

Schools of Knowledge

Jacksonville ISD

Hooked on Learning

JACKSONVILLE ISD

Employee Handbook

2007-2008

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Chapter 37 of the Texas Education Code (§ 37.001 thru § 37.019) which deals with student discipline may be accessed at www.capitol.state.tx.us/statutes/edtoc.html

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 Nancy Lee, Director of Human Resources.

This handbook is neither a contract nor a substitute for the official district policy manual. It is not intended to alter the at-will status of employees in any way. Rather, it is a guide to and a brief explanation of district policies. District 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. A hard copy of the policy manual is located at the Central Office and is available for employee review during normal working hours. The policy manual is also located on line at <http://www.jacksonvilleisd.org>.

EMPLOYEE HANDBOOK RECEIPT

Name _____

Campus/Department _____

I hereby acknowledge receipt of my personal copy of the Jacksonville 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 according to the instructions provided.
- I choose to receive a hard copy of the Employee Handbook.

To access the handbook electronically, go to the Jacksonville ISD website at www.jacksonvilleisd.org. Click on "Employment" at the left of the screen. Then click on "Employee Handbook." Acrobat Reader is required to open the document.

The information in this handbook is subject to change. I understand that changes in district policies may supersede, modify, or eliminate the information summarized in this booklet. 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 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 Human Resource Office if I have questions or concerns or need further explanation.

Signature

Date

Note: You have been given two copies of this form. Please sign and date one and keep it for your records. Sign and date the other copy and forward it to the Human Resource Department at Central Office.

Description of the district

Jacksonville Independent School District is located about 30 miles south of Tyler, 100 miles southeast of Dallas, and approximately 200 miles northeast of Houston. Jacksonville ISD encompasses 219 square miles in Cherokee County with a student enrollment of approximately 4790. All functional school buildings are air-conditioned and well equipped.

District map

See Appendix, p. 44.

Mission statement

Policy AE

The mission of the District, as a community-wide partnership with a shared sense of pride, shall be to ensure each student develops the educational capacity to reach his or her full potential and become a contributing citizen in an ever-changing, competitive world. This shall be accomplished through highly skilled, caring faculty, diverse community resources, advanced technology, and facilities that provide a positive learning environment.

District Goals and Objectives

Policy AB, AF

See Appendix, p. 45

Board of Trustees

Policies BA, BAA, BBA, BBB, BBE, BE, BEC, BED

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, facilities, and expansions. The board has complete and final control over school matters within limits established by state and federal law 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. Elections of Trustees are held annually for three-year terms in cycles keyed off the years below.

Three Places . 2000, 2003, 2006, and so forth

Two Places ... 2001, 2004, 2007, and so forth

Trustees serve without compensation, must be registered voters, and must reside in the district.

Current Board members:

President, Dr. Larry Folden

Vice President, Mr. James Houser

Mr. Jimmy Brown

Mr. Joe Casey

Mr. Dale Jamerson

Mr. Pat McCown

Mr. Jim Tarrant

Trustees usually meet in the Board Room located at the Administration Building. In the event that large attendance is anticipated, the board may meet at an alternate site as posted. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted near the front door of the Administration Building 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 two-hour notice.

All meetings are open to the public. Under the certain circumstances, Texas law permits the board to go into a closed session. 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 to consult with attorneys regarding pending litigation.

Board meeting schedule for 2007-2008

Regular meetings of the Board shall be held on the third Monday of each month at 6:30 p.m. Should it become necessary to change the date or time of a regular meeting, the notice for that meeting shall reflect the changed date or time. All board meeting notices are posted on the glass wall by the front door of the Administration building prior to each meeting.

Administration

- Stuart Bird..... Superintendent
- Judy Terry.....Director of Curriculum and Instruction
- Lindy FinleyDirector of Business and Auxilliary Operations
- Troy Parker.....Director of Purchasing
- Jan Hill.....Director of Federal & State Programs
- Nancy Lee.....Human Resources Director
- Leslie George.....Director of Special Education/Student Services/504
- Marianela Bowen.....Director of Bilingual Ed./Special Languages
- Randy Copeland.....Athletic Director
- Clay Carter.....Food Service Director
- Olen Morton.....Maintenance Director
- Mike Pope.....Custodial Director
- John Keller.....Transportation Director
- Hedda Alexander.....Director of Technology
- Marvin Acker.....Chief of Police

School calendar

See Appendix, p. 46.

Helpful contacts

From time to time, employees have questions or concerns. If those questions or concerns cannot be answered by supervisors or at the campus or department level, the employee is encouraged to contact the appropriate department as listed below.

School directory

- Central Administration.....903-586-65111547 E. Pine St.
- High School903-586-3661 1602 Mason Dr.
- Middle School.....903-586-3686 1541 Pine St.
- Nichols Intermediate.....903-541-0213.... 818 SW Loop 456
- Fred Douglass Elementary..903-586-6519 1501 Pine St.
- East Side Elementary903-586-5146.....711 Ft. Worth
- Joe Wright Elementary903-586-5286.....215 Kickapoo
- West Side Elementary.....903-586-5165.....1002 Sunset Ave.
- Compass Center903-589-3926... .436 SW Loop 456
- Support Center.....903-589-9015.....953 North Jackson
- Transportation.....903-541-2398.....1410 Elberta
- Food Service.....903-589-3587.....945 N. Jackson

EMPLOYMENT

Equal employment opportunity

Policy DAA

Jacksonville ISD does not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, national origin, disability, military status, or on any other basis prohibited by law. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

Employees with questions or concerns about discrimination on the basis of race, color, religion, sex, national origin, age or military status should contact Stuart Bird, Superintendent. Employees with questions or concerns about discrimination on the basis of a disability should contact Dr. Leslie George, 504 Coordinator.

Job vacancy announcements

Policy DC

To the extent possible, announcements of job vacancies by position and location are distributed on a regular basis and posted at the central administration building, on campuses, Region VII website, Texas Association of School Administrators website (tasanet), college campuses, and the JISD website.

Employment after retirement

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed in certain positions or on a part-time basis without affecting their benefits, according to TRS rules and state law. Service retirees who retire before May 31 may return to work in a Texas public school without a reduction in benefits one full calendar month after the retirement date provided they meet specific conditions. Retirees may work in the following capacities without a loss of retirement benefits:

- As a principal, assistant principal, or teacher in an acute shortage area on a fulltime basis, if appropriately certified and following a 12-month break in service. Retirees that retired under early age or disability provisions are excluded.
- As a full-time bus driver (early age and disability retirees excluded).
- As a substitute at no more than the established daily substitute pay rate (Individuals receiving disability retirement benefits may not work for more than 90 days in a school year.)
- On a half-time or less basis during any month, provided they are not also employed as a substitute in that month. Half-time employment cannot exceed the lesser of 50 percent of the position's full-time load or 92 hours in a month.
- On a full-time basis during a six-month period during a school year, provided that this is their only employment in a Texas public school. Individuals who retire in August may begin employment in October of the school year following their retirement.

Under this last provision, retirees must submit annual written notice to TRS by the last day of the first month of full employment to avoid a disruption of benefits. Working any part of a month counts as a full month.

Other restrictions apply when a person has retired because of a disability. Individuals retiring because of a disability should contact TRS for details about employment restrictions.

Certain retirees may return to work on a full-time basis as a principal or assistant principal or teacher in an acute shortage area without a reduction in their TRS annuity benefits. Acute teaching shortage areas are determined by the board based on Commissioner of Education guidelines. When filling acute shortage area positions, the district must give hiring preference to certified applicants who are not retirees. To be eligible for full TRS benefits, a retiree must meet the following criteria:

- Have not been subject to a reduction in benefits for retirement at an early age or retired under disability provisions
- Have a 12-month continuous break in public school service since retirement
- Be appropriately certified for the position in the applicable school year

Employees can contact contact TRS for more information by calling 800-223-8778 or 512-542-6400. TRS information is also available on the Web (www.trs.state.tx.us).

Contract and Noncontract employment

Policies DC, DCA, DCB, DCC, DCD, DCE

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

Probationary contracts. Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive probationary contracts during their first year of employment. Former employees who are hired after at least a two-year lapse in district employment also may be employed by probationary contract (HB 558, SB 1394). 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 and continuing contracts. Full-time professionals employed in positions requiring certification and nurses will be employed by term or continuing contracts after they have successfully completed the probationary period. Campus principals and central office administrators are employed under two-year term contracts. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive copies of their contracts and employment policies.

Noncertified professional and administrative employees. Employees in professional and administrative positions that do not require SBEC certification (such as noncertified administrators and directors of maintenance, custodial and food service) are employed by either a one or two-year contract that is not subject to the procedures for nonrenewal or termination under the Texas Education Code.

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.

Searches and alcohol and drug testing

Policy DHE

Non-investigatory 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, work areas including district-owned computers, lockers, and private vehicles parked on district premises or work sites or used in district business.

Employees required to have a commercial driver's license. Any employee whose duties require a commercial driver's license (CDL) is subject to drug and alcohol 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 when their duties include driving.

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 who are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs. Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact John Keller, Director of Transportation, at 903-541-2398.

First aid and CPR certification

Policy DBA

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

Reassignments and transfers

Policy DK

All personnel are subject to assignment and reassignment by the superintendent or designee when the superintendent determines that the assignment or reassignment is in the best interest of the district. Reassignment 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. When reassignments are due to enrollment shifts or program changes, the superintendent has final placement authority. Extracurricular or supplemental duty assignments may be reassigned at any time. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

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/her request by April 1. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Human Resources office and must be approved by the receiving supervisor.

Workload and work schedules

Policy DL

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

Classroom teachers will have planning periods for instructional preparation, 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. Teachers and librarians are entitled to a duty-free lunch period of at least 30 minutes. The district may require teachers to supervise students one day a week when no other personnel are available.

Paraprofessional and auxiliary employees. Support employees are employed at will and will be notified 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 approval from their supervisor. (See Appendix, p49)

Notification of parents regarding qualifications

Policy DK, EHBD

In schools receiving Title I funds, the district is required by the No Child Left Behind Act (NCLB) to notify parents at the beginning of each school year that they may request information regarding professional qualifications of their child's teacher. NCLB also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who is not highly qualified.

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

Employees who have questions about their certification status can call Nancy Lee, Director of Human Resources at 903-586-6511 x 34.

Performance evaluation

Policy DN, DNA, DNB

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, have a performance conference with their supervisor, and get the opportunity to respond to the evaluation. (See Appendix, pp. 50-54)

Employee involvement

Policy BQA, BQB

At both the campus and district levels, Jacksonville ISD offers opportunities for involvement 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 may either be asked or 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 policy manual.

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

Policy DEA, DEAA

Employees are paid in accordance with administrative guidelines and a pay structure established for each position. 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 and administrative employees are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid

based on hourly wages or salary and receive compensatory time or overtime pay for each overtime hour worked. (See *Overtime*, page 12)

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

Employees should contact Debra Reid (903-586-6511 x 27) for more information about the district's pay schedules or their own pay.

Paychecks

All employees are paid monthly. During the school year, paychecks are delivered to each campus. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization. During summer breaks, paychecks will be mailed.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated. Paychecks are distributed on the 25th of each month. If the 25th falls on a Saturday or Sunday, payday will be the preceding Friday. If the 25th falls during a school break, payday will be the last day school is in session prior to the holiday.

Automatic payroll deposit

The district offers employees automatic payroll deposit. Contact the Payroll Office for more information about the automatic payroll deposit service. (903-586-6511 x 27)

Payroll deductions

Policy CFEA

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

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, disability, life, cancer and vision insurance; annuities; higher education savings plan; and savings deposits and loan payments through Cherokee County Federal Teachers Credit Union. Employees also may request payroll deduction for payment of membership dues to professional organizations and donations to the United Fund. Salary deductions are automatically made for unauthorized or unpaid leave.

Overtime Compensation

Policy DEA

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or nonexempt for purposes of overtime compensation. Professional and administrative employees are ineligible for overtime compensation. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor.

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. Employees who must work beyond their normal schedule but less than 40 hours per week will be compensated in straight-time pay or equivalent time off. Employees must work more than 40 total hours in a week to earn overtime compensation. For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Sunday and ends at midnight Saturday.

Employees may be compensated for overtime at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

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

Travel expense reimbursement

Policy DEE

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

Health and life insurance

Policy CRD

Group health insurance coverage is provided through TRS-ActiveCare, the statewide public school health insurance program. The district's contribution to employees' 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 regularly scheduled to work at least 10 hours per week.

TRS retirees and employees who are not contributing TRS members that are regularly scheduled to work less than 10 hours per week are not eligible to participate in TRS-ActiveCare.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each spring and during the month of August. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate insurance guide. Employees should contact Connie Pope, Benefits Coordinator, for more information at 903-586-6511 x 22.

In addition, Jacksonville ISD provides group term life insurance for all employees who work 10 or more hours per week.

Supplemental insurance benefits

Policy CRG

At their own expense, employees may enroll in supplemental insurance programs for dental, vision, disability, cancer, and additional term life. Premiums for these programs can be paid by payroll deduction. Employees should contact Connie Pope (903-586-6511 x 22) or Debbie Richardson (Financial Benefits Services, 1-800-583-6908) for more information. Employees do not have to be enrolled in Health Insurance to enroll in any of the supplemental insurances. Additional information on supplemental insurance is provided to all employees in a separate benefits guide.

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., dental, vision, cancer, and flexible spending accounts). 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 Services, effective September 1, 1991. 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. Employees who are unable to work due to a work-related injury will be notified of their rights and responsibilities under

the Texas Labor Code. See Workers' Compensation Benefits, p. 19, 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 under the Texas Unemployment Compensation Act. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact the JISD Human Resource Department or the Texas Workforce Commission.

Teacher retirement

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

Employees who plan to retire under TRS should notify the Human Resource Department as soon as possible. Additional inquiries should be addressed to: Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web (www.trs.state.tx.us). See page 6 for information on restrictions of employment of retirees in Texas public schools.

Other benefit programs

Policy DEB

Children of nonresident District employees may attend District schools tuition-free. Jacksonville Independent School District encourages its staff to continue their education by paying \$50 for college courses. Criteria for payment are as follows:

- Principal/Supervisor approves appropriateness of college course prior to employee's enrollment in class.
- Employee attaches grade report (or transcript) from college to the completed/signed "College Course Stipend Documentation" form (available on the jisd website).
- Principal/Supervisor indicates approval for payment by signing the "College Course Stipend Documentation" form.
- Send completed documentation form with grade report (or transcript) to: Nancy Lee, Central Office. Reimbursement will be processed for payment of \$50 per approved college course by payroll clerk. Individual must have passed the college course taken.
- The stipend will be given for up to two courses per semester. Request for payment must be submitted no more than two weeks after the release of grade(s).
- Staff must schedule their classes **after the work-day or on Saturdays. There will no longer be release time during the school day.**

Tax-sheltered annuities

Policy CRG

As an employee of a public school you are eligible to participate in section 403(b) of the Internal Revenue Code allowing pre-tax savings. For more information, go to the TRS website at www.trs.state.tx.us and click on 403(b) certification. There you will find information about section 403(b) and a list of eligible companies. You may also call the Jacksonville ISD payroll department at 903-586-6511 x 27.

Leaves and absences

Policy DEC

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 have personal needs that will require long leaves of absence should call the Human Resource Office for counseling about leave options, continuation of benefits, and communicating with the district.

Employees who take an unpaid leave of absence may continue their insurance benefits at their own expense. Health care benefits for employees on leave authorized under the Family and Medical Leave Act will be paid by the district as they were when they were working. Otherwise, the district does not make benefit contributions for employees who are not on active payroll status.

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate leave request form. 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.

Personal and local sick leave is earned on an annual basis. Leave is available for the employee's use, but will not be approved for more workdays than have been accumulated in prior years plus those earned during the current year. If an employee leaves the district before the end of the work year, the cost of any unearned leave days taken shall be deducted from the employee's final paycheck. (See Appendix, p.55)

NOTE: Please be advised that an employee who exhausts all available leave and does not return to work may be subject to termination procedures.

Personal leave

State law entitles all employees to five days of paid personal leave per year. Personal leave is earned at a rate of two and a half workdays per semester of employment, up to the statutory maximum of five workdays annually. A day of earned personal leave is equivalent to an assigned workday. There is no limit on the accumulation of state personal leave, and it can be transferred to other Texas school districts and is generally transferable to education service centers. There are two types of personal leave: nondiscretionary and discretionary.

Nondiscretionary. Leave that is taken for personal or family illness, emergency, or a death in the family or active military leave is considered nondiscretionary leave. This type of leave allows very little or no advance planning and will be granted to employees in the same manner as sick leave.

Discretionary. Leave that is taken at an employee's discretion and that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a notice of the request seven days in advance of the anticipated absence to his or her principal or supervisor. Discretionary personal leave will be granted on a first-come, first-served basis and will be subject to the following limitations:

- Discretionary leave may not last more than three (3) consecutive workdays, except with special approval for extenuating circumstances.
- Discretionary leave may not be taken on the following key days: day before a school holiday, day after a school holiday, day before a grading period, day after a grading period, days scheduled for state-mandated testing, or staff development or clerical days.

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.

Sick leave (days accrued before May 30, 1995)

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

If an employee uses more sick leave than he or she has earned, the cost of unearned sick leave will be deducted from the employee's next paycheck.

Sick leave may be used for the following reasons only:

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

Local leave

Policy DEC (Local)

All employees shall earn an additional two equivalent workdays of local sick leave per school year, at the same rate as state personal leave. Local sick leave shall accumulate without limit and shall be taken with no loss of pay, but is not transferable to other districts.

Sick Leave Bank

Policy DEC (Local)

The District sick leave bank (SLB) shall be established to provide additional paid sick leave days to members of the SLB in the event of extended illness, surgery, or disability that causes the member to be unable to perform the duties of his or her position. Benefits are only for catastrophic personal illness or injury of the member, and are not for absences due to illness or injury of family members or others. The SLB is defined as a pool of local sick leave days contributed voluntarily by eligible District personnel who enroll.

Eligibility shall be limited to all District personnel who accrue sick leave benefits. Eligibility for membership shall begin on the first official workday or the first day the employee begins accruing sick leave, whichever occurs later. Application for membership must be made during the enrollment period at the beginning of **each school year** prior to October 1. New employees may enroll at the time of employment. If they elect not to enroll, they shall not be permitted to enroll until the next enrollment period.

A representative from each campus and support services is elected to serve on the governing board. The governing board shall review each application individually and determine the number of days to be approved, if any. The governing board may grant up to 30 days in any one school year, but no more than 60 days during the time a person is employed by the District.

Extended sick leave

Policy DEC (Local)

Teachers who have exhausted all other leave shall be granted an additional five equivalent workdays of extended sick leave for personal illness, illness in the immediate family, family emergency, or death in the immediate family. An amount equivalent to a substitute's rate of pay shall be deducted from the employee's paycheck for each day of extended sick leave used, whether or not a substitute is employed. Extended sick leave shall be noncumulative.

Temporary disability

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. A full-time educator may request to be placed on temporary disability leave or be placed on leave. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

Employees must request approval for temporary disability leave. The leave 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 days.

If disability leave is not approved, the employee must return to work or be subject to termination procedures.

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

When an employee is ready to return to work, the Human Resources Office (903-586-6511 x 35) 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 do the job. Professional employees returning from leave will be reinstated to the school to which they were previously assigned as soon as an appropriate position is available. If a position is not available before the end of the school year, professional employees will be reinstated at the beginning of the following school year.

Family and medical leave

Employees who have been employed by the district for at least 12 months, and have worked at least 1,250 hours in the 12 months immediately preceding the need for leave are eligible for family and medical leave. Eligible employees can take up to 12 weeks of unpaid leave each year beginning on the first duty day of the school year for the following reasons:

- The birth, adoption, or foster placement of a child
- To care for a spouse, parent, or child with a serious health condition
- An employee's serious health condition

A husband and wife who are both employed by the district are subject to limits in the amount of leave that they can take to care for a parent with a serious health condition or for the birth, adoption, or foster placement of a child. Both employees may be limited to a combined total of 12 weeks as determined by the needs of the District.

Eligible employees are entitled to continue their health care benefits under the same terms and conditions as when they were on the job and are entitled to return to their previous job or an equivalent job at the end of their leave. Under some circumstances, teachers who are able to return to work at or near the conclusion of a semester may be required to continue their leave until the end of the semester.

Family and medical leave runs concurrently with accrued sick and personal leave, temporary disability leave, and absences due to a work-related illness or injury. The district will designate the leave as family and medical leave, if applicable, and notify the employee that accumulated leave will run concurrently.

In some circumstances, employees may take family medical leave in blocks of time or by reducing their normal weekly or daily work schedule. Intermittent leave may be taken under the following circumstances:

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

When the need for family and medical leave is foreseeable, employees who want to use it must provide 30-day advance notice of their need. When the need for leave is not foreseeable, employees must contact the Human Resource Office as soon as possible. Employees may be required to provide the following:

- Medical certification from a qualified health care provider supporting the need for leave due to a serious health condition affecting the employee or an immediate family member
- Second or third medical opinions and periodic recertification of the need for leave
- Periodic reports during the leave regarding the employee's status and intent to return to work
- Medical certification from a qualified health care provider at the conclusion of leave of an employee's ability to return to work

Employees requiring family and medical leave should contact the Human Resource Office for details on eligibility, requirements, and limitations.

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 liability.

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

Bereavement leave

Use of state leave and/or local sick leave for death in the immediate family shall not exceed five (5) work-days per occurrence, subject to the approval of the District.

Jury duty

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees must present documentation of the service and may keep any compensation they receive.

Other court appearances

Employees will be granted paid leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Other absences for court appearances related to an employee's personal business must be taken as personal leave or leave without pay (if no personal leave is available). Employees may be required to submit documentation of their need for leave for court appearances.

Military leave

Paid leave for military service. Any employee who is a member of the Texas National Guard, Texas State Guard, or reserves component of the armed forces will be granted a paid leave of absence without loss of any accumulated leave for authorized training or duty orders. Paid military leave will not exceed 15 days per year. In addition, an employee is entitled to use available state and local personal or sick leave during active military service.

Reemployment after military leave. Employees who leave the district to enter into the United States uniformed services or ordered to active state military duty (Texas National Guard or Texas State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed in the position they would have held if employment had not been interrupted or reassigned to an equivalent or similar position provided they are still 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 to the Superintendent.

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

EMPLOYEE RELATIONS AND COMMUNICATIONS

Employee recognition and appreciation

Policy DJ

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings, in the Campus newsletter, and through special events and activities. Recognition and appreciation for years of service is conducted once a year at the May board meeting. Retirees are also honored at the May board meeting.

District communications

Throughout the school year, the District Web Page (<http://www.jacksonvilleisd.org>) will list the various activities occurring throughout the District. Each campus periodically publishes a newsletter, which is sent home to parents. A school calendar is printed and given to all employees and every student to carry home. The Human Resource Office has produced a recruiting folder used for recruitment and to give to individuals seeking information about the district.

COMPLAINTS AND GRIEVANCES

Policy DGBA

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

The formal grievance process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative grievance procedures are exhausted, employees can bring grievances to the board of trustees. For ease of reference, the district's policy concerning the process of bringing complaints and grievances is reprinted and inserted in the Appendix, pp. 62-68.

EMPLOYEE CONDUCT AND WELFARE (SEE APPENDICES, PP. 69-73)

Standards of conduct

Policy DH

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

- Recognize and respect the rights of students, parents, other employees, and members of the community.

- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action.
- Know and comply with department and district policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use district time, funds, and property for authorized district business and activities only.
- Employees shall not use tobacco products on District premises, in District vehicles, nor in the presence of students at school or school-related activities.
- Employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any controlled substance or dangerous drug, alcohol or any alcoholic beverage, any glue that can be subject to abuse, aerosol paint, any other chemical substance for inhalation, or any other intoxicant, or non-prescribed mood-changing, mind-altering, or behavior-altering drugs during working hours while at school or at school-related activities during or outside of usual working hours.
- The dress and grooming of District employees shall be clean, neat, in a manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors and approved by the Superintendent. (See JISD Professional Dress Code, Appendix, p. 47)

All district employees should perform their duties in accordance with state and federal law, district policy, and ethical standards for professional educators. Violations 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 no later than the seventh day the superintendent first learns of the incident. See Reports to the State Board for Educator Certification, p. 39, for additional information.

The *Code of Ethics and Standard Practices for Texas Educators* is reprinted below:

Code of Ethics and Standard Practices for Texas Educators

Statement of Purpose

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

Professional Standards

1. Professional Ethical Conduct, Practices, and Performance

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

Standard 1.2 The educator shall not 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 to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents, or other persons or organizations in recognition or appreciation of service.

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

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

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

2. Ethical Conduct toward Professional Colleagues

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

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

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

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

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

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

Standard 2.7 The educator shall not retaliate against any individual who has filed a complaint with the SBEC under this chapter.

3. Ethical Conduct toward Students

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

Standard 3.2. The educator shall not knowingly treat a student in a manner that adversely affects the student's learning, physical health, mental health, or safety.

Standard 3.3. The educator shall not deliberately or knowingly misrepresent facts regarding a student.

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

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

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

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

Harassment

Policies DH, DIA

Employees shall not engage in prohibited harassment, including sexual harassment of other employees 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 substantial charge of harassment will result in disciplinary action.

Employees who believe they have been harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate district official. If the campus principal or supervisor is the subject of a complaint, the employee should report the complaint directly to the superintendent.

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

EMPLOYEE WELFARE:
FREEDOM FROM HARASSMENT

DIA
(LOCAL)

Note: This policy addresses harassment of District employees. For harassment of students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.

SEXUAL HARASSMENT	<p>The District prohibits sexual harassment and harassment based on a person's race, color, gender, national origin, disability, religion, or age.</p>
	<p>Employees shall not tolerate harassment of others and shall make reports as required at reporting procedures, below.</p>
	<p>Sexual harassment of an employee is defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:</p>
	<ol style="list-style-type: none"> 1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or 2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.
EXAMPLES	<p>Examples of sexual harassment may include, but are not limited to, sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, communication, or contact.</p>
OTHER PROHIBITED HARASSMENT	<p>Harassment of a District employee on the basis of the employee's race, color, gender, national origin, disability, religion, or age includes physical, verbal, or nonverbal conduct related to these characteristics when the conduct is so severe, persistent, or pervasive that the conduct:</p>
	<ol style="list-style-type: none"> 1. Has the purpose or effect of unreasonably interfering with the employee's work performance; 2. Creates an intimidating, threatening, hostile, or offensive work environment; or 3. Otherwise adversely affects the employee's employment opportunities.
EXAMPLES	<p>Examples of prohibited harassment may include, but are not limited to, offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other types of aggressive conduct such as theft or damage to property.</p>
REPORTING PROCEDURES	<p>An employee who believes that he or she has experienced prohibited harassment should immediately report the alleged acts to an appropriate person designated below.</p>
	<p>Any District employee with supervisory authority who receives notice that another employee has or may have experienced prohibited harassment is required to immediately report the alleged acts and take whatever other steps are required by this policy.</p>
	<p>Any other person who knows or believes that a District employee has experienced harassment should immediately report the alleged acts to the appropriate person designated by this policy.</p>
TIMELY REPORTING	<p>Reports of harassment shall be made as soon as possible after the alleged acts. A failure to promptly report alleged harassment may impair the District's ability to investigate and address the harassment.</p>
	<p>A District employee may report harassment to his or her supervisor or campus principal. A person shall not be required to report harassment to the alleged harasser; nothing in this policy prevents a person from reporting harassment directly to one of the District officials below:</p>
DISTRICT OFFICIALS	<ol style="list-style-type: none"> 1. For sexual harassment, the Title IX coordinator. [See DAA(LOCAL)] 2. For all other prohibited harassment, the Superintendent.
	<p>A report against the Title IX coordinator may be made directly to the Superintendent; a report against the Superintendent may be made directly to the Board.</p>
NOTIFICATION OF	<p>Upon receipt of a report of harassment, a supervisor or principal shall immediately notify the</p>

REPORT	appropriate District official listed above.
CONFIDENTIALITY	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.
INVESTIGATION OF THE REPORT	<p>The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.</p> <p>Upon receipt or notification of a report, the District official shall determine whether the allegations, if proven, would constitute sexual harassment or other prohibited harassment as defined by District policy. If so, the District official shall immediately authorize or undertake an investigation.</p> <p>If appropriate, the District shall promptly take interim action to prevent harassment during the course of an investigation.</p> <p>The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal or supervisor shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p> <p>The District's obligation to conduct an investigation is not satisfied by the fact that a criminal or regulatory investigation regarding the same or similar allegations is pending.</p>
CONCLUDING THE INVESTIGATION	<p>Absent extenuating circumstances, the investigation should be completed within ten business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.</p>
DISTRICT ACTION	<p>If the results of an investigation indicate that prohibited harassment occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the harassment.</p> <p>The District may take disciplinary action based on the results of an investigation, even if the District concludes that the conduct did not rise to the level of harassment prohibited by law or District policy.</p>
APPEAL	<p>A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.</p> <p>The complainant shall be informed of his or her right to file a complaint with the Texas Workforce Commission Civil Rights Division, the Equal Employment Opportunity Commission, or the United States Department of Education Office for Civil Rights.</p>
RETALIATION PROHIBITED	Retaliation against an employee alleged to have experienced harassment, a witness, or another person who makes a report or participates in an investigation is strictly prohibited. A person who makes a good faith report of prohibited harassment shall not suffer retaliation for making the report. A person who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding prohibited harassment is subject to appropriate discipline.
RECORDS RETENTION	Retention of records shall be in accordance with DAA(LOCAL).
ACCESS TO POLICY	This policy shall be distributed annually to District employees. Copies of the policy shall be readily available at each campus and the District administrative offices.

Harassment of students

Policies DH, FFG, FFH

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. All allegations of prohibited harassment or abuse of a student will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. *See Reporting suspected child abuse*, p 31, for additional information.

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

Note: This policy addresses harassment of District students. For provisions regarding harassment of District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG.

The District prohibits sexual harassment and harassment based on a person's race, color, gender, national origin, disability, or religion.

Employees shall not tolerate harassment of students and shall make reports as required at REPORTING PROCEDURES, below.

SEXUAL HARASSMENT BY AN EMPLOYEE

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

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it:

- a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
- b. Creates an intimidating, threatening, hostile, or abusive educational environment.

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

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

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

EXAMPLES Examples of sexual harassment of a student may include, but are not limited to, sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

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

OTHER PROHIBITED HARASSMENT Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, gender, national origin, disability, or religion that is so severe, persistent, or pervasive that the conduct:

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

EXAMPLES Examples of prohibited harassment may include, but are not limited to, offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation;

threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

REPORTING PROCEDURES

Any student who believes that he or she has experienced prohibited harassment should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.

Any District employee who receives notice that a student has or may have experienced prohibited harassment is required to immediately report the alleged acts to an appropriate person designated below.

Any other person who knows or believes that a student has experienced prohibited harassment should immediately report the alleged acts to the appropriate person designated below.

Reports of known or suspected child abuse or neglect shall be made as required by law. [See FFG]

TIMELY REPORTING

Reports of harassment shall be made as soon as possible after the alleged acts. A failure to promptly report alleged harassment may impair the District's ability to investigate and address the harassment.

Oral or written reports of prohibited harassment shall normally be made to the campus principal. A person shall not be required to report harassment to the alleged harasser; nothing in this policy prevents a person from reporting harassment directly to one of the District officials below:

DISTRICT OFFICIALS

1. For sexual harassment, the Title IX coordinator. [See FB(LOCAL)]
2. For all other prohibited harassment, the Superintendent.

A report against the Title IX coordinator may be made directly to the Superintendent; a report against the Superintendent may be made directly to the Board.

NOTIFICATION OF REPORT

Upon receipt of a report of harassment, a principal shall immediately notify the appropriate District official listed above.

NOTICE TO PARENTS

The principal or District official shall promptly notify the parents of any student alleged to have experienced prohibited harassment by a District employee or another adult associated with the District. In cases of student-to-student harassment, the District shall promptly notify the parents of any student alleged to have experienced harassment when the allegations presented, if proven, would constitute sexual harassment or other prohibited harassment as defined by District policy.

CONFIDENTIALITY

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

INVESTIGATION OF THE REPORT

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

Upon receipt or notification of a report, the District official shall determine whether the allegations, if proven, would constitute sexual harassment or other prohibited harassment as defined by District policy. If so, the District official shall immediately authorize or undertake an investigation.

If appropriate, the District shall promptly take interim action to prevent harassment during the course of an investigation.

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

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

The District's obligation to conduct an investigation is not satisfied by the fact that a criminal or regulatory investigation regarding the same or similar allegations is pending.

CONCLUDING THE INVESTIGATION

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

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

DISTRICT ACTION

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

The District may take disciplinary action based on the results of an investigation, even if the District concludes that the conduct did not

rise to the level of harassment prohibited by law or District policy.

APPEAL

A student, including a complainant, may appeal through FNG(LOCAL), beginning at the appropriate level. A complainant shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

RETALIATION PROHIBITED

Retaliation against a student alleged to have experienced harassment, a witness, or another person who makes a report or participates in an investigation is strictly prohibited. A person who makes a good faith report of prohibited harassment shall not suffer retaliation for making the report. A person who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding prohibited harassment is subject to appropriate discipline.

RECORDS RETENTION

Retention of records shall be in accordance with FB(LOCAL).

ACCESS TO POLICY

Information regarding this policy shall be distributed annually to District employees and included in the student handbook. Copies of the policy shall be readily available at each campus and the District's administrative offices.

Alcohol and drug-abuse prevention

Policies DH, DI

Jacksonville ISD is committed to maintaining a drug-free environment and will not tolerate the use of 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. (See Appendix p.73.)

Reporting suspected child abuse

Policy DG, DH, FFG, GRA

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g.: state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. Reports to Child Protective Services can be made to the Texas Abuse Hotline (**800-252-5400**). State law specifies that an employee may not delegate to or rely on another person to make the report.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the

district is prohibited from 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 for the commission of a Class B misdemeanor. In addition, a certified employee's failure to report suspected child abuse may result in disciplinary procedures by SBEC for a violation of the *Code of Ethics and Standard Practices for Texas Educators*.

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agencies. In addition, employees must cooperate with child abuse and neglect investigators. Reporting the concern to the principal does not relieve the employee of the requirement to report to the appropriate state agency. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

Fraud and financial impropriety

Policy DG, 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 includes, but is not limited to, the following:

- Forgery or unauthorized alteration of any document or account belonging to the district.
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document.
- Misappropriation of funds, securities, supplies, or other district assets, including employee time.
- Impropriety in the handling of money or reporting of district financial transactions.
- Profiteering as a result of insider knowledge of district information or activities.
- 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.
- Destroying, removing, or inappropriately using records, furniture, fixtures or equipment.
- Failing to provide financial records required by state or local entities
- Failure to disclose conflicts of interest as required by policy
- Any other dishonest act regarding the finances of the district.

Conflict of interest

Policy BBFA, DBD

Employees are required to disclose 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

An employee with a substantial interest in a business entity or interest in real property must disclose the interest to the district prior to the award of a contract or authorization of payment. This is done by filing an affidavit with the Superintendent. An employee is also considered to have substantial interest if a close family member (e.g., spouse, parent, child or spouse's parent or child) has a substantial interest.

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 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.

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.

Safety

Policy CK

The district has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. To prevent or minimize injuries to employees, coworkers, and students and to protect and conserve district equipment, employees must comply with the following requirements:

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

Employees with questions or concerns relating to safety programs and issues can contact Stuart Bird, Superintendent at 903-586-6511.

Tobacco use

Policies DH, GKA, FNCD

Smoking or using tobacco products is prohibited on all district-owned property and at school-related or school-sanctioned activities, on or off campus. 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 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.

Employee arrests and convictions

Policy DH

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

Crimes involving school property or funds

Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator

Crimes that occur wholly or in part on school property or at a school-sponsored activity

Crimes involving moral turpitude

Moral turpitude includes, but is not limited to, 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
- Drug- or alcohol-related offenses
- Acts constituting abuse under the Texas Family Code

Possession of firearms and weapons

Policies FNCG, GKA

Employees, visitors, and students are prohibited from bringing firearms, knives, clubs, or other prohibited weapons onto school premises or any grounds or building where a school-sponsored activity takes place. 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 supervisors or call the Superintendent's office immediately (903-586-6511).

Visitors in the workplace

Policy GKC

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

Copyrighted materials

Policy EFE

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. Duplication or backups of computer programs and data must be made within the provisions of the purchase agreement.

Only videotapes or DVD's checked out from the school library may be used in a classroom and only for instructional purposes.

Computer use and data management

Policy CQ

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

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

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

Employees and students who are authorized to use the systems are required to abide by the provisions of the district's communications systems policy and administrative procedures. (See Appendix: Policy CQ, pp. 78-79 and *Employee Agreement for Acceptable Use*, p. 80.) Failure to do so can result in suspension

or termination of privileges and may lead to disciplinary action. Employees with questions about computer use and data management can contact the Director of Technology at 903-589-9015.

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 piece of district property. A copy of the district’s management plan is kept in the Maintenance Director’s office as well as each campus office and is available for inspection during normal business hours.

Pest control treatment

Policy DI, CLB

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

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located in the front office of each campus. Pest control information sheets are available from campus principals or facility managers upon request.

GENERAL PROCEDURES

Bad weather closing

Policy CKC

The district may close schools because of bad weather or 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 or to release students early the following radio and television stations will be notified by school officials:

- | | | | | |
|---------------|-------------------------------|---------------|---------------|-------------|
| | ABC7 (KLTV) | NBC56 (KETK) | CBS19 (KYTX) | |
| KLJT 102.3 FM | KFRO 95.3 FM | KDVE 103.1 FM | KXAL 100.3 FM | KEBE 1400AM |
| | KTLU-KWRW 97.7 FM and 1580 AM | | | |

Emergencies

Policy CKC

All employees should be familiar with the evacuation diagrams posted in their work areas. Fire, tornado, and other emergency drills will be conducted to familiarize employees and students with evacuation procedures. Fire extinguishers are located throughout all district buildings. Employees should know the location of the extinguishers nearest their place of work and how to use them.

Purchasing procedures

Policy CH

All requests for purchases must be submitted to the Business department on an official district requisition form with the appropriate approval signatures. The business office then creates a Purchase Order. 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 Troy Parker, Director of Purchasing, at 586-6511 x 31 for additional information on purchasing procedures.

Name and address changes

It is important that employment records be kept up to date. Employees must notify the Human Resource office at 903-586-6511 if there are any changes or corrections to their name, home address, home telephone number, marital status, emergency contact, or beneficiary. Forms to process a change in personal information can be obtained from the Human Resource Office.

Every educator certificate holder or applicant must maintain a current mailing address with the State Board for Educator Certification (SBEC). The address must be able to receive mail delivered by the United States Postal Service. Failure to maintain a current mailing address with SBEC may result in the following:

- failure to receive important information or notice or a proceeding regarding an individual's certification or application status, including renewal requirements for a Standard Educator Certificate;
- failure to receive a certificate; or
- certificated sanction or denial.

A certificate holder or applicant must update his or her mailing address through the secure website, SBEC Online for Educators at <https://secure.sbec.state.tx.us/SBECOnline/login.asp>. If further assistance is needed, please contact the Information Support Center toll free at 1-888-863-5880.

TAC, Title 19 (Education) Part 7 (State Board of Educator Certification)

Chapter 230 (Professional Educator Preparation and Certification)

Subchapter N (Certificate Issuance Procedures)

Personnel records

Policy GBA

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

- Address
- Phone number
- Social Security number
- Information that reveals whether they have family members

The choice to not allow public access to this information may be done at anytime by submitting a written request to the Human Resource Office. New or terminating employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public.

Building use

Policy GKD

Employees who wish to use district facilities after school hours must follow established procedures. The Campus Principal is responsible for scheduling the use of facilities after school hours. Contact the Campus Principal to request to use school facilities and to obtain information on the fees charged.

TERMINATION OF EMPLOYMENT

Resignations (See Policies DFBA Legal, DFBA Local, DFE Legal, DFE Local- Appendix, pp. 74-77)

Policy DFE

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

The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in *Reports to the State Board for Educator Certification*. (See policy DFE Legal in Appendix, p. 66.)

Non-contract employees. Non-contract employees may resign their positions at any time. A written notice of resignation should be submitted to their Supervisor or the Human Resource Office at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

Dismissal or non-renewal of contract employees

Policies DFAA, DFAB, DFBA, DFBB, DFCA, DFD, DFF

Employees on probationary, term, and continuing contracts can be dismissed during the school year or non-renewed at the end of the year according to the procedures outlined in district policies. 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 non-renewal occurs will be provided when a written notice is given to an employee. Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or whose certification is revoked for misconduct. Information on the time lines and procedures can be found in the DF policies that are provided to employees or in the policy manual located at the Central Office or online at <http://www.jacksonvilleisd.org>.

Dismissal of non-contract employees

Policy DCD

Non-contract 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, religion, sex, national origin, disability, military status, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Non-contract 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*, Policy DGBA Local in Appendix, p. 62).

Exit interviews and procedures

Policy DC

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, and equipment must be returned upon separation from employment. The district may withhold the cost of any unreturned items from the final paycheck.

Reports to the State Board for Educator Certification

Policy DF

The dismissal or resignation of a certified employee will be reported to the SBEC when the superintendent first learns about an alleged incident of conduct that involves the following:

1. Any form of sexual or physical abuse of a minor or any other illegal conduct with a student or minor
2. The possession, transfer, sale, or distribution of a controlled substance
3. The illegal transfer, appropriation, or expenditure of school property or funds
4. An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to a professional position or to receive additional compensation associated with a position
5. Committing a crime on school property or at a school-sponsored event
6. Violating assessment instrument security procedures

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 to the court and the individual receiving the support (Texas Family Code § 8.210, 158.211). Notice of the following must be sent to the court and support recipient:

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

Policy FB

The Jacksonville 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 against students on the basis of race, color, religion, sex, or national origin should be directed to Stuart Bird, Superintendent at 903-586-6511. Questions or concerns about discrimination on the basis of a disability should be directed to Dr. Leslie George at 903-586-6511 x 16.

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) of a minor or of a student who is a dependent for tax purposes
- The student (if 18 or older or emancipated by court)
- School officials with legitimate education 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 teachers or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved to their satisfaction should be directed to the campus principal. The formal complaint process provides parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response. Once all administrative complaint procedures are exhausted, parents and students can bring complaints to the board of trustees.

Administering medication to students

Policy FFAC

Only designated employees can administer prescription medication, non-prescription medication, and herbal or dietary supplements to students. A student who must take a medication during the school day must bring a written request from his or her parent and the medicine, in its original, properly labeled container. The District shall provide and dispense prescription medication only under a physician's standing order for each medication. Herbal substances or dietary supplements must be provided by the parent and only if required by the Individualized Education Program or Section 504 plan of a student with disabilities. Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

Dietary supplements

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

Student attendance

Policy FDD

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

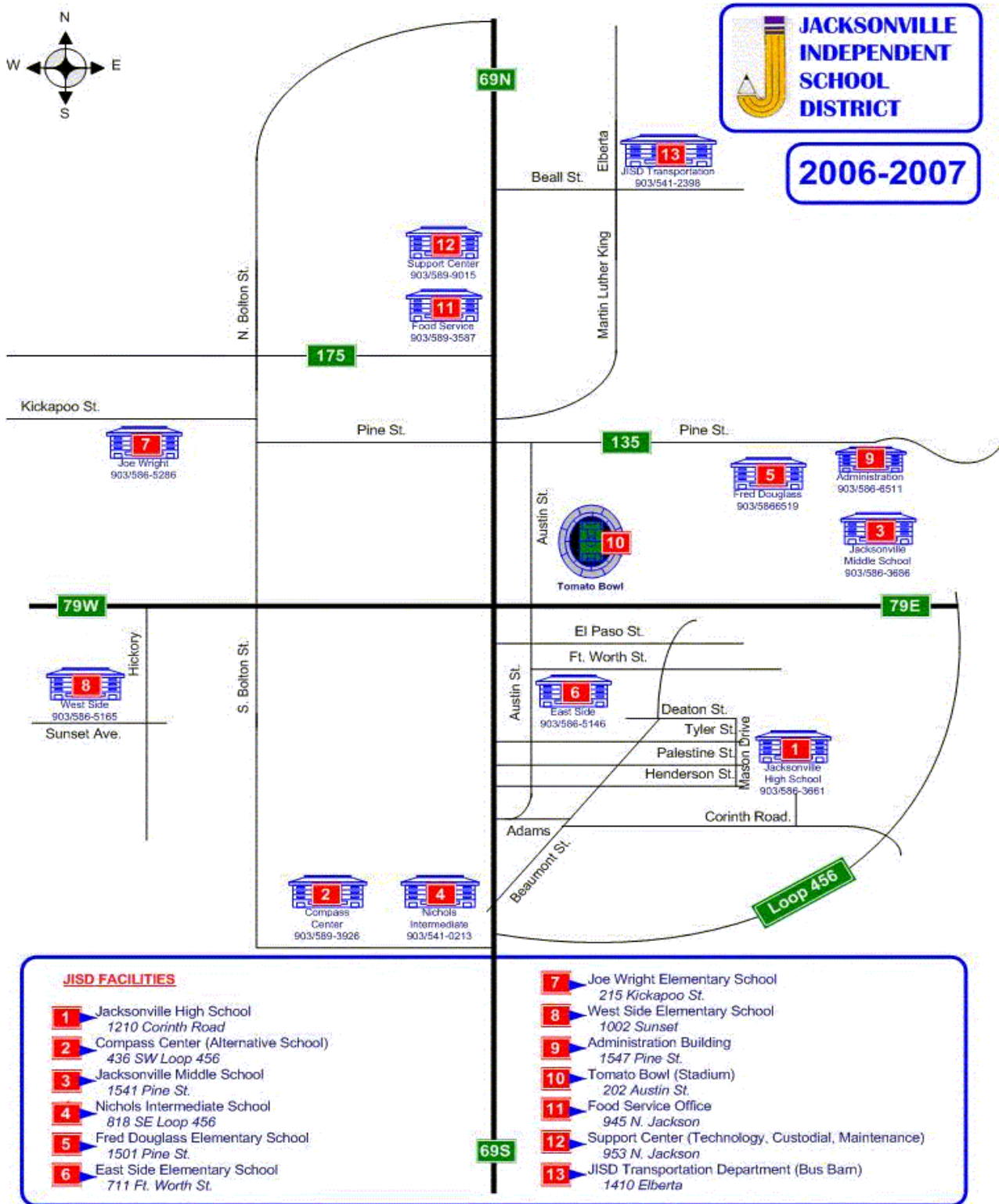
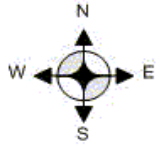
Hazing

Policy FNCC, FO

Students must have prior approval from the principal or designee for any type of "initiation rites" of a school club or organization. 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 discipline person

APPENDIX

DISTRICT MAP:



DATE ISSUED: 12/16/2003
UPDATE 72
A F (EXHIBIT)-P

PUBLIC EDUCATION MISSION, GOALS, AND OBJECTIVES

The mission of the Texas public education system is to ensure that all Texas children have access to a quality education that enables them to achieve their full potential and fully participate now and in the future in the social, economic, and educational opportunities in our state and nation. That mission is grounded on the conviction that a general diffusion of knowledge is essential for the welfare of Texas and for the preservation of the liberties and rights of Texas citizens. It is further grounded on the conviction that a successful public education system is directly related to a strong, dedicated, and supportive family and that parental involvement in the school is essential for the maximum educational achievement of a child.

The objectives of public education are:

- OBJECTIVE 1: Parents will be full partners with educators in the education of their children.
- OBJECTIVE 2: Students will be encouraged and challenged to meet their full educational potential.
- OBJECTIVE 3: Through enhanced dropout prevention efforts, all students will remain in school until they obtain a diploma.
- OBJECTIVE 4: A well-balanced and appropriate curriculum will be provided to all students.
- OBJECTIVE 5: Educators will prepare students to be thoughtful, active citizens who have an appreciation for the basic values of our state and national heritage and who can understand and productively function in a free enterprise society.
- OBJECTIVE 6: Qualified and highly effective personnel will be recruited, developed, and retained.
- OBJECTIVE 7: Texas students will demonstrate exemplary performance in comparison to national and international standards.
- OBJECTIVE 8: School campuses will maintain a safe and disciplined environment conducive to student learning.
- OBJECTIVE 9: Educators will keep abreast of the development of creative and innovative techniques in instruction and administration using those techniques as appropriate to improve student learning.
- OBJECTIVE 10: Technology will be implemented and used to increase the effectiveness of student learning, instructional management, staff development, and administration. The academic goals of public education are to serve as a foundation for a well-balanced and appropriate education. The students in the public education system will demonstrate exemplary performance in:

GOAL 1: The reading and writing of the English language.

GOAL 2: The understanding of mathematics.

GOAL 3: The understanding of science.

GOAL 4: The understanding of social studies.

Education Code 4.001, 4.002

DATE ISSUED: 12/16/2003
UPDATE 72
A F (EXHIBIT)-P

JISD Professional Dress Code
2007-2008

Clothing Will Be Business Casual

Shirts and Blouses:

Men:

- Shirts should be collared knit polo or oxford style
- Shirts that are designed to be tucked in should be
- Shirts with straight hems may be worn out
- No inappropriate logos or slogans
- T-shirt styled shirts are not appropriate

Women:

- Shirts must have appropriate necklines
- Sleeveless shirts must have wide straps with no exposed undergarments
- No exposed cleavage
- No inappropriate logos or slogans
- No exposed midriffs even when arms are raised
- No excessively long shirts

Pants

- Pants should not be denim
- Hem must not be intentionally torn
- Pants should not be too tight and revealing
- Women may wear mid-calf length pants and capris
- No painter pants, cargo pants, velour pants, shorts, or camouflage
- Five pocket jeans maybe worn with JISD shirt on days specified by the administrator. They must have a sewn hem, no holes or rips, etc.

Dresses and Skirts

- Dresses and skirts should be no shorter than the top of the knees when standing
- A dress should have appropriate neckline
- Should not be too tight or revealing

Shoes

- Sandals may not be casual beach type, rubber, or plastic or flip flops
- Sandals may not be trekking type shoes

Other Guidelines

The following are considered unacceptable:

- Exposed tattoos or body piercings (other than earrings for women)
- Sweat suits
- Excessive use of cologne or perfume
- Casual wear capris
- Excessively tight clothing or clothing that conforms to the body
- Extremes in make-up, hairstyles, jewelry, and other accessories
 1. Natural hair colors only
 2. Male staff may not have hair longer than the collar line

Exceptions

Coaches and Physical Education Teachers:

- PE or athletic class - athletic clothes
- Halls between PE classes – wind pants
- Classroom – professional dress code

PPCD/Life Skills:

- Self-contained – medical jackets
- Inclusion – professional dress code

Clinic Staff/ OT/PT/PTA:

- Scrubs

Summer:

- May wear Jeans

Final decisions regarding the appropriateness of professional school dress rest with campus administration.

ASSIGNMENTS AND SCHEDULE

DK (Local)

SUPERINTENDENT'S AUTHORITY

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

Any employee may request reassignment within the District to another position for which he or she is qualified.

CAMPUS ASSIGNMENTS

The principal's criteria for approval of campus assignments and reassignments shall be consistent with District policy regarding equal opportunity employment, and with staffing patterns approved in the District and campus plans. [See BQ series] In exercising their authority to approve assignments and reassignments, principals shall work cooperatively with the central office staff to ensure the efficient operation of the District as a whole.

ASSIGNMENT OF RELATIVES

Personnel employed after September 1, 1999, shall not be assigned to a campus where any member of their immediate family is in a direct line of supervision. For purposes of this policy, immediate family shall be defined as:

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

The provisions of this policy addressing related employees shall not apply to persons employed or assigned before the adopted date of this policy revision except as noted. Employees working in a department or in a line of authority in which their spouse has administrative or supervisory responsibility may remain in their current position. A requested change shall only be considered for a position in another department or line of authority. The administration shall direct efforts to eliminate those situations that would not meet these guidelines as circumstances permit.

SUPPLEMENTAL DUTIES

Non-contractual supplemental duties for which supplemental pay is received may be discontinued by either party at any time. An employee who wishes to relinquish a paid supplemental duty may do so by notifying the Superintendent or designee in writing. Paid supplemental duties are not part of the District's contractual obligation to the employee, and an employee shall hold no expectation of continuing assignment to any paid supplemental duty.

WORK CALENDARS AND SCHEDULES

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

Daily time schedules for all employees shall be determined by the Superintendent or designee and principals.

Date Issued 7/22/04
Update 73
DK (Local)-X

PERFORMANCE APPRAISAL

DN
(LOCAL)

GENERAL PRINCIPLES	All District employees shall be periodically appraised in the performance of their duties. The District's employee evaluation and appraisal system shall be administered consistent with the general principles set out below.
CRITERIA	The employee's performance of assigned duties and other job-related criteria shall provide the basis for the employee's evaluation and appraisal. Employees shall be informed of the criteria on which they will be evaluated.
PERFORMANCE REVIEW	Evaluation and appraisal ratings shall be based on the evaluation instrument and cumulative performance data gathered by supervisors throughout the year. Each employee shall have at least one evaluative conference annually, except as otherwise provided by policy, to discuss the written evaluation and may have as many conferences about performance of duties as the supervisor deems necessary. [See also DNA and DNB]
DOCUMENTATION AND RECORDS	Appraisal records and forms, reports, correspondence, and memoranda may be placed in each employee's personnel records to document performance.
EMPLOYEE COPY	All employees shall receive a copy of their annual written evaluation.
COMPLAINTS	Employees may present complaints regarding the evaluation and appraisal process in accordance with the District's complaint policy for employees. [See DGBA]

Date Issued: 5/17/2007
Update 80
DN (Local)-A

Performance Appraisal Evaluation of Teachers

DNA (Local)

LESS-THAN-ANNUAL EVALUATIONS

District teachers shall be appraised annually, except teachers who are eligible for less frequent evaluations in accordance with law and the following local criteria. The eligible teacher shall:

ELIGIBILITY

1. Not be on a probationary contract or any type of permit;
2. Not be new to the campus;
3. Not be new to the teaching assignment;
4. Have at least five years of teaching experience, with at least three consecutive years in the District;
5. Be proficient in all domains on most recent appraisal, with at least one domain rated Exceed Expectations;
6. Not be on a growth plan; and
7. Be on a campus that is rated Recognized or Exemplary.

FREQUENCY

Eligible teachers shall be appraised every other year.

During any school year when a complete Professional Development and Appraisal System (PDAS) is not scheduled for an eligible teacher, either the teacher or the principal may require that an appraisal be conducted by providing written notice to the other party.

ALTERNATIVE ANNUAL REVIEW PROCESS

In the years that PDAS is not scheduled for an eligible teacher, an annual review process shall consist of a year-end conference in which observations during walk throughs, test results, and staff development will be discussed. This process shall be developed by the administration in collaboration with the District- and campus-level committees.

PDAS

The annual appraisal of District teachers not eligible for less frequent evaluations shall be in accordance with the Professional Development and Appraisal System (PDAS).

The District shall establish an appraisal calendar each year.

SCHEDULE LIMITATIONS

In addition to those days on which observations are prohibited by law [see DNA(LEGAL)], the District shall not schedule observations on the day before and the day after a school holiday, days scheduled for end-of-semester or end-of-year examinations, or days scheduled for state-mandated assessments or other standardized tests.

FIRST OBSERVATION

First classroom observations of teachers shall be unscheduled.

ALTERNATE APPRAISERS

The list of qualified appraisers who may appraise a teacher in place of the teacher's supervisor shall be approved by the Board.

Date Issued: 2/2/2004
LDU-05-04
DNA (Local)-X

Performance Appraisal Evaluation of Teachers

**DNA
(Local)**

SECOND OBSERVATION APPRAISER	Upon a teacher's request for a second appraiser, the Superintendent or designee shall select the second appraiser from a pre-established roster of trained appraisers.
SCHEDULING	Second appraisals shall be unscheduled.
SCORES	The Board shall ensure that the Superintendent or designee establish procedures regarding how domain scores from first and second appraisals will be used.
PROBATIONARY TEACHERS	Written evaluations and other evaluative information need not be considered prior to a decision to terminate a probationary contract at the end of the contract term. [See DFAB(LEGAL)]
EMPLOYMENT DECISIONS	When relevant to decisions regarding term contracts, written evaluations of a teacher's performance, as documented to date, and any other information the administration deems appropriate, shall be considered in decisions affecting contract status.
GRIEVANCES	Complaints regarding teacher appraisal shall be addressed in accordance with DGBA(LOCAL).

Date Issued: 2/2/2004
LDU-05-04
DNA (Local)-X

JACKSONVILLE ISD Administrative Guidelines for PDAS Appraisals For school year 2007-2008

House Bill 1440, passed by the 78th Legislature created an exception to the general rule, found in Texas Education Code section 21.203(a), that school board policy must require the written evaluation of teachers at least annually. The exception, found in Texas Education Code section 21.352(c), now provides that:

A teacher may be appraised less frequently if the teacher agrees in writing and the teacher's most recent evaluation rated the teacher as a least proficient, or the equivalent, and did not identify any area of deficiency. A teacher who is appraised less frequently than annually must be appraised at least once during each period of five school years.

Guidelines for implementation of this rule have been developed with input from the eight JISD campuses. Teachers who meet **ALL** the following criteria may sign a district waiver and by appraised every other year.

- The teacher is not on a Probationary Contract or any type of permit.
- The teacher is not new to campus or new to teaching assignment.
- The teacher has at least 5 years teaching experience; including three consecutive years in JISD.
- The teacher's most recent appraisal was proficient in all Domains with at least one domain being Exceeded Expectations.
- The teacher is not on a growth plan.

(A teacher who meets these criteria may request a yearly appraisal)

All teachers who meet **ALL** of the criteria must complete a Waiver Form, which must be signed by both the teacher and the appraiser. The form must be completed and turned in to principal with a copy sent to Personnel no later than the 3rd week of school. The appraiser will be required to conduct and document a minimum of three walk-through observations during the 2007-2008 school year. A year-end conference must be held with each teacher who waived the PDAS Appraisal, and the discussion must include the observations made during the walk-throughs, test results, and staff development information for this school year.

With the district's goal of high student achievement in mind, any campus that does not meet the state accountability system criteria of above expectations, cannot agree to waive the PDAS for any teacher on that campus (Would have to be Recognized or Exemplary under TAAS system to qualify for waiver).

**During any school year when a complete appraisal under the PDAS is not scheduled, either the teacher or the principal may require that an appraisal be conducted by providing written notice to the other party.*

Teachers who do not meet all of the criteria will be appraised every year.

A complete PDAS appraisal must include:

- Teacher self-report, Parts I and II
- A 45 minute observation
- A written Observation Report
- A pre and/or post observation conference at the request of either the teacher or the appraiser
- A written summative report
- A Summative Conference, unless waived by the teacher

**JACKSONVILLE INDEPENDENT SCHOOL DISTRICT
PDAS Appraisal Waiver – 2007-2008**

Teacher: _____

Campus: _____

Appraiser: _____

Teachers, who have been rated at least proficient on their latest appraisal, with no indicators rated as deficient, may be appraised less frequently than annually. The following conditions apply:

- The teacher must meet all of the criteria to ask for a waiver.
- The waiver must be agreed upon in writing by both the teacher and the appraiser, and the waiver is valid only for 2007-2008 school year.
- All elements of PDAS are waived, including:
 1. The teacher Self Report
 2. The formal 45 minute observation and Observation Report
 3. The Summative Report

During the school year in which PDAS is waived, a campus administrator will be expected to conduct and document a minimum of three walk-through observations. A year-end conference must be held with each teacher who waived the PDAS Appraisal, and the discussion must include the observations made during the walk-throughs, test results, and staff development information for this school year. It is understood by all parties that the conditions set forth in State Law and District policy have been met, and by mutual agreement the PDAS appraisal for the 2007-2008 school year will be waived.

During any school year when a complete appraisal under the PDAS is not scheduled, either the teacher or the principal may require that an appraisal be conducted by providing written notice to the other party.

Teacher

Appraiser

Date

Date

Original -Personnel Department
Copy 1- Teacher
Copy 2- Appraiser

COMPENSATION AND BENEFITS:
LEAVES AND ABSENCES

DEC
(LOCAL)

DEFINITIONS

FAMILY	<p>For the purposes of state sick leave accrued before May 30, 1995, and local sick leave, the term "immediate family" shall include:</p> <ul style="list-style-type: none">• Spouse.• Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands <i>in loco parentis</i>.• Parent, stepparent, parent-in-law, or other individual who stands <i>in loco parentis</i> to the employee.• Sibling, stepsibling, sibling-in-law.• Grandparent and grandchild.• Any person who may be residing in the employee's household at the time of illness or death. <p>For purposes of the Family and Medical Leave Act, the definition of "family" shall include only items 1, 2, and 3 on the above list, but shall exclude son- or daughter-in-law, and parent-in-law.</p>
FAMILY EMERGENCY	<p>The term "family emergency" shall be limited to natural disasters and life-threatening situations involving the employee or a member of the employee's immediate family.</p>
WORKDAY	<p>An "equivalent workday" for purposes of accumulation, use, or recording shall mean the number of hours per day associated with the employee's usual work assignment, whether full-time or part-time.</p>
STATE PERSONAL LEAVE - RATE OF ACCRUAL	<p>Each employee shall earn state personal leave, in equivalent workdays, at the rate of two and a half workdays per semester of employment, up to the statutory maximum of five workdays annually.</p>
TYPES OF STATE PERSONAL LEAVE	<p>Under authority of Education Code 22.003 and to preserve the employee's leave entitlement while minimizing disruption to the instructional program, the Board requires employees to differentiate between uses of personal leave:</p>
DISCRETIONARY	<ol style="list-style-type: none">1. To be taken at the individual employee's discretion, subject to limitations set out below.
NON-DISCRETIONARY	<ol style="list-style-type: none">2. To be used for the same reasons and in the same manner as state sick leave accumulated prior to May 30, 1995. [See DEC(LEGAL)]

USE OF DISCRETIONARY LEAVE	A notice of request for discretionary personal leave shall be submitted to the principal or designee seven days in advance of the anticipated absence.
REQUEST FOR LEAVE	Use of discretionary personal leave shall be considered granted unless the principal or designee notifies the employee to the contrary within 48 hours of receipt of the request.
DURATION OF LEAVE	Discretionary personal leave may not be taken for more than three consecutive days.
SCHEDULE LIMITATIONS	Discretionary leave shall not be allowed on the day before or after a school holiday, the day before or after a grading period, days scheduled for state-mandated assessments, or staff development or clerical days.
ADDITIONAL LOCAL LEAVE	All employees shall earn an additional two equivalent workdays of local sick leave per school year, at the same rate as state personal leave.
EXTENDED SICK LEAVE	Local sick leave shall accumulate without limit and shall be taken with no loss of pay. Teachers who have exhausted all other leave shall be granted an additional five equivalent workdays of extended sick leave for personal illness, illness in the immediate family, family emergency, or death in the immediate family. An amount equivalent to a substitute's rate of pay shall be deducted from the employee's paycheck for each day of extended sick leave used, whether or not a substitute is employed. Extended sick leave shall be noncumulative.
USE AND RECORDING	For purposes of personal illness, illness in the immediate family, family emergency, or death in the immediate family, available leave shall be used according to the employee's discretion. Local sick leave shall be used under the terms and conditions applicable to state sick leave accumulated prior to the 1995-96 school year, except as otherwise provided by this policy. Employees shall be charged leave as used even if a substitute is not employed. Leave shall be recorded in whole workdays and half workdays only, except in accordance with provisions for intermittent leave in the Family and Medical Leave Act.
AVAILABILITY	Leave shall not be approved for more workdays than have been accumulated in prior years plus those earned during the current year. Leave for the current year shall be available for use at the beginning of the school year. When an employee who has used more leave than he or she had accumulated ceases to be employed by the District, the cost of the unearned leave days shall be deducted from the employee's final paycheck.
OTHER ABSENCES	Any other leaves granted or days of absence shall result in a deduction of the daily rate of pay for each day of absence, unless otherwise provided. [See DMD(LOCAL)]
MEDICAL CERTIFICATION	An employee absent more than five consecutive workdays because of personal illness shall submit, upon return to work, a medical certification of illness and of his or her fitness to return to work. An employee absent more than five consecutive workdays because of illness in the immediate family shall present, upon return to work, medical certification of the family member's illness.

HEALTH CARE PROVIDER	Medical certification shall be made by a health care provider as defined by the Family and Medical Leave Act. [See DEC(LEGAL)]
BEREAVEMENT (FUNERAL) LEAVE	Use of state leave and/or local sick leave for death in the immediate family shall not exceed five workdays per occurrence, subject to the approval of the District.
FAMILY AND MEDICAL LEAVE	The 12-month period within which employees shall be eligible for 12 weeks of family and medical leave shall be defined as the 12-month period beginning on the first duty day of the school year.
CONCURRENT USE OF LEAVE	The District shall require employees to use family and medical leave concurrently with paid leave and with temporary disability leave if applicable.
COMBINED LEAVE FOR SPOUSES	If both spouses are employed by the District, combined family and medical leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition may be limited to a combined total of 12 weeks as determined by the needs of the District.
INTERMITTENT LEAVE FOR CHILD CARE	Use of intermittent family and medical leave shall not be permitted for the care of a newborn child or upon the adoption or placement of a child with the employee.
CERTIFICATION OF ILLNESS	Upon request for family and medical leave for the employee's serious health condition or that of a spouse, parent, or child, and at 30-day intervals thereafter, the employee shall provide medical certification of the illness or disability.
MEDICAL RELEASE	The employee's request for reinstatement shall be accompanied by medical certification of the employee's ability to perform essential job functions.
TEACHER REINSTATEMENT	A teacher desiring to return to work at or near the conclusion of a semester shall be reinstated in accordance with the END-OF-TERM LEAVE section in DEC(LEGAL).
RESIGNATION	If, at the expiration of the family and medical leave, the employee is able to return to work but chooses not to do so, the District shall require reimbursement of the employee benefits contribution made by the District during the period in which such leave was taken as unpaid leave.
TEMPORARY DISABILITY	Any full-time employee whose position requires educator certification by the State Board for Educator Certification or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days.
COURT APPEARANCES	Absences for court appearances related to an employee's personal business shall be deducted from the employee's personal leave or shall be taken by the employee as leave without pay.
WORKERS' COMPENSATION	An employee absent because of a job-related injury or illness shall be assigned to family and medical leave, if applicable.
	An employee eligible for workers' compensation wage benefits, and not on assault leave, shall indicate whether he or she chooses to: <ol style="list-style-type: none"> 1. Receive workers' compensation wage benefits; or 2. Use available paid leave. Workers' compensation wage benefits shall begin when:

- a. Paid leave is exhausted; or
- b. The employee elects to discontinue use of paid leave; or
- c. Leave payments are less than the employee's pre-injury average weekly wage.

ATTENDANCE INCENTIVE	Effective September 1, 2005, upon retirement, the District shall pay employees \$50 per day for all unused local and state sick leave days earned prior to the 1995-96 school year, and also for all unused local sick days earned during and after the 1995-96 school year. Such days shall be deducted from the employee's accumulated days.
SICK LEAVE BANK	The District sick leave bank (SLB) shall be established to provide additional paid sick leave days to members of the SLB in the event of extended illness, surgery, or disability that causes the member to be unable to perform the duties of his or her position. Benefits are only for catastrophic personal illness or injury of the member, and are not for absences due to illness or injury of family members or others. The SLB is defined as a pool of local sick leave days contributed voluntarily by eligible District personnel who enroll.
MEMBERSHIP	Eligibility shall be limited to all District personnel who accrue sick leave benefits. Eligibility for membership shall begin on the first official workday or the first day the employee begins accruing sick leave, whichever occurs later. Application for membership must be made during the enrollment period at the beginning of each school year prior to October 1. New employees may enroll at the time of employment. If they elect not to enroll, they shall not be permitted to enroll until the next enrollment period.
GOVERNING BOARD	The District shall elect the governing board for the SLB in accordance with administrative regulations. The governing board shall review each application individually and determine the number of days to be approved, if any. Approval of the application and the number of days shall be by a simple majority of the voting members. The governing board may grant up to 30 days in any one school year, but no more than 60 days during the time a person is employed by the District.
SICK LEAVE BANK REGULATIONS	The SLB year shall begin on September 1 and end on August 31. Enrollment applications for membership in the SLB will be sent to all employees at the beginning of each school year. Application for membership shall be made during the enrollment period at the beginning of each school year prior to October 1. Enrollment applications shall not be accepted after the close of business on October 1 or the first business day thereafter.
CONTRIBUTION OF DAYS	Upon acceptance of his or her application, one local sick day shall automatically be subtracted from the employee's local sick day balance. It becomes the permanent property of the SLB and cannot be returned. Each deposit remains the property of the SLB, even in the event of termination, resignation, or cancellation of membership of the employee. Unused SLB days shall carry over to the next banking year. If a member uses any days from the SLB during the year, he or she shall be required to become a member of the SLB the next year whether or not he or she wishes to enroll. One day will be subtracted from the employee's sick leave balance during the member's next year of employment.

'TWO TIMES' RULE

If the SLB balance is above two times the number of returning members, a day shall not be subtracted from the sick leave balances of those who are continuing their membership except from those who received benefit days during the previous year. This benefit will only apply to individuals who have completed the enrollment application, were members during the previous SLB year, and did not receive SLB days during the previous year. The calculation shall be made as follows:

The SLB balance on September 1, minus any benefits not deducted on applications made by August 31, plus the number of required contribution days from members who had received benefits during the last term, plus the number of days contributed by first-time members of new SLB year (counted September 30), equals the number of days used to determine activation of the "two times" rule.

WITHDRAWAL OF DAYS

Only members in good standing shall be eligible to withdraw days from the SLB.

Days shall be granted only after the member has exhausted all accumulated state and local sick leave, personal leave, and extended sick leave, if any.

A member may apply for days after ten consecutive days of absence from work for reasons of unexpected critical personal illness, injury, or other disability that necessitates absence from work. A member may apply for days of planned absences such as surgery or hospitalization in advance if it is anticipated that the absence will exceed ten days and the member will have insufficient sick, personal, and/or extended sick leave to prevent loss of full pay.

Benefit days shall be retroactive to the first day of eligible absence once all criteria are met.

No benefit days shall be granted unless actual absence from normal duty occurs. No benefit days shall be granted to cover absences for holidays, vacations, or other nonduty days. In addition, no benefit days shall be granted for elective absences or for procedures that could be safely and reasonably postponed to extended school breaks.

GUIDELINES FOR BENEFITS

The maximum number of days that may be granted to any employee during any one year shall be 30. The maximum lifetime benefit shall be 60 days.

First-year SLB members are only eligible to draw a maximum of ten days. However, employees with at least one year of local service who join the SLB during the 1995-96 first enrollment period shall not be limited to ten days. They will be "grandfathered" as charter members of the SLB.

Requests for days for mental illness are limited to a lifetime total of ten days.

In order to begin drawing from the SLB, the employee shall wait five consecutive workdays after all eligible District compensation and/or leave have been exhausted. This five-day waiting period applies each time a member requests days from the SLB.

A member who has not used the maximum yearly or lifetime benefit may apply for days for any absence that meets all regulations governing the withdrawal of days from the SLB. A doctor's letter shall be attached to the request form before any days may be withdrawn. This letter shall include the nature of the illness and the expected total number of days of absence.

The SLB governing board reserves the right to request a second doctor's opinion at any time. Payment of expenses for the second doctor's opinion shall be the employee's responsibility. Governing board authorization for utilization of SLB days subsequent to the date of request for a second doctor's opinion shall be deferred pending receipt of that opinion.

Illness or injuries that occur during the enrollment period shall automatically be covered for individuals who were members during the previous year provided they have not used all of their lifetime benefits. Any benefits used during the enrollment period shall be subtracted from the individual's balance in the year covered by the enrollment period.

Individuals who become ill or injured during the enrollment period who were not members during the previous year would not normally have any benefits. The governing board has the full and final authority to determine whether or not the individual has had sufficient opportunity to enroll prior to the absences. If the governing board determines that the individual had not completed the application through no fault of his or her own, then the governing board may decide to accept the membership retroactively to cover the absences to the beginning of the enrollment period only. This rule might apply in circumstances such as the failure of the District or administrator to distribute the applications, or if the individual did not receive a copy due to multicampus assignments.

A member shall have been absent for ten consecutive days before any SLB benefits can be granted. The governing board may grant an exception to this rule in the event of ongoing, intermittent therapy related to an earlier therapy, or dialysis. The preexisting condition restriction in the next paragraph applies.

Absences caused by conditions existing at the time of application for membership will not be covered. However, upon approval of the SLB governing board, members who present physician verification that the condition was not active or was under control at the time of application for membership may have absences related to that condition approved for benefits. [See PREEXISTING CONDITIONS]

No days shall be granted for nonmembers. Days may not be donated from or by the SLB for use by nonmembers.

Eligibility for SLB benefits by pregnant employees shall be limited to catastrophic illnesses arising out of pregnancy.

PREEXISTING CONDITIONS

Generally, a preexisting condition shall not be covered, but complications of that condition that represent a significant change will be. If the condition itself changes significantly from that at the time of enrollment, the application could be approved. The goal of the SLB is not to exclude members who have preexisting conditions, but to provide its members with benefits for those unexpected events and illnesses.

Example:

1. A member with previously diagnosed diabetes is hospitalized to evaluate and establish better control of his or her condition. This would not be covered.
2. A member with previously diagnosed diabetes is hospitalized with complications of his or her diabetes, e.g., circulatory impairment to extremities, kidney failure, retinal detachment. This would be covered.

Example:

1. A member with previously diagnosed heart disease is advised to have bypass

surgery. This has been recommended in the past, but the member decided against the surgery. This would not be covered, unless the member could demonstrate that the decision was made due to a significant change in his or her health.

2. A member with previously diagnosed heart disease has a heart attack. This is a new complication of an existing problem and would be covered.

Example:

1. A member with previously diagnosed cancer was told that the cancer has been removed, but it recurred. This would be a covered condition.
2. A member with previously diagnosed cancer who was told that the cancer would recur would not be covered, unless the cancer was considered inactive at the time of enrollment as demonstrated by the general health of the member or statement of the physician.

A member shall be notified within five working days of the decision of the governing board. The member shall then have ten working days to appeal any decision to the governing board. All appeals must be in writing and sent to the assistant superintendent's office. Supporting documentation should be included. The governing board will meet to review the original application and any new information.

A member shall have the right to present his or her case to the governing board. The governing board may request (in writing) that the member present his or her claim. Requests to appear before the governing board should be in writing and sent to the assistant superintendent's office.

All decisions of the governing board may be appealed according to the procedures outlined at DGBA(LEGAL) and (LOCAL).

DATE ISSUED: 11/07/2005
LDU-45-05
DEC(LOCAL)-X

PERSONNEL-MANAGEMENT RELATIONS:
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

GUIDING PRINCIPLES

INFORMAL PROCESS The Board encourages employees to discuss their concerns and complaints through informal conferences with their supervisor, principal, or other appropriate administrator.

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

FORMAL PROCESS If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.

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

FREEDOM FROM RETALIATION Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint. [See DG]

NOTICE TO EMPLOYEES The principal of each campus and other supervisory personnel shall inform employees of this policy.

SPECIFIC COMPLAINTS For more information on how to proceed with complaints regarding:

1. Alleged discrimination, including violations of Title IX or Section 504, see DAA.
2. Instructional materials, see EFA.
3. A commissioned peace officer who is an employee of the District, see CKE.

OTHER REVIEW PROCESSES Complaints alleging certain forms of harassment shall be processed in accordance with DIA.

Complaints arising from any of the following must be addressed through the local and statutory processes indicated below:

1. The proposed nonrenewal of a term contract issued under Chapter 21 of the Texas Education Code, in accordance with DFBB.
2. The proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Texas Education Code during the contract term, in accordance with DFAA, DFBA, or DFCA, respectively.

This policy shall apply to all other employee complaints.

DEFINITIONS For purposes of this policy, terms are defined as follows:

COMPLAINT /
GRIEVANCE

The terms "complaint" and "grievance" shall have the same meaning. A complaint under this policy may include:

1. Grievances concerning an employee's wages, hours, or conditions of work;
2. Specific allegations of unlawful discrimination in employment based on the employee's sex, race, religion, national origin, age, or disability;
3. Specific allegations of unlawful discrimination or retaliation based on the employee's exercise of legally protected rights; or
4. Specific allegations of adverse personnel action based on the employee's good faith report to an appropriate law enforcement authority of a violation of a law by the District or a District employee, i.e., "whistleblower complaints." [See DG]
5. Complaints arising from the dismissal or termination of an at-will employee. [See DCD]
6. Complaints arising from the termination at end of year of the probationary contract of a professional employee. [See DFAA]

FILING

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

RESPONSE

At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on the deadline and received by the employee or designated representative no more than three days after the response deadline.

DAYS

"Days" shall mean District business days. In calculating time lines under this policy, the day a document is filed is "day zero," and all deadlines shall be determined by counting the following day as "day one."

REPRESENTATIVE

"Representative" means any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.

The employee may designate a representative through written notice to the District at any level of this process. If the employee designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel.

WHISTLEBLOWER
COMPLAINTS

Whistleblower complaints shall be filed within the time specified by law. Such complaints shall first be filed in accordance with LEVEL TWO, below. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 days of the initiation of the complaint. [See DG]

GENERAL PROVISIONS

Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.

UNTIMELY FILINGS

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

COSTS INCURRED

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

COMPLAINT FORM

Complaints under this policy shall be submitted in writing on a form provided by the District. Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted unless the employee did not know the documents existed before the Level One conference.

A complaint form that is incomplete in any material aspect may be dismissed, but may be refiled with all the requested information if the refiling is within the designated time for filing a complaint.

LEVEL ONE

Complaint forms must be filed:

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

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

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

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

The appropriate administrator shall hold a conference with the employee within ten days after receipt of the written complaint.

The administrator shall have ten days following the conference to provide the employee a written response.

LEVEL TWO

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

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

The Superintendent or designee shall hold a conference within ten days after the appeal notice is filed. At the conference, the Superintendent or designee shall consider only the issues and documents presented at Level One and identified in the Level Two appeal notice. The Superintendent or designee shall have ten days following the conference to provide the employee a written response.

LEVEL THREE

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

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

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

The Superintendent or designee shall provide the Board with copies of the complaint form, all responses, all appeal notices, and all written documentation previously submitted by the employee or the administration. The Board shall consider only those issues and documents presented at the preceding levels and identified in the appeal notice.

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

The presiding officer may set reasonable time limits and guidelines for the presentation. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

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

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board fails to reach a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

DATE ISSUED: 04/01/2005

UPDATE 73

DGBA(LOCAL)-A

This online presentation of your district's policy is an electronic representation of TASB's record of the district's currently adopted policy manual. It does not reflect updating activities in progress. The official, authoritative manual is available for inspection in the office of the Superintendent. [See BF (LOCAL) for further information.]

EMPLOYEE COMPLAINT FORM: LEVEL ONE

Any employee filing a complaint must fill out this form completely and submit it to his or her principal or immediate supervisor. All complaints will be processed in accordance with DGBA (LEGAL) and (LOCAL) or any exceptions outlined therein.

1. Name _____
2. Position _____
3. Pleases state the date of the event or series of events causing the complaint.

4. Please state your complaint, including the individual harm alleged.

5. Please state specific facts of which you are aware to support your complaint (list in detail).

6. Please state the remedy you seek for this complaint.

Employee Signature

Date submitted

NOTICE OF APPEAL: LEVEL TWO

This form must be filled out completely by an employee appealing a Level One decision to the Superintendent or designee in accordance with the District's policies DGBA (LEGAL) and (LOCAL) or any exceptions outlined therein.

1. Name: _____

2. Position/campus: _____

3. To whom did you last present your complaint? _____

Date of conference: _____

4. If you will be represented in pursuing your complaint, please identify the individual or organization representing you:

Name: _____

Address: _____

Phone: _____ (include Area Code)

5. Attach a copy of the original complaint.

6. Attach a copy of the Level One decision being appealed.

Employee Signature

Date Submitted

NOTICE OF APPEAL TO THE BOARD: LEVEL THREE

This form must be filled out completely by an employee appealing a Level Two decision to the Board in accordance with the District's policies DGBA (LEGAL) and (LOCAL) or any exceptions outlined therein.

1. Name: _____

2. Position/campus: _____

3. To whom did you last present your complaint? _____

Date of conference: _____

4. If you will be represented in pursuing your complaint, please identify the individual or organization representing you:

Name: _____

Address: _____

Phone: _____ (include Area Code)

5. Attach a copy of the original complaint and the Level One and Level Two decisions.

Employee Signature

Date Submitted

EMPLOYEE STANDARDS OF CONDUCT

DH (Local)

All District employees shall perform their duties in accordance with state and federal law, District policy, and ethical standards. [See DH(EXHIBIT)]

All District employees shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the District.

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

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

SAFETY REQUIREMENTS All employees shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

HARASSMENT OR ABUSE Employees shall not engage in prohibited harassment, including sexual harassment, of:

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

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

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

TOBACCO USE Employees shall not use tobacco products on District premises, in District vehicles, or at school or school-related activities. [See also GKA]

ALCOHOL AND DRUGS Employees shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:

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

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

EXCEPTIONS An employee who manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities, or who uses a drug authorized by a licensed physician prescribed for the employee's personal use shall not be considered to have violated this policy.

NOTICE Each employee shall be given a copy of the District's notice regarding drug-free schools. [See DI(EXHIBIT)]

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

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

1. Crimes involving school property or funds;
2. Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;
3. Crimes that occur wholly or in part on school property or at a school-sponsored activity; or
4. Crimes involving moral turpitude, which include:
 - Dishonesty; fraud; deceit; theft; misrepresentation;
 - Deliberate violence;
 - Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
 - Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
 - Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or
 - Acts constituting abuse under the Texas Family Code.

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

Dates Issued: 5/17/2007

Update 80

DH (Local)-A

EMPLOYEE STANDARDS OF CONDUCT:
SEXUAL HARASSMENT/SEXUAL ABUSE

DHC
(EXHIBIT)

NOTICE OF EMPLOYEE RIGHTS

What is the District policy concerning sexual harassment?

The District forbids employees from engaging in conduct that constitutes sexual harassment of other employees or of students.

The District encourages employees to come forward with allegations of sexual harassment or misconduct in the workplace. Employees who report sexual harassment will not be subjected to adverse treatment for reporting the harassment.

What is sexual harassment?

"Sexual harassment" includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Such conduct constitutes sexual harassment when submission to such conduct is made a term or condition of employment or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

"Sexual harassment" includes same-sex harassment when the harassment constitutes discrimination because of sex.

What laws address sexual harassment?

Title VII is a federal law that prohibits discrimination on the basis of race, color, religion, sex, or national origin. The Texas Labor Code, Section 21.051, makes it an unlawful employment practice for an employer to discriminate on the basis of race, color, disability, religion, sex, national origin, or age.

Title VII does not prohibit genuine but innocuous differences in the way men and women routinely interact with members of the same sex and of the opposite sex. It forbids only behavior so objectively offensive as to alter the "conditions" of the victim's employment.

What do I do if I believe I have been the victim of sexual harassment?

Employees are encouraged to report allegations of sexual harassment as soon as possible. Complaints may be brought to your supervisor, your principal, or the Title IX coordinator. You may make your request in writing or orally, and you are encouraged to file your complaint promptly, so that any problems may be resolved at the earliest possible time. Although the District will not reject any such complaint because it is filed too late, employees should understand that the sooner the issue is brought to the District's attention, the sooner it can be resolved.

What will happen once I file a complaint?

Whether you report your problem to the principal, supervisor, or the Title IX coordinator, the process will be the same. If you have made your complaint orally, the supervisor will reduce it to writing and ask you to verify that it has been transcribed accurately. The supervisor will hold a conference with you as soon as possible, but at the latest, within seven days. Following the conference, the supervisor ordinarily will have seven days to offer a response, unless the investigation takes longer to resolve. You will be informed if there is a delay in the response.

What if I'm not happy with my supervisor's response?

The District provides a three-level complaint process. If you are not satisfied with the initial outcome, you may appeal to the Superintendent or the Superintendent's designee. The Superintendent or designee will hold another conference with you and attempt to resolve the situation. If you still feel that the problem has not been solved, you may appeal to the Board of Trustees.

How will the District respond to claims of sexual harassment?

The District will respond promptly to all allegations of sexual harassment. Prompt remedial action, reasonably calculated to end the harassment, will be taken when claims are substantiated.

Will my complaint be confidential?

To the greatest extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation.

DATE ISSUED: 10/06/1998
UPDATE 59
DHC(EXHIBIT)-A

This online presentation of your district's policy is an electronic representation of TASB's record of the district's currently adopted policy manual. It does not reflect updating activities in progress. The official, authoritative manual is available for inspection in the office of the Superintendent. [See BF (LOCAL) for further information.]

DRUG-FREE WORKPLACE REQUIREMENTS

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace. *41 U.S.C. 702(a)(1)(A); 28 TAC 169.2*

The District shall establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the District's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance abuse programs, and the penalties that may be imposed upon employees for drug abuse violations. *41 U.S.C. 702(a)(1)(B); 28 TAC 169.2*

Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the District, and referral to appropriate law enforcement officials for prosecution. [See policies at DH and DHE] *41 U.S.C. 702(a)(1)(A); 28 TAC 169.2*

Compliance with these requirements and prohibitions is mandatory and is a condition of employment. As a further condition of employment, an employee shall notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Within ten days of receiving such notice—from the employee or any other source—the District shall notify the granting agency of the conviction. *41 U.S.C. 702(a)(1)(D), (E)*

Within 30 calendar days of receiving notice from an employee of a conviction for any drug statute violation occurring in the workplace, the District shall either (1) take appropriate personnel action against the employee, up to and including termination of employment, or (2) require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. *41 U.S.C. 703*

[This notice complies with notice requirements imposed by the federal Drug-Free Workplace Act (*41 U.S.C. 702*) and notice requirements imposed by the Texas Workers' Compensation Commission rules at 28 TAC 169.2]

TERM CONTRACTS:
SUSPENSION/TERMINATION DURING CONTRACT

DFBA
(LEGAL)

SUSPENSION WITHOUT PAY	<p>The Board may, for good cause as determined by the Board, suspend an employee without pay:</p> <ol style="list-style-type: none">1. Pending discharge, or2. In lieu of termination. <p>The suspension may not extend beyond the end of the school year.</p> <p><i>Education Code 21.211(b)</i></p>
BACK-PAY	<p>If no discharge occurs subsequent to a suspension without pay pending discharge, the term contract employee is entitled to back pay for the period of suspension. <i>Education Code 21.211(c)</i></p>
GROUND FOR DISMISSAL	<p>The Board may terminate a term contract and discharge a term contract employee at any time for:</p> <ol style="list-style-type: none">1. Good cause as determined by the Board; or2. A financial exigency that requires a reduction in personnel. <p><i>Education Code 21.211(a)</i></p>
NOTICE	<p>Before any term contract employee is dismissed for good cause, the employee shall be given reasonable notice in writing of the charges against him or her and an explanation of the District's evidence, set out in sufficient detail to fairly enable the employee to show any error that may exist. <i>Cleveland Bd. of Educ. v. Loudermill, 105 S.Ct. 1487 (1985)</i></p>
HEARING	<p>If a term contract employee desires a hearing before an independent hearing examiner, the employee must file a written request with the Commissioner not later than the 15th day after the date the employee receives notice of the proposed termination or suspension without pay. The term contract employee must provide the District with a copy of the request and must provide the Commissioner with a copy of the notice.</p> <p>The parties may agree in writing to extend by not more than ten days the deadline for requesting a hearing.</p> <p><i>Education Code 21.251, 21.253 [See DFD]</i></p>
SUSPENSION WITH PAY	<p>The employee may be suspended with pay pending the outcome of the dismissal hearing. <i>Moore v. Knowles, 482 F.2d 1069 (5th Cir. 1973)</i></p> <p>Note: See DF regarding circumstances in which a certified employee's dismissal must be reported to the State Board for Educator Certification (SBEC).</p>

DATE ISSUED: 04/01/2005
UPDATE 72
DFBA(LEGAL)-P

This online presentation of your district's policy is an electronic representation of TASB's record of the district's currently adopted policy manual. It does not reflect updating activities in progress. The official, authoritative manual is available for inspection in the office of the Superintendent. [See BF (LOCAL) for further information.]

TERM CONTRACTS:
SUSPENSION/TERMINATION DURING CONTRACT

SUSPENSION
WITH PAY

A term contract employee may be suspended with pay or placed on administrative leave by the Superintendent during an investigation of alleged misconduct by the employee or at any time the Superintendent determines that the District's best interest will be served by the suspension or administrative leave.

DATE ISSUED: 10/23/1995
UPDATE 50
DFBA(LOCAL)-A

This online presentation of your district's policy is an electronic representation of TASB's record of the district's currently adopted policy manual. It does not reflect updating activities in progress. The official, authoritative manual is available for inspection in the office of the Superintendent. [See BF (LOCAL) for further information.]

TERMINATION OF CONTRACT: RESIGNATION

DFE
(LEGAL)

RESIGNATION DEADLINE

An educator employed under a probationary contract for the following school year, or under a term or continuing contract, may relinquish the position and leave District employment at the end of the school year without penalty by filing a written resignation with the Board or the Board's designee not later than the 45th day before the first day of instruction of the following school year. A written resignation mailed by prepaid certified or registered mail to the Board President or the Board's designee at the post office address of the District is considered filed at the time of mailing.

The educator may resign, with the consent of the Board or the Board's designee, at any other time.

ABANDONMENT OF CONTRACT

On written complaint by the District, the State Board for Educator Certification (SBEC) may impose sanctions against an educator who is employed under a contract for the following school year and who:

1. Resigns;
2. Fails without good cause to comply with the resignation deadline or the provision regarding resignation by consent; and
3. Fails without good cause to perform the contract.

Education Code 21.105, 21.160, 21.210

SBEC shall not pursue sanctions against an educator who is alleged to have abandoned his or her contract unless the Board:

1. Renders a finding that good cause did not exist for the employee's resignation; and
2. Submits a written complaint to SBEC within 30 calendar days after the educator separates from employment.

19 TAC 249.14(f)

NOTICE TO SBEC

In addition to the reporting requirement under Family Code 261.101 [see FFG], the Superintendent must file a report with SBEC not later than the seventh day after the Superintendent first obtains or has knowledge of information indicating that an educator resigned and reasonable evidence supported a recommendation by the Superintendent to terminate the educator because he or she committed one of the acts specified at Education Code 21.006(b).

Before accepting the educator's resignation, the Superintendent shall inform the educator in writing that a report will be filed that may result in sanctions against the employee's certificate.

The Superintendent shall notify the Board prior to filing a report of a resignation with SBEC.

Education Code 21.006(b), (c), (d); 19 TAC 249.14(d) [See DF]

DATE ISSUED: 11/29/2005
UPDATE 74
DFE(LEGAL)-P

**TERMINATION OF CONTRACT:
RESIGNATION**

*DFE
(LOCAL)*

**GENERAL
REQUIREMENTS**

All resignations shall be submitted in writing to the Superintendent. The employee shall give reasonable notice and shall include in the letter a statement of the reasons for resigning. A prepaid certified or registered letter of resignation shall be considered submitted upon mailing.

**AT-WILL
EMPLOYEES**

The Superintendent or designee shall be authorized to accept the resignation of an at-will employee at any time.

**CONTRACT
EMPLOYEES**

**BEFORE THE
START OF THE
SCHOOL YEAR**

The Superintendent or designee shall be authorized to accept the resignation of a contract employee submitted and effective before the start of the school year. If the resignation is submitted after the penalty-free resignation date established by law, acceptance is contingent on finding a suitable replacement.

**DURING THE
SCHOOL YEAR**

For a resignation that is effective during the school year after the contract employee has begun duty, the Superintendent or designee shall either accept the resignation or submit the matter to the Board in order to pursue sanctions allowed by law.

**AT THE END OF THE
SCHOOL YEAR**

The Superintendent or designee shall be authorized to accept a contract employee's resignation if submitted during the school year and effective at the end of the school year.

**WITHDRAWAL OF
RESIGNATION**

Once submitted and accepted, the resignation of a contract employee may not be withdrawn without consent of the Board.

DATE ISSUED: 11/29/2005
UPDATE 77
DFE(LOCAL)-A

ELECTRONIC COMMUNICATION AND DATA MANAGEMENT

CQ
(LOCAL)

The Superintendent or designee shall implement, monitor, and evaluate electronic media resources for instructional and administrative purposes.

AVAILABILITY OF ACCESS Access to the District's electronic communications system, including the Internet, shall be made available to students and employees primarily for instructional and administrative purposes and in accordance with administrative regulations. Limited personal use of the system shall be permitted if the use:

1. Imposes no tangible cost on the District;
2. Does not unduly burden the District's computer or network resources; and
3. Has no adverse effect on an employee's job performance or on a student's academic performance.

USE BY MEMBERS OF THE PUBLIC Access to the District's electronic communications system, including the Internet, shall be made available to members of the public, in accordance with administrative regulations. Such use shall be permitted so long as the use:

1. Imposes no tangible cost on the District; and
2. Does not unduly burden the District's computer or network resources.

ACCEPTABLE USE The Superintendent or designee shall develop and implement administrative regulations, guidelines, and user agreements consistent with the purposes and mission of the District and with law and policy.

Access to the District's electronic communications system is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations governing use of the system and shall agree in writing to allow monitoring of their use and to comply with such regulations and guidelines. Noncompliance may result in suspension of access or termination of privileges and other disciplinary action consistent with District policies. [See DH, FN series, FO series, and the Student Code of Conduct] Violations of law may result in criminal prosecution as well as disciplinary action by the District.

INTERNET SAFETY The Superintendent or designee shall develop and implement an Internet safety plan to:

1. Control students' access to inappropriate materials, as well as to materials that are harmful to minors;
2. Ensure student safety and security when using electronic communications;
3. Prevent unauthorized access, including hacking and other unlawful activities; and

4. Restrict unauthorized disclosure, use, and dissemination of personally identifiable information regarding students.

FILTERING

Each District computer with Internet access shall have a filtering device or software that blocks access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors, as defined by the federal Children's Internet Protection Act and as determined by the Superintendent or designee.

The Superintendent or designee shall enforce the use of such filtering devices. Upon approval from the Superintendent or designee, an administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purpose.

MONITORED USE

Electronic mail transmissions and other use of the electronic communications system by students and employees shall not be considered private. Designated District staff shall be authorized to monitor such communication at any time to ensure appropriate use.

INTELLECTUAL PROPERTY RIGHTS

Students shall retain all rights to work they create using the District's electronic communications system.

As agents of the District, employees shall have limited rights to work they create using the District's electronic communications system. The District shall retain the right to use any product created in the scope of a person's employment even when the author is no longer an employee of the District.

DISCLAIMER OF LIABILITY

The District shall not be liable for users' inappropriate use of electronic communication resources or violations of copyright restrictions or other laws, users' mistakes or negligence, and costs incurred by users. The District shall not be responsible for ensuring the accuracy, age appropriateness, or usability of any information found on the Internet.

DATE ISSUED: 08/20/2001
LDU-07-02
CQ(LOCAL)-B21

This online presentation of your district's policy is an electronic representation of TASB's record of the district's currently adopted policy manual. It does not reflect updating activities in progress. The official, authoritative manual is available for inspection in the office of the Superintendent. [See BF (LOCAL) for further information.]

EMPLOYEE AGREEMENT FOR ACCEPTABLE USE OF THE ELECTRONIC COMMUNICATIONS SYSTEM

You are being given access to the District's electronic communications system(s). Through this system(s), you will be able to communicate with other schools, colleges, organizations, and people around the world through the Internet and other electronic information systems/networks. You will have access to hundreds of databases, libraries, and computer services all over the world.

With this educational opportunity comes responsibility. It is important that you read the Jacksonville Independent School District policy, administrative regulations, and agreement form and ask questions if you need help in understanding them. Inappropriate system use will result in the loss of the privilege to use this educational and administrative tool.

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

RULES FOR APPROPRIATE USE:

1. The account is to be used mainly for educational and administrative purposes, but some limited personal use is permitted.
2. You will be held responsible at all times for the proper use of your account, and the District may suspend or revoke your access if you violate the rules.
3. Remember that people who receive e-mail from you with a school address might think your message represents the School's point of view.

INAPPROPRIATE USES:

1. Using the system(s) for any illegal purpose
2. Using someone's account without written permission from the Campus Administrator
3. Downloading or installing any software or external data without permission from the District Technology Director or designee
4. Downloading, installing or using copyrighted information without permission from the copyright holder
5. Posting personal information about yourself or others. Submitting or publishing messages or accessing materials that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal
6. Wasting school resources through improper use of the computer system(s)
7. Using the network for financial gain (whether personal or for a business), political or commercial activity
8. Any attempt to gain unauthorized access to restricted information or resources
9. Purposefully misrepresenting yourself or others
10. Disabling or attempting to disable any internet filtering device
11. Encrypting communications to avoid security review
12. Intentionally introducing a virus to the computer system
13. Attaching any device to the network without permission from the District Technology Director or designee.

CONSEQUENCES FOR INAPPROPRIATE USE:

1. Suspension of access to the system(s);
2. Revocation of the computer system account; or
3. Other disciplinary or legal action, in accordance with the District policies and applicable laws.

This Employee Agreement must be renewed each academic year.

I understand that my computer use is not private and that the District will monitor my activity on the computer system(s). I have read the District's electronic communications system policy and administrative regulations and agree to abide by their provisions. In consideration for the privilege of using the District's electronic communications system(s) and in consideration for having access to public networks, I hereby release the District, its operators, and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use of, or inability to use, the system(s), including, without limitation, the type of damages identified in the District's policy and administrative regulations.

I realize that I am responsible for the monitoring of network use by students under my supervision. I will immediately report any violations of the *Electronic Communication and Data Regulations* and/or policy to the campus principal.

Employee Name (printed): _____ Signature: _____
 Campus: _____ Date: _____

Revised 8/2/07