

FRUITVALE ISD



EMPLOYEE HANDBOOK

2023-24

If you have difficulty accessing the information in this document because of a disability, please email Marsha Foster at fosterm@fruitvaleisd.com.

Revised July, 2023

Table of Contents

Employee Handbook Receipt	5
Introduction	6
District Information	7
Description of the District	7
District Map.....	8
Mission Statement	9
Board of Trustees.....	9
Board Meeting Schedule for 2023-24	10
Administration	10
School Calendar.....	11
School Directory	12
Employment	13
Equal Employment Opportunity.....	13
Job Vacancy Announcements.....	13
Employment After Retirement	13
Contract and Noncontract Employment	14
Certification and Licenses	14
Recertification and Employment Authorization.....	15
Searches and Alcohol and Drug Testing	15
Health Safety Training.....	16
Reassignments and Transfers	16
Workload and Work Schedules	17
Breaks for Expression of Breast Milk	17
Pregnant Workers Fairness Act	17
Notification to Parents Regarding Qualifications	18
Outside Employment and Tutoring	18
Performance Evaluation	18
Employee Involvement.....	18
Staff Development.....	19
Compensation and Benefits	20
Salaries, Wages, and Stipends	20
Paychecks	21
Automatic Payroll Deposit	21
Payroll Deductions	21
Overtime Compensation	22
Travel Expense Reimbursement.....	23
Health, Dental, and Life Insurance.....	24
Supplemental Insurance Benefits	25
Cafeteria Plan Benefits (Section 125)	25
Workers' Compensation Insurance	25
Unemployment Compensation Insurance.....	25
Teacher Retirement.....	26
Other Employee Benefits.....	26
Leaves and Absences	27

Personal Leave.....	28
State Sick Leave	29
Local Leave	29
Donation of Sick Leave	29
Family and Medical Leave Act (FMLA)—General Provisions	31
Local Procedures for Implementing Family and Medical Leave Provisions	33
Temporary Disability Leave.....	34
Workers’ Compensation Benefits.....	34
Assault Leave	34
Jury Duty	35
Compliance with a Subpoena	35
Truancy Court Appearances	35
Religious Observance	35
Military Leave	36
Mental Health Leave or Peace Officers and Licensed Telecommunicators.....	36
Quarantine Leave for Peace Officers.....	36
Leave for Police Officers for Illness or Injury	36
Employee Relations and Communications.....	37
Employee Recognition and Appreciation.....	37
District Communications.....	37
Complaints and Grievances	38
Employee Conduct and Welfare.....	39
Standards of Conduct.....	39
Employee Dress Code Reminder.....	42
Discrimination, Harassment, and Retaliation	42
Harassment of Students	43
Reporting Suspected Child Abuse.....	44
Sexual Abuse and Maltreatment of Children	44
Reporting Crime	45
Scope and Sequence	45
Technology Resources.....	45
Personal Use of Electronic Communications	46
Electronic Communications between Employees and Students.....	47
Public Information on Private Devices.....	49
Social Media Guidelines.....	49
Criminal History Background Checks.....	50
Employee Arrests and Convictions	50
Alcohol and Drug-Abuse Prevention	52
Tobacco Use	52
Fraud and Financial Impropriety	52
Conflict of Interest.....	53
Gifts and Favors.....	53
Grants or Solicitation of Funds.....	53
Consultants or Contracted Services.....	53
Copyrighted Materials	54
Associations and Political Activities	54
Charitable Contributions.....	54
Safety and Security	54
Possession of Firearms and Weapons.....	55

Visitors in the Workplace	55
Asbestos Management Plan.....	55
Pest Control Treatment.....	56
Activity Funds (Campus).....	56
Activity Accounts (Student Organizations).....	56
Cash/Check Handling	57
Donations and Gifts	57
Petty Cash Account	58
Fixed Assets & Inventories.....	58
General Procedures	59
Emergency School Closing	59
Emergencies.....	59
Open Records Requests	59
Purchasing Procedures.....	60
Name and Address Changes	60
Personnel Records	60
Building Use.....	61
Termination of Employment.....	62
Resignations.....	62
Dismissal or Nonrenewal of Contract Employees.....	62
Dismissal of Noncontract Employees.....	63
Discharge of Convicted Employees	63
Exit Interviews and Procedures	63
Reports to Texas Education Agency	63
Reports Concerning Court-Ordered Withholding	64
Student Issues.....	65
Equal Educational Opportunities.....	65
Field Trips.....	65
Overnight Travel.....	65
Student Records.....	67
Parent and Student Complaints.....	67
Administering Medication to Students	67
Dietary Supplements.....	68
Psychotropic Drugs.....	68
Student Conduct and Discipline	68
Student Attendance.....	68
Bullying	69
Hazing.....	72

Employee Handbook Receipt

Name _____

Campus/Department _____

I hereby acknowledge receipt of a copy of the Fruitvale ISD Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

Employees have the option of receiving the handbook in electronic format or hard copy.

Please indicate your choice by checking the appropriate box below:

- I choose to receive the employee handbook in electronic format and accept responsibility for accessing it at www.fruitvaleisd.com under Administration/Employee Forms and Information/Employee Handbook.
- I choose to receive a hard copy of the employee handbook.

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

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

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

Signature

Date

Please sign and date this receipt and forward it to Marsha Foster, Administrative Assistant.

Introduction

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

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of district policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. District policies can be accessed online at www.fruitvaleisd.com.

District Information

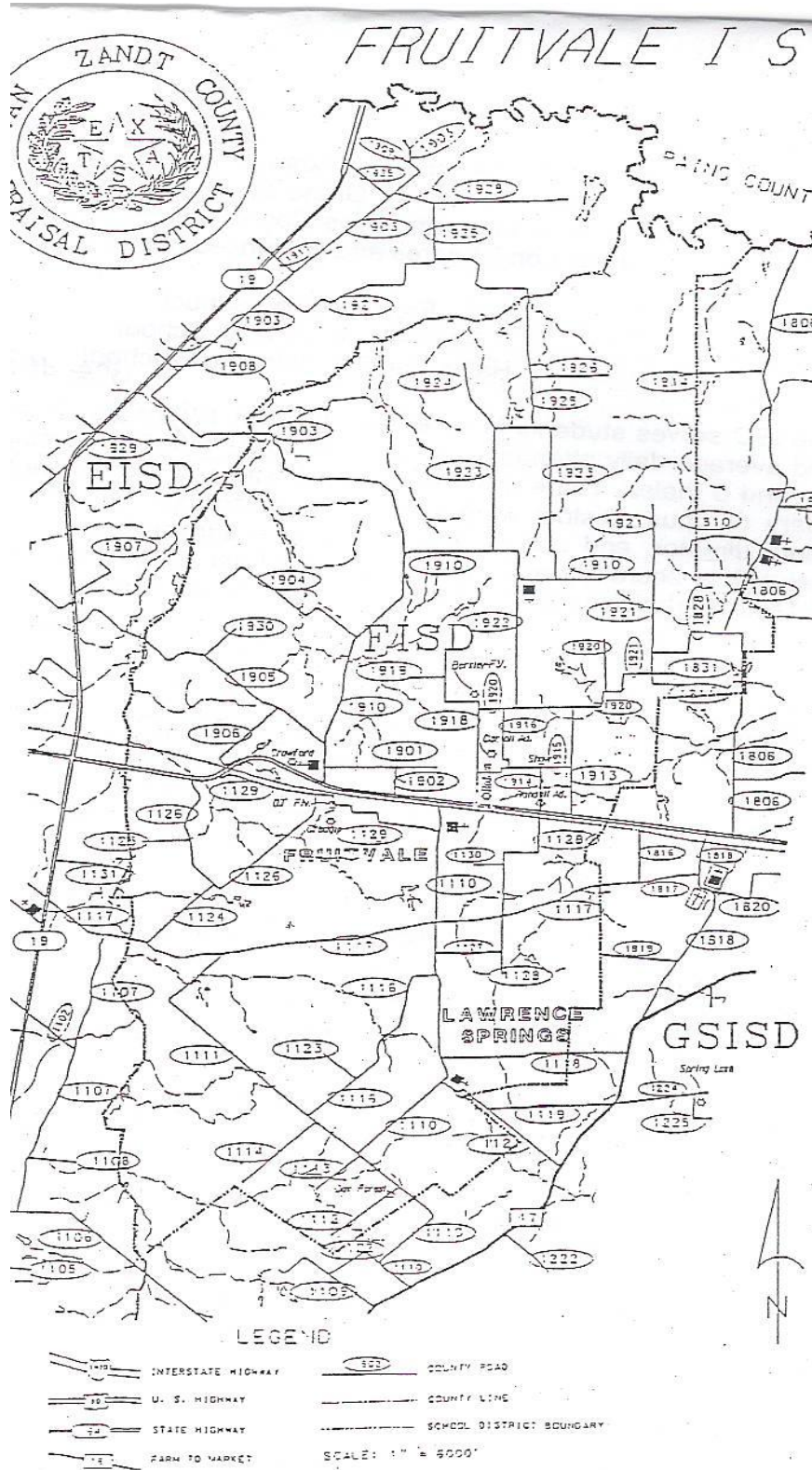
Description of the District

Fruitvale Independent School District is located six miles east of Edgewood, Texas and six miles west of Grand Saline, Texas, just off US Highway 80. The District is 44 square miles in size with Rains County on the north and Canton, Texas to the south. The school is located on 24 acres and comprised of three campuses.

Fruitvale High School
Fruitvale Middle School
Hallie Randall Elementary School

Fruitvale ISD serves students in head start through 12th grade. Total enrollment is about 387 with an average daily attendance of approximately 352. The teaching staff is made of 24 females and 11 males. There are 15 instructional aides and 2 library aides. District wide there are 2 nurses, 1 curriculum director, 1 special education director, 1 diagnostician, 1 instructional coach, 1 certified police officer, 3 counselors, 1 network administrator, 1 computer technician, 3 maintenance men, 6 custodians, and 6 food service workers. Campus administration consists of a 2 principals, 1 assistant principal and 2 secretaries. District administration is one superintendent, one business manager, 1 PEIMS coordinator, 1 grant manager and 3 administrative assistants.

District Map



Mission Statement

Learner Today – Leaders Tomorrow

The partnership of families, community members, students, and Fruitvale Independent School District employees is critical to each student's growth and success.

We believe in the value of instilling work ethic, integrity, perseverance, and motivation in future generations.

We believe in providing a 21st century education interwoven with real world applications.

We believe in modeling and guiding students toward becoming good citizens.

We believe in unlocking each individual student's potential.

We believe in a supportive and collaborative school culture for students, teachers, and families.

Board of Trustees

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

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

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

Current board members include:

- Heath Yates, President
- Kimbra Pettiet, Vice-President
- Bill Hunt, Secretary
- Jason Brown
- Zach Masterson
- Chastity Sneed
- Andrew Dinkins

The board usually meets monthly in the District Administration Office. Regular meetings are the third Thursday of each month at 6:30 p.m. In the event that large attendance is anticipated, the board may meet in the cafetorium. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and the window of the District Administration Office at least 72 hours before the scheduled meeting time. The written notice will

show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a one-hour notice.

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

Board Meeting Schedule for 2023-2024

September 21, 2023	October 19, 2023
November 16,2023	December 14,2023
January 18, 2024	February 15,2024
March 21,2024	April 18,2024
May 16, 2024	June 20,2024
July 18, 2024	August 15,2024

Administration

Rebecca Bain, Superintendent

Cesily Peeples, Curriculum Director

Wendy Milam, Business Manager

Angie Andrews, Elementary Principal

Albert Abshire III, Secondary School Principal

Will Bosley, Secondary School Assistant Principal

Remica Bigham, Special Education Director

School Calendar



FRUITVALE ISD Instructional Calendar | 2023-2024

LEARNERS TODAY
LEADERS TOMORROW

August 2023						
S	M	T	W	TH	F	S
		1	2	3	4	5
6	7*	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September 2023						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2023						
S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November 2023						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2023						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January 2024						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February 2024						
S	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March 2024						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April 2024						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May 2024						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Grading Periods

- 1st Nine Weeks (Aug. 10 – Oct. 11).....43 days
- 2nd Nine Weeks (Oct. 17 – Dec. 20).....41 days
- 3rd Nine Weeks (Jan. 4 – Mar. 8).....43 days
- 4th Nine Weeks (Mar. 19 – May 23).....45 days

Nov. 1 – Parent Conference Day

Total Student Days: 172
 Total Staff Days: 187
 Total Minutes: 77,160
 Staff Development Minutes Waiver: 2,100

School Hours: 8:00 am to 3:30 pm
 Early Release: 8:00 am to 1:30 pm

- New Teacher Orientation
- Staff Development/Planning
- Student Early Release
- Staff/Student Holiday
- STAAR Testing Window
- Beginning of Grading Period
- End of Grading Period
- High School Graduation
- Staff Comp Days
- * Meet the Teacher

School Directory

2023-2024 Staff List

ELEMENTARY

Angie Andrews Elementary Principal
 Joe Perritt Elem. Counselor
 Amy Browning Secretary
 Karla Hance Nurse

ELEMENTARY TEACHERS

Misty Abshire SpEd
 Amanda Day HeadStart
 Jamie Davis Pre-K
 Jaqueline Henry KA
 Martha Gates KB
 Hali Thoele 1A
 Emily Populis 1B
 Darlene LaPrade 2A
 Kimber Stevens 2B
 Lindsey Lewis 3A
 Sheree Lovell 3B
 Matthew Monds 4A
 Kasey Harris 4B
 Ashley Simmons 5A
 Jami Hitt 5B

INSTRUCTIONAL AIDES

Tiffany Burnet
 Beth Burton
 Michelle Campbell
 Holly Jones
 Stephanie Taylor Elm Library
 Debbie Lewis
 Harlie Moore
 Cara Norman HdStart Aide
 Carla Trout SpED
 April Pettit

CAFETERIA

Mandy Russell
 Leslie Allen
 Bryan Burton
 Brenda Hickman
 Pam McConnell
 Amy Partin

MAINTENANCE/CUSTODIAL

Kenny Goll
 Michael Bugg
 Jimmy Chitty
 Wallie Kroontje
 Riley Carter
 Randy Littlejohn
 Kenneth Joslin
 Blanca Sanchez
 Yanet Sanchez

BUS DRIVERS

Jennifer Sulc
 ???

SECONDARY

Albert Abshire Secondary Principal
 Will Bosley Sec Asst Principal
 Amanda Masterson HS Counselor
 Amanda Meroney JH Counselor
 Ronda Moore Secretary
 Felisha Easley Nurse

SECONDARY TEACHERS

Dan Bock JR History/Coach
 Becky Barnes Math
 Jason Chamberland Band/Music
 Karen Crane Health Science/Coach
 Tara Erwin JH ELA/ESL
 Terry Furrh Science/Spanish
 Jeff Hague JH ELA Teacher/Coach
 Molly Hall CTE
 Candace Hodges 6-8 Generalist
 Tommy Mobley Coach/PE
 Jerry Ptak Math/Coach/PE
 Thomas Rucker Math/ACT/SAT
 Brandon Russell HS History/Coach
 Kelli Bryant JH Science
 Kelly Shields ELA
 Gage Sulc CTE/Coach
 Ashley Tull SpEd
 Roy Valdez CTE

INSTRUCTIONAL AIDES

Daniel Flowers CTE/Coach
 Heather Good
 Amy Hunt Library/DC/ISS
 Angela Jones
 Jennifer Sulc
 Suzanna Talasek
 Sandra Trlica
 Brenda Williams

DISTRICT WIDE

Rebecca Bain Superintendent
 Cecily Peebles Curr. Director
 Remica Bigham SpEd Director/Diag
 Wendy Milam Business Mgr
 Susan McCann Grant Manager
 Marsha Foster Admin Secretary
 Traci Robinson PEIMS Coordinator
 Christi David Clerical Assistant
 Tiffany Phillips Data Clerk
 Audra Phillips Diagnostician
 Randy Mills Network Administration
 Stephanie Riley Technician
 Erin Tull Instructional Coach
 Dana Self Police Officer
 Justin Day Life Skills
 Alynda Davis Math Interventionist
 Tracy Neill Dyslexia
 Shanna Smith Head Start Facilitator

Employment

Equal Employment Opportunity

Policies DAA, DIA

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

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

The district designates and authorizes the following employee as the Title IX coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: *Rebecca Bain, Superintendent, bainr@fruitvaleisd.com, 903-8956-1191*. Reports can be made at any time and by any person, including during non-business hours, by mail, email, or phone. During district business hours, reports may also be made in person.

The district designates and authorizes the following employee as the ADA/Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability: *Rebecca Bain, Superintendent, bainr@fruitvaleisd.com, 903-896-1191*.

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

Job Vacancy Announcements

Policy DC

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

Employment after Retirement

Policy DC

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed under certain circumstances on a full- or part-time basis without affecting their benefits, according to TRS rules and state law. Detailed information about employment after retirement is available in the TRS publication *Employment After Retirement*. Employees can contact TRS for additional

information by calling 800-223-8778 or 512-542-6400. Information is also available on the TRS Web Site (www.trs.texas.gov).

Contract and Noncontract Employment

Policy DC series

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

Fruitvale ISD is a District of Innovation. This allows for the hiring on non-certified teachers in specific areas of high need.

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

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

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

Noncertified Professional and Administrative Employees. The Business Manager is employed on a two year (non-chapter 21) contract. Employees in professional and administrative positions that do not require SBEC certification (such as noninstructional administrators) are not employed by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

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

Certification and Licenses

Policy DBA, DF

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

Employees licensed by the Texas Department of Licensing and regulations (TDLR) must notify Rebecca Bain when there is action against, or revocation of their license.

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

Recertification of Employment Authorization

Policy DC

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

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

Searches and Alcohol and Drug Testing

Policy DHE

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

Employees Required to Have a Commercial Driver's License. Any employee whose duties require a commercial driver's license (CDL) is subject to alcohol and drug testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people counting the driver, drivers of

large vehicles, or drivers of vehicles used in the transportation of hazardous materials. Teachers, coaches, or other employees who primarily perform duties other than driving are subject to testing requirements if their duties include driving a commercial motor vehicle.

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

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing should review the district's policy DHE online.

Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact Rebecca Bain, Superintendent.

Health Safety Training

Policies DBA, DMA

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion, and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to Karla Hance by September 1, 2021.

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

Reassignments and Transfers

Policy DK

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

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by May 1st. Requests for transfer during the school year will be

considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Superintendent's office and must be approved by the receiving supervisor.

Workload and Work Schedules

Policies DEAB, DK, DL

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

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

Paraprofessional and Auxiliary Employees. Support employees are employed at will and receive notification of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees are not exempt from overtime and are not authorized to work in excess of their assigned schedule without prior written approval from their supervisor. See *Overtime Compensation* on page 22 for additional information.

Breaks for Expression of Breast Milk

Policies DEAB, DG

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

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

The Providing Urgent Maternal Protections of Nursing Mothers Act (PUMP Act) requires an employee to notify the district if they believe the district is out of compliance in providing breaks for a nursing mother. The employee must give the district 10 days to come into compliance before making any claim of liability against the district. An employee with concerns should contact Rebecca Bain, Superintendent, 903-896-1191.

Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (PWFA) provides consideration of accommodations to employees who have known limitations related to pregnancy, childbirth, or related medical conditions. An

employee seeking a PWFA accommodation should contact Rebecca Bain, Superintendent, 903-896-1191 to begin the interactive process.

Notification to Parents Regarding Qualifications

Policies DK, DBA

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

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notice under ESSA is sent. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call Cesily Peeples, Curriculum Director.

Outside Employment and Tutoring

Policy DBD

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

Performance Evaluation

Policy DN series

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

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

Employee Involvement

Policies BQA, BQB

At both the campus and district levels, Fruitvale ISD offers opportunities for input in matters that affect employees and influence the instructional effectiveness of the district. As part of the district's planning and decision-making process, employees are elected to serve on district- or campus-level advisory committees. Plans and detailed information about the shared decision-making process are available in each campus office or from the Superintendent's office.

Staff Development

Policy DMA

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is predominantly campus-based, related to achieving campus performance objectives, addressed in the campus improvement plan, and approved by a campus-level advisory committee. Staff development for noninstructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development.

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

Compensation and Benefits

Salaries, Wages, and Stipends

Policies DEA, DEAA, DEAB

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as non-exempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*, page 22.)

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

Every employee shall "clock-in" and "clock-out" daily. Failure to clock-in or out may result in non-payment of unverified work time. Documentation shall be submitted to the Business Office at the end of each week.

All non-exempt employees shall comply with the work schedule assigned by their respective supervisor. All overtime shall be pre-approved by the immediate campus or department supervisor. At the district's option, non-exempt employees may receive compensatory time off, rather than overtime pay, for overtime work. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay. An employee who repeatedly works in excess of his/her assigned work schedule, without authorization, will be subject to disciplinary action, including termination.

All employees shall complete a Staff Absence Report Form (Appendix A-6) when absent from work to ensure that the time off is recorded in their respective leave record. Staff members shall report all absences and leave requests to their campus secretary or immediate supervisor. All Staff Absence Report Forms should be signed and submitted to the business manager by the end of each week.

Supplemental Payment Forms will be generated by the campus, approved by the campus administrator and submitted to the payroll office weekly. The supplemental payments will be processed for the next pay period. Supplemental payment should include the following: employee name, reason for pay, payment amount, budget code(s), date(s) worked, and be supported by sign-in sheets (attached to payment form).

Failure of employee to submit paperwork within 30 days can result in nonpayment.

Employees should contact Wendy Milam, Business Manager, for more information about the district's pay schedules or their own pay.

Paychecks

All employees are paid monthly. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization.

2023-2024 Pay Dates

September 25, 2023
November 16, 2023
January 22, 2024
March 25, 2024
May 24, 2024
July 25, 2024

October 25, 2023
December 19, 2023
February 23, 2024
April 25, 2024
June 25, 2024
August 24, 2024

Automatic Payroll Deposit

Employees can have their paychecks electronically deposited into a designated account. A notification period of one month is necessary to activate this service. Contact Wendy Milam, Business Manager, for more information about the automatic payroll deposit service.

Payroll Deductions

Policy CFEA

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

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

Other payroll deductions employees may elect include deductions for the employee's share of premiums for approved health, dental, life, and vision insurance; annuities; and higher education savings plans or prepaid tuition programs. Employees also may request payroll deduction for payment of membership dues to professional organizations and certain charitable contributions approved by the board. Salary deductions are automatically made for unauthorized or unpaid leave. Deductions will be made for unauthorized or excess personal leave or sick leave.

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

Overtime Compensation

Policy DEAB, DEC

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

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours. For the purpose of calculating overtime, a workweek begins at 12:00 a.m. Sunday and ends at 11:59 p.m. Saturday.

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

At the District's option, nonexempt employees may receive compensatory time off, rather than overtime pay, for overtime work. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay.

Compensatory time earned by nonexempt employees may not accrue beyond a maximum of 60 hours. If an employee has a balance of more than 60 hours of compensatory time, the District shall require the employee to use the compensatory time, or at the District's option, the District shall pay the employee for the compensatory time.

An employee shall use compensatory time within the duty year in which it is earned.

Compensatory time may be used at either the employee's or the District's option. An employee may use compensatory time in accordance with the District's leave policies and if such use does not unduly disrupt the operations of the District. [See DEC(LOCAL)] The District may require an employee to use compensatory time when in the best interest of the District.

Travel Expense Reimbursement

Policy DEE

Fruitvale ISD Travel Policy
Adopted 12/14/2009 (Revised 7/2022)

Travel to workshops must be requested on appropriate form and approved by Principal and Curriculum Director. After approval is obtained requisitions must be submitted through the ASCENDER system for any expenses (prior to registration) that will be incurred because of the workshop (ie. registration fee, meals, lodging, etc.).

Transportation: Employees may request a school vehicle by completing a transportation request form (on the district's webpage). This form must be submitted to Jimmy Chitty electronically. If a school vehicle is unavailable, then mileage reimbursement will be made at a rate of .625 per mile. Mileage will not be paid unless a school vehicle was not available. You must attach a copy of the form or email from Jimmy Chitty letting you know that a vehicle was not available to your requisition. If this is not attached you will not be reimbursed for your mileage. Mileage will be calculated using an online mapping service such as MapQuest (city to city). Coordination of travel is encouraged for those traveling to the same event on the same date with the same itinerary. Only one person out of a group of four may be reimbursed for mileage.

Staff Meals: Meals will be reimbursed for overnight travel only. Travel that does not require an overnight stay will not be eligible for meal per diem/reimbursement. The maximum per diem/reimbursement rate for meals is \$45.00 per day. Per board policy, receipts are not required, except when federal funds are used for travel. In the event receipts are required, they must be originals (not copies) and official, not handwritten notes. Reimbursement will not be made unless receipts are turned in within 5 days following your return. Tips may be included with your meals, but they cannot exceed 15% of meal.

A breakdown of this daily rate is:

Breakfast \$10.00
Lunch \$15.00
Dinner \$20.00

Student Meals: There will be a limit on the number of times the school district will provide student meals for each group traveling. The rate will be \$12.00 per day per student.

Varsity Football – 2 meals per season
Varsity Volleyball - 2 meals per season
Varsity Basketball - 2 meals per season
Varsity Softball - 2 meals per season
Varsity Baseball - 2 meals per season
High School UIL District Meets – 1 meal per season

When a student advances beyond district, the rate will be \$15.00 per day, per student.

For overnight travel (for advancing beyond district only) the rate will be \$45 with the same breakdown as staff.

Breakfast \$10.00

Lunch \$15.00

Dinner \$20.00

When students are eating as a group/team where all meals are on one ticket, a receipt will be required and change; when applicable, will be returned to the administration office. If students are attending an event where it is necessary for them to eat at different times, different locations, or at concession stands where receipts are not available, students will sign-off (on form provided) that they were given the money and the amount. In these instances, receipts will not be required. Please remember that we all need to be good stewards of the district's monies. For instance, if you are staying in a hotel where breakfast is provided, it would not be necessary to request that amount.

Lodging: Beginning January 1, 2010, lodging will be paid at a maximum rate in accordance with the U.S. General Services Administration Domestic Per Diem Rates (not including taxes). A copy of these rates can be found on the district website under Administration – Employee Forms and Information. The district will pay for room expenses only. You must submit a requisition for the cost of the hotel. The requisition is to be made either to yourself for reimbursement after your stay or to “Travel Card” and a debit card containing funds only for the amount of the hotel room will be issued to the employee. The debit card and hotel receipt is due upon return. Once you have an approved purchase order, it is the employee's responsibility to reserve the room and get the price (without State tax). The district is not subject to state taxes. You must take a Texas Hotel Occupancy Tax Exemption Certificate with you. Every effort should be made to find reasonable rates as the district is subject to the state rate for hotel expenses. When making a reservation: Advise the selected hotel that you are eligible for the state rate. If for any reason you are unable to locate a room at the state rate or below you must obtain special approval from the Superintendent prior to making a reservation. **Other Misc:** Full reimbursement will be made for reasonable expenses as approved by the Superintendent, (e.g. parking). Receipts must be provided.

Health, Dental, and Life Insurance

Policy CRD

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

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

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

Supplemental Insurance Benefits

Policy CRD

At their own expense, employees may enroll in approved supplemental insurance programs for

disability, life, and cancer through, First Financial, the district's third party administrator. Premiums for these programs can be paid by payroll deduction. To see the Benefits that are offered through First Financial, go to the following website:

<http://benefits.ffga.com/fruitvaleisd/Benefits>

Employees should contact Wendy Milam, Business Manager, for more information.

Cafeteria Plan Benefits (Section 125)

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

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

Workers' Compensation Insurance

Policy CRE

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from Claims Administrative Service.

Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to your supervisor and Wendy Milam. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits*, page 35 for information on use of paid leave for such absences.

Unemployment Compensation Insurance

Policy CRF

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

Teacher Retirement

Policy DEG

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitute's not receiving TRS service retirement benefits

who work at least 90 days a year are eligible to purchase a year of creditable service in TRS. TRS provides members with an annual statement of their account showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

Employees who plan to retire under TRS should notify the Teacher Retirement System and Wendy Milam as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web (www.trs.texas.gov). See page 13 for information on restrictions of employment of retirees in Texas public schools.

Other Employee Benefits

Fruitvale ISD provides every employee with one free lunch each day that the cafeteria is in operation. In order to participate, it is required that the employee eat in the cafeteria. If an employee prefers a “to-go” lunch, those must be purchased. Any additional meals, ale cart items, or ice cream is at the employee’s expense. NO charging is allowed; however, employees may pay in advance on their account or at the time of purchase.

Leaves and Absences

Policies DEC, DECA, DECB

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees

who expect to be absent for an extended period of more than five days should call Rebecca Bain, Superintendent for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

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

- Local Leave
- State Sick Leave accumulation prior to the 1995-96 school year
- State Personal Leave

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

If an hourly employee does not report or request leave of absence(s) according to district procedures, the incident is considered a "no call/no show". An employee who is absent for 2 consecutive days without notice is considered to have abandoned their job and may face disciplinary consequences up to and including termination.

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

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

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

Medical Certification. Any employee who is absent more than five days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee's fitness to return to work.

The district may require medical certification due to an employee's questionable pattern of absences or when deemed necessary by the supervisor or superintendent. The district may also request medical certification when an employee requests leave under the Family and Medical Leave Act (FMLA) for the employee's serious health condition, a serious health condition of the employee's spouse, parent, or child, or for military caregiver leave.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we ask that employees and health care

providers do not provide any genetic information in any medical certification. ‘Genetic information,’ as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Continuation of Health Insurance. Employees on an approved leave of absence other than family and medical leave may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the FMLA will be paid by the district as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave.

Under TRS-Active Care rules, an employee is no longer eligible for insurance through the district after six months of unpaid leave other than FML. If an employee’s unpaid leave extends for more than six months, the district will provide the employee with notice of COBRA rights.

Personal Leave

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

Nondiscretionary. Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary may be used in the same manner as 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 request to the principal or his/her supervisor 2 days in advance of the anticipated absence. The effect of the employee’s absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

Discretionary use of leave shall not be allowed under the following circumstances:

- The day before a school holiday;
- The day after a school holiday;
- Days scheduled for end-of-semester or end-of-year exams;
- Days scheduled for state-mandated assessments; or
- Professional or staff development days.

Under rare and unique circumstances the Superintendent may approve requests for the above mentioned days.

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

State Sick Leave

State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas. State sick leave can be used only in whole or half-day increments, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

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

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

Local Leave

Fruitvale ISD employees earn up to three days of local leave per year. This leave does not carry over from one year to the next. Local leave is earned at a rate of ½ day for 31 days worked. Local leave will be used before state leave unless employee requests otherwise.

Donation of Sick Leave (Effective May 20, 2015)

It is the desire of Fruitvale Independent School District to provide the opportunity for its employees to donate annually one or two of their locally earned sick leave days to other employees who are experiencing a qualifying serious, life-threatening illness, prolonged illnesses, impairment or injuries which cause them to be unable to perform their assigned duties for an extended period of time or a qualifying family member's temporary or permanent incapacity for an extended period of time and who have exhausted their available sick leave benefits.

Full-time and part-time employees who participate in the school district's general sick leave program may either donate or receive sick leave days. An employee may donate one to two days each school year. For purposes of this policy only and without regard to either the number of hours normally worked by the employee or the classification of the employee, a "day" shall mean that daily period of time normally worked by the employee. For purposes of this policy only, the school year shall be considered to be from July 1 through June 30. Donated days are not accumulated in reserve or carried forward from year to year. A donation cannot be withdrawn after it has been received.

Employees may apply to receive donated days only for personal illnesses or injuries (or dependent) and may not use the days for any other purposes. Employees may begin to receive donations on the eleventh day of approved absence from assigned duties following the exhaustion of their general sick

leave benefits and their paid vacation days, if any. Employees may receive a maximum of thirty (30) donated sick leave days in a school year. Employees may not receive donated days in advance of absences and may not hold a surplus of donated days. Once eligible to receive donations, an employee may apply for donations for subsequent illnesses or injuries occurring during the school year. Employees eligible for a personally funded disability insurance plan are not disqualified from receiving donations. Donations made to employees paid under the Workmen's Compensation Act will be administered according to the district's workmen's compensation policy. In no case shall recipients of sick leave donations be paid by the district more than the amount they would have received if they were not ill or injured. Employees will not receive donated sick leave days for any period of time that the employee normally would not have worked.

Employees eligible to receive donations may apply by submitting a completed application form to the principal or administrative supervisor. If the employee is incapacitated or otherwise unable to initiate the application process, a person identified on the employee's emergency information card may submit the application.

Attached to the application form must be an attending physician's original statement which certifies that the nature and extent of the illness or injury cause the applicant to be unable to perform regularly assigned duties, and states both the date of the onset of the illness or injury and the anticipated date that the applicant will be able to return to work. The principal or administrative supervisor will review the application for completeness and will forward it to the Business Manager for processing. The Superintendent of Schools may require the applicant to submit to a medical review by a second physician if it is warranted; this determination may be made at the sole discretion of the Superintendent; and, the medical review will be at the expense of the school district.

Employees may donate sick leave days by submitting donation forms to their principal or administrative supervisor. In order to make donations, the donors must specify the employees to whom the donations are to be made and must maintain personal sick leave balances of at least ten days of state or locally earned sick leave. Employees may donate to each other without regard to their full-time or part-time status. Each donor's sick leave balance will be reduced by one day, and each recipient shall receive one day of sick leave for each day donated to the recipient. Employees may make donations without regard to the recipient's work assignment or classification.

This sick leave donation program is available only for current employees and may be discontinued at any time without notice. The following persons are ineligible to participate in the program, either as donors or as recipients: persons whose employment with the school district is terminated; employees who are on approved leaves of absence for other than personal illness or injury; employees who are suspended without pay from assigned duties; and, students employed on either a part-time or a temporary basis.

This policy shall be subject to re-adoption annually by motion and vote during any meeting of the Board of Trustees.

Family and Medical Leave Act (FMLA)—General Provisions

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

What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons.

The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

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

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

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

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

Am I eligible to take FMLA leave?

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

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

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

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

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

How do I request FMLA leave?

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

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or

- If advance notice is not possible, give notice as soon as possible.

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

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

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

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

What does my employer need to do?

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

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

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

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

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

Where can I find more information?

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

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



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR



Local Procedures for Implementing Family and Medical Leave Provisions

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

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. Spouses 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.

Intermittent Leave. When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. The district does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

Fitness for Duty. An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. If certification of the employee's ability to perform essential job function is required, the district shall provide a list of essential job functions (e.g., job description) to the employee with the FML designation notice to share with the health care provider.

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

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

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

District Contact. Employees that require FML or have questions should contact Rebecca Bain for details on eligibility, requirements, and limitations.

Temporary Disability Leave

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

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days.

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

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

Workers' Compensation Benefits

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

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

Assault Leave

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person nonresponsible for purposes of criminal liability. An incident involving assault is a work related injury and should be reported immediately to Rebecca Bain.

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

Jury Duty

Policies DEC, DG

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

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

Compliance with a Subpoena

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use personal leave. Employees may be required to submit documentation of their need for leave for court appearances.

Truancy Court Appearances

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

Religious Observance

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

Military Leave

Paid Leave for Military Service. Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave when engaged in authorized training or duty ordered by proper authority. Paid military leave is limited to 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 duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment within the time specified by law to Rebecca Bain. In most cases, the length of federal military service cannot exceed five years.

Continuation of Health Insurance. Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact Rebecca Bain, Superintendent for details on eligibility, requirements, and limitations.

Mental Health Leave for Peace Officers and Licensed Telecommunicators

See DEC Local effective September 1, 2023

Quarantine Leave for Peace Officers

See DEC Local effective September 1, 2023

Leave for Police Officers for Illness or Injury

See DEC Local effective September 1, 2023

Employee Relations and Communications

Employee Recognition and Appreciation

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

Fruitvale ISD has a local incentive plan that provides longevity checks to employees for multiple years of service. The district also has a local incentive plan based on district criteria handed out in November. The district also utilized the State teacher Incentive Allotment Program to identify teachers who meet qualifications and are able to receive additional state funding.

District Communications

Throughout the school year, the administration office publishes newsletters, calendars, news releases, and other communication materials. These publications; as well as, the district web page, district Facebook page, School Messenger (emails/calls), Remind (texts), and Raptor (school safety) offer employees and the community information pertaining to school activities and achievements.

Complaints and Grievances

Policy DGBA

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

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

[**DGBA \(LOCAL\) - PERSONNEL-MANAGEMENT RELATIONS: EMPLOYEE COMPLAINTS/GRIEVANCES**](#)

Employee Conduct and Welfare

Standards of Conduct

Policy DH

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

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

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines 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 after the superintendent knew of the incident. See *Reports to the Texas Education Agency*, page 66 for additional information.

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

Texas Educators' Code of Ethics

Purpose and Scope

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

Enforceable Standards

1. Professional Ethical Conduct, Practices, and Performance

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2. Ethical Conduct toward Professional Colleagues

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

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

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

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

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

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

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

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

3. Ethical Conduct toward Students

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

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

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

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

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

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

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.

Employee Dress Code Reminder

District employees shall act as role models, exemplifying the highest standards of professional appearance, to teach community values, and proper grooming and hygiene.

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

Professional personnel are expected to dress in a manner that projects a professional image for the employee, school, and District. "Professional personnel" will be defined as teachers, instructional aides, and office/clerical positions.

Professional attire shall consist of slacks, knee-length skirts, dresses, dress shirts, collared shirts, ties, jackets etc. Professional attire will be worn when parents are on campus or trainers from out of the district are on campus unless otherwise permitted by the Superintendent. Professional staff may wear non-holed or patched jeans with a Fruitvale school spirit shirt or professional top, or collared shirt on regular work days, training days with inside district trainers, or on student days without parent events.

The following are not considered "professional attire" pursuant to this policy: jeans with holes or patches, shorts, revealing/provocative shirts and tops, t-shirts, short skirts, spandex, tights, leggings, or similar tight clothing. Slippers, flip-flops, house shoes, and other similar foot apparel are not considered professional attire.

Staff shall not wear facial piercings or facial tattoos. Any visible tattoos will have school-appropriate messaging. No violent images, cuss words, inappropriate sayings or other images deemed inappropriate for children will be visible at school or school events.

The Superintendent may waive the dress code for District employees when school students are not on campus. Employees will be notified by the Superintendent when such a waiver is in effect. Defining the parameters of the dress code waiver based on seasonal weather conditions or special events. Spirit Days: on pep rally days and Fridays employees will be able to dress in a manner that supports school spirit. Acceptable attire for Spirit Days days will be jeans or pants, without holes or patches, and a school shirt including school t-shirts or Fruitvale ISD colors in support of our school, or a costume that fits the theme for the day.

Discrimination, Harassment, and Retaliation

Policies DH, DIA

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

Individuals who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the principal, supervisor, or appropriate district official. If the principal, supervisor, or district official is the subject of a complaint, the complaint should be made

directly to the superintendent. A complaint against the superintendent may be made directly to the board.

Any district employee who believes that he or she has experienced prohibited conduct based on sex, including sexual harassment, or believes that another employee has experienced such prohibited conduct, should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor, the campus principal, the Title IX coordinator, or the superintendent. The district's Title IX coordinator's name and contact information is listed in the Equal Employment Opportunity section of this handbook.

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

[DIA \(LOCAL\) - EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION](#)

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

All allegations of prohibited harassment of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse*, page 44 and *Bullying*, page 69 for additional information.

The district's policy that includes definitions and procedures for reporting and investigating harassment of students is located on the district webpage under policy online and linked below:

[DHB \(LEGAL\) - EMPLOYEE STANDARDS OF CONDUCT: REPORTS TO STATE BOARD FOR EDUCATOR CERTIFICATION](#)

[FFH \(LOCAL\) - STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION](#)

Reporting Suspected Child Abuse

Policies DG, FFG, GRA

All employees are required by state law to report any suspected child abuse or neglect, as defined by Texas Family Code §261.001, to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a teacher) must be reported to CPS.

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 on the internet at <https://www.txabusehotline.org/login/default.aspx> or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

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

An employee's failure to report suspected child abuse may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report suspected child abuse may result in disciplinary procedures by SBEC for a violation of the Texas Educators: Code of Ethics.

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

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

Sexual Abuse and Maltreatment of Children

The district has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed by contacting the campus counselor. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or maltreated. 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. Maltreatment is defined as abuse or neglect. 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.

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

Scope and Sequence

Policy DG

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

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

Technology Resources

Policy CQ

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

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

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

Employees are required to abide by the provisions of the district's acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action. Employees with questions about computer use and data management can contact Randy Mills, Network Administrator.

Personal Use of Electronic Communications

Policy DH

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

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

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

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

See *Electronic Communication between Employee and Students*, below, for regulations on employee communication with students through electronic media.

Electronic Communication between Employees, Students and Parents

Policy DH

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

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

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

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

- *Electronic communication* means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes email, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*: however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Communications*, above. Unsolicited contact from a student through electronic means is not a *communication*.
- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

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

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
- Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with one of the following protocol:
 - The employee shall include at least one of the student’s parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;
 - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or
 - For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee’s district email address.
- The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
- The employee shall not communicate directly with any student between the hours of 10 p.m. and 6 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators’ Code of Ethics including:
 - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
 - Copyright law [Policy CY]
 - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DH]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through email, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee shall notify his or her supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.
- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.

Public Information on Private Devices

Policy DH

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

Reasonable efforts may include:

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

Official Fruitvale ISD Social Media Guidelines

Social Media Guidelines for Staff. Fruitvale ISD recognizes the importance of using social media as a communication and learning tool. The purpose of these guidelines is to assist district employees in navigating the appropriate use of social media tools. These guidelines are specific to social media but are not exclusive and are in addition to standards outlined in the Educators' Code of Ethics. Social media includes any form of online publication where users post or engage in conversation and includes blogs and social networks. Failure to adhere to these guidelines could be cause for disciplinary action.

All staff are expected to serve as positive ambassadors for the District and appropriate role models for students. It is vital that staff maintain professionalism in their interaction with students and the community, whether in person or online.

Social Media Classroom & Extracurricular Use. Social media networks are powerful teaching and communication tools that can add significant value to classroom instruction. Teachers may use social media tools where appropriate in addressing an educational goal of the classroom. Social media is also used by coaches, advisors, sponsors, etc. to communicate and interact with parents and students. Social media may be used for classroom and extracurricular use under these guidelines:

- Obtain permission from your supervisor when creating social networks for classroom use and make sure parents are aware of the use and educational purpose.
- Use District contact information for creating and maintaining accounts.
- Abide by the user guidelines as set by the respective social media site.
- Be proactive by stating clearly that the account you create is the official account of the program or class.
- Treat the social media account and interactions like a classroom. Monitor carefully the interactions between student and deal with inappropriate use immediately.
- FERPA clearance must be checked for any student photo or video posting.
- Consult with your administrator if further information is needed.

Social Media Etiquette:

You are Always a Fruitvale ISD Employee

- Internal school discussions or specific information about students or other staff is confidential.
- Keep the line between personal and professional clear. Use your professional social media account for professional use and your personal account for personal use.

Be Professional

- Represent the values we expect of our students.
- If you make a mistake, admit it and correct it quickly. Clearly state if you have corrected a previous post.
- Be cautious about posting video. Video often tells more than you might realize. The video you post will be viewed by the world.

Respect others and Ensure the Safety of Students at all times.

- You are responsible for what you post, so be certain it is accurate and supports your classroom or program. If you are about to post something that makes you hesitant, wait a day and talk to your supervisor. Once you post, you cannot take it back.
- Do not post pictures of students without checking FERPA.
- As an employee who engages students in social media, you have the responsibility for monitoring the content and addressing appropriate behavior or activity, including the protection and safety of students.

Manage Staff/Student Relationships Carefully

- Employees are prohibited from establishing personal relationships with students that are unprofessional and thereby inappropriate. Do not fraternize with students as though they are your peers or friends.

Help promote Fruitvale ISD

- A district’s most valuable asset is its staff, and what you publish reflects on the district, school, and its programs.
- Posts should be well written with proper grammar, capitalization, and punctuation.
- Post regularly. Readers will not have a reason to follow you on social media if they cannot expect new content regularly. Answer questions, thank people, and post accolades, even if it’s just a few words. Make it a two-way conversation.
- Follow or Like other district social media accounts.

Criminal History Background Checks

Policy DBAA

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

Employees with access to the DPS/Fact Clearinghouse shall strictly follow the procedures outlined in the Confidentiality and Use Agreement and report any suspected misuse immediately.

Employee Arrests and Convictions

Policy DH, DHB, DHC

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

- Crimes involving school property or funds

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

Moral turpitude includes the following:

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

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

Certified Employees. The superintendent and directors are required to report the misconduct or criminal history of a certified employee or individual applying for certification or permit to TEA Division of Educator Investigations. Information about misconduct or allegations of misconduct of a certified employee obtained by a means other than the criminal history clearinghouse that results in termination, resignation, or criminal history (e.g., arrest, indictment, prosecution, conviction, or other disposition by the criminal justice system, including probation and deferred adjudication) will be reported to TEA.

Misconduct or allegations of misconduct include:

- Abused or otherwise committed an unlawful act with a student or minor
- Possessed, transferred, sold, or distributed a controlled substance
- Illegally transferred, appropriated, or expended school property or funds
- Attempted by fraudulent means to obtain or alter any certificate or permit to gain employment or additional compensation
- Committed a criminal offense on school property or at a school-sponsored event, or
- Solicited or engaged in sexual conduct or a romantic relationship with a student or minor

Uncertified Employees. Misconduct or criminal history of an uncertified employee also must be reported to TEA. Information about misconduct or the allegations of misconduct obtained by a means other than the criminal history clearinghouse that results in termination, resignation, or criminal history (e.g., arrest, indictment, prosecution, conviction, or other disposition by the criminal justice system, including probation and deferred adjudication) will be reported to TEA.

Misconduct or allegations of misconduct include:

- Abuse or unlawful act with a student or minor, or

- Involvement in a romantic relationship with or solicited or engaged in sexual contact with a student or minor

Alcohol and Drug-Abuse Prevention

Policies DH

Fruitvale ISD is committed to maintaining an alcohol- and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the workplace and at school-related or school-sanctioned activities on or off school property. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. The district's policy regarding employee drug use can be found at the following location:

DH (LOCAL) - EMPLOYEE STANDARDS OF CONDUCT

Tobacco Products and E-Cigarette Use

Policies DH, FNCD GKA

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

Fraud and Financial Impropriety

Policy CAA

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

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

- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards

Conflict of Interest

Policy CB, DBD

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

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

Gifts and Favors

Policy DBD

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

Grants or Solicitation of Funds

No person shall apply for, or request, any funding on behalf of the school without prior approval by the Superintendent and Business Manager.

Consultants or Contracted Services

Consultants are non-employees who are contracted to perform a personal or professional service such as staff development, medical services, etc. The Superintendent is the only individual authorized to sign contracts on behalf of the district. Contracts that exceed \$25,000 shall be approved by the Superintendent and the School Board.

Consultants will not be used without the following forms on file with the district:

- A completed W-9 Form
- Conflict of Interest Questionnaire
- If the consultant will work directly with students, a Criminal Check Authorization Form and State Board of Educator Certification fingerprinting documentation.

Contracted services include services such as repairs, maintenance, technical support, and related services. Documentation of insurance, such as general liability, workers compensation, and auto liability, shall be submitted to the business office with the purchase order. The Certificate of Insurance shall name "Fruitvale ISD" as additional insurance.

Copyrighted Materials

Policy CY

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

Associations and Political Activities

Policy DGA

The district will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization.

An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work. Use of district resources including work time for political activities is prohibited.

The district encourages personal participation in the political process, including voting. Employees who need to be absent from work to vote during the early voting period or on election day must communicate with their immediate supervisor prior to the absence.

Charitable Contributions

Policy DG

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

Safety And Security

Policy CK series

The district has developed and promotes a comprehensive program to ensure the safety and security of its employees, students, and visitors. The safety program includes written guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. See Emergencies on page 61 for additional information.

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

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

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

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

Employees with questions or concerns relating to safety programs and issues can contact Clint Perkins immediately. Pursuant to its authority under state law, the Board may from time to time authorize specific district employees to possess certain firearms at school and at school related events to the extent allowed by law. Those individuals shall have written authorization from the Superintendent.

Possession of Firearms and Weapons

Policies FNCG, GKA

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

Exception to this policy would be the school police officer and other employees designated by the school board.

Visitors in the Workplace

Policy GKC

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

Asbestos Management Plan

Policy CKA

The district is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan for each school. A copy of the district's

management plan is kept in the administration office and is available for inspection during normal business hours.

Pest Control Treatment

Policies CLB, DI

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

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located on the front door of the administration office. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written or electric means. Pest control information sheets are available from the superintendent or IPM Coordinator.

For more information or concerns contact the IPM Coordinator or Superintendent at 903-896-1191.

Activity Funds (Campus)

Campus activity funds (under the control of the Principal) shall be collected, receipted, and deposited to the district's business office on a daily basis. Refer to cash/check handling procedures.

Campus activity funds are primarily used to benefit students. Typical uses include field trip fees, awards, incentives, etc. These funds shall not be used for "gifts" to students and/or staff. Budgeted funds shall not be used to generate activity funds, nor shall staff (administrative/support) earn wages while generating activity funds. Giving of staff time to generate activity funds shall be voluntary.

Generating activity funds shall not in any way compete with the district food service activities. Activity funds generation shall be a passive activity and shall not detract from the district's overall primary educational purpose. The generation and expenditure of campus activity funds shall be held to the same standard and scrutiny as that of appropriated funds. Activity funds shall be audited and must adhere to accepted business practices.

Campuses may establish a staff account (Hospitality or Flower Fund) with voluntary donations from staff. These funds are not district funds and may be used in any manner. Purchases with these funds are subject to taxes as they represent personal purchases and not district purchases. Purchases typically include flowers for ill staff members, employee recognition awards, etc.

Activity Accounts (Student Organizations)

Student activity funds (under the control of the Principal) shall be collected, receipted, and deposited to the district's business office on a daily basis. Refer to cash/check handling procedures. All monies collected should be receipted in a receipt book [bound and pre-numbered receipts] and on the Student Activity Deposit Report (Appendix A-1)

Student activity funds shall be used exclusively for the benefit of students. Typical uses include travel, awards, banquets, supplies, etc. These funds shall be used at the discretion of the student organization through designation of one or more of its officers. All expenditures and payments to vendors shall be centralized through the district's business office.

Generation of student activity funds shall not in any way compete with the district's National School Lunch Program (NSLP). A Request to Conduct to a Fund Raiser (Appendix A-2) should be submitted to the principal and superintendent in advance of the scheduled activity. In addition, at the end of the fund raising activity, a profit/ loss statement should be filed with the business office. Activity funds shall be audited and must adhere to accepted business practices.

Payment request must be submitted in the form of a requisition/purchase order. Student Activity checks require a 5 day notice and are cut each Friday.

The treasurer and/or president of the organization shall sign-off on all purchases. The assigned organization sponsor (professional staff member) shall be responsible for the proper management of the student activity accounts. Annual training will be scheduled to assist the organization sponsors in managing their respective student activity account(s).

Student Activity Manual and forms may be found at www.fruitvaleisd.com then "Administration," "Employee Forms and Information."

Cash/Check Handling

All cash and checks shall be deposited to the Administration/Business Office on a daily basis. No post-dated checks will be accepted. Funds should not be kept in classrooms, personal wallets/purses, or at home for extended periods of time. No more than \$25 should ever be kept overnight. No cash purchases should be made – every dollar collected is to be receipted and deposited to the campus secretary/administration office. The campus secretary/administration office shall receipt [in a bound, pre-numbered receipt book] and forward all monies on a daily basis to the district's business office. The receipt must clearly state the reason the money was collected (e.g. yearbook sales).

Athletic event gate receipts (admission) shall be recorded on an Athletic Gate Report form and submitted to the Business Office. Funds shall be deposited to the appropriate athletic events revenue account(s).

Personal employee checks shall not be cashed from monies collected at the campus or district level to ensure an adequate audit trail of all funds collected by the district.

Donations and Gifts

Donations or gifts of cash or cash equivalents (gift cards), equipment, or materials to individual schools or to the district by individuals or organizations shall become property of the district. District employees are prohibited by law from intentionally or knowingly offering, conferring, agreeing to confer on another, soliciting, accepting, or agreeing to accept a personal gift or benefit.

Cash donations shall be deposited to the appropriate account in accordance with the cash/check handling procedures. Gift card donations shall be recorded on a Gift Card Register and maintained in a safe until utilized by the appropriate individual(s).

All donations with a value equal to or greater than \$1,000 shall be approved by the School Board; Donations of a lesser value shall be approved by the Superintendent. All donations for technology equipment shall be approved by the Technology Coordinator, the Superintendent and the School Board [if the value exceeds \$1,000].

Petty Cash Account

All petty cash is maintained in the district business office. Petty cash accounts are used for start up money for concessions, gates, postage on oversized envelopes, and when minor emergencies arise unexpectedly. Petty cash is also used for student meals on out of town trips; an approved Purchase Order is required before the release of funds. The rate is generally \$8 per student, per meal; the maximum authorized expense is \$300. The principal or department administrator shall be responsible to ensure that funds exist in the account(s), which will be utilized to pay for the petty cash expenditures. Only general fund (Fund 199) and campus activity fund accounts may be expensed via petty cash.

At all times, the petty cash account shall balance – the sum of the disbursed cash, purchase receipts and/or cash shall equal the authorized amount.

Fixed Assets and Inventory

Fixed assets are defined as equipment with a unit value over \$5,000. These assets are tracked and recorded on the district's financial ledger. Fixed assets that are stolen, obsolete, damaged beyond repair, etc. should be reported to the Business Manager for removal from the district's financial records. All fixed assets must be purchased through the use of an Object Code 663X.

Inventory items are defined as equipment with a unit value over \$500, but less than \$5,000. Other items with a unit value under \$500 are also included, such as: TV's, VCR's, digital cameras, camcorders, PDA's, and other items that may have a personal use. These assets are recorded on the district's inventory list. Inventory items that are stolen, obsolete, damaged beyond repair, etc. should be reported to the principal or supervisor for removal from the district's inventory list. Disposal of unnecessary materials, equipment and supplies must be approved by the Superintendent.

All staff will be provided an inventory list for their respective classroom, office, or work area at the beginning of the school year. After verifying the list, each employee shall return the verified list to his/her immediate supervisor.

At the end of the school year, the same process will occur. The end-of-the-year list should include all items that were assigned at the beginning of the year, plus any items purchased throughout the school year. Staff will not be released for the summer until their inventory list has been verified and submitted to the immediate supervisor. Missing items, if any, must be indicated on the inventory list. In addition, an explanation regarding why the item(s) is missing shall also be submitted with the list.

Items lost due to theft or vandalism must be reported immediately for police report and insurance claim purposes.

General Procedures

Emergency School Closing

The district may close schools because of severe weather, epidemics, or other emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late, to release students early, or to cancel school, district officials will post a notice on the district's Facebook page and send out messages through our School Messenger system. Employees may also receive a Remind message.

Our electronic notification system will be used in the event of school closure or late start. Employees are highly encouraged to keep their contact information up to date.

Emergencies

Policies CKC, CKD

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

Open Records Requests

Requests for public information (formally known as Open Records Requests) are handled in accordance with the Texas Public Information Act, Texas Government Code § 552.01 (et seq).

All requests for public information should be submitted to Fruitvale ISD, Attention: Superintendent's Office. This procedure allows the district to accurately document the date each request is received and respond to the requestor promptly. If the request cannot be produced within ten (10) business days, the Superintendent's Office will notify the requestor of the reasonable date and time of when the information is expected to be available.

Requests processed by campus offices will be submitted to the Superintendent.

Procedures for making a request: The request must be in writing and must ask for records or information already in existence. The Act does not require the district to create new information, to do legal research, or to answer questions.

Charges to the requestor: A person can ask to view the information, receive copies of the information, or both. The district will assess copying and/or compiling fees based on the fee schedule set out by the state. A complete schedule of fees is available in the Superintendent's Office. If charges should occur, the district will send an itemized estimate and ask for a response in writing and/or payment within ten (10) business days, verifying that the requestor accepts, modifies, or denies the cost being charged.

Purchasing Procedures

Policy CH

All requests for purchases must be submitted electronically (TxEIS), at least 5 days before PO funds are required. After the request has been approved by the appropriate supervisors, business manager, and superintendent a purchase order (PO) will be created. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact Wendy Milam for additional information on purchasing procedures.

Purchasing Deadlines

In an effort to maximize the use of budgeted funds during the current fiscal year, the purchasing deadline for supplies and equipment shall be May 15th. Summer needs for staff development and summer school should be anticipated and ordered prior to May 15th deadline. Purchasing documents for services and travel should be submitted by August 1st. The purchasing deadlines for state or federal grants may be earlier than the deadlines stated above due to grant ending dates. Federal grant supplies and equipment ordering deadline is generally March 10. Federal services and travel expenses must be requested by May 15.

Name and Address Changes

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

Personnel Records

Policy DBA, GBA

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

- Address
- Phone number, including cell phone number
- Social Security number
- Information that reveals whether they have family members

The choice to not allow public access to this information may be made at any time by submitting a written request to Wendy Milam. New or terminating employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public, until a request to withhold the information is submitted.

Building Use

Policies DGA, GKD

Employees who wish to use district facilities after school hours must follow established procedures. The Facilities Usage Agreement/Guidelines may be found on the District website. Rebecca Bain is responsible for scheduling the use of facilities after school hours.

Organizations representing professional, paraprofessional, or support employees may use District facilities with prior approval of the superintendent.

Termination of Employment

Resignations

Policy DFE, DHB

Contract Employees.Contract employees may resign their position without penalty at the end of any school year if written notice is received 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the principal and the superintendent. Contract employees may resign at any other time only with the approval of the superintendent or the board of trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

The principal is required to notify the superintendent of an employee's resignation within 7 days following an alleged incident of misconduct for any of the acts listed in *Reports to the Texas Education Agency* on page 66. The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in the same acts.

Noncontract Employees.Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to the principal and the superintendent at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation.

The principal is required to notify the superintendent of a noncertified employee's resignation or termination with 7 business days following an alleged incident of misconduct of abuse of a student, or was involved in a romantic relationship with or solicited or engaged in sexual conduct with a student or minor. The Superintendent will notify TEA within 7 business days of receiving a report from a principal, or knew about an employee's resignation or termination following an alleged incident of misconduct described above.

Dismissal or Nonrenewal of Contract Employees

Policies DF Series, DHB

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

The principal is required to notify the superintendent of an educator's termination within seven business days following an alleged incident of misconduct for any of the acts listed in *Reports to Texas Education Agency* on page 66. The superintendent will notify SBEC when an employee is terminated and there is evidence to indicate that the employee has engaged in such misconduct.

Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee's certification is revoked for

misconduct. Information on the timelines and procedures can be found in the DF series policies that are provided to employees or are available online.

Dismissal of Noncontract Employees

Policy DCD, DP

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, sex, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, page 36-44.)

The principal is required to notify the superintendent of a noncertified employee's resignation or termination with 7 business days following an alleged incident of misconduct of abuse of a student, or was involved in a romantic relationship with or solicited or engaged in sexual conduct with a student or minor. The Superintendent will notify TEA within 7 business days of receiving a report from a principal, or knew about an employee's resignation or termination following an alleged incident of misconduct described above.

Discharge of Convicted Employees

Policy DF

The district shall discharge any employee who has been convicted of or placed on deferred adjudication community supervision for an offense requiring the registration as a sex offender or convicted of a felony under Title 5 Penal Code if the victim was a minor.

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

Exit Interviews and Procedures

Exit interviews will be scheduled for all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience. All district keys, books, property including intellectual property, and equipment must be returned upon separation from employment.

Reports to Texas Education Agency

Policies DF, DHB, DHC

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

- Any form of sexual or physical abuse of a minor, or any other unlawful conduct with a student or a minor
- Soliciting or engaging in sexual contact or a romantic relationship with a student or minor

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

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

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

Reports Concerning Court Ordered Withholding

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

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

Student Issues

Equal Educational Opportunities

Policies FB, FFH

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

Questions or concerns about discrimination of students based on any of the reasons listed above should be directed to Rebecca Bain, Superintendent, bainr@fruitvaleisd.com, 903-896-4729.

Field Trips (Co-Curricular or Extra Curricular Travel)

All field trips shall be submitted on the Field Trip Request Form at least (2) weeks prior to a field trip. The field trip request will be forwarded to the appropriate administrator for approval. The final approval will rest with the Superintendent. A requisition shall be submitted for admission fees, meals, etc., if any.

If a district-owned vehicle or school bus is requested, specific details regarding the destination, type of vehicle, departure and return times shall be provided on the Trip Request.

Overnight Student Travel

FRUITVALE ISD SCHOOL DISTRICT OVERNIGHT ACTIVITY PROTOCOLS AND PROCEDURES (Adopted 6/2023)

I. PURPOSE

The purpose of these protocols and procedures is to provide guidelines that will ensure the safety of students, District personnel, and chaperones on overnight field trips, thereby allowing District personnel and chaperones to maintain control and maximize learning opportunity. This policy is supplemental to the Board Policies adopted by the Board of Education of the Fruitvale Independent School District, and students, staff, and chaperones are expected to abide by those policies during the course of the trip.

II. APPROVAL

As with any field trip, the Instructional Sponsor must receive approval for all overnight field trips prior to committing to the trip (e.g. submitting registrations, securing transportation, booking hotels, etc.). The approval form must be submitted at least (30) days in advance of the trip where practicable. Where thirty days prior notice is not practicable (e.g. qualifying for state competition taking place in three weeks), exceptions will be made on a case-by-case basis.

III. PERMISSIONS

In addition to the general authorization for field trips completed online, parents/guardians of students wishing to attend an overnight trip must complete the “Overnight Activity Permission, Consent, and Release” (Exhibit A). For activities or programs with multiple overnight trips each school year (e.g. speech and debate, certain sports teams, etc.), one signed form per student per school year is sufficient.

For trips that are not sponsored by the District, parents and sponsors will be required to complete additional forms.

IV. SUPERVISION

Students on approved trips are under the jurisdiction of the District and are subject to all applicable policies, rules, and regulations. Student safety and supervision is the primary responsibility of the District staff member sponsoring the trip (“Instructional Sponsor”). Instructional Sponsors, other certificated personnel, and approved chaperones shall accompany students on all overnight trips.

All overnight trips must be supervised by a minimum of two (2) adults, one of which must be a school staff member (typically the Instructional Sponsor). The student-to-adult ratio shall not exceed ten (10) students to one

(1) adult for overnight trips.

(2) Non-District Sponsored

Events

When a teacher or other district employee wishes to organize, lead, or otherwise promote a field trip that is not district/school sponsored, the employee must distribute a statement that clearly explains the trip's non-affiliation with the District to parents of all participants. A copy of the statement must be submitted to the principal of the school and the Superintendent or designee.

On such trips, District’s supervision of students shall meet the requirements outlined above. Additionally, the District shall not compensate any District staff member for attending such trip, nor will District vehicles be used to transport staff or students related to the trip. Any insurance required for such trips will also not be the District’s responsibility to obtain. It is further understood that District funds will not be used to pay for such trips.

Fruitvale ISD discourages any organization or group from overnight field trips. All trips that can possibly be done local or where students can return prior to 11 p.m. and where students are not having to leave prior to 5:30 am should not be overnight trips, students should be brought home. All practice contests and activities should be done at locations closer to the district rather than farther away. Employees have a greater liability with students during overnight events and therefore we want to limit that liability when we can do so.

Student Records

Policy FL

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

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

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

Parent and Student Complaints

Policy FNG

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

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

Administering Medication to Students

Policy FFAC

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

Dietary Supplements

Policies DH, FFAC

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

Psychotropic Drugs

Policy FFAC

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

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

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

Student Conduct and Discipline

Policies in the FN series and FO series

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

Student Attendance

Policy FEB

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

Bullying

Policy FFI

Bullying is defined by §TEC 37.0832. All employees are required to report student complaints of bullying, including cyber bullying, to the principal. The district’s policy includes definitions

Fruitvale ISD
234909

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LOCAL)

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

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

Bullying Prohibited	The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.
Examples	Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.
Retaliation	The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.
Examples	Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
False Claim	A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.
Timely Reporting	Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District’s ability to investigate and address the prohibited conduct.
Reporting Procedures	To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.
Student Report	
Employee Report	Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

DATE ISSUED: 11/13/2017
UPDATE 109
FFI(LOCAL)-A

1 of 3

and procedure for reporting and investigating bullying of students and is reprinted below:

S

Report Format	A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.
Notice of Report	When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.
Prohibited Conduct	The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.
Investigation of Report	The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
Concluding the Investigation	Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation. The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.
Notice to Parents	If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.
District Action Bullying	If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.
<i>Discipline</i>	A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

	<p>The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.</p>
<i>Corrective Action</i>	<p>Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.</p>
<i>Transfers</i>	<p>The principal or designee shall refer to FDB for transfer provisions.</p>
<i>Counseling</i>	<p>The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.</p>
Improper Conduct	<p>If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.</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.</p>
Appeal	<p>A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.</p>
Records Retention	<p>Retention of records shall be in accordance with CPC(LOCAL).</p>
Access to Policy and Procedures	<p>This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.</p>

Hazing

Policy FNCC

Students must have prior approval from the principal or designee for any type of “initiation rites” of a school club or organization. While most initiation rites are permissible, engaging in or permitting “hazing” is a criminal offense. Any teacher, administrator, or employee who observes a student engaged in any form of hazing, who has reason to know or suspect that a student intends to engage in hazing, or has engaged in hazing must report that fact or suspicion to the designated campus administrator.
