630.10(a)
Direct Threat to Health or Safety	As a qualification standard, a district may require that an individual not pose a direct threat to the health or safety of other individuals in the workplace. "Direct threat" means a significant risk to the health or safety of the individual or others that cannot be eliminated by reasonable accommodation. 42 U.S.C. 12111(3); 29 C.F.R. 1630.2(r); Labor Code 21.002(6)(B)
Vision Standards and Tests	A district shall not use qualification standards, employment tests, or other selection criteria based on an individual's uncorrected vision unless the standard, test, or other selection criteria, as used by the district, is shown to be job-related for the position in question and consistent with business necessity. 42 U.S.C. 12113(c); 29 C.F.R. 1630.10(b); Labor Code 21.115(b)
Communicable Diseases	A district may refuse to assign or continue to assign an individual to a job involving food handling if the individual has an infectious or communicable disease that is transmitted to others through handling of food. 42 U.S.C. 12113(e); 29 U.S.C. 705(20)(D); 29 C.F.R. 1630.16(e); Labor Code 21.002(6)(B)

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Service Animals	<p>A district that is subject to the jurisdiction of Title I of the ADA (employment discrimination) or to Section 504 of the Rehabilitation Act (employment discrimination) shall comply with the reasonable accommodation requirements of those laws with respect to service animals. [See Reasonable Accommodations, above]</p> <p>A district that is not subject to either Title I or Section 504 shall comply with Title II of the ADA (discrimination by public entity). An employer that is subject to Title II shall comply with 28 C.F.R. Part 35, including the requirements relating to service animals at 28 C.F.R. 35.136 [see FBA].</p> <p><i>28 C.F.R. 35.140</i></p>
Title IX	<p>No person, on the basis of sex, shall be excluded from participation in, denied the benefits of, or be subjected to discrimination by a district receiving federal financial assistance. <i>20 U.S.C. 1681</i> [See FB, FFH]</p>
Equal Pay	<p>A district may not pay an employee at a rate less than the rate the district pays employees of the opposite sex for equal work on jobs the performance of which require equal skill, effort, or responsibility and which are performed under similar working conditions. This rule does not apply if the payment is pursuant to a seniority system, a merit system, a system that measures earnings by quantity or quality of production, or a differential based on any other factor other than sex. <i>29 U.S.C. 206(d) (Equal Pay Act); 34 C.F.R. 106.54 (Title IX)</i></p>
Grievance Procedures	<p>A district that receives federal financial assistance and that employs 15 or more persons shall adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act. <i>34 C.F.R. 104.7(b), .11</i></p>
Section 504	
ADA	<p>A district that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by the ADA. <i>28 C.F.R. 35.107, .140</i></p>
Title IX	<p>A district that receives federal financial assistance shall adopt and publish grievance procedures providing for prompt and equitable resolution of employee complaints alleging any action prohibited by Title IX. <i>34 C.F.R. 106.8(c); <u>North Haven Board of Education v. Bell</u>, 456 U.S. 512 (1982)</i> [For legally referenced material relating to Title IX grievance procedures, see FFH(LEGAL).]</p>

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**Compliance  
Coordinators**

Section 504

A district that employs 15 or more persons shall designate at least one person to coordinate its efforts to comply with Section 504 of the Rehabilitation Act. The district's Section 504 notification [see DAA] shall also identify the responsible employee so designated. *34 C.F.R. 104.7(a), .8(a)*

ADA

A district that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under the ADA, including any investigation of any complaint communicated to it alleging its noncompliance with the ADA or alleging any actions that would be prohibited by the ADA. The district shall make available to all interested individuals the name, office address, and telephone number of the employee or employees so designated. *28 C.F.R. 35.107(a)*

ADEA

A district shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under the Age Discrimination in Employment Act (ADEA), including investigation of any complaints that the district receives alleging any actions that are prohibited by the ADEA. A district shall notify its employees of the identity of the responsible employee by name or title, address, and telephone number. *34 C.F.R. 110.25(a), (b)*

Title IX

A district must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under Title IX, which employee must be referred to as the "Title IX Coordinator." The district must notify applicants for admission and employment, students, parents or legal guardians, employees, and all professional organizations holding professional agreements with the district of the name or title, office address, electronic mail address, and telephone number of the employee(s) so designated. *34 C.F.R. 106.8(a)*

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

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**Statement of  
Nondiscrimination**

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

**Discrimination**

Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law, that adversely affects the student.

**Prohibited Conduct**

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

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

**Prohibited  
Harassment**

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

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

Prohibited harassment includes dating violence as defined by law and this policy.

**Examples**

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or



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practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name calling, slurs, or rumors; cyberharassment; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

**Sex-Based  
Harassment**

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

**Sexual Harassment  
By an Employee**

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

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

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

**By Others**

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

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

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

**Examples**

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

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

**Gender-Based Harassment**

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

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

**Examples**

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

**Dating Violence**

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

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

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

**Examples**

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

**Reporting  
Procedures**

**Student Report**

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

**Employee Report**

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

**Definition of District  
Officials**

*Title IX  
Coordinator*

Reports of discrimination based on sex, including sexual harassment, gender-based harassment, or dating violence, may be directed to the designated Title IX coordinator for students. [See FFH(EXHIBIT)]

*ADA /  
Section 504  
Coordinator*

Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator for students. [See FFH(EXHIBIT)]

*Superintendent*

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

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**Alternative  
Reporting  
Procedures**

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

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

**Timely Reporting**

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

**Notice to Parents**

The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.

[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]

**Investigation of  
Reports Other Than  
Title IX**

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

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

**Initial Assessment**

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

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

**Interim Action**

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

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District Investigation	<p>The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
Criminal Investigation	<p>If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.</p>
Concluding the Investigation	<p>Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.</p>
Notification of Outcome	<p>Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.</p>
District Action <i>Prohibited Conduct</i>	<p>If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.</p>
Corrective Action	<p>Examples of corrective action may include a training program for those involved in the report, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of</p>

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	areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination and harassment.
<i>Bullying</i>	If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.
<i>Improper Conduct</i>	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.
Confidentiality	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.
Appeal	A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student or parent shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.
<b>Response to Sexual Harassment–Title IX</b>	For purposes of the District's response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).
General Response	<p>When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:</p> <ul style="list-style-type: none"><li>• Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;</li><li>• Consider the complainant's wishes with respect to supportive measures; and</li><li>• Explain to the complainant the option and process for filing a formal complaint.</li></ul> <p>The District's response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.</p>

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Title IX Formal  
Complaint Process

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

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

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

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

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10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;
11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and
12. Other local procedures as determined by the Superintendent.

**Standard of Evidence**

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

**Retaliation**

The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or participates in an investigation. The definition of prohibited retaliation under this policy also includes retaliation against a student who refuses to participate in any manner in an investigation under Title IX.

**Examples**

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

**False Claim**

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

**Records Retention**

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

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

**Access to Policy and Procedures**

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



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**Note:** The following legal provisions address dating violence and sexual harassment. For legal provisions addressing discrimination on the basis of disability, sex, and other protected characteristics, see FB.

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**Dating Violence**

A district shall adopt and implement a dating violence policy to be included in the district improvement plan.

A dating violence policy must:

1. Include a definition of dating violence that includes the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person in a dating relationship, as defined by Family Code 71.0021; and
2. Address safety planning, enforcement of protective orders, school-based alternatives to protective orders, training for teachers and administrators, counseling for affected students, and awareness education for students and parents.

*Education Code 37.083, .0831 [See BQ]*

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**Note:** References to Title IX, part, or subpart in the following legal provisions refer to Title IX and its corresponding regulations.

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**Sexual Harassment**

A district may develop and implement a sexual harassment policy to be included in the district improvement plan. *Education Code 37.083 [See BQ]*

Sexual abuse of a student by an employee, when there is a connection between the physical sexual activity and the employee's duties and obligations as a district employee, violates a student's constitutional right to bodily integrity. Sexual abuse may include fondling, sexual assault, or sexual intercourse. *U.S. Const. Amend. 14; Doe v. Taylor Indep. Sch. Dist., 15 F.3d 443 (5th Cir. 1994)*

A district's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX. *34 C.F.R. 106.45; 20 U.S.C. 1681 [See also FB regarding Title IX]*

Designation of  
Title IX Coordinator

A district must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under Title IX, which employee must be referred to as the "Title IX Coordinator."

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**Parties Entitled to Notice** The district must notify applicants for admission and employment, students, parents or legal guardians, employees, and all professional organizations holding professional agreements with the district ("Parties Entitled to Notice") of the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator.

*34 C.F.R. 106.8(a)*

**Reporting** Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during nonbusiness hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

**Notification of Policy** A district must notify the Parties Entitled to Notice, above, that the district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner. The notification must state that the requirement not to discriminate in the education program or activity extends to employment, and that inquiries about the application of Title IX to such district may be referred to the district's Title IX Coordinator, to the assistant secretary for civil rights of the Department of Education, or both.

*34 C.F.R. 106.2(d), .8(b)(1)*

**Publication Requirements** A district must prominently display the contact information required to be listed for the Title IX Coordinator and the nondiscrimination policy described at Notification of Policy, above, on its website, if any, and in each handbook that it makes available to the Parties Entitled to Notice, above.

A district must not use or distribute a publication stating that the district treats applicants, students, or employees differently on the basis of sex except as such treatment is permitted by Title IX.

*34 C.F.R. 106.8(b)(2)*

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

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Complaint  
Procedures

A district must adopt and publish procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX and a Title IX formal complaint process that complies with 34 C.F.R. 106.45 for formal complaints as defined below.

A district must provide notice to the Parties Entitled to Notice, above, of the district's procedures and Title IX formal complaint process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the district will respond.

The requirements of this provision apply only to sex discrimination occurring against a person in the United States.

*34 C.F.R. 106.8(c)–(d)*

Response to Sexual  
Harassment

*Definitions*

"Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to a district's Title IX Coordinator or any official of the district who has authority to institute corrective measures on behalf of the district, or to any employee of an elementary and secondary school. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the district with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the district. "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Consent" is not defined by the Title IX regulations, nor do the regulations require districts to adopt a particular definition of consent with respect to sexual assault.

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment

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against a respondent and requesting that the district investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the district with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator, and by any additional method designated by the district. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the district) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party to a Title IX formal complaint, and must comply with the requirements of the Title IX formal complaint process, including the informal resolution process.

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

"Sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

"Supportive measures" means nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines

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or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or district-provided housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

*34 C.F.R. 106.2, .30(a)*

*Deliberate  
Indifference*

A district with actual knowledge of sexual harassment in an education program or activity of the district against a person in the United States, must respond promptly in a manner that is not deliberately indifferent. A district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

*Education  
Program or  
Activity*

For the purposes of 34 C.F.R. 106.30 [see Definitions, above] and 106.45 [see Process for Title IX Formal Complaint, below], "education program or activity" includes locations, events, or circumstances over which the district exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

*34 C.F.R. 106.44(a)*

*Title IX Coordinator  
Response*

The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The Title IX Coordinator must respond in this manner with or without a formal complaint. *34 C.F.R. 106.44(b)(1)*

*Supportive  
Measures  
Required*

A district's response must treat complainants and respondents equitably by offering supportive measures and by following a process that complies with 34 C.F.R. 106.45 [see Process for Title IX Formal Complaint, below] before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. [For Emergency Removal procedures, see below.]

*Constitutional  
Restrictions*

The Department of Education may not deem a district to have satisfied the district's duty to not be deliberately indifferent under Title

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IX based on the district's restriction of rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment.

*34 C.F.R. 106.44(a)*

*Response to a  
Formal Complaint*

In response to a formal complaint, a district must follow a process that complies with 34 C.F.R. 106.45 [see Process for Title IX Formal Complaint, below]. *34 C.F.R. 106.44(b)(1)*

*Emergency  
Removal*

The Title IX regulations do not preclude a district from removing a respondent from the district's education program or activity on an emergency basis, provided that the district:

1. Undertakes an individualized safety and risk analysis;
2. Determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal; and
3. Provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

*34 C.F.R. 106.44(c)*

*Administrative  
Leave*

The Title IX regulations do not preclude a district from placing a nonstudent employee respondent on administrative leave during the pendency of a Title IX formal complaint. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act. *34 C.F.R. 106.44(d)*

*Process for Title IX  
Formal Complaint*

For the purpose of addressing formal complaints of sexual harassment, a district's process must comply with the following requirements. Any provisions, rules, or practices other than those required by this provision that a district adopts as part of its process for handling formal complaints of sexual harassment must apply equally to both parties. *34 C.F.R. 106.45(b)*

A district's Title IX formal complaint process must:

1. Treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following a process that complies with the Title IX regulations before the imposition of any disciplinary sanctions or other actions that are not supportive measures

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against a respondent. Remedies must be designed to restore or preserve equal access to the district's education program or activity. Such remedies may include the same individualized services described as supportive measures; however, remedies need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent;

2. Require an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and provide that credibility determinations may not be based on a person's status as a complainant, respondent, or witness;
3. Require that any individual designated by a district as a Title IX Coordinator, investigator, decision-maker, or any person designated by a district to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A district must ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the district's education program or activity, how to conduct an investigation and Title IX formal complaint process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. A district must ensure that decision-makers receive training on any technology to be used at a live hearing, if any, and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. [See Hearings, below] A district also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. [See Investigation of a Formal Complaint, below] Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment;
4. Include a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Title IX formal complaint process;
5. Include reasonably prompt time frames for conclusion of the Title IX formal complaint process, including reasonably



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prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes, and a process that allows for the temporary delay of the Title IX formal complaint process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities;

6. Describe the range of possible disciplinary sanctions and remedies or list the possible disciplinary sanctions and remedies that the district may implement following any determination of responsibility;
7. State whether the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard or the clear and convincing evidence standard, apply the same standard of evidence for formal complaints against students as for formal complaints against employees, including faculty, and apply the same standard of evidence to all formal complaints of sexual harassment;
8. Include the procedures and permissible bases for the complainant and respondent to appeal;
9. Describe the range of supportive measures available to complainants and respondents; and
10. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

*34 C.F.R. 106.45(b)(1)*

*Notice of  
Allegations*

Upon receipt of a formal complaint, a district must provide the following written notice to the parties who are known:

1. Notice of the district's Title IX formal complaint process, including any informal resolution process.
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include:
  - a. The identities of the parties involved in the incident, if known;

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- b. The conduct allegedly constituting sexual harassment;  
and
- c. The date and location of the alleged incident, if known.

The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Title IX formal complaint process. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney and may inspect and review evidence [see Investigation of a Formal Complaint, below]. The written notice must inform the parties of any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the Title IX formal complaint process.

If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations, above, the district must provide notice of the additional allegations to the parties whose identities are known.

*34 C.F.R. 106.45(b)(2)*

*Dismissal of a  
Formal Complaint*

The district must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the district's education program or activity, or did not occur against a person in the United States, then the district must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX; such a dismissal does not preclude action under another provision of the district's code of conduct.

The district may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the district; or specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal required or permitted pursuant to 34 C.F.R. 106.45(b)(3), the district must promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.

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*Consolidation of  
Formal  
Complaints*

A district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a Title IX formal complaint process involves more than one complainant or more than one respondent, references in this provision to the singular "party," "complainant," or "respondent" include the plural, as applicable.

34 C.F.R. 106.45(b)(3)–(4)

*Investigation of a  
Formal Complaint*

When investigating a formal complaint and throughout the Title IX formal complaint process, a district must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties provided that the district cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party's voluntary, written consent to do so for a Title IX formal complaint (if a party is not an "eligible student," as defined in 34 C.F.R. 99.3 then the district must obtain the voluntary, written consent of a "parent," as defined in 34 C.F.R. 99.3) [see FL(LEGAL) at Education Records];
2. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
3. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
4. Provide the parties with the same opportunities to have others present during any Title IX formal complaint proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or Title IX formal complaint proceeding; however, the district may establish restrictions regarding

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the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;

5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
6. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the district must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least ten days to submit a written response, which the investigator will consider prior to completion of the investigative report. The district must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination; and
7. Create an investigative report that fairly summarizes relevant evidence and, at least ten days prior to a hearing (if a hearing is required or otherwise provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

*34 C.F.R. 106.45(b)(5)*

*Hearings*

The district's Title IX formal complaint process may, but need not, provide for a hearing. With or without a hearing, after the district has sent the investigative report to the parties pursuant to 34 C.F.R. 106.45(b)(5)(vii) [see Investigation of a Formal Complaint, above] and before reaching a determination regarding responsibility, the decision-maker(s) must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. With or without a hearing, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior

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*Determination  
Regarding  
Responsibility*

sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant. 34 C.F.R. 106.45(b)(6)(ii)

The decision-maker(s), who cannot be the same person(s) as the Title IX Coordinator or the investigator(s), must issue a written determination regarding responsibility. To reach this determination, the district must apply the standard of evidence described at Process for Title IX Formal Complaint, above.

The written determination must include:

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the district's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
6. The district's procedures and permissible bases for the complainant and respondent to appeal.

The district must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

34 C.F.R. 106.45(b)(7)(i)–(ii)

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*Implementation  
of Remedies*

The Title IX Coordinator is responsible for effective implementation of any remedies. *34 C.F.R. 106.45(b)(7)(iv)*

*Appeals*

A district must offer both parties an appeal from a determination regarding responsibility, and from a district's dismissal of a formal complaint or any allegations therein, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

A district may offer an appeal equally to both parties on additional bases.

As to all appeals, the district must:

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
3. Ensure that the decision-maker(s) for the appeal complies with the standards in the Title IX regulations regarding conflict of interest and bias [see Process for Formal Title IX Complaint, item 3, above];
4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
5. Issue a written decision describing the result of the appeal and the rationale for the result; and
6. Provide the written decision simultaneously to both parties.

*34 C.F.R. 106.45(b)(8)*

*Informal  
Resolution*

A district may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent

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with Title IX. Similarly, a district may not require the parties to participate in an informal resolution process and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the district:

1. Provides to the parties a written notice disclosing:
  - a. The allegations;
  - b. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint; and
  - c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
2. Obtains the parties' voluntary, written consent to the informal resolution process; and
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

*34 C.F.R. 106.45(b)(9)*

Recordkeeping

A district must maintain for a period of seven years records of:

1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. A district must make these training materials publicly available on its website or if the district does not maintain a website the district must make these materials

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available upon request for inspection by members of the public.

For each response required under Title IX Coordinator Response, above, a district must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the district must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the district's education program or activity.

If a district does not provide a complainant with supportive measures, then the district must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

*34 C.F.R. 106.45(b)(10)*

Retaliation  
Prohibited

No district or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

Complaints alleging retaliation may be filed according to the Process for Title IX Formal Complaint above.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by Title IX.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a Title IX formal complaint proceeding does not constitute retaliation prohibited by Title IX, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

*34 C.F.R. 106.71(a)-(b)*



STUDENT WELFARE  
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH  
(LEGAL)

Confidentiality

The district must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA) statute, 20 U.S.C. 1232g, or FERPA regulations, 34 C.F.R. Part 99, or as required by law, or to carry out the purposes of 34 C.F.R. Part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. *34 C.F.R. 106.71(a)*

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

**Complaints**

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

**Other Complaint  
Processes**

Student or parent complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with FNG after the relevant complaint process:

1. Complaints alleging discrimination or harassment based on race, color, religion, sex, gender, national origin, age, or disability shall be submitted in accordance with FFH.
2. Complaints concerning dating violence shall be submitted in accordance with FFH.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with FFH.
4. Complaints concerning bullying or retaliation related to bullying shall be submitted in accordance with FFI.
5. Complaints concerning failure to award credit or a final grade on the basis of attendance shall be submitted in accordance with FEC.
6. Complaints concerning expulsion shall be submitted in accordance with FOD and the Student Code of Conduct.
7. Complaints concerning any final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted program shall be submitted in accordance with EHBB.
8. Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be submitted in accordance with FB and the procedural safeguards handbook.
9. Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook provided to parents of all students referred to special education.
10. Complaints concerning instructional resources shall be submitted in accordance with EF.
11. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
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12. Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.
13. Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.

Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 calendar days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

**Notice to Students and Parents**

The District shall inform students and parents of this policy through appropriate District publications.

**Guiding Principles**

Informal Process

The Board encourages students and parents to discuss their concerns with the appropriate teacher, principal, or other campus administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

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

Formal Process

A student or parent may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their concerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

**Freedom from Retaliation**

Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint.

**General Provisions**

Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

Scheduling Conferences	The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If a student or parent fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the student's or parent's absence.
Response	At Levels One and Two, "response" shall mean a written communication to the student or parent from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the student's or parent's email address of record, or sent by U.S. Mail to the student's or parent's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.
Days	"Days" shall mean District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."
Representative	<p>"Representative" shall mean any person who or organization that is designated by the student or parent to represent the student or parent in the complaint process. A student may be represented by an adult at any level of the complaint.</p> <p>The student or parent may designate a representative through written notice to the District at any level of this process. If the student or parent designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.</p>
Consolidating Complaints	Complaints arising out of an event or a series of related events shall be addressed in one complaint. A student or parent shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.
Untimely Filings	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the student or parent, at any point during the complaint process. The student or parent may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the</p>

STUDENT RIGHTS AND RESPONSIBILITIES  
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FNG  
(LOCAL)

	<p>level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>
Costs Incurred	<p>Each party shall pay its own costs incurred in the course of the complaint.</p>
Complaint and Appeal Forms	<p>Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.</p> <p>Copies of any documents that support the complaint should be attached to the complaint form. If the student or parent does not have copies of these documents, copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the student or parent unless the student or parent did not know the documents existed before the Level One conference.</p> <p>A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refileing is within the designated time for filing.</p>
Level One	<p>Complaint forms must be filed:</p> <ol style="list-style-type: none"><li>1. Within 15 days of the date the student or parent first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and</li><li>2. With the lowest level administrator who has the authority to remedy the alleged problem.</li></ol> <p>In most circumstances, students and parents shall file Level One complaints with the campus principal.</p> <p>If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.</p> <p>If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.</p> <p>The appropriate administrator shall investigate as necessary and schedule a conference with the student or parent within 15 days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.</p> <p>Absent extenuating circumstances, the administrator shall provide the student or parent a written response within ten days following the conference. The written response shall set forth the basis of the</p>

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

**Level Two**

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

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

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

The Level One record shall include:

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

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

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

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

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

**Level Three**

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

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

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

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

The Level Two record shall include:

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

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

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

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

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the student or parent or the student's representative, any

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

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presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

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



RELATIONS WITH PARENT ORGANIZATIONS

GE  
(LOCAL)

District-affiliated school-support organizations and booster organizations, and other parent groups, shall organize, fundraise or solicit donations, and function in a way that is consistent with the District's philosophy and objectives, Board policies, District administrative regulations, applicable UIL or other governing association guidelines, and financial and audit regulations. [See also CDC and CFC]

Before engaging in fundraising or soliciting gifts, an organization or group shall notify the appropriate liaison or other appropriate administrator identified in administrative regulations. [See CDC(LOCAL) for District acceptance of gifts and solicitations]

**Use of District  
Facilities**

District-affiliated school-support or booster organizations may use District facilities with prior approval of the appropriate administrator. Other parent groups may use District facilities in accordance with policy GKD.

**Parent-Teacher  
Organization**

The Board recognizes the valuable services performed by the parent-teacher organization and its state and local divisions as a representative agency whose objectives are to:

1. Promote the welfare of children and youth in home, school, and community;
2. Raise the standards of home life;
3. Secure adequate laws for the care and protection of children and youth;
4. Bring into closer relations the home and the school so that parents and teachers may cooperate intelligently in the training of the child; and
5. Develop between educators and the general public united efforts to secure the highest advantages in physical, mental, and social education for every student.

**Booster  
Organizations**

District booster clubs shall:

1. Be voluntary and provide unified support for student activities of the school.
2. Be limited to a single club or organization for each area of student activity, i.e., athletics, band, choir, or dance team.
3. Encourage involvement by all parents of students participating in the supported activity.
4. Not be involved in decision or policy-making activities for a student group.

RELATIONS WITH PARENT ORGANIZATIONS

GE  
(LOCAL)

5. Have no authority in directing or influencing District employees in the administration of duties.
6. Comply with all UIL guidelines.
7. Comply with administrative regulations and Board policy when offering money or gifts to the District [see CDC].
8. Submit a copy of current adopted bylaws and operating procedures to the principal.
9. Prepare a written financial report of actual revenues and expenditures for the school year. The treasurer of the booster club should prepare the financial report.
10. Have an organizational review committee conduct an annual review of the organization's financial report and the related financial activity for the school year and prepare a written report communicating the results of the committee's review to the organization.
11. Submit the annual financial report and the review committee's report to the school principal and to the District's internal auditor by the beginning of each year.
12. Pay all taxes and other debts incurred by the organization.
13. Issue receipts for all money received.

**Formation of  
Organizations**

All booster and parent organizations must:

1. Obtain a unique tax identification number (EIN) in accordance with Internal Revenue Service (IRS) procedures. Such organizations may not use the District's tax identification number.
2. Submit the organization's EIN to the District's internal auditor (if available).

All booster and parent organizations are encouraged to:

1. Obtain federal tax-exempt status as a public 501(c)(3) charitable organization in accordance with IRS procedures within one year of formation.
2. Maintain 501(c)(3) tax-exempt status in accordance with IRS procedures.
3. Submit a copy of the IRS's Letter of Determination to the District's internal auditor (if available).

**Liaison**

The faculty sponsor of a student group associated with a booster or parent organization shall serve as the liaison between the parent group and the District.

RELATIONS WITH PARENT ORGANIZATIONS

GE  
(LOCAL)

The liaison shall:

1. Approve all student- or school-related activities of such organizations;
2. Work with the organizations to establish approved goals and student-support activities for the respective organizations;
3. Assist in setting the budgets of such organizations and ensuring that expenditures of such organizations are in direct support of the goals of the designated programs;
4. File lists of officers of the respective organizations with the school principal at the beginning of each school year and revise such lists as officers change during the school year; and
5. File lists of organization activities for the coming year with the principal at a date established by the principal. Additional activities should be submitted, at least 30 days prior to the event, to aid in the development of the master calendar for the school.

**Authorized Signer**

No District employee shall be an authorized signer for the bank account of a PTA, PTO, or booster club.

The liaison between the parent group and the District shall be prohibited from serving as an officer.

**Financial Need**

An organization may donate funds to the school or District to assist a student with fees when that student's financial need has been established in accordance with FP(LOCAL).

**Bonfires**

Bonfires shall be prohibited.

**Raffles**

For information on raffles, see GKB(LEGAL).

**Bingo**

Bingo games may only be conducted in accordance with state charitable Bingo administrative rules.

COMMUNITY RELATIONS  
ADVERTISING AND FUNDRAISING

GKB  
(LOCAL)

**Promotional  
Activities**

District facilities shall not be used to advertise, promote, sell tickets, or collect funds for any nonschool-related purpose without prior approval of the Superintendent or designee.

[For information relating to nonschool use of facilities, see GKD.]

**Advertising**

For purposes of this policy, "advertising" shall mean a communication designed to attract attention or patronage by the public or school community and communicated through means under the control of the District in exchange for consideration to the District. "Advertising" does not include public recognition of donors or sponsors who have made contributions, financial or otherwise, to the District or school support organizations.

Advertising shall be accepted solely for the purpose of generating revenue for the District and not for the purpose of establishing a forum for communication. The District shall retain final editorial authority to accept or reject submitted advertisements in a manner consistent with the First Amendment. The District shall retain the authority to determine the size and location of any advertising. The District reserves the right to reject advertising that:

1. Is inconsistent with federal or state law, Board policy, District or campus regulations, or curriculum;
2. Is inappropriate in a school setting with a student audience;
3. Advertises products presenting a health hazard;
4. Creates a substantial likelihood of material disruption, including adding to the District's obligations for security and facilities maintenance; or
5. Adds to the District's administrative burden by exposing the District to complaints, controversy, or litigation.

The District shall not accept paid political advertising.

Acceptance of advertising shall not constitute District approval or endorsement of any product, service, organization, or issue referenced in the advertising, nor shall acceptance of advertising from a vendor determine whether the District will purchase goods or services from the vendor through the District's formal procurement process.

[For information relating to school-sponsored publications, see FMA.]

**Sponsorships and  
Donations**

If the District or any campus accepts financial or in-kind donations to support District-sponsored activities, the District reserves the right to acknowledge donors through whatever means the District

deems appropriate. The District retains full editorial control over its acknowledgment or display of donations, even if donors are permitted to suggest text for the acknowledgment.

# APPENDIX



**BROWNSVILLE  
INDEPENDENT  
SCHOOL DISTRICT**



**EMPLOYEE HANDBOOK**

*SAMPLE*

**2020- 2021  
Presented 8-4-20**



# EMPLOYEE HANDBOOK

## ACKNOWLEDGEMENT FORM

2020 - 2021

Employee Status

☐ Full-Time

☐ Part-Time

Dr. René Gutiérrez  
Superintendent of Schools

### EMPLOYEE NAME (LEGAL NAME)

▲ LAST: (As listed on social security card)	FIRST:	MIDDLE:

**SAMPLE**

▲ EMPLOYEE NO. (Available on check stub) Note: <u>Must</u> provide employee number	▲ OFFICIAL JOB TITLE
	▲ LOCATION NAME (i.e. Campus Name / Food Services / Transportation / Maintenance, etc.)

I hereby acknowledge my responsibility to the following information:

Initials      The latest edition of the BISD Employee Handbook can be accessed on the district's website at [www.bisd.us/](http://www.bisd.us/).

The information outlined in this handbook is a guide to and a brief explanation of district policies and ***is subject to change at any time***. I understand that changes in district policies may supersede, modify, or eliminate the information summarized in this handbook. The entirety of all District policies may be viewed online. Additionally, I understand that no modifications to contractual relationships or alterations of at-will employment relationships are intended by this handbook.

**I accept responsibility for reading and abiding by the changes, contacting my supervisor or the appropriate department if I have questions or concerns or need further explanation.**

This handbook is neither a contract nor a substitute for the official *District Policy Manual* and is not intended to guarantee continued employment. Rather, it is a guide to and a brief explanation of district policies.

**I understand that I have an obligation to inform my supervisor or Human Resources of any changes in personal information, such as name change, phone number and current address.**

EMPLOYEE SIGNATURE	DATE
<b>NOTE:</b> Sign and date this form immediately and return to your principal / department administrator. Administrators will forward the original form for each employee to the Human Resource Department.	

BISD does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or genetic information in employment or provision of services, programs or activities.

BISD no discrimina a base de raza, color, origen nacional, sexo, religion, edad, incapacidad o información genética en el empleo o la disposición de servicios, programas o actividades.



### **Absenteeism and Tardiness**

While absences may occur for legitimate reasons such as sickness or important personal problems, false or unrealistic excuses are not acceptable. Employees who will be late or absent are expected to call as far in advance of starting time as possible, to state why they will be absent and when they will return to work. This provides the principal/administrator time to take necessary steps to rearrange work assignments or secure a substitute where applicable. Every employee is expected to report an absence from work in accordance with the rules and procedures in effect at his/her school/department. Failure to adhere to established reporting rules and procedures may result in disciplinary action up to and including termination.

*The following guidelines will be used for handling excessive absences or tardiness. In determining whether an employee has been absent or tardy an excessive number of times, the following definitions will apply:*

**Excessive Tardiness:** Any three (3) occurrences of tardiness within a thirty (30) day period.

**Absence:** Any employee who is not present at his/her work assignment during any scheduled work period will be considered absent for that period.

**Excessive Absenteeism:** Excessive absenteeism and turnover are expensive, disruptive, and places an unfair burden upon other employees. Any three (3) separate occurrences of absence within a thirty (30) day period will be considered excessive. The supervisor shall review reasons for absences. The supervisor may issue a written notice outlining concerns and/or a conference may be requested.

### **Assignments, Hours, Reassignments and Schedules**

Due to the staggered starting times and differences in the length of school days at different campuses, and the District's desire to have flexible work hours, it is difficult to have a standard workday or work week.

Employees will work a minimum of 40 hours per week (unless on a reduced work schedule.) **Employees are not permitted to work before or after their calendar year without prior written approval from the Superintendent or the Human Resource Administrator as the Superintendent's designee.** All requests must be made in advance and may require Board approval. A copy of the request must be submitted to the respective Administrator for Human Resource Department.

**Administrators cannot change work calendars without authorization from the Superintendent or the Human Resource Administrator as the Superintendent's designee.**

All personnel are employed subject to assignment and reassignment by the Superintendent or designee when the Superintendent determines that the assignment or reassignment is in the best interest of the District. Reassignment shall be defined as a transfer to another position, department, or facility that does not necessitate a change in the employment contract. Any change in an employee's contract shall be in accordance with policy DC.

Campus assignments and reassignments must be approved by the principal at the receiving campus except when reassignments are due to enrollment shifts or program changes. The principal's criteria for approval of campus assignments and reassignments shall be consistent with District policy regarding equal employment opportunity and with staffing patterns approved in the District and campus plans.

[See BQ series] In exercising their authority to approve assignments and reassignments, principals shall work cooperatively with the central office staff to ensure the efficient operation of the District as a whole.

Subject to the Board-adopted budget and compensation plan and in harmony with employment contracts, the Superintendent shall determine required work calendars for all employees. [See DC, EB]

Work schedules and daily time schedules within the guidelines set out in this section, including lunch breaks and, if applicable, rest breaks, are determined by the principal/administrator in charge within his/ her discretion with final determination by the Superintendent or designee, and are subject to change at any time at the discretion of the principal/administrator.

All Classified personnel shall adhere to the following guidelines:

Position	Work Days Are to Be Eight (8) Full Hours of Actual Work	Work Week Starts
Clerical Technical	8 Hours of actual work and a minimum of ½ hour to a maximum of one hour for lunch. This lunch break shall be duty free and may be taken on or off the campus/department if agreed to in advance with the school principal/ administrator.  *Some teacher aides may eat lunch with the students, which is part of the actual workday and requires compensation.	<i>Workweek is from Saturday 12:00 a.m. through Friday at 11:59 p.m.</i>
Manual Technical	8 Hours of actual work. Lunch break may be a minimum of ½ hour with no maximum limit. The unlimited lunch break for some employees may be due to a split work schedule. Lunch is duty free and may be taken on or off the campus/department if agreed to in advance with the school principal/administrator.	<i>Workweek is from Saturday 12:00 a.m. through Friday at 11:59 p.m.</i>

### Classified Employees

Classified or support employees will work a minimum of 40 hours per week (unless on a reduced work schedule)\*. All employees will follow a work schedule (includes a minimum 30-minute duty-free uninterrupted lunch except for 10:00 p.m.-6:00 a.m. shift.) The Fair Labor Standards Act prohibits non-exempt employees from working more than 40 hours per week without overtime compensation.

\*Note: Full Time Transportation Employees work a minimum of 35 hours weekly.

### Elementary and Middle School

Teachers, teacher aides, nurses, librarians and counselors will be on duty a minimum of 7-1/2 hours per day (includes 30-minute duty-free uninterrupted lunch) and should be available periodically to attend staff meetings, a maximum of 2-1/2 hours per week. Staff development and parent conferences are not to be considered as part of the time allocated for staff meetings. This additional time will be scheduled by the appropriate principal or program director.

### High School

Teachers, teacher aides, nurses, librarians and counselors will be on duty a minimum of 7-3/4 hours per day (includes 30-minute duty-free uninterrupted lunch) and should be available periodically to attend

### **Last In, First Out**

When a reassignment due to enrollment shifts, staffing ratio changes or programmatic needs requires that a teacher (s) or staff member move from one campus to another, the Administrative Guidelines for Reassignment of Teachers/Staff will generally apply. These guidelines are reviewed annually and available in the Human Resource Department.



### **Biometric Time and Attendance System**

All employees are required to use the biometric time and attendance system. The system will monitor time for all non-exempt employees and attendance for exempt employees. Employees who fail to adhere to the time and attendance requirements will be subject to disciplinary action, up to and including, termination.

The timesheet is the only document to be maintained at the department/campus for employee time. It must accurately reflect the actual time worked by the employee. Original timesheets must be submitted to payroll with appropriate documentation and signatures from the employee and department/campus administrator. Copies must be kept at the department/campus for three years.

Monthly and bi-weekly timesheet packets are available at the Payroll Department's webpage at <http://www.bisd.us/payroll/html/Forms.htm> When copying timesheets for employees, it is imperative that both sides of the timesheet are copied. The instructions and conversion chart are necessary for proper completion of the timesheet.

Certified employees are required to log in and out at their respective campus/department to determine presence only not for timekeeping purposes. Absences must also be reported through the Smart-Find Express, if applicable.

### **Final Payment of Regular Wages**

Upon resignation, termination, or retirement, final payment of regular wages will be made on the next available pay date after the employee's last working day. Payments by the end of the month can be made only with approval of the Chief Financial Officer (CFO) if notice is provided by the 10<sup>th</sup> day of the month in which employment ends and if all hours and absences are reported in writing by the employee's supervisor.

### **Timesheet for Terminated Employees**

A partial timesheet must be submitted five (5) days prior to payday for those classified employees who have terminated employment with the District. This requirement applies to all 220, 226 and 261 day employees only. Failure of the campus/department to notify the Payroll Department will result in an overpayment of the employee.

### **CLASSIFIED**

Employees should not work any hours outside of their scheduled workday unless authorized by the Superintendent or his designee in advance. Do not start work early, finish work late, work during a meal break or perform any other extra or overtime work unless you are authorized to do so and that time is recorded on the official timesheet. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" means work that you perform but fail to report on the District's approved time system. If you believe your pay does not accurately reflect all hours worked, you should report your concerns to

a supervisor, the Human Resource Department or Payroll Department immediately. The District will not allow any form of retaliation against individuals who report alleged violations.

Employees working overtime without prior approval are subject to disciplinary action up to and including termination.



#### **CERTIFIED**

Administrators violating any of the provisions as stated by the Fair Labor Standards Act or in violation of District policy (DK) Regulation are subject to disciplinary action. Administrators permitting compensatory time are subject to disciplinary action.

#### **Payroll Deductions**

##### **Policy: CFEA**

Automatic payroll deductions for the Teacher Retirement System of Texas (TRS) and federal income tax are required for all full-time employees. Medicare tax deductions also are required for all employees hired after March 31, 1986. Temporary, substitute and part-time employees who are not eligible for TRS membership must have their Social Security contributions deducted.

In addition to legally required deductions, the Board shall permit voluntary deductions for:

1. Approved Insurance Programs;
2. Annuities/deferred compensation programs;
3. Other cafeteria plan options authorized by the Internal Revenue Service; and
4. Area teachers' credit unions.
5. Child Support and Spousal Maintenance, if applicable
6. Delinquent Federal Education Loan payments, if applicable.

Employees also may request payroll deduction for payment of membership dues to professional organizations and higher education savings plans or prepaid tuition programs. Salary deductions are automatically made for unauthorized or unpaid leave.

All deductions are divided equally over the monthly and bi-weekly paychecks and initial insurance premiums which are collected in a lump sum to cover current and one future month. Voluntary deductions which may be authorized by employees in writing to the Payroll Department and/or the Employee Benefits & Risk Management Department include certain charitable contributions approved by the board, tax-sheltered annuities, and dues for Board recognized organizations.

Requests for new deductions or changes to existing deductions must be submitted in writing to Payroll Department and/or Employee Benefits/Risk Management Department by the 1<sup>st</sup> for the mid-month paycheck and by the 10<sup>th</sup> for the end-of-month paycheck.

Employees may request additional voluntary salary deductions or change the amount(s) of those deductions in accordance with administrative procedures.

#### **Garnishment of Wages**

##### **Policy: CFEA**

If the District is required by state or federal law to deduct from the current wages of an employee an amount garnished under a withholding order, the District may deduct monthly an administrative fee

## CHAPTER 5

### Leaves and Absences

The District offers employees paid and unpaid leaves of absence in times of personal need. Employees who have personal needs that require long leaves of absence should contact their immediate principal or supervisor and their appropriate HR Department. Employees who take unpaid leave of absence may continue their insurance benefits at their own expense. Health care benefits for employees on leave authorized under the Family and Medical Leave Act will be paid by the District as they were when they were working. Otherwise, the District does not make benefit contributions for employees who are on unpaid leave.

Employees must follow District, department or campus procedures to report or request any leave of absence and complete the appropriate leave request form. The leave request form may be found on-line at [http://www.bisd.us/humanresources/html/03\\_Medical.htm](http://www.bisd.us/humanresources/html/03_Medical.htm). Any employee who is absent more than (5) days because of personal illness or three (3) days for 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. All employees that are out for more than (5) five consecutive days must submit a medical certification to HR Department and receive a clearance (Authority to report to work).***

This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than five days should call Human Resource Department for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

Leave shall be recorded by the hour for non-exempt employees (not in portions of an hour). All leaves and absences shall be recorded on the absence report and the timesheet/timecard. For certified personnel employees, sick leave is recorded in half and/or whole workdays. If an employee leaves the District before the end of the work year, the cost of any unearned leave days taken shall be deducted from the employee's final paycheck. Salaries and wages are reviewed on an annual basis and adjusted according to the budgeted amounts approved by the board.

### State Sick Leave

Previously accumulated *state* sick leave is available for use and may be transferred to other school districts in Texas. Sick Leave can be used in hourly increments for classified employees except when coordinated with Family and Medical Leave taken on an intermittent or reduced-schedule basis or when coordinated with worker's compensation benefits. Certified employees may use their Sick Leave in half-day and whole day increments. However, if an employee is taking family and medical leave, leave shall be recorded in one-hour increments.

Sick leave may be used for the following reasons only:

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

## **Local Sick Leave**

### **Policy: DEC**

All full-time personnel shall earn local sick leave at the rate of one-half equivalent workday for each 18 workdays of employment, concurrently with state leave, up to the local maximum of six equivalent workdays per year. All employees shall accumulate local sick leave without limit.

Local sick leave may be used for personal illness, illness or death in the immediate family, family emergency, or for first year care following the birth of an employee's son or daughter or the placement of a child with the employee for adoption or foster care.

Local sick leave is nontransferable and shall be taken with no loss of pay. Unused earned local sick leave shall be credited to an employee upon reemployment.

## **Personal Leave**

State law entitles all full-time employees to five days of paid personal leave per year. Personal leave is available for use at the beginning of the year. A day of personal leave is equivalent to the number of hours per day in an employee's usual assignment, whether full-time or part-time. There is no limit on the accumulation of state personal leave, and it can be transferred to other Texas school districts and is generally transferable to education service centers. Personal leave may be used for two general purposes: nondiscretionary and discretionary.

### **Nondiscretionary**

Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. This type of leave allows very little or no advanced planning and may be used in the same manner as state sick leave.

### **Discretionary**

Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a notice of the request three (3) days in advance of the anticipated absence to his or her principal or supervisor. The reasons for which personal leave may be used shall not be limited by the District. Discretionary personal leave will be granted on a first-come, first-served basis. The effect of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

### ***Duration***

*Discretionary personal leave may not be taken for more than five (5) consecutive days, except in extenuating circumstances as determined by the Superintendent or designee.*

### **Schedule Limitations**

As per Administrative Guidelines, Discretionary leave shall not be allowed on the day before or after a school holiday, professional or staff development days, or the state-mandated assessment testing days. Exceptions can only be granted by the Superintendent.

## **Recording of Leave**

**Policy:** DEC

An employee may designate whether to use state sick leave accrued before May 30, 1995, state personal leave, local sick leave or non-working/vacation days. If no designation is made or an absence from duty form is not submitted, local leave shall be used first. All available leave must be used before an employee's pay is reduced.

The employee will be charged leave even if a substitute was not used. All used-unearned leaves will be deducted from your final salary paycheck if you terminate your job before the end of the year.

It is important to note that a uniform enforcement of a reasonable absence-control rule is not retaliatory discharge. For example, a District that terminates an employee for violating a reasonable absence-control provision cannot be liable for retaliatory discharge as long as the rule is uniformly enforced.

## **Leave Availability**

**Policy:** DEC

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

## **Assault Leave**

**Policy:** DEC

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 immediate supervisor. The supervisor will notify the human Resource Department.

An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person non-responsible for purposes of criminal liability.

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

## **Bereavement (Funeral) Leave**

Use of state leave and/or local sick leave for death in the immediate family shall not exceed **five (5)** workdays per occurrence. The employee may be required to furnish documentation.

## Development Leaves of Absence

### Policy: DEC

The Board may grant a developmental leave of absence for study, research travel, or other suitable purpose to an employee working in a position requiring a permanent teaching certificate who has served in the District at least five consecutive school years. A developmental leave of absence may be granted for one school year at one-half regular salary or for one-half of a school year at full regular salary. Payment to the employee shall be made periodically by the District in the same manner, on the same schedule, and with the same deductions as if the employee were on full-time duty. An employee on developmental leave shall continue to be a member of the Teacher Retirement System of Texas and shall be an employee of the District for purposes of participating in programs, holding memberships, and receiving benefits afforded by employment in the District. *Ed Code 21.452*

### Leave of Absence for Professional Personnel

All professional contractual personnel engaged exclusively in administrative or teaching service shall be entitled to one academic year's leave of absence without pay after completion of three consecutive years of service, or, in meritorious cases, upon completion of less than three years of service, when in the opinion of the Superintendent an applicant is entitled to special consideration:

1. Serious illness of applicant's immediate family member.
2. Desire of applicant to study in an institution of higher learning on a full-time basis.
3. Extensive travel that may be considered of equal educational value to training in an institution of higher learning.

### Voluntary Transfer of Days

#### Policy: DEC (Legal) / Administrative Guidelines

The District Voluntary Transfer of Local Days shall be established by voluntary donations for District staff that do not participate in the Sick Leave Bank program. Local sick leave days are for the purpose of assisting a fellow employee who has a catastrophic illness or disability. The plan can also be established for the employee who has an immediate family member with a catastrophic illness or disability. The employee may participate in the voluntary transfer of days until he or she has used a cumulative lifetime total of 30 days as eligible. Any donated days will be transferred immediately to the recipient upon approval from the Human Resources Department. Recipient will keep all donated days. Only Full-Time employees are eligible to receive and or transfer local days. Once an employee resigns, retires or is deceased, the employee is no longer eligible to participate in the Voluntary Transfer of Local Days Program.

#### Definitions

**"Immediate Family"** – For the purpose of the Voluntary Transfer of Local Days, the definition of the immediate family shall be the same definition used for the Family and Medical Leave Act as delineated by DEC (LOCAL). Specifically:

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a son-or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands in *loco parentis*.
3. Parent, stepparent, parent-in-law, or other individuals who stands in *loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law



5. Grandparent and grandchild
6. Any person residing in the employee's household at the time of illness or death

For purposes of family and medical leave, the definition of family is limited to spouse, parent, son or daughter, and next of kin.

**"Employee"** – means a full-time employee of the Brownsville Independent School district.

**"Catastrophic illness"** – means an extended critical illness, surgery, injury, or temporary state of disability due to non-work related injury or illness. It requires the services of a licensed medical practitioner for a prolonged period of time and an extended absence from work for treatment or recovery where the absence extends after the employee has exhausted all accumulated state personal and local sick leave, and non-working days. Pregnancies without serious complications are not considered to be catastrophic illnesses covered under the extended sick leave plan. The person, through a catastrophic illness, must be unable to perform the duties of his/her positions for an extended time.

**"Licensed Practitioner"** – means a person who is licensed to practice medicine within the United States.

**"Voluntary Transfer of Days Committee"** – means the committee appointed to administer the extended Transfer of Local Days. The committee shall be comprised of the Certified and Classified Human Resource Administrators, one (1) Human Resource Specialist, one (1) Human Resource Officer, one (1) Human Resource campus advisory representative, a Clerical Trades or Manual Trades employee, the Employee Benefits/Risk Management Administrator and a representative for Health Services. The committee chair shall appoint the clerical/manual trades members.

**School year** – For the purpose of this program, the school year is defined as July 1<sup>st</sup> through June 30<sup>th</sup>.

**Earned Sick Leave Days** – sick leave days are earned "at the rate of one-half equivalent workday for each 18 workdays of employment, concurrently with state leave, up to the local maximum of six equivalent workdays per year. All employees shall accumulate local sick leave without limit." DEC (LOCAL)

### **Sick Leave Bank**

The District has developed a Sick Leave Bank for the purpose of assisting a fellow employee who has a catastrophic illness or disability or for an employee who has an immediate family member with a catastrophic illness or disability. The bank is comprised of voluntary donations from sick leave bank members from their local sick leave days. District personnel shall maintain the sick leave bank from voluntary contributions of one (1) day annually per employee. Enrollment is held October 1st of each year. Use of the sick leave bank days will run concurrent with family and medical leave and temporary disability days. This sick leave bank shall not be considered an extension beyond available leaves as allowed for by District policy. Only employees who have donated are eligible to withdraw days from the bank. Sick leave bank days cannot be used towards Retirement payout.

An employee must first have used all state personal and local sick leave, and non-working days, if applicable, and been docked two (2) days of full pay deductions. Donated days shall be applied only to absences beyond the two full pay deductions. To qualify, the employee must have been absent with current personal or family catastrophic illness. The request shall be made within no more than two working days of learning of the need for extended leave. When the need for extended sick leave is not foreseeable, an employee shall provide notice to the District as soon as possible.

The sick leave bank has **not** been established for elective procedures or any procedure that could be scheduled at a time more compatible with work responsibilities without detriment to the employee's health.

At the time of retirement, an employee may select, on a voluntary basis, to contribute up to ten days (10) that are in excess of the local unused sick leave days. In the event that a retiree chooses to return to BISD, the retiree waives all rights to those donated days except for eligibility as a full time active retiree with a catastrophic illness.

Membership in the Sick Leave Bank shall be automatically renewable each year. An employee wishing to discontinue membership shall make that request to the Human Resource Department, in writing, during the enrollment period of any given year. Eligibility to receive Sick Leave Bank days is limited to full-time employees who are contributors to the program.

Activation of bank days shall be in increments of twenty (20) days until the maximum eligible days are reached. A new Sick Leave Withdrawal Application must be filed for each subsequent activation of days. Days activated may be used intermittently.

Any employee discovered to be abusing or manipulating this program will automatically be barred from participation and may be subject to disciplinary action up to and including termination of employment with demand for restitution.

The number of donated days each individual employee shall be eligible to receive shall be determined by multiplying by five (5) the number of years a person has been employed in the District with a cumulative lifetime maximum of 110 days.

### **Continuation of Health Insurance**

#### **Policy: DEC & Administrative Guidelines**

Employees on an approved leave of absence other than family and medical leave may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the district as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave.

### **FAMILY AND MEDICAL LEAVE ACT (FMLA)**

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

#### ***Basic Leave Entitlement***

The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or

- For a serious health condition that makes the employee unable to perform the employee's job.

### ***Military Family Leave Entitlements***

An eligible employee whose spouse, son, daughter or parent is on covered active duty or called to covered active duty status may use his or her 12 –week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status, or is on the temporary disability retired list. It also includes a family member who is a veteran with an illness or injury that occurs in the line of duty while on active duty and manifests itself before or after the service member became a veteran. The veteran must have been on active duty during the five years preceding the need for treatment, recuperation, or therapy.

***\*The FMLA definitions of "serious injury or illness" for current service members and veterans are distinct from the FMLA definitions of "serious health condition".***

### ***Benefits and Protections***

During FML, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FML cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

### ***Eligibility Requirements***

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer with 75 miles.

### ***Definition of Serious Health Condition***

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement maybe met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit with a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### ***Use of Leave***

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

### ***Substitution of Paid Leave for Unpaid Leave***

Employees may choose or employers may require use of accrued paid leave while take FMLA. In order to use paid leave for FMLA, employees must comply with the district's normal paid leave policies.

### ***Employee Responsibilities***

Employee must provide 30 days advanced notice of the need to take FMLA when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employee must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job function; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

### ***Employer Responsibilities***

Covered employers must inform employees requesting leave whether they are eligible under the FMLA. If they are eligible, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility. Covered employers must inform employees if leave will be designated as FML and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FML, the employer must notify the employee.

### ***Unlawful Acts by Employers***

The FMLA makes it unlawful for any employer to : interfere with, restrain, or deny the exercise of any right protected under the FMLA; discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

### ***Enforcement***

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

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

FMLA section 109 (29 U.S.C. §2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. §825.300 (a) may require additional disclosures.

For additional information:  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[www.wagehour.dol.gov](http://www.wagehour.dol.gov)

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## LOCAL FAMILY AND MEDICAL LEAVE PROVISIONS

### Policies: DEC & DECA

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

#### *Use of Paid Leave*

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

#### *Combined Leave for Spouses*

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

#### *Continuation of Benefits and Job Restoration*

Eligible employees are entitled to continue their health care benefits under the same terms and conditions as when they were on the job and are entitled to return to their previous job or an equivalent job at the end of their leave. Under some circumstances, teachers who are able to return to work at or near the conclusion of a semester may be required to continue their leave until the end of the semester.

#### *Intermittent Leave*

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

#### *Military Service Family Leave*

##### Policy: DECA

An eligible employee is entitled to leave to care for an active duty military service member who incurs a serious illness or injury in the line of duty. The service member must be the employee's spouse, child, parent, or next of kin. An eligible employee may take up to 26 weeks on a one-time basis to provide care to a covered service member. Certification of the need for family military leave is required.

#### *Military Leave*

Any employee who is a member of the Texas National Guard, Texas State Guard, or reserve component of the United States Armed Forces will be granted a paid leave of absence without loss of any accumulated leave for authorized training or duty orders. Paid military leave will not exceed 15 days each fiscal year. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

#### *Reemployment after Military Leave*

Employees who leave the District to enter into the United States uniformed services or who are ordered to active state military duty (Texas National Guard or Texas State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the District will be reemployed in the position they would have held if employment had not been interrupted or reassigned to an equivalent or similar position provided they can be qualified to perform the required duties. Employees returning to work following military leave should contact Human Resource. In most cases, the length of military

## CHAPTER 7

### Employee Conduct and Welfare

#### Standards of Conduct

**Policy: DH**

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

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

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines, including intentionally making a false claim, offering false statements, or refusing to cooperate with a district investigation may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day the Superintendent knew of the incident. See Reports to the Texas Education Agency, page 52 for additional information.

#### Scope and Sequence

**Policy: DG**

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

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

## Code of Ethics and Standard Practices

**All District employees must adhere to *The Code of Ethics and Standard Practices for Texas Educators*, adopted by the State Board for Educator Certification.**

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. This chapter shall apply to educators and candidates for certification. (19 TAC 247.1 (b))

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **2. Ethical Conduct Toward Professional Colleagues**

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

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

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

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

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

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

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

**Standard 2.8** The educator shall not intentionally or knowingly subject a colleague to sexual harassment.

## **3. Ethical Conduct Toward Students**

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

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

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

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



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

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

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

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

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

- (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.

## **Dress Code: Minimum Standards of Professional Dress and Appearance**

### **Dress and Appearance**



All employees will comply with these guidelines, which are minimum standards for professional dress and appearance, appropriate for the educational workplace environment. Employees will also adhere to dress standards established by their respective departments as appropriate for their job duties and profession. BISD reserves the right to determine at its discretion what is and is not appropriate workplace attire and to address issues as they arise.

#### **Purpose:**

To define the image of professionalism required for BISD employees. To promote employee safety, comfort and a professional impression on our students and our community by portraying a positive image of our organization and mission.

Presented 8-4-2020

**Guidelines:**

BISD employees serve as role models for the students and as representatives of BISD organization. Consistent with these roles all employees, volunteers and substitutes shall dress professionally and appropriately.

## Dress Code and Grooming Guidelines 2020-2021

**SAMPLE****Policy: DH**

All employees' dress and grooming shall be clean, neat, in a manner appropriate for his or her assignment, and in accordance with the following standards of dress and hygiene. Teachers shall dress more conservatively than the students. Good personal hygiene is expected of all employees.

ATTIRE AND GROOMING FOR MEN	ATTIRE AND GROOMING FOR WOMEN
The following <b>are permissible</b> for men:	The following <b>are permissible</b> for women:
✓ Collared shirts, polo style shirts, sport shirts, and guayaberas (shirt tails tucked in)	✓ Dressy blouses and shirts
✓ Neatly-trimmed mustaches/beards and sideburns	✓ Sleeveless dresses and blouses (if undergarments are not exposed)
✓ Hair shall be neatly groomed	✓ Dressy capris
✓ Dress shoes, casual shoes, boots, canvas shoes	
✓ Dressy slacks	
✓ Undergarments are to be worn at all times.	
The following <b>are prohibited</b> for men:	The following <b>are prohibited</b> for women:
▪ Plain, collarless t-shirts of any color	▪ Clothing that is strapless, having spaghetti straps, bare midriff, cut-out backs, or having provocative/low necklines
▪ Muscle shirts or sleeveless t-shirts	▪ Dresses/skirts that are more than <u>2"</u> above the knee cap
	▪ Dress/skirts with slits on side, rear or front exposing 2" above the knee cap
	▪ Leggings in lieu of pants; (including spandex)
	▪ Denim jeans of any color
	▪ Warm-ups and windbreaker suits
	▪ See-through apparel
	▪ Distracting hairstyles and/or hair color
	▪ Flip flops, slippers, or Crocs style shoes
	▪ Attire shall not be tight/binding
	▪ Tattoos (body art) shall not be visible
	▪ Body piercings shall not be allowed, other than on ears in a reasonable amount
<b>Exceptions:</b>	
<ul style="list-style-type: none"> <li>❖ Spirit Day and/or College Awareness Day will be limited to one day per week as designated by the Principal. Additional days will require approval from the Superintendent or Superintendent Designee. On those designated days, denim jeans, tennis shoes or athletic shoes may be worn only if accompanied by a spirit shirt and/or a college awareness shirt. Denim clothing shall be clean and neat, with no holes, no extreme fading, frayed hems, or worn-out look and not multi-toned.</li> <li>❖ Physical Education staff may choose to wear appropriate attire, approved by Administration, during the physical education period.</li> <li>❖ Teachers who have lab or shop courses may wear aprons, smocks, or overalls during the instructional period, since this attire may be deemed necessary for safety purposes.</li> <li>❖ Auxiliary employees in maintenance, custodial, transportation, food service, and positions requiring uniforms are exempted from the general guidelines, but shall comply with dress and grooming guidelines specified by their supervisors in the department handbook.</li> </ul>	

BISD reserves the right to determine at its discretion what is and is not appropriate workplace attire and to address issues as they arise.

## **Discrimination, Harassment and Retaliation**

### **Policies: DIA & DH**

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

Individuals who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate district official which includes the Title IX Coordinator, ADA/Section 504 Coordinator, and the Superintendent. If the campus principal, supervisor, or district official is the subject of a complaint, the complaint should be made directly to the Superintendent or his designee. A complaint against the Superintendent may be made directly to the Board. The District's policy shall be distributed annually to employees. Employees may access District Policy DIA (LOCAL) at the following link: <http://www.tasb.org/policy> or in the Appendix of this Handbook.

## **Harassment of Students**

### **Policies: DH, DHB, FFG, FFH, FFI**

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. All allegations of prohibited harassment or abuse of a student will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See below *Reporting Suspected Child Abuse* for additional information.

All employees are responsible for being aware of District policies governing harassment of students. Policies DF and FFH are included in the Appendix of this handbook.

The definition of solicitation of a romantic relationship as per District Policy DF (LEGAL) is as follows:

1. Behavior, gestures, expressions, communications, or a pattern of communication with a student that is unrelated to the educator's job duties and that may reasonably be interpreted as encouraging the student to form an ardent or exclusive emotional attachment to the educator, including statements of love, affection, or attraction. When evaluating whether communications constitute the solicitation of a romantic relationship, the following may be considered:
  - a. The nature of the communications;
  - b. The timing of the communications;
  - c. The extent of the communications
  - d. Whether the communications were made openly or secretly;
  - e. The extent to which the educator attempted to conceal the communications;

- f. If the educator claims to be counseling a student, TEA staff may consider whether the educator's job duties included counseling, whether the educator reported the subject of the counseling to the student's guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate law enforcement agencies; and
  - g. Any other communications tending to show that the educator solicited a romantic relationship with a student.
- 2. Making inappropriate comments about a student's body.
- 3. Making sexually demeaning comments to a student.
- 4. Making comments about a student's potential sexual performance.
- 5. Requesting details of a student's sexual history.
- 6. Requesting a date.
- 7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.
- 8. Inappropriate hugging, kissing, or excessive touching.
- 9. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.
- 10. Any other acts tending to show that the educator solicited a romantic relationship with the student, including providing the student with drugs or alcohol.

## Reporting Suspected Child Abuse



Policies: DG, GRA

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services (CPS), 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. Abuse is defined by the Texas Family Code §261.001 and also includes any sexual conduct involving an educator and a student or minor.

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

Reports to Child Protective Services can be made online at <https://www.txabusehotline.org/Login/Default.aspx> (956)-546-5591 or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the District is prohibited from taking an adverse employment action against a certified or licensed professional who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

An employee's failure to report suspected child abuse may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report

suspected child abuse may result in disciplinary procedures by SBEC for a violation of the *Code of Ethics and Standard Practices for Texas Educators*.

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agencies. In addition, employees must cooperate with investigators of child abuse and neglect. 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.

## Child Sexual Abuse

Policies: DF, DG, DH, FFG & GRA

The district has established a plan for addressing child sexual abuse, which may be accessed at the District's Website under District Improvement Plan, Section IX-Health and Physical Education. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect to law enforcement or to a Child Protective Services (CPS). Employees are required to follow the procedures described above in *Reporting Suspected Child Abuse*.

## Reporting Crime



Policy: DG

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

## Fraud and Financial Impropriety



Policy: CAA

All employees should act with integrity and diligence in duties involving the district's financial resources. The district prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety shall include but not be limited to the following:

- Forgery or unauthorized alteration of any document or account belonging to the district;
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document;
- Misappropriation of funds, securities, supplies, or other district assets, including employee time;
- Impropriety in the handling of money or reporting of district financial transactions;
- Profiteering as a result of insider knowledge of district information or activities;

# REQUEST TO LEAVE EARLY

NAME: \_\_\_\_\_  
DATE: \_\_\_\_\_  
TIME: \_\_\_\_\_

REASON:

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APPROVED BY: \_\_\_\_\_

PRINCIPAL

\_\_\_\_\_  
ASST. PRINCIPAL

\_\_\_\_\_  
FACILITATOR

ORIGINAL (WHITE COPY): PRINCIPAL

NCR COPY: STAFF MEMBER

AN EARLY COLLEGE DISTRICT

# BROWNSVILLE

INDEPENDENT SCHOOL DISTRICT



*SAMPLE*

## 2020-2021

# STUDENT CODE OF CONDUCT

708 Palm Blvd. • Brownsville, Texas 78521 • (956) 544-3966 • <http://www.bisd.us/pupilservices/>



BISD does not discriminate on the basis of race, color, national origin, gender, religion, age, disability or marital status in its programs or services. Any person who wishes to file a complaint should contact the Superintendent of Schools.



**2020-2021 BROWNSVILLE ISD  
STUDENT CODE OF CONDUCT and STUDENT PARENT HANDBOOK  
ACKNOWLEDGEMENT**

<b>Print Name of Student</b>	<b>School</b>	<b>Grade</b>
<b>Student's ID #</b>	<b>Homeroom Teacher</b>	

Dear Student and Parent/Guardian,

As required by state law, the Board of Trustees has officially adopted the Student Code of Conduct in order to promote a safe and orderly learning environment for every student. We urge you to read these publications thoroughly and to discuss it with your family. If you have any questions about the required conduct and consequences for misconduct, we encourage you to ask for an explanation from the student's teacher, campus behavior coordinator or appropriate campus administrator. The student and parent/guardian must sign this page in the space provided below, and then return the page to the student's school.

Thank you,

Dr. René Gutiérrez, Superintendent of Schools

We acknowledge that the Brownsville ISD Student Code of Conduct and Student Parent Handbook for the 2020 - 2021 school year are electronically accessible on the district's website at [www.bisd.us](http://www.bisd.us). Hardcopies of these handbooks are also available at the office of the campus behavior coordinator for all campuses. We understand that students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in these handbooks. The Student Code of Conduct Handbook remains in effect during summer school and at all school-related events and activities outside of the school year until an updated version adopted by the Board becomes effective for the next school year.

<b>Signature of Parent/Guardian</b> <b>Date</b>	<b>Signature of Student (Grades 6<sup>th</sup>-12<sup>th</sup> Only)</b> <b>Date</b>

*Note: The student must return this form to the homeroom teacher. Failure to sign and return this receipt does not take away the responsibility to abide by the contents of the 2020 - 2021 Student Code of Conduct and Student Parent Handbook.*

BISD does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or genetic information in employment or provision of services, programs or activities

**2020-2021 BROWNSVILLE ISD  
STUDENT CODE OF CONDUCT and STUDENT PARENT HANDBOOK  
RECEIPT OF HARDCOPY**

<b>Print Name of Student</b>	<b>School</b>	<b>Grade</b>
<b>Student's ID #</b>	<b>Homeroom Teacher</b>	

Dear Student and Parent/Guardian,

As required by state law, the Board of Trustees has officially adopted the Student Code of Conduct Handbook in order to promote a safe and orderly learning environment for every student. We urge you to read this publication thoroughly and to discuss it with your family. If you have any questions about the required conduct and consequences for misconduct, we encourage you to ask for an explanation from the student's teacher, campus behavior coordinator or appropriate campus administrator. The student and parent must sign this page in the space provided below, and then return the page to the student's school.

Thank you,

Dr. René Gutiérrez, Superintendent of Schools

We acknowledge that we have received a paper copy of the Brownsville ISD Student Code of Conduct and Student Parent Handbook for the 2020 - 2021 school year. We understand that students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in this document. It remains in effect during summer school and at all school-related events and activities outside of the school year until an updated version adopted by the Board becomes effective for the next school year.

<b>Signature of Parent/Guardian      Date</b>	<b>Signature of Student (Grades 6<sup>th</sup>-12<sup>th</sup>)      Date</b>

***Note: The student must return this form to the homeroom teacher. Failure to sign and return this receipt does not take away the responsibility to abide by the contents of the 2020 - 2021 Student Code of Conduct and Student Parent Handbook.***

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# 2020-2021 BROWNSVILLE ISD STUDENT DIRECTORY INFORMATION OBJECTION FORM

<b>Print Name of Student:</b>	<b>School:</b>	<b>Grade:</b>
<b>Student 's ID # :</b>	<b>Homeroom Teacher:</b>	

Under the Family Education Rights and Privacy Act, certain information about district students is considered directory information and will be released to anyone who follows the procedure for requesting the information unless the parent or guardian objects to the release of the directory information about the student. If you do not want Brownsville ISD to disclose directory information from your child's education record without your prior written consent, you must notify the district in writing by Sept. 7, 2020. As defined in District Policy FL (Local) "directory information" includes student name, address, telephone listing, electronic mail address, photograph, and date and place of birth, as well as major field of study; degrees, honors, awards received; dates of attendance; grade level; most recent educational institution attended; participation in officially recognized activities and sports; weight and height of members of athletic teams.

If the parent or guardian objects to the release of directory information, please complete the following information and return to the homeroom teacher by Sept. 7, 2020 or within 10 days of enrollment.

- ☐ I object to any release of my child's directory information by Brownsville ISD during the 2020 - 2021 school year.
- ☐ I only object to the release of my secondary child's directory information to a military recruiter or institution of higher education by Brownsville ISD during the 2020 - 2021 school year.
- ☐ I object to the release of one or more of the following categories of my child's directory information by Brownsville ISD during the 2020 - 2021 school year:

- |                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Name<br><input type="checkbox"/> Address<br><input type="checkbox"/> Telephone Listing<br><input type="checkbox"/> E-mail Address<br><input type="checkbox"/> Photograph<br><input type="checkbox"/> Date and Place of Birth<br><input type="checkbox"/> Major Field of Study | <input type="checkbox"/> Degrees<br><input type="checkbox"/> Honors and Awards Received<br><input type="checkbox"/> Dates of Attendance<br><input type="checkbox"/> Grade Level<br><input type="checkbox"/> Most Recent Educational Institution Attended<br><input type="checkbox"/> Participation in Activities and Sports<br><input type="checkbox"/> Weight and Height of Athletic Team Member |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

<b>Signature of Parent/ Guardian</b>	<b>Date</b>	<b>Signature of Student (Grades 6<sup>th</sup>-12<sup>th</sup> Only)</b>	<b>Date</b>

*Student directory information will be released by Brownsville ISD if signature is not in place.*

## BROWNSVILLE INDEPENDENT SCHOOL DISTRICT

### District Policy for Videotaping, Photographing, or Recording Students

Be advised that Section 26.009 (b) of the Texas Education Code permits school districts to make a videotape or photograph of a child or record or authorize the recording of a child's voice if the videotape or voice recording is used for purposes of safety, including the maintenance of order and discipline, in common areas of the school or on school buses; for purposes related to a co-curricular or extracurricular activity; or for a purpose related to regular classroom instruction or media coverage of the school. Parent permission is not required by law; however, if you have an objection to the videotaping, photographing, or recording of your child, or the use of those images as described above, please contact the campus principal.

*For more information, call the Public Information Office at (956) 548-8000,  
Monday through Friday, 8:00a.m. to 5:00p.m., except holidays.*

BISD does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or genetic information in employment or provision of services, programs or activities.



## A PARENT'S QUICK REFERENCE GUIDE TO STUDENT ATTENDANCE FOR 2020-2021

*Strong and consistent student attendance is directly related to academic achievement.  
 State law requires all children between the ages of 6 and 19 years of age to  
 be enrolled in school. Our school district has high attendance standards.*

**SAMPLE**

### BISD'S STUDENT ATTENDANCE

Student attendance goals are:

**Elementary Schools....97.5%,**

**Middle School....97%, & High School....96%.**

### A STUDENT IS TRUANT DUE TO UNEXCUSED ABSENCES IF HE/SHE

Is absent 10 or more days or parts of days within  
 a 6 month period in the same school year.

**As per state law:** (1) It is the parent's duty to  
 monitor the student's attendance and require  
 the student to attend school (either in person  
 or virtually). (2) The parent may be subject  
 to criminal prosecution. (3) A conference  
 between school officials and a parent to discuss  
 excessive absences will be required.

A student who violates compulsory attendance  
 laws may be subject to truancy court by  
 the process of a referral where court costs,  
 community service and other remedial orders  
 may be assigned.

### ATTENDANCE LIMITS

**Elementary Schools:** 18 days per year

**Middle Schools:** 8 days first semester,  
 10 days second semester

**Early College High Schools:** 8 days first semester,  
 10 days second semester

### ATTENDANCE FOR CREDIT

Any student with less than 90 percent attendance  
 for the days the class is offered shall be subject  
 to loss of credit in the course(s) where excessive  
 absences have been recorded according to Policy  
 FEC (Legal). Simply, a student may lose credit in  
 a class whether he/she is passing or not, if he/she  
 is absent over the limit.

A student can submit an appeal in writing to the  
 campus administration requesting removal of  
 the "NO CREDIT" status. The student may be  
 asked to make up work and time and no longer be  
 absent as part of the conditions. A committee will  
 review each case based on phone calls and written  
 documentation of absences reported. For details,  
 call your campus administrator.

### EXCUSED ABSENCES

As per policy FEA (Legal), the District shall excuse  
 a student from attending school for the following  
 purposes:

► **Religious Holy Days** – One day of excused  
 travel for traveling to and from the site where  
 the student will observe holy days.

► **Court Appearances** – One day of excused  
 travel for traveling to and from the site where  
 the student will attend required court  
 appearance.

► **Citizenship Proceedings** – Appearing at  
 a government office to complete citizenship  
 proceedings.

► **Election Clerks** – Serving as an election  
 clerk or student early voting clerk, maximum 2  
 days per year.

► **Health Care Appointments** – Temporary  
 absence resulting from an appointment with a  
 health care professional if the student  
 commences classes or returns to school on the  
 same day of appointment.

► **Campus Visits** – To visit an institution of  
 higher education during student's junior and  
 senior year of high school, maximum 2 days  
 per year.

► **Military** – Children of military personnel  
 who will be or have been deployed within 60  
 days before deployment or up to 30 days after  
 arrival date, maximum 5 days per year.

► **Military Enlistment** – Student pursuing enlist-  
 ments in the military, maximum 4 days per year.

For more information, call the BISD Pupil Services Department at (956) 544-3966.

Revised 8/20



**Brownsville Independent School District**  
**El Jardín Elementary School, Parent and Student Compact**  
**2021-2022**

**School**

The **SCHOOL'S** responsibilities for student achievement include:

1. Providing a high quality curriculum in a supportive and effective environment that enables the children served to meet the State's student performance standards;
2. Discussing with parents their responsibilities for supporting improved achievement (phone calls, e-mails, conferences, Open House, ETC);
3. Informing parents and students of the purpose of the curriculum and district timelines, students performance standards, and the instruction the school will provide to enable students to achieve the state standard (phone calls, e-mails, conferences, Open House, ETC);
4. Scheduling Parent / Teacher conferences (minimum twice a year);
5. Providing opportunities for encouraging parents to volunteer and /or observe in the classroom (Weekly Parent Meetings, ESL Classes, Open House, ETC);
6. Training teachers and other staff on the latest instructional strategies and methodologies to maintain and improve a positive learning environment in the school.

**Parents**

The **PARENT'S** responsibilities for student achievement include:

1. Ensuring that their children attend classes **DAILY** and on time plus, comply with Attendance Notices;
2. Ensuring that their children get picked-up on time afterschool. **Failure to comply after one warning will warrant a police report;**
3. Teaching and modeling respect and responsibility at all times;
4. Ensuring that their children do their homework;
5. Encouraging positive use of their children's spare time ;
6. Participating in family **READING** in order to foster a love of reading;
7. Reading at home for two purposes:
  - a. increase their own knowledge, and
  - b. serve as a model for their own children;
8. Limiting the amount of TV and VIDEO GAMES assessable to their children;
9. Supporting their children in the classroom;
10. Participating in decisions relating to the education of their children;
11. Attending Parent / Teacher conferences "PLANNING PERIOD", and parental involvement activities (in person or virtually);
12. Providing appropriate nourishment and rest for the physical well-being of their children.

**Students**

The **STUDENT'S** responsibilities include:

1. Being responsible for their own learning and behavior;
2. Attending classes **EVERYDAY** and **ON TIME**;
3. Paying attention in class;
4. Encouraging other students who need help;
5. Taking their homework assignments home, completing and returning them to the teacher **ON TIME**;
6. Taking pride in **THEMSELVES** - individual work, personal appearance and their school;
7. Displaying respect for themselves, the school, staff, and others at all times;
8. Participating in family reading.

Teacher Signature: \_\_\_\_\_ Student Signature: \_\_\_\_\_

Parent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

BISD does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or genetic information in employment or provision of services, programs or activities.



**Brownsville Independent School District**  
**Convenio entre Escuela Primaria de El Jardín, Padre y Alumno**  
**2021-2022**

**Escuela**

**Las responsabilidades de la ESCUELA para el éxito del estudiante incluyen:**

1. Proveer una alta calidad en el plan de enseñanza en un ambiente de apoyo efectivo que facilite que los niños alcancen la meta con los grados que el Estado requiere;
2. Discutir con los padres sus responsabilidades para apoyar el mejoramiento de la enseñanza (llamadas, correo electrónico, junta con padres e Open House);
3. Informar a los padres y estudiantes del propósito del plan de enseñanza y lineamientos del Distrito Escolar, los estándares de aprovechamiento del estudiante, y la instrucción que la escuela proveerá para que los estudiantes logren las metas que son establecidas por el Estado (llamadas, correo electrónico, junta con padres e Open House);
4. Planear horarios para las conferencias entre padres y maestros (mínimo dos por año);
5. Proveer oportunidades para animar a los padres para que sean voluntarios y/u observen las clases en los salones (junta cada semana, clases de inglés, Open House, ETC);
6. Capacitar a los maestros y demás personal en lo referente a las últimas estrategias y metodologías para mantener y complementar un ambiente de aprendizaje positivo en la escuela.

**Padres**

**Las responsabilidades de los PADRES para el éxito del estudiante incluyen:**

1. Asegurarse que su hijo asista a clases todos los días y ha tiempo también, cumplir con las notas de asistencia;
2. Levantar a su hijo durante una emergencia o después de escuela a TIEMPO (falta de cumplir después de un aviso justificara un reporte con la policía);
3. Enseñar y modelar a su hijo respeto y responsabilidad a toda hora;
4. Asegurarse que su hijo cumpla con su tareas escolares;
5. Hacer uso positivo del tiempo que dedican a su hijo;
6. Participar en la LECTURA familiar diariamente para que su hijo aprenda hábitos que lo hagan tener amor por la lectura;
7. Leer en el hogar para realizar dos propósitos:  
a. aumentar su conocimiento  
b. modelar buenos ejemplos a su hijo;
8. Limitar el tiempo que su hijo ve la televisión o juegos de video;
9. Apoyar a su hijo en el salón de clase;
10. Participar en decisiones relativas a la educación de su hijo;
11. Asistir a conferencias entre padre y maestro y en actividades del Programa de Involucramiento de Padres (PLANNING PERIOD: horario del maestro – en persona o virtuales);
12. Asegurarse de que su hijo coma y descansa bien para un buen desarrollo físico.

**Alumno**

**Las responsabilidades del ALUMNO incluyen:**

1. Ser responsable por su propio aprendizaje y conducta;
2. Llegar puntual a clases TODOS los días y ha TIEMPO;
3. Prestar atención en clase;
4. Animar a otros estudiantes que necesiten ayuda;
5. Llevar sus asignaturas a casa, completarlas y presentarlas al maestro a tiempo;
6. Sentir orgullo por si mismo, su apariencia, trabajo individual y escuela;
7. Demostrar respeto por si mismo, por el personal de la escuela y hacia otros en todo momento;
8. Participar en la lectura familiar.

Firma del Maestro(a): \_\_\_\_\_ Firma del Alumno: \_\_\_\_\_

Firma del Padre: \_\_\_\_\_ Fecha: \_\_\_\_\_

*BISD no discrimina a base de raza, color, origen nacional, sexo, religión, edad, incapacidad o información genética en el empleo o la disposición de servicios, programas o actividades.*



# El Jardin Elementary 2021-2022 Student Release Form

First letter of last name

Student's Last Name/Apellido del Estudiante		Student ID/Número del Estudiante	Grade/Nivel
First Name/Primer Nombre	Middle Name/Segundo Nombre	Date of Birth/ Fecha de Nacimiento	Teacher/Maestro(a)
Address/Domicilio		Emergency Ph. Number/Número tel. de Emergencia	Room/Salón
Home Phone Number/Número tel. de Casa		Telephone Number/Número Telefónico	
Mother's Name/Nombre de la Madre	Home Phone Number/Número tel. de Casa	Work Phone Number/Número tel. del Trabajo	
Father's Name/Nombre del Padre	Home Phone Number/Número tel. de Casa	Work Phone Number/Número tel. del Trabajo	
Guardian's Name/Nombre del Guardian	Home Phone Number/Número tel. de Casa	Work Phone Number/Número tel. del Trabajo	
<p>I, _____, authorize <u>only the people listed below</u> (must be 18 years old or older) to remove my child from campus. <u>List must include parents/guardians</u>. Campus office will require a picture identification before release is permitted.</p>		<p>Yo, _____, autorizo <u>solamente a las personas indicadas abajo</u> (de edad 18 años o mayor) para remover a mi hijo(a) de la escuela. <u>Anote nombres de padres/guardianes</u> en la lista. La oficina de la escuela requiere identificación con foto antes de retirar a su hijo(a).</p>	
Name/Nombre	Relationship/Parentesco	Telephone/Teléfono	Signature/Firma

Parent/Guardian Signature – Firma de Padres/Guardián







Brownsville Independent School District  
Department of Pupil Services  
708 Palm Blvd., Brownsville, Texas 78521  
Office (956) 544-3966, Fax (956) 548-8174



## Early Release in Custody of Adults Salir Temprano a Cargo de un Adulto

School/  
Escuela \_\_\_\_\_

Six Weeks Period/  
Periodo de seis semanas \_\_\_\_\_

**"Perfect Attendance" is defined as: No absences for any part of the day that the student is scheduled to be in attendance at school with the exception of documented school business or school-related activities (SCC 2015-2016 pages 4 & 5).**

**"La Asistencia Perfecta" es definida como: No teniendo ausencias durante cualquier parte del día, en el que el estudiante debe asistir a la escuela, con excepción de negocios o actividades documentadas relacionadas a la escuela (SCC 2015-2016 paginas 4 & 5).**

Teacher/ Maestra \_\_\_\_\_ Grade/Grado \_\_\_\_\_

Student/ Estudiante: \_\_\_\_\_

ID Number/ Identificación \_\_\_\_\_

DOB / Fecha de Nacimiento \_\_\_\_\_

Parent / Nombre de Padres \_\_\_\_\_

Upon signing this document, you are requesting the release of your child before the instructional day has ended. Therefore, you acknowledge that your child will not be eligible for the District Perfect Attendance Award for this six weeks and may not be eligible for the school attendance award at the end of the school year.

Al firmar este documento usted esta solicitando que su hijo/hija salga antes de concluir el día de instrucción, usted reconoce que su hijo/hija no será elegible para el premio de asistencia del distrito de seis semanas y no puede ser elegible para el premio de asistencia escolar al final del año.

Signature / Firma \_\_\_\_\_

Relationship / Relación \_\_\_\_\_

Date / Fecha \_\_\_\_\_

**For Office Use Only (Data Entry Initial upon Completion):**

\_\_\_\_\_ Input Early Release Code (ELR)

\_\_\_\_\_ Remove ELR due to Documented Exception



**Brownsville Independent School District  
Health Services**

ellido	Nombre	Fecha de Nacimiento	Maestro(a)/Grado
Dirección			
Nombre de madre o tutor		Teléfono de casa	Teléfono de trabajo
Nombre de padre o tutor		Teléfono de casa	Teléfono de trabajo
Nombres de 2 personas que puedan cuidar a su hijo(a) si usted no está disponible (mayores de 18 años) a quienes usted autoriza que recojan a su hijo(a) de la escuela. Se requiere una certificación con foto de estas dos personas.			

**INFORMACION MEDICA**

Padece asma?	Si	No
Tiene alergias?	Si	No
Deben limitar actividades?	Si	No
Diabetes?	Si	No
Problemas cardiacos?	Si	No
Usa lentes?	Si	No
Padece ataques?	Si	No
Alergias a alimentos/ Medicamentos?	Si	No
Otros problemas de salud	Si	No
CHIPS	Medicaid	
Otro Seguro		
Doctor Familiar/Clinica		

Nombre	Teléfono	Relación
Nombre	Teléfono	Relación

La información provista en esta forma es verdadera y completa según mis conocimientos. Entiendo que para proteger a mi hijo(a) contra cualquier riesgo y proveer un ambiente estable, la escuela debe estar informada de cualquier condición médica o de salud que afecte a mi hijo(a). Por medio de la presente autorizo a la escuela que llame directamente a la persona o personas anotadas en esta forma si mi hijo(a) se encuentra enfermo o lastimado. Si la persona autorizada no está disponible, yo autorizo a los directores escolares que tomen cualquier acción necesaria para salvaguardar la salud de mi hijo(a). El Distrito Independiente Escolar no tendrá responsabilidad monetaria por el cuidado de alguna emergencia que surja, o por el tratamiento de mi hijo(a). Informaré a los directores escolares de algún cambio de dirección o número telefónico.

Entiendo que no se le pueden administrar medicamentos de ninguna especie a mi hijo(a) sin previa autorización de mi parte. Ni la enfermera escolar, ni los directores pueden administrar medicamentos si no tienen mi autorización archivada. La enfermera escolar podrá compartir la información sobre la salud de mi hijo(a) con el personal docente si afecta el bienestar de mi hijo(a). Si no deseo que se comparta esta información, debo notificar a la enfermera escolar por escrito.

Escuela Anterior	Firma Del Padre/Guardian	Fecha	Form 14-105 Rev. 01/05
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*BISD no discrimina en base a raza, color, nacionalidad, sexo, edad o discapacidad en empleo o provisión de servicios, programas o actividades.*



**Brownsville Independent School District  
Health Services**

Last	First Name	Date of Birth	Teacher/Grade
Address			
Mother/Guardian	Home and Cellular Number		Work number
Father/Guardian	Home and Cellular Number		Work Number

List two people (18 years or older) who may assume care of your child if you are unavailable:  
(And whom you authorized to pick up your child from school. Picture ID will be required.)

Name	Home and Cellular Number	Relationship
Name	Home and Cellular Number	Relationship

All the information provided above is true and complete to the best of my knowledge. I understand that in order to provide the safest possible environment for my child, the school needs to be informed of any health and medical conditions that may affect my child's school day. I give permission to contact directly the persons named on this card in case my child is ill or injured. And if the parent/designee is unavailable, the school officials may take whatever action is deemed necessary, in their judgment, for the health of my child. I will not hold the school district financially responsible for emergency care/or treatment of my child. (Please report any change of phone number or address immediately to school officials) I understand that medications of any kind are not allowed on school grounds without the proper medical authorization on file. I understand that school staff, including the nurse, MAY NOT administer or assist with any medications without the proper medical authorization on file. I further understand that for safety of my child, the school nurse may need to share information about my child's conditions with appropriate school staff. If I do not wish that information to be shared, I must request this in writing and file it with the school nurse.

Enter From	Signature of Parent/Guardian	Date	Form 14-105 Rev. 01/05
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*BISD does not discriminate on basis of race, color, national origin, sex, age or disability in employment or provision of services, programs or activities.*



# El Jardín Elementary School



**Dr. René Gutiérrez**  
Superintendent of Schools

6911 Boca Chica Blvd. Brownsville, Texas 78521 Phone: 956-831-6000 Fax: 956-831-6002

**Marina Flores**  
Principal

**Héctor De León**  
Assistant Principal

**Laura L. Treviño**  
Dean of Instruction

Dear Parents,

Please read and complete the following DISMISSAL FORM for the 2021-2022 school year and submit to your child's Teacher. **NOTE TO REMEMBER: Number 1 priority is SAFETY for All Students.**

I, Parent/Guardian, of \_\_\_\_\_ am notifying El Jardín Elementary School that my child will be picked up in the following manner:

**(Select the option of your choice with a  check mark.) Thank you.**

\_\_\_\_ 1. Parent may walk to the front doors and pick up their child. (Parents can park and pick up their children at GATE 1.) Student will be handed to the Parent at the gate area.)

\_\_\_\_ 2. Parent/Designee may sit in their car and an El Jardin employee will call out the student using the FAMILY NUMBER. (GATE 2 – front area of the school)

\_\_\_\_ 3. Bus Student is picked up at the campus and transported to their bus stop. (GATE 3 - area by the cafeteria)

\_\_\_\_ 4. Walker (Student will be dismissed on their own without the presence of a Parent. (A signed permission slip is required for a student to walk home.)

\_\_\_\_ 5. Day Care (The name of the Daycare is \_\_\_\_\_. The Parent will make arrangements with the Day Care and Office.)

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

*BISD does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or genetic information in employment or provision of services, programs or activities.*



# El Jardin Elementary School



**Dr. René Gutiérrez**  
Superintendent of Schools

6911 Boca Chica Blvd. Brownsville, Texas 78521 Phone: 956-831-6000 Fax: 956-831-6002

*Marina Flores*  
Principal

*Héctor De León*  
Assistant Principal

*Laura L. Treviño*  
Dean of Instruction

Estimados Padres,

Favor de leer y completa el siguiente FORMULARIO DE SALIDA para el año escolar 2021-2022 y entregar al maestro(a) de su niño(a). **NOTA IMPORTANTE: Seguridad es la prioridad número 1 para todos los estudiantes.**

Yo, Padre/Guardian, de \_\_\_\_\_ le estoy notificando al personal de la escuela El Jardín que mi hijo(a) va hacer recogido de la siguiente manera:

**(Seleccione la opción de su elección con una  marca de verificación.) Gracias.**

\_\_\_\_ 1. Padre puede caminar a la puerta y recoger a su hijo. (El Padre puede apagar su coche y recoger a su niño(a) en PUERTA 1 de la escuela.)

\_\_\_\_ 2. Padre/persona designada puede esperar en su coche y un empleado de El Jardin le llamara al estudiante utilizando el número de familia. (PUERTA 2: zona frontal de la escuela)

\_\_\_\_ 3. Estudiante que se va en autobús sera llevado a la parada oficial de acuerdo a su dirección. (PUERTA 3 - área de la cafetería)

\_\_\_\_ 4. Estudiante que camina para casa (El estudiante saldra solo sin la presencia de un Padre "una hoja de permiso firmada se require".)

\_\_\_\_ 5. Guardería (El nombre de la Guardería es \_\_\_\_\_. El Padre hará arreglos con la guardería y la oficina.)

\_\_\_\_\_  
Firma de Padre/Guardian

\_\_\_\_\_  
Fecha

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***Parents:***

**No student at El Jardin is of AGE to be on Gmail, Yahoo, Facebook Instagram, Snapchat, ETC therefore; if your child is utilizing any of the social networking websites/services below, it is with your consent . . . MONITOR. As the PARENT, it is your responsibility to oversee the activity of your child on electronics.**

## **NO ELECTRONICS FROM HOME TO EL JARDIN**

(laptops, mobile phones, iPods, iPads, cameras, radios, ETC)

**PHONES** are for “emergency” purposes and a student is always “welcome” to use the Teacher’s phone “if applicable” and/or the Office Phone.

- **ELECTRONICS** will not interfere with learning and/or cause a disruption in the classroom.

### **FACTS TO KNOW (REMINDER)**

**Facebook** and other online social media sites and email services are prohibited by federal law from allowing children **under 13** to create accounts without the consent of their parents or legal guardians.

Facebook requires everyone to be at least **13 years old** before they can create an account (in some jurisdictions, this age limit may be higher). Creating an account with false info is a violation of our terms. **This includes accounts registered on the behalf of someone under 13.**

**Instagram** can be a fun app for **kids** to play with. However, it’s intended for people aged 13 and over so letting younger children use the app may expose your child to photos and videos that they aren’t **old** enough to understand. (NOTE: Despite the rules, there are many younger children who use the service, often with their parents’ permission.)

The minimum age for **Snapchat** is **13**, in compliance with the Children’s Online Privacy Protection Act (COPPA). But, when you download it, Snapchat asks for your date of birth, and—if your birth year tells it you’re under **13**—you’re redirected to the kid version, called “SnapKidz.”

So why do Facebook, Gmail, and Yahoo! ban users under 13 without parental consent? They’re required to under the [Children’s Online Privacy Protection Act](#), a federal law passed in 1998.

Despite Facebook’s age requirement and federal law, millions of underage users are known to have created accounts and maintain Facebook profiles. They do so by lying about their age, often times with full knowledge of their parents.

***Padres de Familia:***

**Ningún estudiante en El Jardin es de EDAD en Gmail, Yahoo, Facebook Instagram, Snapchat, ETC. por lo tanto; si su hijo(a) está utilizando cualquiera de los sitios web/servicios de redes sociales a continuación, es con su consentimiento... MONITAR. Como padre, es su responsabilidad de supervisar la actividad de su hijo(a) en electrónica.**

**NO HABRA ELECTRÓNICA DE CASA PARA EL JARDIN**  
(ordenadores portátiles, teléfonos móviles, iPods, iPads, cámaras, radios, ETC)

Los **TELÉFONOS** son para casos de "emergencia" y un estudiante siempre es "bienvenido" a usar el teléfono del professor(a) "si procede" o el teléfono de la oficina.

- **ELECTRÓNICA** no va ha interfiere con el aprendizaje o sera causa de una disrupción en clase.

**HECHOS QUE SABER (RECORDATORIO)**

**Facebook** y otros sitios de medios sociales en línea y servicios de correo electrónico tienen prohibidos por ley federal permitir que niños **menores de 13 años** a crear cuentas sin el consentimiento de sus padres o tutores legales.

Facebook requiere que todos por lo menos tengan 13 años antes de que puede crear una cuenta (en algunas jurisdicciones, este límite puede ser mayor de edad). Crear una cuenta con información falsa es una violación de nuestros términos. Esto incluye cuentas en nombre de una persona menor de 13 años.

**Instagram** puede ser una divertida aplicación para que los niños jueguen con. Sin embargo, es destinado a personas de 13 años y encima dejando así que los niños más pequeños utilizar la aplicación puede exponer a su hijo(a) ha fotos y videos que no son lo suficientemente grandes como para entender. (NOTA: A pesar de las reglas, hay muchos niños pequeños que utilizan el servicio, a menudo con permiso de sus padres.)

La edad mínima de **Snapchat** es 13, en cumplimiento de los niños en línea privacidad protección Act (COPPA). Pero, al descargar, Snapchat pide tu fecha de nacimiento, y, si tu año de nacimiento dice que eres menor de 13 años, eres redirigido a la versión del cabrito, llamada "SnapKidz."

Así que ¿por qué Facebook, Gmail y Yahoo! prohibir usuarios menores de 13 años sin consentimiento de los padres? Están obligados a bajo Online Privacy Protection Act de los niños, una ley federal aprobada en 1998.

A pesar de Facebook requisitos de edad y la ley federal, millones de usuarios menores de edad se saben que han creado las cuentas y mantener los perfiles de Facebook. Lo hacen por mentir sobre su edad y a veces con pleno conocimiento de sus padres.



# BROWNSVILLE INDEPENDENT SCHOOL DISTRICT

## DEPARTMENT OF LIBRARY & MEDIA SERVICES

134 Westlawn Park Dr. • Brownsville, Texas 78520

(956) 698-0170 Fax (956) 982-3887

### Parental Permission for Student Viewing of Video

School Name: \_\_\_\_\_ Course/ Subject: \_\_\_\_\_

Date of Viewing: \_\_\_\_\_ Name of Teacher: \_\_\_\_\_

Contact Information: \_\_\_\_\_ or \_\_\_\_\_  
(Phone) (Email)

Dear Parent,

A video requiring parental consent will be viewed as part of your child's instructional program. Please review the information below and let us know if we have your consent by signing at the bottom.

Name of Video: \_\_\_\_\_

Motion Picture Association of America Rating:

\_\_\_\_ **PG - Parental Guidance Suggested. Some Material May Not Be Suitable For Children.** A PG-rated motion picture should be investigated by parents before they let their younger children attend. The PG rating indicates, in the view of the Rating Board, that parents may consider some material unsuitable for their children, and parents should make that decision.

\_\_\_\_ **PG-13 - Parents Strongly Cautioned. Some Material May Be Inappropriate For Children Under 13.** A PG-13 rating is a sterner warning by the Rating Board to parents to determine whether their children under age 13 should view the motion picture, as some material might not be suited for them.

Description of contents which a parent may find unsuitable: \_\_\_\_\_

Please review the above video information. I have reviewed the video and believe the following educational purpose supports your child's learning: \_\_\_\_\_

\_\_\_\_\_  
Teacher Signature Date

I concur with the Teacher. If you have any questions please do not hesitate to contact your child's teacher or myself. Please return this form to us as soon as possible. All students that do not have permission to view the video will be assigned the following alternative assignment: \_\_\_\_\_

\_\_\_\_\_  
Principal Signature Date

I give permission for my child \_\_\_\_\_ to view the Video.  
(Printed name of student)

\_\_\_\_\_  
Parent Signature Date

\_\_\_\_\_  
Contact number



# BROWNSVILLE INDEPENDENT SCHOOL DISTRICT

## DEPARTMENT OF LIBRARY & MEDIA SERVICES

134 Westlawn Park Dr. • Brownsville, Texas 78520  
(956) 698-0170 Fax (956) 982-3887

### Permiso de los padres para que el estudiante pueda ver un video.

Nombre de la Escuela: \_\_\_\_\_ Curso/ Tema: \_\_\_\_\_

Fecha de Presentación: \_\_\_\_\_ Nombre del Maestro: \_\_\_\_\_

Para mayor Información: \_\_\_\_\_ o \_\_\_\_\_  
(Teléfono) (Correo Electrónico)

Estimado Padre,

Se requiere de su aprobación para que su hijo(a) observe un video que será presentado como parte del programa educativo. Por favor revise la siguiente información y firme esta forma si tenemos su consentimiento.

Nombre del Video: \_\_\_\_\_

Clasificación de la Asociación de Películas de América:

\_\_\_\_ PG - Se Sugiere La Guía De Sus Padres. **Algún Material No Es Adecuado Para Niños.** Una película clasificadas PG debería ser investigada por padres antes de que dejen a sus hijos(as) menores asistir. La clasificación PG muestra, en la perspectiva de la Junta Directiva que Evalúa, que padres pueden considerar algún material inadecuado para sus hijos(as), y los padres deberían hacer esa decisión.

\_\_\_\_ PG-13 - **Se Advierte Seriamente a Los Padres. Algún material puede ser inapropiado para niños menores de 13.** Una clasificación PG-13 es una advertencia más severa por la Junta Directiva que Evalúa para que los padres puedan determinar si sus hijos(as) menor de 13 años de edad debería ver la película, ya que algún material pudiera no sería apropiado para ellos.

Descripción del contenido que un padre puede considerar inadecuado: \_\_\_\_\_

Por favor revise la información anterior acerca del video. He revisado el video y creo que contiene el siguiente material con propósito educativo: \_\_\_\_\_

\_\_\_\_\_  
Firma del Maestro

\_\_\_\_\_  
Fecha

Estoy de acuerdo con el/la Maestro(a). Si usted tiene alguna pregunta, por favor no dude en comunicarse con el/la maestro(a) de su hijo o conmigo. Por favor regrese esta forma tan pronto como sea posible. Todos los estudiantes que no están autorizados para mirar el video serán asignados la siguiente tarea alternativa: \_\_\_\_\_

\_\_\_\_\_  
Firma del Director(a)

\_\_\_\_\_  
Fecha

Concedo autorización para que mi hijo (a): \_\_\_\_\_ pueda ver el video.  
(Nombre del estudiante)

\_\_\_\_\_  
Firma del Padre de Familia

\_\_\_\_\_  
Fecha

\_\_\_\_\_  
Teléfono

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**BISD Student Referral Form for Guidance & Counseling Services**

Student's Name: \_\_\_\_\_

Student ID# \_\_\_\_\_

Grade \_\_\_\_\_



Referral Date: \_\_\_\_\_ Person Making this Referral: \_\_\_\_\_

Please note: **This form is not to be used for Discipline Referrals**. Concerns related to discipline should be referred to the administration prior to counselor referral.

**Reasons for Referral: (please check all that apply)**

- |                                                          |                                                  |                                       |
|----------------------------------------------------------|--------------------------------------------------|---------------------------------------|
| <input type="checkbox"/> Academic concerns               | <input type="checkbox"/> Family Issues           | <input type="checkbox"/> Health       |
| <input type="checkbox"/> Substance Abuse                 | <input type="checkbox"/> Divorce                 | <input type="checkbox"/> Hygiene      |
| <input type="checkbox"/> Peer Relations                  | <input type="checkbox"/> Grief/Loss              | <input type="checkbox"/> Withdrawn    |
| <input type="checkbox"/> Self Esteem                     | <input type="checkbox"/> Student Mediation       | <input type="checkbox"/> Homeless     |
| <input type="checkbox"/> Anxiety                         | <input type="checkbox"/> Anger Management        | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Sudden change in moods/attitude | <input type="checkbox"/> Death/Illness in Family | <input type="checkbox"/> Other: _____ |

**Please provide information about the referral:**

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**FOR COUNSELORS' USE ONLY**

Student/Counselor Meeting Date: \_\_\_\_\_

Is student receiving outside counseling? \_\_\_\_\_ Yes \_\_\_\_\_ No

Parent notified about dual relationship Issues (ACA Code of Ethics) \_\_\_\_\_ Yes \_\_\_\_\_ No

Phone/Contact person \_\_\_\_\_ Issue discussed: \_\_\_\_\_

Referral made to outside agency: \_\_\_\_\_

Counselor Feedback given to teacher (Referral Form copy), Email, or Verbal: \_\_\_\_\_ Date: \_\_\_\_\_ Initials: \_\_\_\_\_

- |                                                     |                                                        |                                       |
|-----------------------------------------------------|--------------------------------------------------------|---------------------------------------|
| <input type="checkbox"/> Counselor Check In         | <input type="checkbox"/> Counseling                    | <input type="checkbox"/> CIS Referral |
| <input type="checkbox"/> Teacher conference         | <input type="checkbox"/> Continue to Monitor Student   | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Parent Conference          | <input type="checkbox"/> Law Enforcement               | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Administrator Consultation | <input type="checkbox"/> Nurse Consultation            |                                       |
| <input type="checkbox"/> Home Visitor Consultation  | <input type="checkbox"/> Outside Agency Referral _____ |                                       |

Notes: \_\_\_\_\_

BISD, an equal opportunity employer, does not discriminate on basis of race, color, national origin, sex, religion, age or disability in employment or provision of services, programs, or activities.

# Community & Counseling Resources

Updated 9/12/2018

**ANONYMOUS**

**Report Bullying and other suspicious activity on BISD campuses**

**Online - <https://www.p3tips.com/tipform.aspx?ID=956>**

**CONFIDENTIAL**

**Call a Tip (956) 408-0049**

<b>BISD Campus Care Centers (956) 548-8845</b>	<b>BISD Police - (956) 698-2085</b>
<b>Tropical Texas Behavioral Health</b> 861 Old Alice Road, Brownsville, Texas (956) 546-2230 / 1-877-289-7199 Children and Adult Mental Health services	<b>Counseling &amp; Training Clinic at UTRGV</b> 2168 E. Jackson, Brownsville, Texas (956) 882-7792 Counseling services
<b>SCAN - Serving Children and Adults in Need</b> 705 W. Jefferson, Brownsville, Texas (956) 544-3095 Alcohol & Substance Abuse Counseling	<b>Salvation Army</b> 114 E. Jackson Street, Harlingen Texas (956) 423-7210 Community resources for families in need
<b>The Recovery Center</b> 700 E. Levee, Brownsville, Texas (956) 548-0028 Alcohol & Substance Abuse Counseling	<b>Good Neighbor Settlement Home</b> 1254 E. Tyler, Brownsville, Texas (956) 542-2368 Essential daily living support services
<b>Mesquite Treatment Center</b> 512 E. Jackson, Suite 221, Harlingen, Texas (956) 428-2100 Alcohol & Substance Abuse Counseling	<b>Ozanam Center</b> 656 N. Minnesota Road, Brownsville, Texas (956) 831-6331 Emergency shelter / housing services
<b>Comprehensive Energy Assistance Program</b> <b>Cameron County Community Projects, Inc.</b> 2224 Delia North Isabel (956) 544-6631 Emergency Financial Assistance for energy bills	<b>Brownsville Community Health Center</b> 191 E. Price Road, Brownsville, Texas (956) 548-8845 Medical and Dental services
<b>Buckner Children &amp; Family Services</b> 1713 E. Tyler, Suite E, Harlingen Texas (956) 423-7909 / 1-800-442-4800 Crisis Counseling Services	<b>Children's Bereavement Center - RGV</b> 2101 Pease Street, Suite 2D, Harlingen Texas (956) 368-4065 Loss & Grief Counseling
<b>Friendship of Women</b> 95 E. Price Road, Brownsville, Texas (956) 544-7412 Intervention services for victims of domestic violence and sexual assault	<b>Family Crisis Center</b> 616 W. Taylor, Harlingen, Texas (956) 423-9305 1-866-423-9305 Intervention services for victims of domestic violence and sexual assault
<b>Outcry in the Barrio</b> 5825 Maverick Road, Brownsville, Texas (956) 544-0288 Alcohol and Substance Abuse Counseling	<b>Cameron County Workforce Solutions</b> 851 Old Alice Road, Brownsville, Texas (956) 546-3141 Assists with childcare services for eligible members Employment and career services
<b>Tip of Texas Family Outreach</b> 455 E. Levee St, Brownsville, Texas (956) 542-5142 Education, interventions, counseling services for families	<b>Catholic Charities of RGV</b> 955 W. Price Road (956) 541-0220 Provides a variety of financial assistance and other services
National Suicide Prevention Lifeline at 1-800-273-TALK (8255) National Domestic Violence Hotline - 1-800-799-SAFE(7233) National Suicide Prevention Hotline: 1-800-273-TALK (8255)	<b>Proyecto Juan Diego (Cameron Park residents)</b> (956) 542-2488 Provides social services, assistance with medical expenses
<b>Emergency Services - 911</b> City of Brownsville Police - (956) 548-7000 Brownsville Fire Department - (956) 548-6075 Cameron County Sheriff's Office - (956) 554-6700 Texas Department of Public Safety - (956) 983-1900 Family and Protective Services Department - (956) 546-5591 Report Abuse - Child Protective Services - 1-800-252-5400 Report Abuse - Texas Adult & Disabled Protective Services - 1-800-252-5400 Cameron County Child Support Office - (956) 544-0840 Cameron County District Attorney - (956) 544-0849	<b>Brownsville Housing Authority - (956) 541-4983</b> <b>Food Bank of Grande Valley - (956) 904-4538 (956) 682-8101</b> <b>Social Security Office - 866-964-6486</b> <b>United Way of Southern Cameron County - (956) 548-6880</b> <b>Texas Legal Aid Office - (956) 982-5540</b> <b>BISD Homeless Youth Connection - (956) 698-0147</b> <b>BISD Communities in Schools - located at each BISD high school campus</b> <b>Domestic Violence Hotline: 1-800-799-7233</b> <b>National Runaway Safeline: 1-800-786-2929</b> <b>Texas Medicaid Client Hotline: 1-800-252-8263</b>

<https://www.liveandworkwell.com/content/en/member.html> -- search mental health providers in surrounding area

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# BULLYING CHECKLIST

FOR SCHOOLS

## PLEASE READ BEFORE USING CHECKLIST

To determine whether an act is bullying or cyberbullying by law, proceed down the checklist and provide a checkmark for each true statement. If any identified section does not receive at least one checkmark, then the act is not considered bullying by state law.

SB 179, "David's Law" expanded authority to school districts, allowing public and charter schools to address cyberbullying off-campus and outside of school-related or school-sponsored activities based on specific criteria. In order to address this legislative change, this checklist may help parents, educators, and administrators determine if a student at their school has been bullied according to the legislative definition. Please follow the conditional 'yes/no' logic for the questions regarding the use of electronic communication devices in possible bullying scenarios.

**Did the act occur outside of a school-sponsored or school-related activity?**

*(This is an important distinction, as David's Law expands a school district's authority to include cyberbullying incidents that occur off campus and outside a school-sponsored or school-related activity, as long as it meets one of the below criteria.)*

Yes

**Did the act interfere with a student's educational opportunities; or substantially disrupt the orderly operation of a classroom, school, or school-sponsored/related activity?**

Yes

No

According to law, if the act **DID NOT** meet the criteria above, it is not under the school district's authority.

## IS IT BULLYING?

Was it a single significant act? ☐

Was it a pattern of acts? ☐

By one or more students directed at another student that exploits an imbalance of power ☐

Through physical contact ☐

Using verbal expression ☐

Using written expression ☐

Using electronic means ☐

Physically harms a student or damages their property ☐

Creates reasonable fear of harm to student or damage to their property ☐

**Is sufficiently severe, persistent, or pervasive enough that the action or threat creates:**

Intimidating educational environment ☐

Threatening educational environment ☐

Abusive educational environment ☐

Materially and substantially disrupts the educational process or operation of school ☐

Infringes on rights of victim at school ☐

**Was the act committed by using any type of electronic communication device?**

Yes

*(i.e. Cellular or other phone, computer, camera, e-mail, text or instant messaging, social media app, Internet website, Internet communication tool)*

No

On school property ☐

At a school-sponsored or school-related activity (on or off campus) ☐

On school bus or vehicle used to transport students ☐

## YES, IT'S BULLYING

*(Cyberbullying is bullying)*

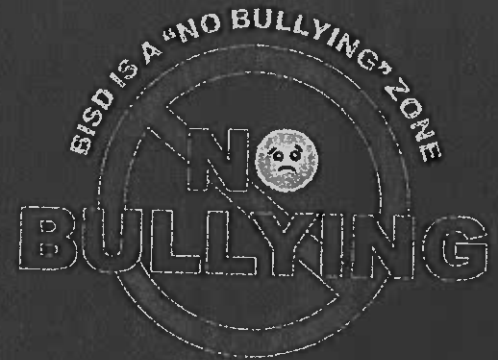
TEXAS  STATE

TEXAS SCHOOL SAFETY CENTER

www.txssc.txstate.edu

Oct. 2017

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Report Bullying / Cyberbullying  
Anonymous Online Reporting  
[www.bisd.us](http://www.bisd.us)

**Hotline 408-0049**

All calls are confidential.  
No court testimony is  
required and cash rewards  
are available.

Brownsville Independent School District • Police & Security Services



# BROWNSVILLE

## INDEPENDENT SCHOOL DISTRICT

(956) 548-8000 | [www.bisd.us](http://www.bisd.us)  
1900 E. Price Road, Brownsville, Tx. 78521



# VOLUNTEER REQUIREMENTS

The Texas Education Code, 22.053, (b) defines a school district volunteer as **"a person providing services for or on behalf of a school district, on the premises of the district or at a school-sponsored or school-related activity on or off school property, who does not receive compensation in excess of reimbursement for expenses."** Volunteers, chaperones on all school sponsored trips, booster club members, and PTA/PTO members need to fill out a volunteer application if they will have contact with students or will volunteer during school hours.

Anyone interested in serving as a BISD school volunteer for the 2019-20 school year must do the following:

- ▶ Submit a completed, on-line volunteer (campus clearance) application including a criminal history release form. Applications are available at [www.bisd.us/humanresources/newclassified/Campus\\_Clearance\\_Info.htm](http://www.bisd.us/humanresources/newclassified/Campus_Clearance_Info.htm)
- ▶ A Social Security Number may be requested in order to verify criminal history records. District Policy GKG (Legal) requires a criminal history record of all prospective school volunteers.
- ▶ Provide evidence of identity with the application and a copy of a valid (unexpired) Texas Driver's License, state issued ID, United States Passport, U.S. military card or draft record, or Alien Registration Card (with picture) to the campus parent liaison.

Once volunteers meet these requirements, the campus administrator or parent liaison will receive an "Authority to Report to Volunteer" which allows the volunteer to begin service. **Volunteers must not report for service until an "Authority" has been issued.** Volunteer applications are valid for only one year. Volunteers from the last school year must renew their applications for the 2019-20 school year. Those who have registered for an on-line employment application must use the same user ID and password to access the campus clearance application or call (956) 548-8051 for assistance in the registration process.

Note: Those who are not cleared to volunteer can attend meetings/parent conferences but cannot stay on campus to volunteer.

For questions, call the Human Resources Department at **548-8051**.

BISD does not discriminate on the basis of race, color, national origin, gender, religion, age, disability or genetic information in employment or provision of services, programs or activities.

SAMPLE



# Brownsville Independent School District REQUEST FOR A HOME VISIT



Date:		Student's Name:		Gr:	
Campus:		Address:			
Requested by:		Phone Number:			
		Student ID #:			
Teacher Conference Time:		DOB:			
		Parent's Name:			

## PURPOSE OF VISIT (Check all that apply)

<input type="checkbox"/>	Title I Regular
<input type="checkbox"/>	Title I Migrant
<input type="checkbox"/>	Title X-Homeless

<input type="checkbox"/>	Attendance
<input type="checkbox"/>	ARD Meeting
<input type="checkbox"/>	Clothing
<input type="checkbox"/>	Discipline

<input type="checkbox"/>	Health Issue
<input type="checkbox"/>	Parent Conference
<input type="checkbox"/>	Truancy
<input type="checkbox"/>	Withdrawal

Explanation:

Principal's Signature

Teacher's Signature or  
Person Requesting Visit

(Section to be completed by person making visit)

Time of Visit:

Outcome of Visit:

Parent/Legal Guardian's Signature

Signature of Person Making Visit

BISD does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or genetic information in employment or provision of services, programs or activities.

BISD no discrimina a base de raza, color, origen nacional, sexo, religion, edad, discapacidad o información genética en el empleo o la disición de servicios, programas o actividades.

# **STUDENT ACTIVITY & MOTIVATIONAL FUND ACCOUNTING MANUAL**

Revised 2020  
Version 7.0

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## P R E F A C E

This manual is designed to provide a set of standardized accounting guidelines and procedures for the administration of the Brownsville Independent School District Student Activity & Motivational Funds.

Principals, bookkeepers, secretaries, clerks, sponsors, and other personnel involved in the handling of Student Activity & Motivational Funds are responsible for adherence of the guidelines and procedures prescribed in this manual. Should a situation arise that is not addressed, please call the Finance Department – Accountant for Student Activity & Motivational Funds for assistance and guidance at (956) 698-2884.

The procedures outlined herein comply with statutory requirements and constitute policy as established by the Board of Trustees of the Brownsville Independent School District. (BISD Policy CFD Local).

This manual replaces all prior publications regulating the administration of Student Activity & Motivational Funds including all earlier editions of the manual itself and is not meant to address every conceivable situation.

## SECTION 1 – GENERAL INFORMATION

## 1.1 DEFINITIONS

The Student Activity & Motivational Funds consist of money/funds that are received and held by the school as a "trustee." These funds are raised by individual student groups and the disbursements of those funds are controlled by that group. These are also referred to as "Club Accounts." These funds must be for the direct benefit of the students or the general benefit of the school. Fundraising shall contribute and enhance the educational experience of students and must not conflict with the instructional program(s) at the school. Please note these Club Accounts must have a Charter in place.

The Campus/Motivational Funds consist of money/funds that are raised and managed by the campus administrator or their designee to benefit the entire student body to support school-wide needs. These funds may be used to supplement campus' budgeted funds. They should not be spent to benefit any individual or non-student group.

## 1.2 PURPOSE OF ACTIVITY FUNDS

The Student Activity & Motivational Funds are designed to account for funds held by a school in a trustee capacity or as an agent for students, club organizations of the campus, teachers, and the general administration of the school. These funds are used to promote the general welfare of each school and the educational development and morale of all students. The accounting function for the Student Activity & Motivational Funds is delegated to each campus. Each campus must comply with the guidelines and procedures required by this manual.

Upon the dissolution of any fund, especially the class accounts (eighth graders, seniors), the school principal shall insure that any liabilities of that fund are liquidated, and the remaining fund assets shall be transferred to the Student Motivation Account.

Activity Fund accounts should be reviewed annually. Accounts with dormant balances (no activity) must be closed accordingly. If an organization's account has been inactive longer than one school year, the account must be closed with any remaining funds to be transferred to the Student Motivation account.

## 1.3 RESPONSIBILITY FOR ACTIVITY FUNDS

All campus personnel including principals, bookkeepers, secretaries, and faculty (sponsors) will be held responsible for any Student Activity & Motivational Funds entrusted to them. Money (or property purchased with campus and student activity money) which is lost due to carelessness, theft, or fraud will be reimbursed by the responsible party.

The school principal is responsible for the proper collection, disbursement, and control of all activity fund monies.

This responsibility includes:

1. Providing for the safekeeping of funds.
2. Proper accounting and administration of fund transactions.
3. Expenditure of funds in compliance with applicable state laws, local board policy, and administrative guidelines.
4. Adequate training and supervision of all personnel designated by the principal to administer activity funds.

The delegation of duties to other personnel does not relieve the principal of responsibility for compliance with this manual and District policy.

The campus bookkeeper/elementary secretary is responsible for the following:

1. Maintaining the accounting records as required in the policies and procedures of this manual
2. Completing monthly bank statements and activity reports
3. Issuing checks when properly authorized by the principal
4. Receiving money from sponsors and making receipts
5. Depositing into the school's bank account
6. Any monies received after pick up need to be stored in a safe, locked vault, or cabinet

The faculty sponsor is responsible for the following:

- ① Safeguarding and accounting for all Activity funds entrusted to him/her
- ② Maintain a positive balance in his/her account and detailed financial records
- ③ Completing a Fundraiser/Solicitation Form before beginning any fundraising activities
- ④ Completing an Operating Report for Form A (Form A-1) and to account for all fundraisers within ten days of completing the fundraiser
5. Informing the bookkeeper/secretary of any future travel or transportation expenditures

The faculty sponsor will sign the form titled *Responsibilities of Faculty Sponsors of Student Groups* (Form O) before undertaking any sponsorship of a student club or organization. The form will be filed at each campus. Sponsors must be full-time professional/certified employees.

All Student Activity & Motivational Fund forms must be completely filled out in an accurate manner. Signatures must be included on all forms.

The Finance Department – Student Activity & Motivational Funds Accountant is responsible for monitoring the monthly activity and bank reconciliations for all campuses. The Student Activity & Motivational Funds Accountant will also update the Student Activity & Motivational Fund Accounting Manual and provide training(s) and/or conduct an in-service on issues relating to Student Activity/Motivational Funds.

The Internal Audit Department is responsible for auditing the Student Activity & Motivational Funds periodically and annually. The annual audit assures that the procedures in handling the funds entrusted to the principal are adhered to. All activity fund documents, including the reconciliation of the June bank statement, must be submitted annually to the Internal Audit Department two weeks after the bookkeeper/secretary's return to contract date or by the end of August. An audit of the Student Activity/Motivational Funds will be conducted when a change of principal/bookkeeper/secretary occurs. It is the responsibility of the incoming principal to request that this audit be performed before assuming financial responsibility. The principal may request, in writing, a special audit if a situation or event warrants it.

PTA, PTO, and Booster Club funds should not be accounted for within the Student Activity & Motivational Funds.

#### **1.4 RETENTION OF RECORDS**

Principals, faculty sponsors, and bookkeepers/elementary secretaries are required to keep all records current and in good order. Records need to be retained for a period of five years and available for audit any time.

## SECTION 2 – BASIC RECORDS



## **2.1 ACTIVITY FUND CASH RECEIPTS**

Activity Fund Cash Receipts are the means of accurately recording cash received and provide support to substantiate each bank deposit. Only pre-numbered cash receipt books are to be used.

## **2.2 CHECK REQUEST FORM**

The Check Request Form is the authority for issuance of a Student Activity & Motivational Fund check (Form B).

## **2.3 PRE-NUMBERED CHECKS**

Pre-numbered checks are used to disburse all funds from the Student Activity & Motivational Fund checking account. These checks are obtained directly from the bank as needed. Checks must be printed with the school name and type of fund. Checks must be issued and distributed in numerical sequence and by chronological date. When ordering additional checks, the new check numbers should begin with the number succeeding the last check number in the old checkbook.

## **2.4 BANK DEPOSIT SLIPS**

These slips serve as transmittal advice to the bank and your record of funds deposited in the bank on specific dates. Deposit slips are obtained from the bank as needed and must be printed with the school's Student Activity & Motivational Fund's account name.

## **2.5 MONTHLY BANK STATEMENTS**

The bank statement is the official bank record reflecting all transactions affecting the cash balance on deposit during the preceding month. When properly reconciled, the statement serves as official support for the cash balance indicated in the activity fund records. A bank statement should be reviewed and reconciled monthly for all accounts including checking and investments.

## **2.6 RECEIPTS JOURNAL**

This journal serves as a schedule of receipts issued for each particular month in support of amounts posted to the general ledger.

## **2.7 DISBURSEMENT JOURNAL**

This journal serves as a schedule of checks written for each particular month in support of amounts posted to the general ledger.

## **2.8 TRANSFER JOURNAL**

This journal serves as a schedule of all journal entries which shall be written for each particular month. It should also be used to transfer funds between various sub-accounts within the Student Activity & Motivational Funds. All supporting back up documentation regarding transfers, change back from purchases, price differentiation, and returned or uncollected checks must be attached to the journal entry.

## **2.9 PREPARATION OF RECORDS**

All records must be completed in ink. All corrections must be approved by the campus principal or assistant principal. The use of "white-out" is prohibited.

All Student Activity & Motivational Fund documents should be retained in a binder, with the use of dividers to separate monthly activity, in order to keep uniformity with all campuses and for organizational purposes.

## SECTION 3 – BANKING PRACTICES AND PROCEDURES

### 3.1 BANK ACCOUNTS

- A. Each school should only have one checking account and the account title must be imprinted on all Student Activity & Motivational Fund checks and deposit slips. (For example: Manzano Middle School Student Activity & Motivational Fund). All funds received will be deposited into this account and all disbursements will be made by a check drawn on this account.
- B. Only Student Activity & Motivational Fund transactions may be directed through the Student Activity & Motivational Fund bank account. Transactions controlled by the cafeteria or lunchroom must be handled through their own accounts.
- C. The principal may be responsible for selecting the banking institution to handle the school account.
- D. Change in Administration:
  - 1. A memorandum is sent to the Student Activity & Motivational Fund Accountant from the bookkeeper/secretary stating the change of new/deleted signers by email.
  - 2. The Finance Department will email the bookkeeper/secretary the bank letter when it has been signed by the Administrator of Finance. After receiving, all account signers will need to go to their designated bank in order to present the letter. Additional documentation may be requested by the bank.
- E. It is prohibited to release account and routing numbers of a Student Activity & Motivational Fund bank account to outside entities for electronic transactions due to security concerns of compromising the account. Payments must be made by physical check and cannot be processed electronically.
- F. Bank accounts with excessive service fees should be avoided, if at all possible. Campus administration may contact their respective bank in order to negotiate a lower fees agreement. If an agreement cannot be reached, campus administration may consider changing the banking institution.

### 3.2 CHECK SIGNATURES

- A. Bookkeepers/secretaries are not permitted to sign checks.
- B. Checks require two signatures from the authorized list of signatures on file at the bank.
- C. Each bank account shall have three authorized check signers, one of which must be the principal.
- D. Each check must be signed manually.
- E. The principal will be considered responsible for all financial transactions and proper check signatures, even in the case of his/her unavoidable absence.
- F. Blank checks cannot be submitted for payment. All blanks must be completely filled in on a check before it is released by the campus principal or bookkeeper/secretary. If there is a differentiation in price from the amount listed on the check versus the receipt, then the bookkeeper/secretary will prepare a journal entry to record the difference. Receipts must be submitted as backup documentation as per standard procedure.

**UNDER NO CIRCUMSTANCES SHALL CHECKS BE PRE-SIGNED OR A STAMP USED.**

### 3.3 BANK RECONCILIATION

- A. One of the most important aspects of the secondary bookkeeper and elementary secretary is the prompt reconciliation of the Student Activity & Motivational Fund bank account. It is the principal's responsibility to ensure that the bookkeeper/secretary has adequate time to complete the reconciliation of bank statements for each month in a timely manner.

- B. Upon receipt, the bank statement is reconciled to the checkbook and the general ledger.
- C. Checks must have a stale date (e.g. void after 90 days) imprinted. Checks beyond the 90-day stale date should not be voided but re-issued. The bookkeeper/secretary must attempt to contact the payee in order to inform them that the check has not cleared the bank and that the check will be re-issued due to the stale date. The bookkeeper/secretary will need to retain any documentation regarding contacting the payee. If the payee still has not deposited the check, despite numerous attempts at contact, the bookkeeper/secretary will need to submit the check and supporting documentation to the BISD Finance Department.
- D. Make necessary adjusting entries when applicable, i.e.: stale dated checks, returned checks, interest, transfers.
- E. The bank reconciliation must be signed by the bookkeeper/secretary completing it as well as by the principal.
- F. Copies of the bank statement and reconciliation, trial balance, deposit detail, check detail, and general ledger are due to the Student Activity & Motivational Fund Accountant in the Finance Department on a monthly basis by the 15<sup>th</sup> of the following month.

## SECTION 4 – RECEIPT OF CASH

#### 4.1 GENERAL RECEIPTING PROCEDURES

- A. All cash and check collections must be turned in to the bank for deposit within 5 (five) BISD working days for secondary schools and within a week for elementary schools.
  - 1. Original (white) – person submitting the money, along with a copy of deposit reconciliation
  - 2. Posting copy (yellow) – attach to Deposit Reconciliation
  - 3. Permanent copy (pink) – retain in the receipt book
  - 4. Cash Receipts must be issued in numerical sequence
- B. The receipt must be completed in its entirety, including:
  - 1. Date, activity fund account number, and amount
  - 2. Name of the individual and club submitting the money - A receipt may not be issued to more than one person.
  - 3. An explanation of the purpose for which the money was received.
  - 4. An original signature is required from the person receiving the money.
- C. Bookkeeper/secretary issuing receipt must verify cash in the presence of the individual submitting the money.
- D. Checks will be accepted only for the amount of purchase. No change will be given back.
  - ✓ Post dated checks are not acceptable
  - ✓ An acceptable check should contain:
    - Name
    - Address
    - Phone Number
    - Driver's License Number
- D. Receipts must be issued in numerical sequence and dated before funds are deposited to the bank.
- E.** Under no circumstances shall a cash receipt be altered. If an error occurs in the preparation of a cash receipt, void the incorrect receipt by writing "void" across the face of the receipt and issue a new receipt.
- F. The original and all copies of voided receipts must be maintained in the receipt book.

#### **4.2 RECEIPT OF FUNDS BY PERSONS OTHER THAN THE BOOKKEEPER/SECRETARY**

- A.** The bookkeeper/elementary secretary is responsible for maintaining an adequate supply of receipts for the tabulation of funds collected by other employees, i.e. yearbook sponsor, textbook custodian, etc.
- B. An Administrative Receipt log must be kept of all cash/check receipts issued to teachers, sponsors, and other individuals approved by the principal to collect funds.
- C. Money should be collected by an authorized individual other than the bookkeeper/elementary secretary (i.e. teachers, librarian, clerks, etc.) but only as approved by the principal for such items as books, student testing and other fees, fundraising activities, etc. In such instances, the individual collecting the funds must show accountability as follows:
  - 1. Tabulation of Funds Collected from Students (Form A-3) must be completed with all information provided in lieu of issuing receipts to students.
  - 2. The authorized individual must issue cash receipts to payers for funds collected. The permanent copy should be kept in the original receipt book. Form A-3 is not necessary to complete since receipts are being issued.
- 3.** Sponsors shall submit funds to the bookkeeper/secretary DAILY or whenever the aggregate amount of such collections exceeds \$50. Secondary school bookkeepers that are shared between two schools will receive funds on the days scheduled at the school. This is the only exception to money turned in daily. Sponsors should familiarize themselves with the bookkeeper's schedule in order to comply with the rules.

4. The original completed Tabulation of Funds Collected from Students (Form A-3) and attached permanent copy of cash receipt will be submitted along with the funds collected to the bookkeeper/secretary. The bookkeeper/secretary will count the funds in the presence of the depositor and prepare an Activity Fund Cash Receipt once the deposit total is verified. The bookkeeper/secretary should also sign the Tabulation of Funds Form.
5. The bookkeeper/secretary should keep the original Tabulation of Funds Collected from Students (Form A-3) with attached cash sub-receipt on file for five years for audit purposes, if applicable.
6. Individual sponsors/collectors should keep verified copies of the Tabulation of Funds Collected from Students (Form A-3) collected for five years for audit purposes.
7. Bookkeepers should not receive payment directly from students. To ensure that internal controls are being met, the campus principal should assign a clerk to receive payments from students. The clerk will then count the funds and prepare a Deposit Reconciliation before submitting the deposit to the bookkeeper along with a list of the students who submitted payment.

#### **4.3 RECEIPT OF FUNDS BY PERSONS OTHER THAN THE BOOKKEEPER/SECRETARY DURING SUMMERS AND HOLIDAYS**

Money may be collected by an authorized individual other than the bookkeeper/elementary secretary (i.e. teachers, librarians, etc.) but only as approved by the principal for fundraising activities done during the summer vacation or/and holidays. In such instances, the individual collecting the funds must show accountability as follows:

- A. Tabulation of Funds Collected from Students (Form A-3) must be completed with all information provided in lieu of issuing receipts to students.
- B.** The authorized individual must issue cash receipts to payers for funds collected. The permanent copy be kept in the original receipt book. Form A-3 is not necessary to complete since receipts are being issued. Collections shall be deposited to the bank daily or immediately after the fundraiser is done.
- C.** A bank deposit slip shall be prepared and must include the following:
  - A. The date and amount of the deposit
  - B. The cash receipt numbers issued that make up the deposit.
  - C. A listing of each check in the deposit (or a tape)
- D. All documentation must be turned in to bookkeeper/secretary immediately after their return to work.
- E. The bookkeeper/secretary should keep the original Tabulation of Funds Collected from Students (Form A-3) with attached cash sub-receipt on file for five years for audit purposes, if applicable.
- F. Individual sponsors/collectors should keep verified copies of the Tabulation of Funds Collected from Students (Form A-3) collected for five years for audit purposes.



## SECTION 5 – DEPOSIT OF FUNDS

## 5.1 GENERAL OPERATING PROCEDURES

- A. As mentioned in Section 4.1 A (General Receipting Procedures), deposits must be made to the bank within 5 (five) BISD working days for secondary schools and within a week for elementary schools.
- B. All campuses are subject to armored car pick up schedule. Daily armored courier service from the school to the bank assures cash security. All monies received and receipted prior to the daily cut-off time must be provided to the armored service carrier.
- C. Monies collected after the armored service pick up must be stored in a secure place in the campus (the school safe, locked vault, or locked cabinet). If large sums are collected after armored service pick up for that week, campus administration may decide to take the deposit to the bank if the administration does not want to keep the funds at the campus.
- D. All checks held for deposit shall be endorsed at the time they are receipted or accepted.
- E. All cash receipts supporting cash deposits shall be deposited in numerical sequence.
- F. Re-deposits (returned checks) must be deposited separate from other funds collected.
- G. All funds on hand at the end of the school year, including petty cash, should be deposited prior to the closing of the books for the year.

## 5.2 PROCEDURES FOR PREPARATION OF BANK DEPOSITS

- A. A bank deposit slip shall be prepared and must include the following:
  - 1. The date and amount of the deposit.
  - 2. The cash receipt number(s) issued that make up the deposit.
  - 3. A listing of each check in the deposit (or a tape).
- B. The original copy of the deposit slip is retained by the bank. Please keep a copy for your records.
- C. The sum of the amounts of the supporting cash receipt and Deposit Reconciliation (Form D) must agree with the amount of the deposit slip.
- D. For procedures on handling returned checks, re-deposits and deposit corrections, see Section 6 of this manual.

## 5.3 CASHING OF CHECKS

- A. The practice of cashing personal and/or payroll checks is prohibited.

## 5.4 GRANTS

Student organizations may receive grants from various means. The following procedures will need to be adhered when depositing grant checks:

- A. For grants awarded to a specific club/organization that requires no reporting, the check will be submitted to the bookkeeper/secretary for deposit in order to be posted to the corresponding motivational account.
- B. For grants awarded to the campus that require financial reporting, the check will need to be submitted to the Finance Department for deposit into a budget account in order to ensure proper spending documentation for financial reporting.
- C. If a Grant is for multiple purposes, create a different account for each amount specified; do not deposit several Grants in one motivational account.

- D. Please ensure that Grant monies are being utilized within the period established. If monies are not exhausted within the timeframe, Grant monies might have to be reimbursed to the Grantor depending on the grant requirements.
- E. Disbursements must be in compliance with the Grant requirements. All records regarding grant award letter/procedures, deposits, disbursements, etc. must be kept on file for audit purposes.

## SECTION 6 – RETURNED CHECKS AND REDEPOSITS

## 6.1 RETURNED CHECKS

Occasionally, a check which had been previously deposited is returned by the bank for a variety of reasons. The club sponsor should be immediately notified by the bookkeeper/elementary secretary and kept abreast of the collection process. A check may be returned for improper signature, insufficient funds, or account closure. When a check is returned by the bank, the following procedures shall be followed:

- A. Prepare a Journal Entry crediting Cash in Bank and debiting the account where the check was originally deposited. The Returned Check Tracking Form (Form T) can be used for tracking purposes.
- B. The bookkeeper/secretary shall immediately notify the maker of the returned check and request that it be redeemed with cash, a money order, or a cashier's check. Any charge by the bank will be passed on to the maker of the returned check.
- C. If the maker of the returned check requests that it be re-deposited, such action shall be taken.
- D. Under no circumstances should the returned check be surrendered to the maker except in return for cash, a money order, or a cashier's check.
- E. No checks shall be accepted from a party who has not redeemed a previously returned check.
- F. Retain all bank memorandums in the school files.

## 6.2 RE-DEPOSITS

When the returned check has been redeemed with cash or the maker has requested the check be re-deposited, the following steps will be taken:

- A. A cash receipt should not be issued, as this would duplicate the original receipt.
  - B. Prepare a separate deposit disclosing:
    1. Date and amount of redeposit.
    2. Name of the maker of the returned check.
- All checks must include the driver's license number**
- C. If a person redeems a returned check with cash, give him/her the returned check as his receipt. Keep a photocopy for your records.
  - D. Use the deposit slip to record the transaction, prepare a journal entry debiting Cash in Bank and crediting the appropriate club or fundraiser account.

## 6.3 UNCOLLECTED CHECKS

Individual schools are responsible for the collection of returned checks. The following procedures are for checks deposited twice in the school's Activity Fund Account and returned for the second time by the bank:

- A. Send a letter to the maker of the check requesting payment in cash, a money order, or a cashier's check within a ten day period. The letter should be sent to the last known mailing address of the maker and should contain the check number, date, and the amount of the check. **DO NOT SEND ORIGINAL CHECK!**

*This letter should be sent Certified Mail – Return Receipt Requested.*

- B. The letter should stipulate that the check has been re-deposited but returned by the bank once again. Unless payment is received within ten days, copies of the letter along with copies of bookkeeper/elementary secretary's notes should be forwarded to the Internal Auditors' Office for issuance of final notice. Please note that only checks of \$25.00 or more should be forwarded to the Internal Audit Department.

- C. If a collection is made at the Internal Auditors' Office, a check will be made payable to the school for the amount received. If no collection is made, the bad check will be written off by the bookkeeper/secretary with a journal entry. All bad checks will then be forwarded to the District Attorney for action. The check will be turned over to the Check Collection Division of the District Attorney's Office for the filing of criminal charges.

## SECTION 7 – DISBURSEMENTS

## 7.1 GENERAL POLICIES

- (EXPENSES)**
- A. All expenditures shall be paid by check from the Student Activity & Motivational Fund checking account. Electronic payments made from the Student Activity & Motivational Fund account are not allowed.
- B. Income received from a specific group (student or faculty) should be expended for that group. The principal shall ensure that expenditures from these accounts are written for the intended purpose of the group and should not divert for other uses.
- C. A Check Request Form (Form B) must be submitted from the sponsor to the bookkeeper/secretary before a check may be generated from the respective activity/motivational fund account.
- D. The principal shall not approve any expenditure of funds unless sufficient funds are available in the appropriate Student Activity & Motivational Fund account. Thus, no check shall be drawn on any account with a negative balance unless sufficient funds are available in the appropriate fund account.
- E. Reimbursements must only be done on an emergency basis or when a check cannot be generated due to unexpected circumstances or if a vendor/company will not accept a school check. Keep reimbursements on a limited basis.
- F. All negative accounts must be cleared before the last class day of the school year.
- G. All outstanding invoices must be paid by the last class day of the school year.

## 7.2 REQUEST FOR CHECK OR INTER FUND TRANSFER

- A. A completed Check Request (Form B) or Inter Fund Transfer Request (Form B-1) shall be the authority for the issuance of a Student Activity & Motivational Fund check or an inter fund transfer. The appropriate form must be completed prior to issuance of a check or a transfer.
- B. A completed Check Request form shall include:
1. The campus/club, payee, mailing address, social security number, or tax ID number
  2. Date, amount, and signatures of the club sponsor and club officer
  3. A brief description of the purpose
  4. Activity account number/name to be charged and invoice number
  5. Approval signature of the principal
  6. Check number and check date (when approved)
- C. The Check Request (Form B) shall be attached to the supporting documentation and kept on file for audit purposes. Proper supporting documentation shall include:
1. Vendor's original invoices. Periodic statements are not adequate supporting documentation.
  2. Itemized sales slips or cash register receipts from teachers or other employees who request reimbursement for items purchased from their own funds. Credit card statements and customer copies of charge slips are not adequate supporting documentation.
  3. Other supporting documentation may include letters, fax copies, announcements, and renewal notices when invoices are not provided by the vendor.
  4. Receipts should not include personal items.
  5. Sales tax paid will not be reimbursed.
  6. In order for gratuity to be reimbursed, it must be pre-printed on the itemized receipt. Gratuity that is handwritten will not be reimbursed.
  7. The school's address must be displayed in the vendor's original invoice. Online purchases made by an employee's personal credit card must be delivered to the campus.
  8. Use of affidavits in lieu of receipts is unallowable. All expenditures must have a valid receipt.

***Note: If receipt is not turned in to the bookkeeper, the sponsor must turn in the money***



*in lieu of receipts.*

- D. Check Request Forms for advances may be completed without supporting documentation. However, permanent documentation must be attached later (no longer than 7 working days) in support of the advance payment. On the Check Request, indicate the receipt number and amount of money returned if not all of the advance is spent, along with supporting documentation.
- E. All invoices shall be checked to ascertain that sales tax has or has not been properly charged since most purchases made by schools are tax exempt. (See Section 12 on Sales tax.)

### **7.3 ISSUANCE OF CHECKS**

- A. No expenditure of funds shall be approved by the principal unless sufficient funds are available in the appropriate activity account. Thus, no check shall be drawn on any account with a negative balance.
- B. All payments shall be made by pre-numbered Activity Fund checks. Checks issued to sponsors must be entered and distributed in numerical sequence and by chronological date.
- C. All Activity Fund checks require two original signatures from the authorized individuals listed on the bank signature card(s). Bookkeepers/secretaries are not allowed to sign checks.
- D. Payments must always be made to a specific person, company or organization. Checks shall NEVER be made payable to "cash."
- E. Under no circumstances shall checks be pre-signed or a stamp used.
- F. All checks must be computerized or typewritten.
- G. "VOID" checks should be stapled to the appropriate check stub after the signature area has been cut off and destroyed. Voided checks must be entered into QuickBooks for accountability.
- H. All blanks must be filled in on a check before it is released by the campus principal or bookkeeper/secretary.
- I. The original invoice must be marked "PAID" and the check number recorded on it.

### **7.4 SUPPLEMENTAL PAYMENTS TO EMPLOYEES FOR SERVICES**

District employees are occasionally compensated for additional services performed. Such services are those performed by the employee in addition to his/her normal, specified duties and will usually be performed outside of regular work hours. These services can be categorized as job related or non-job related.

- A. Job-Related Services are those where an employee performs services in the same capacity as his/her regular assigned duties. Examples: A custodian hired to clean a room after a party. A food service employee hired to prepare or serve food.

#### **1. Classified Employees**

The employee must indicate all hours worked on the Payroll Timesheet. The employee will be compensated on his regular paycheck. Any hours over forty for the week will be paid following Classified Personnel Procedures. The club must submit a check and a copy of the timesheet to the Agency Fund Accountant at the BISD Finance Department.

#### **2. Certified Employees**

The employee must complete a Supplemental Duty Composite Form (Form C) and a Certified Personnel Timesheet (Form C-1) for the hours worked. The employee will be paid at the Board Approved rate through BISD Payroll. The club must submit a check, copy of the Supplemental Duty Composite Form, and Certified Personnel Timesheet to the Accountant for Agency Funds at the BISD Finance Department. A copy of the

reimbursement check from the club must be attached to the Supplemental Duty Composite Form and Certified Personnel Timesheet submitted to the Payroll Department by the due dates assigned by Payroll (Due dates are posted on the Payroll website).

*Please note: The campus or department that initiates the payment is responsible for verifying the account number, employee ID number, amounts to be paid, and that the employees are cleared and eligible to receive the supplemental pay. The campus will then forward the composites with the backup documentation to the funding administrator for approval. The funding administrator will verify that the account number and the amounts being paid are correct. Once they have been reviewed and signed by the funding administrator, they will be forwarded to the Payroll Department.*

- B. Non Job-Related Services are those where an employee performs services in a different capacity as his/her regular assigned duties. Examples: A teacher hired to be a DJ for a party, a custodian hired to build cabinets for the club, or a food service employee hired to make costumes for Charro Days.
- C. Non-Job Related Services / Non Employees for Contracted Services: Follow the procedures at Section 7.5 - PAYMENTS FOR CONTRACTED SERVICES.

## **7.5 PAYMENTS FOR CONTRACTED SERVICES**

- A. Payments for services performed by individuals employed/not employed by the district may be made directly from the Activity Fund using the Contracted Services Form (Form J). A Contracted Services Form (Form J) must be submitted each time a vendor is providing a service. ALL VENDORS MUST COMPLY WITH SENATE BILL 9 (SB9) AND BE CLEARED BY THE PURCHASING DEPARTMENT
- B. For all services provided, a W-9 is required to be filled out annually for all vendors. An updated W-9 will need to be submitted if there are any changes with the vendor's information.
- C. Services that may be paid from the Activity Funds are: DJs, bands for student events, and services for other non-UIL events.
- D. As per the Purchasing Department's memorandum regarding Recreational Equipment, rental of water slides, pools, and/or other water equipment will not be allowed as incentives for campus celebrations. The use of other equipment such as bouncers, slides, trains, carnival rides, etc. is highly discouraged due to the high risk of injury related to such equipment. If the campus is going to reward the students with these types of activities, the following guidelines must be adhered to:
  - 1. Vendors providing the equipment to campuses need to be cleared through the Purchasing Department, regardless of the funding source. Vendors will need to provide a copy of their insurance certificate showing a minimum of \$1,000,000 liability coverage.
  - 2. Only vendors that have been cleared through by our Purchasing Department are eligible to provide these services.
  - 3. Campus budgeted funds may not be used to pay for these activities.
  - 4. When using motivational funds, please ensure that a copy of the insurance certificate is included in the supporting documentation.
  - 5. Vendors that are providing the services for free still need to be cleared through the Purchasing Department and must have liability insurance coverage.
  - 6. Adequate adult supervision must be utilized when hosting these activities.
- E. The social security number, or employee ID number, and the address of the individual should be recorded on the Contracted Services Form at all times and submitted along with the Check Request Form. If the individual does not provide a social security number or federal ID number along with proper ID, Activity Funds cannot be used for payment.

- F. At the end of each calendar year, prepare a listing of all individuals providing services during the calendar year. The listing should include the name, address, social security number or federal identification number, and amount paid.
- G. No later than January 15th of each year, this listing should be sent to Finance Department's Accountant for Agency Funds for issuance of an IRS Form 1099-MISC as required by the Internal Revenue Code.
- H. The District recommends that ALL contracted services be paid through budgeted funds.

#### **7.6 MEMBERSHIP FEES, TRAVEL, ETC.**

Student Activity & Motivational Funds (school accounts) may NOT be used for individual membership dues in a professional organization. Club memberships for the students and sponsor dues are allowable expenditures from Student Activity & Motivational Funds.

Student Activity/Motivational Funds shall not be used to circumvent purchasing procedures and the submitting of requisitions for travel, membership fees for administrators, purchase of office supplies, etc. Principals will use budgeted funds for expenses related to the operation of the campus.

#### **7.7 STAFF DEVELOPMENT**

- A. All consultant and guest speakers must be coordinated through the BISD Staff Development Department.
- B. The District will not reimburse for payments paid from the school activity account.

#### **7.8 SCHOLARSHIPS**

Any clubs fundraising for scholarships must follow the fundraising procedures specified in Section 13.2. A Scholarship Committee must be established in order to review the scholarship applications. The Committee must rank the applications in order to determine which students will be awarded the scholarship. Scholarship disbursements will require a copy of the student's university or college acceptance letter. A list of the awarded students along with the award amounts will need to be attached to the Check Request Form (Form B). The total monetary amount of scholarships to be disbursed, in addition to the total number of scholarships awarded, must also be provided. All scholarships awarded must have the same monetary amount for each student.

## SECTION 8 – PETTY CASH

## **8.1 GENERAL POLICIES**

- A. A petty cash account may be established at the discretion of the principal for athletic admission tickets. Petty cash can only be used for change and cannot be used for cashing checks or to make purchases.
- B. Each petty cash account cannot exceed the following:

<b>Secondary Schools</b>	<b>\$ 150.00</b>
<b>Elementary Schools</b>	<b>\$ 50.00</b>

- 1. It is the principal's responsibility to ensure the maximum protection of these funds.
- 2. If there are two or more events occurring at the same time at a secondary campus, which are requiring the use of a separate ticket box, a maximum of \$150.00 may be used for petty cash box. An account must be established for each box used.

## **8.2 OPERATING PROCEDURES**

- A. The petty cash account is established at the beginning of each year by issuing a check in the desired amount (not to exceed the maximum stated in Section 8.1) payable to one of the account signer's name. The administrator shall then endorse the check and cash it at the bank.
- B. At the close of each school year, the petty cash on hand should be receipted and deposited into the Activity Fund bank account. The receipt is coded to the Petty Cash account, which should be zero (0) after closing.

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Future of the world is  
in my classroom. I  
have the opportunity  
to inspire my students  
to dream great  
dreams, and to help  
them gain the will, the  
skill, and the  
knowledge they need  
to turn their dreams  
into realities.**

Mary Hatwood Futrell,  
President,  
National Education Association

**“A” TEAM**

**Attendance**

**Academics**

**Attitude**

