

Eagle Mountain - Saginaw ISD

2023-2024

# Employee Handbook



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# Introduction

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

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

## District Information

### Beliefs

#### We believe that:

- Every student is a unique individual with unique potential.
- Effective communication is key to success.
- Engaged and interested students learn more effectively.
- Respect is a key to success.
- Education is a team effort.
- High quality educational facilities optimize student and staff success.
- Accountability is essential to success.
- A physically and emotionally safe environment promotes student learning.
- A high-quality education is barrier free.

### Mission Statement, Goals, and Objectives

#### [Policy AE](#)

The mission of Eagle Mountain-Saginaw Independent School District is to foster a **culture of excellence** that instills a **passion** for a **lifetime of continuous achievement** in **every student**.

### Strategic Pillars

The strategic pillars and strategies of the District are:

1. Excellence in Academics
  - a. Teaching and Learning

- EMS ISD will create a system of support, Pre-K through 12, to maximize student potential.
- b. Recruitment and Retention of Quality Staff
  - EMS ISD will create a culture of excellence in employee recruitment, development, and support.
- c. Social/Emotional Support
  - EMS ISD will create a system of support where staff and students' social and emotional needs will be met.
- 2. Excellence in Personalized Opportunities
  - a. Student Engagement
    - In EMS ISD, each student will be involved in developing and executing a dynamic, customized, personal education plan from registration to graduation which capitalizes on embedded robust opportunities where choice matters.
  - b. Staff Engagement
    - In EMS ISD, each staff member will be actively involved in the development of a personalized professional development plan that aligns with the EMS ISD strategic plan and the learning platform.
  - c. Family Engagement
    - In EMS ISD, every family will have opportunities to engage in the educational experiences of their child
- 3. Excellence in Organizational Improvement
  - a. Systems Thinking
    - In EMS ISD, each department and campus will have clear and systemic written policies and procedures communicated to stakeholders.
  - b. Safety and Security
    - In EMS ISD, each stakeholder will be afforded opportunities to participate in the continual improvement of safety and security across the District.

## **Board of Trustees**

### [Policies BA, BB series, BD series, and BE series](#)

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

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

Current board members include:

- Place 1 – Marilyn Tolbert, Board Vice-President
- Place 2 – Paige Ring, Board President
- Place 3 – Tim Daughtrey
- Place 4 – William Boaz
- Place 5 – Steven G. Newcom, Board Secretary
- Place 6 – Ron Franklin
- Place 7 – Blake Mabry

The board usually meets monthly at EMS ISD Administration Building. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and at the EMS ISD 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 one-hour notice.

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

## Board Meeting Schedule

Monday, June 12, 2023	Monday, December 11, 2023
Monday, July 24, 2023	Monday, January 22, 2024
Monday, August 28, 2023	Monday, February 26, 2024
Monday, September 25, 2023	Monday, March 25, 2024
Monday, October 23, 2023	Monday, April 22, 2024
Monday, November 13, 2023	Monday, May 20, 2024

Visit the [Board of Education](#) page on the district website for more information about our board members, board meeting notices, agendas, minutes, and videos

## Administration

Visit the district webpage at [www.emsisd.com](http://www.emsisd.com) for district administration and departments.



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.

# Employment

## Equal Employment Opportunity

[Policies DAA, DIA](#)

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

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

The district designates and authorizes the following employee as the Title IX coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: Dr. Maria Gamell, Executive Director of Human Resources, 1600 Mustang Rock Road, Fort Worth, Texas 76179; [T9Coordinator@ems-isd.net](mailto:T9Coordinator@ems-isd.net), 817-232-0880. Reports can be made at any time and by any person, including during non-business hours, by mail, email, or phone. During district business hours, reports may also be made in person.

The district designates and authorizes the following employee as the ADA/Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability: Dr. Maria Gamell, Executive Director of Human Resources, 1600 Mustang Rock Road, Fort Worth, Texas 76179; [T9Coordinator@ems-isd.net](mailto:T9Coordinator@ems-isd.net), 817-232-0880.

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

## Job Vacancy Announcements

[Policy DC](#)

Announcements of job vacancies by position and location are posted on a regular basis to the [district's website](#).

## **Employment after Retirement**

### **Policy DC**

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed under certain circumstances on a full- or part-time basis without affecting their benefits, according to TRS rules and state law. Detailed information about employment after retirement is available in the TRS publication *Employment after Retirement*. Employees can contact TRS for additional information by calling 800-223-8778 or 512-542-6400. Information is also available on the TRS Website ([www.trs.texas.gov](http://www.trs.texas.gov)).

## **Contract and Noncontract Employment**

### **Policy DC series**

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

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

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

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

**Noncertified Professional and Administrative Employees.** Employees in professional and administrative positions that do not require SBEC certification (such as noninstructional administrators) are employed by a one-year contract that is not subject to the provisions 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.

## **Certification and Licenses**

### [Policies DBA, DF](#)

Professional employees whose positions require SBEC certification or a professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to the Human Resources department in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify Human Resources department when there is action against, or revocation of, their license.

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

## **Recertification of Employment Authorization**

### [Policy DC](#)

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

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

## Employees with Advanced Degrees

Employees with advanced degrees who wish to denote same on correspondence or in discussions with students, parents, and other staff members must provide the Human Resources department, prior to such use, with a copy of the official transcript noting the date the degree was conferred. Examples of this include, but are not limited to, the use of initials, such as M.S. or Ed.D. or introducing yourself with an honorific title, such as doctor.

## Searches and Alcohol and Drug Testing

[Policy CQ, DHE](#)

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

**Employees Required to Have a Commercial Driver's License.** Any employee whose duties require a commercial driver's license (CDL) is subject to alcohol and drug testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people counting the driver, drivers of large vehicles, or drivers of vehicles used in the transportation of hazardous materials. Teachers, coaches, or other employees who primarily perform duties other than driving are subject to testing requirements if their duties include driving a commercial motor vehicle.

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

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs.

Employees with questions or concerns relating to alcohol and drug testing policies and related educational material should contact Dr. Maria Gamell, Executive Director of Human Resources at 817-232-0880.

## **Health Safety Training**

[Policies DBA, DMA](#)

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

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

## **Reassignments and Transfers**

[Policy DK](#)

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

An employee with the required qualifications for a position may request a transfer to another campus or department. An employee may apply for a transfer to another position by responding to any job posting on the district website and following the procedures for application as indicated. All transfer requests will be coordinated by the Human Resources office and must be approved by the receiving supervisor.

## **Workload and Work Schedules**

[Policies DEAB, DK, DL](#)

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

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

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

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

[Policies DEAB, DG](#)

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

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

The Providing Urgent Maternal Protections of Nursing Mothers Act (PUMP Act) requires an employee to notify the district if they believe the district is out of compliance in providing breaks for a nursing mother. An employee with concerns should contact Kimberly Heiskell, Risk Management Coordinator at extension 2546.

## **Pregnant Workers Fairness Act**

The Pregnant Workers Fairness Act (PWFA) provides consideration of accommodations to employees who have known limitations related to pregnancy, childbirth, or related medical conditions. An employee seeking a PWFA accommodation should contact Kimberly Heiskell, Risk Management Coordinator at extension 2546 to begin the interactive process.

## **Notification to Parents Regarding Qualifications**

[Policies DK, DBA](#)

In schools receiving Title I funds, the district is required by the Every Student Succeeds Act (ESSA) to notify parents at the beginning of each school year that they may request information

regarding the professional qualifications of their child's teacher. ESSA also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements.

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

## **Outside Employment and Tutoring**

### [Policy DBD](#)

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

## **Performance Evaluation**

### [Policy DN series](#)

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

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

## **Employee Involvement**

[Policies BQA, BQB](#)

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

## **Professional Learning**

[Policy DMA](#)

Professional development activities are organized to meet the needs of employees and the district. Professional learning opportunities 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. Professional 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.

Professional learning in EMS ISD is focused on learning opportunities which are aligned with the ASPIRE 2025 mission, beliefs, and strategic pillars. The purpose of professional learning is to provide district employees with the tools needed to positively impact the learning of all students.

## **Compensation and Benefits**

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

[Policies DEA, DEAA, DEAB](#)

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

All employees may log into [Employee Access](#) through the district website to view their pay and work schedules before the start of each school year. Classroom teachers, full-time librarians, full-time nurses, and full-time counselors will be paid no less than the minimum state salary schedule.



Contract employees who perform extracurricular or supplemental duties may be paid a stipend in addition to their salary according to the district's extra-duty pay schedule.

Employees should contact the Human Resources department for more information about the district's pay schedules or their own pay.

## **Paychecks**

[Policy CFEA](#)

Professionals, paraprofessionals, and extra duty pay employees are paid monthly. Hourly employees and tutors are paid every two weeks. Employees may view their payroll statement through [Employee Access](#) in Skyward.

The schedule of pay dates for the 2022-2023 school year can be found on the [Payroll website](#).

## **Automatic Payroll Deposit**

[Policy CFEA](#)

Employees must have their paychecks electronically deposited into a designated account of their choice or must apply for a "Pay Card." Contact the payroll department for more information about mandatory direct deposit.

## **Payroll Deductions**

[Policy CFEA](#)

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

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

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; and higher education savings plans or prepaid tuition programs. Employees also may request payroll deduction for payment of membership dues to professional organizations and Eagle Mountain -Saginaw ISD Education Foundation. Salary deductions are automatically made for unauthorized or unpaid leave.

## **Overpayments**

[Policy CFEA](#)

Employees are not entitled to any funds the district overpays. If an overpayment occurs the overpayment amount will be deducted from the employee's paycheck. Contact the Payroll Department for more information.

## **Overtime Compensation**

[Policies DEAB, DEC](#)

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only nonexempt employees (hourly employees 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. A nonexempt employee who works overtime without prior approval will be subject to disciplinary action up to and including termination.

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Sunday and ends at 12:00 a.m. Sunday.

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 physically work more than 40 total hours in a week to earn overtime compensation. Employees who are paid on an hourly basis shall be compensated for all hours worked. Employees who are paid on a salary basis are paid for a 37.5-hour workweek. If a nonexempt employee works more than 37.5 hours but no more than 40 hours in a workweek, the employee will earn pay or compensatory time for those hours at the regular hourly rate. Compensatory time payable at time and one-half is earned for hours physically worked over 40 hours in a workweek.

Employees may be compensated for overtime (i.e., hours beyond 40 in a workweek) at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

- Employees can accumulate up to 60 hours of comp 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, or at the supervisor's direction.
- An employee is required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.

## **Travel Expense Reimbursement**

[Policy DEE](#)

### **Local Travel**

Before any travel expenses are incurred by an employee, the employee's 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 itemized receipts, including meals, but not for mileage.

### **Out of District Travel**

Before any travel expenses are incurred by an employee, the employee's 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 itemized receipts for everything except for mileage and meals.

### **Out of State Travel**

Before any travel expenses are incurred by an employee, the employee's supervisor and Deputy Superintendent 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 itemized receipts for everything except for mileage and meals.

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

### [Policy CRD](#)

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

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

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

## **Supplemental Insurance Benefits**

### [Policy CRD](#)

At their own expense, employees may enroll in supplemental insurance programs. Premiums for these programs will be paid by payroll deduction. Employees should contact the [Benefits Department](#) for more information.

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

### [Policy CRD](#)

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

New employees must accept or reject this benefit within the first 31 days 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 Texas Workers' Compensation, effective March 1, 2003.

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

All work-related accidents or injuries should be reported immediately to their supervisor. An Employee Incident Report and a Supervisor Incident Report Form must be submitted to the Risk Management department within 24 hours of the incident. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See the *Workers' Compensation* website, for additional information.

## **Unemployment Compensation Insurance**

### [Policy CRF](#)

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact the district's [Risk Management department](#) for more information.

## **Teacher Retirement**

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). 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.

Service as a substitute is not eligible for membership in TRS, but working as a substitute for a minimum of 90 days in a school year may be purchased as service credit if verified within the required deadline.

Employees who plan to retire under TRS should notify Michele Davis, Assistant Director of Payroll and Benefits, as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the web ([www.trs.texas.gov](http://www.trs.texas.gov)).

## **Other Benefit Programs**

- Tax -sheltered annuities (Contact the [Benefits department](#) for more information.)
- Tuition free attendance for children of employees
- Free admission to all home school activities with employee identification badge
- Employee wellness programs
- Employee assistance programs
- In-district childcare (Contact the [Hafley Development Center](#) for more information.)

# Leaves and Absences

[Policies DEC, DECA, DECB](#)

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

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

- Local leave
- State sick leave accumulated before the 1995-96 school year
- State personal leave

Employees must follow district, department, and campus procedures to report absences or contact the Human Resources department to obtain the appropriate leave paperwork. Any unapproved absences or absences beyond accumulated or available paid leave shall result in deduction from the employee's pay.

If an hourly employee does not report or request leave of absence(s) according to district procedures, the incident is considered a "no call/no show". An employee who is absent for 5 consecutive days without notice is considered to have abandoned their job and may face disciplinary consequences up to and including termination.

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

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

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

**Medical Certification.** An employee shall submit medical certification of the need for leave 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 if:

1. The employee is absent more than five consecutive workdays because of personal illness or illness in the immediate family;
2. The district requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or superintendent; or the employee requests FMLA leave for the employee's serious health condition; a serious health condition or the employee's spouse, parent, or child; or
3. For military caregiver leave.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we ask that employees and health care providers do not provide any genetic information in any medical certification. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member, or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

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

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

## **Personal Leave**

[Policies DEC, DECA, DECB](#)

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

**Nondiscretionary.** Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary may be used in the same manner as state sick leave.

**Discretionary.** Discretionary use of leave is at the individual employee's discretion, subject to limitations set below. An employee wishing to take discretionary personal leave must submit a

request to his or her principal or supervisor seven days in advance of the anticipated absence in accordance with administrative regulations. Discretionary personal leave will be considered for approval and will be subject to the following limitations:

- Seven-day advance notice of the request for discretionary leave may be waived due to extenuating circumstances;
- Effect of the employee's absence on the educational program or department operation;
- Availability of a substitute;
- Limited to no more than five consecutive days;
- Discretionary leave may not be taken on the following days except with special approval for extenuating circumstances as approved by the principal or immediate supervisor:
  - Professional Development/Student Holidays
  - First/Last Day of School
  - Day before a Student and Staff Holiday
  - Day after a Student and Staff Holiday
  - Early Release Days for Students
  - Bad Weather Make Up Days
  - Days scheduled for the end of a six-week and/or a nine-week grading period
  - Days scheduled for state assessment testing

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

## **State Sick Leave**

[Policies DEC, DECA, DECB](#)

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

- 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**

[Policies DEC, DECA, DECB](#)



Each employee, except a temporary, part-time employee who is on a weekly time sheet, shall earn seven paid local leave days per school year in accordance with administrative regulations.

The district shall make state personal leave and local leave for the current year available for use at the beginning of the school year. Local sick leave shall accumulate to a maximum of 100 leave days.

Local leave shall be used according to the terms and conditions of state sick leave accumulated before the 1995-96 school year, except that an employee may contribute local leave to a sick leave bank. See policy [DEC\(LEGAL\)](#).

Please refer to policy [DEC\(LOCAL\)](#) concerning accumulated leave at retirement, termination, and paid leave offset.

## **Extended Leave**

*[Policies DEC, DECA, DECB](#)*

After all available state and local leave days have been exhausted, a full-time employee shall be granted in a school year a maximum of 20 leave days of extended sick leave to be used for the employee's catastrophic illness or injury, including pregnancy-related illness or injury, or for absences related to the catastrophic illness or injury of a member of the employee's immediate family.

To be eligible for extended sick leave, the employee shall have been employed by the district for at least three consecutive years and shall be absent at least five consecutive workdays. Employees must have previously submitted a medical certification and have been approved for a leave of absence.

For professional employees, the average daily rate of pay of a substitute shall be deducted for each day of extended sick leave taken, whether or not a substitute is employed. For employees other than professionals, an amount equal to one-third the individual employee's daily rate of pay shall be deducted for each day of extended sick leave taken. See policy [DEC\(LOCAL\)](#) for more information.

## **Vacation**

*[Policy DED](#)*

Full time employees in a position requiring a 235-day schedule or more shall earn two weeks of paid vacation annually. Vacation scheduled shall be approved by the employee's supervisor. See policy [DED\(LOCAL\)](#) and [DED Administrative Regulation](#) for more information.

## **Sick Leave Bank (or Pool)**

*[Policies DEC, DECA, DECB](#)*

The district established a sick leave bank that employees may join through contribution of local leave. Membership is available to all employees on a voluntary basis. The membership window for enrollment is open to all employees during the benefit enrollment period.

Leave contributed to the bank shall be solely for the use of participating employees. An employee who is a member of the bank may request leave from the bank if the employee or a member of the employee's immediate family experiences a catastrophic illness or injury and the employee has exhausted all paid leave.

If an employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's supervisor may submit the request. Refer to policy [DEC\(LOCAL\)](#) for more information regarding the sick leave bank.

Please contact the Risk Management department for the formal request process.

## **Family and Medical Leave Act (FMLA)—General Provisions**

[Policies DEC, DECA, DECB](#)

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

### **What is FMLA leave?**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional

employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress

### What does my employer need to do?

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

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

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

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

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

### Where can I find more information?

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

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



## Local Procedures for Implementing Family and Medical Leave Provisions

[Policies DEC, DECA, DECB](#)

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period measured forward from the date an individual employee's first FML begins.

**Use of Paid Leave.** FML runs concurrently with accrued sick and personal leave, temporary disability leave, compensatory time, assault leave, and absences due to a work-related illness or injury. The district will designate the leave as FML, if applicable, and notify the employee that accumulated leave will run concurrently.

**Combined Leave for Spouses.** Spouses who are employed by the district are limited to a combined total of 12 weeks of FML to care for a parent with a serious health condition; or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

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

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

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

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

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

**District Contact.** Employees that require FML or have questions should contact the Human Resources department for details on eligibility, requirements, and limitations.

## **Temporary Disability Leave**

[Policies DEC, DECA, DECB](#)

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

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

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

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

## **Workers' Compensation Benefits**

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

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

## **Assault Leave**

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An incident involving an assault is a work-related injury and should be immediately reported to the [Risk Management](#) office.

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

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

## **Bereavement Leave**

*[Policies DEC, DECA, DECB](#)*

Employees may use up to five days of accumulated state personal leave for bereavement in the case of death in the immediate family. See policy [DEC\(LEGAL\)](#).

## **Jury Duty**

*[Policies DEC, DG](#)*

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

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

## **Compliance with a Subpoena**

*[Policies DEC, DG](#)*

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

## **Truancy Court Appearances**

[\*Policies DEC, DECA, DECB\*](#)

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

## **Religious Observance**

[\*Policies DEC, DECA, DECB\*](#)

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

## **Military Leave**

[\*Policy DECB\*](#)

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

**Reemployment after Military Leave.** Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. Employees returning to work following military leave should contact the Human Resources department. In most cases, the length of federal military service cannot exceed five years.

**Continuation of Health Insurance.** Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact the [Benefits office](#) for details on eligibility, requirements, and limitations.

## **Mental Health Leave for Peace Officers and Licensed Telecommunicators**

A District Peace Officer who experiences a traumatic event in the scope of employment shall be granted up to three days of mental health leave per traumatic event. See Texas Government



Code Sec. 614.015 and Eagle Mountain-Saginaw ISD Police Department's General Orders for more information.

## **Quarantine Leave for Peace Officers**

A District Peace Officer who is ordered by the Department of Health or the Superintendent to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty is entitled to receive all employment benefits and compensation for the duration of the leave. The District will not reduce the sick leave, vacation leave, holiday, or other paid leave balance for quarantine leave under this policy. The District will reimburse a peace officer for any reasonable expenses incurred because of the quarantine, including lodging, medical treatment, and transportation. Reasonable reimbursements will follow the Eagle Mountain-Saginaw ISD Travel Guidelines that can be found on the district website at [www.emsisd.com](http://www.emsisd.com). See Eagle Mountain-Saginaw ISD Police Department's General Orders for more information.

## **Leave for Police Officers for Illness or Injury**

### [Policy DEC](#)

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

If unable to return to work at the end of the paid leave and any extension, a police officer may use accumulated sick, vacation, and other accrued leave before being placed on unpaid temporary leave. At the end of temporary leave, the police officer will be reinstated at the same rank and with the same seniority the person had before going on temporary leave. See Eagle Mountain-Saginaw ISD Police Department's General Orders for more information.

## **Payment for Accumulated Leave Upon Separation**

### [Policy DEC](#)

An employee who separates from employment with the District shall be eligible for payment for accumulated local leave if the employee has at least five years of service with the District. The employee shall receive payment for each day of accumulated local leave, to a maximum of 100 days, at a rate of \$5 per day. If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee.

## **Payment for Accumulated Leave Upon Retirement**

### [Policy DEC](#)

An employee with 5 to 25 years of service with the District shall receive payment for each day of accumulated local leave, at the employee's daily rate up to a maximum amount of \$10,000. An employee with 26 or more years of service with the District shall receive payment for each day of accumulated local leave, at the employee's daily rate up to a maximum amount of \$15,000.

# **Employee Relations and Communications**

## **Employee Recognition and Appreciation**

Frequent efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings, in the district newsletter, on the district website and social media accounts, and through special events and activities including designated appreciation weeks as identified by a national recognition day calendar. Recognition and appreciation activities also include the Auxiliary Professional, Paraprofessional, and Professional Employees of the Year and Elementary and Secondary Teachers of the Year awards, along with milestone years of service and annual retirees, and the Academic Awards Banquet honoring Top Ten graduates and their influential educators.

## **Mission**

The mission of the Communications and Marketing department is to foster a culture of excellent through effective and efficient communication and engagement with all stakeholders of Eagle Mountain-Saginaw ISD.

The Communications department brings public relations perspectives and strategies into district decision-making and planning and provides expertise and services that improve the quality and effectiveness of the district's communications projects and programs. The Communications team oversees and coordinates all the district's media, public and community relations, and promotes awareness and understanding of EMS ISD programs, services, mission, and goals. The department also supports school leaders and personnel communication needs, manages communications in crisis situations, and works to promote the image and identity of the district among internal and external stakeholders. Above all, the Communications department works to create an environment of open and honest communication aimed at building trust and credibility with all stakeholders.

## **Social Media**

The district uses social media as an outlet to share news about student and staff achievements as well as other important district information. Social media provides another outlet to facilitate open, two-way communication with the EMS ISD community and extend our conversation(s) with you. The district's social media commenting guidelines are located on the Communications Department website and will be used as a basis for monitoring comments. EMS ISD has Facebook, Instagram, Twitter, and YouTube accounts. To follow district news on any of these sites, click on the links below.

[www.facebook.com/emsisd](http://www.facebook.com/emsisd)

[https://www.instagram.com/EMSISD\\_Admin/](https://www.instagram.com/EMSISD_Admin/)

<http://twitter.com/emsisd>

<https://www.youtube.com/user/emsisdvideos>

## **Communication Methods**

Email is used on a regular basis to communicate with our employees. Each staff member has a district email address and is encouraged to check it daily. The administrative staff uses email as a tool to communicate quickly with employees districtwide. Messages from the district are often sent by Communications from [info@ems-isd.net](mailto:info@ems-isd.net).

An employee newsletter, Campus Connection, is emailed to employees regularly and includes information about employee accomplishments, news from the administrative team, congratulations, and more. The success of this newsletter depends on information from and about our employees. If you have good news you'd like to share with us, please email the information to [info@ems-isd.net](mailto:info@ems-isd.net) or submit it through [Let's Talk!](#) on the district website.

Each school has a Remind texting account that can be used to communicate important information quickly with staff groups. Please contact your campus administrator to inquire about access to relevant Remind staff groups.

Each school and the district has an account in the online Let's Talk! customer service system. Employees can use Let's Talk! to submit questions, comments, concerns, or compliments anytime 24/7. Submissions are routed to the appropriate administrator for response. While all users are encouraged to include their name and contact information so we can follow up directly, the system does offer an anonymous feature as well.

Crisis messaging is delivered through multiple means, most notably through the Blackboard mass notification system. This system allows for quick dissemination of email, voice calls, text messages, and social media postings to keep employees informed of important details related to safety and security. The Communications department facilitates all use of the Blackboard crisis communications system.

Peachjar is an online e-flyer system used districtwide to share flyers about events and opportunities. Flyers are delivered via email, which saves hundreds of trees each year. Users/vendors in the system may select to send flyers to specific employee groups who may have an interest in their opportunity.

## **Media Relations Information and Guidelines**

All media inquiries should be directed to the executive director or director of communications and the appropriate campus principal or building administrator. Exceptions would be routine athletic and/or extracurricular activity news coverage that can be handled by the appropriate coach/sponsor. The Communications department should be contacted when a representative of the media visits a campus. If the media visits and EMS ISD site without prior approval from the appropriate campus or building administrator, he or she should be asked to leave and directed to contact the Communications office. Media personnel may be allowed on campus to interview staff or students during the school day with (1) approval from the Superintendent or executive

director or director of communications and (2) appropriate notification to the campus or building administrator. All requests for media coverage should come through the Communications department.

## **Public Information Requests**

### [Policy GBA](#)

The Communications Department handles all public information requests for the district. All requests for public information are processed in accordance with the [Texas Public Information Act](#), Texas Government Code §552.001. Open records requests should be referred to the Communications department immediately upon receipt to ensure compliance with legal timelines. Requests for public information should be submitted to the Communications department in writing by fax, email, U.S. mail, or in person. This procedure allows Communications department personnel to accurately document the date each request is received and respond in writing within the required time period of 10 business days. Requests must ask for records or information already in existence. The TPIA does not require the district to create new information.

The Communications department sincerely values feedback and opinions from employees. If you have an idea for publicity or a suggestion on how information can be communicated more effectively, please do not hesitate to contact any member of the Communications team at any time.

## **Complaints and Grievances**

### [Policy DGBA](#)

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

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees. For ease of reference, the district's policy concerning the process of bringing concerns and complaints, [DGBA\(LOCAL\)](#), may be found on the district website, along with the district's [conflict resolution/grievance process](#).

## **Workplace Recordings**

In the interest of ensuring compliance with federal confidentiality provisions and state parental rights provisions, along with encouraging open communication within an atmosphere of trust, employees are required to provide prior notice that he or she is making an audio recording of any conversation or proceeding at the workplace.

# Employee Conduct and Welfare

## Standards of Conduct

### [Policy DH](#)

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

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

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines, including intentionally making a false claim, offering false statements, or refusing to cooperate with a district investigation may result in disciplinary action, up to and including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent knew of the incident. See *Reports to the Texas Education Agency*, for additional information.

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

### ***Texas Educators' Code of Ethics***

#### **Purpose and Scope**

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward

realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. This chapter shall apply to educators and candidates for certification. (19 TAC 247.1(b))

## **Enforceable Standards**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **2. Ethical Conduct toward Professional Colleagues**

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

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

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

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

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

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

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

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

## **3. Ethical Conduct toward Students**

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

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

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

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

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

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

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

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

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

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

## **Dress Code**

Employees shall act as role models by exemplifying the highest standard of professional appearance for the educational purposes of teaching community values and proper grooming and hygiene. An employee's dress and grooming shall be clean, neat, in a manner appropriate for his or her assignment, and in accordance with the following additional standards:

1. Employees are expected to dress in a manner that projects a professional image for the employee, district, and community. This includes clothing, footwear, piercings, tattoos, and any other area of dress and grooming.



2. Style of clothing for employees should always reflect a professional and business-like atmosphere and clothing should not cause a disruption of the education process or professional work environment. This guideline applies to regular workday, in-service, and summer employment time.
3. Denim jeans shall not be worn except for special emphasis days with the approval of the principal/supervisor.
4. Administrators and supervisors shall have the discretion to determine appropriateness of attire for all personnel in certain grades or subjects (physical education, agriculture, auto mechanics, building trades, special education) or for medical necessities.
5. Support staff (custodial, food service, maintenance, and transportation employees) shall dress appropriately as described for their respective roles.
6. Employee's hair shall be neatly cut and clean. Unnatural hair color shall not be a distraction to the learning environment. Hairstyles should not, in the opinion of the administration, cause a health or safety hazard or a disruption of the education process or professional work environment. Nonconforming hairstyles will be evaluated pursuant to Texas Labor Code Section 21.1095 which states that an employer's grooming policy may not discriminate against a hair texture or protective hairstyle commonly or historically associated with race.

## **Discrimination, Harassment, and Retaliation**

### [Policies DH, DIA](#)

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

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

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

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is [DIA\(LOCAL\)](#).

## Harassment of Students

[Policies DH, DHB, FFG, FFH, FFI](#)

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

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

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

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

The district's policy that includes definitions and procedures for reporting and investigating harassment of students is [DHB\(LEGAL\), FFH\(LOCAL\), FFH Administrative Regulation](#).

**"Solicitation of a romantic relationship"** means deliberate or repeated acts that can be reasonably interpreted as the solicitation by an educator of a relationship with a student that is romantic in nature. A romantic relationship is often characterized by a strong emotional or sexual attachment and/or patterns of exclusivity but does not include appropriate educator-student relationships that arise out of legitimate contexts such as familial connections or longtime acquaintance. The following acts, considered in context, may constitute prima facie evidence of the solicitation by an educator of a romantic relationship with a student:

1. Behavior, gestures, expressions, or communications with a student that are unrelated to the educator's job duties and evidence a romantic intent or interest in the student, including statements of love, affection, or attraction. Factors that may be considered in determining the romantic intent of such communications or behavior include:
  - a. The nature of the communications;
  - b. The timing of the communications;
  - c. The extent of the communications;
  - d. Whether the communications were made openly or secretly;
  - e. The extent that the educator attempts to conceal the communications;
  - f. If the educator claims to be counseling a student, SBEC may consider whether the educator's job duties included counseling, whether the educator reported the

subject of the counseling to the student's guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate authorities; and

- g. Any other evidence tending to show the context of the communications between educator and student.
- 2. Making inappropriate comments about a student's body, creating, or transmitting sexually suggestive photographs or images, or encouraging the student to transmit sexually suggestive photographs or images.
- 3. Making sexually demeaning comments to a student.
- 4. Making comments about a student's potential sexual performance.
- 5. Requesting details of a student's sexual history.
- 6. Requesting a date, sexual contact, or any activity intended for sexual gratification of the educator.
- 7. Engaging in conversations regarding sexual problems, preferences, or fantasies of either party.
- 8. Inappropriate hugging, kissing, or excessing touching.
- 9. Providing the student with drugs or alcohol.
- 10. Violating written directives from school administrators regarding the educator's behavior toward a student.
- 11. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.
- 12. Any other acts tending to show that the educator solicited a romantic relationship with the student. 19 TAC 249.3(50)

Also see policy [DHB\(LEGAL\)](#).

A Superintendent may notify SBEC on any educator misconduct that the Superintendent believes in good faith may be subject to sanctions by SBEC. 19 TAC 249.14(d). See also [DF\(LEGAL\)](#).

## **Reporting Suspected Child Abuse**

[\*Policies DG, FFG, GRA\*](#)

All employees with reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect, as defined by Texas Family Code §261.001, are required by state law to make a report to a law enforcement agency, Child Protective Services (CPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the facility) within 48 hours of the event that led to the suspicion. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a teacher) must be reported to CPS.

Employees are also required to make a report if they have reasonable cause to believe that an adult was a victim of abuse or neglect as a child and they determine in good faith that the disclosure of the information is necessary to protect the health and safety of another child, elderly person, or person with a disability.

Reports to Child Protective Services can be made Online at <https://www.txabusehotline.org/Login/Default.aspx> or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

The following information will be asked for when making a report but is not required. Reports should include all information you have access to, but reports will be accepted even with little or minimal information provided:

- Your contact information;
- The child's name, age, address, and parent contact information;
- Description of situation; and
- Any current injuries or other concerns, if applicable.

You should keep personal documentation of any report you file. For a report made through the hotline keep record of the date of the report, the pertinent information within the report and the report number. For an online report, print a copy of your report including the eReport confirmation number.

You must maintain this documentation, as CPS reports merit permanent retention. It is recommended that you follow up with an administrator and/or counselor any time you have concerns or questions regarding the safety and welfare of the child.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from taking an adverse employment action against a certified or licensed professional who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect. However, failure to make a report as required by state law may result in disciplinary action up to and including termination of employment.

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

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

Reporting the concern to the principal does not relieve the employee of the requirement to report it to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. Interference with a child abuse investigation by denying

an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

## **Sexual Abuse and Maltreatment of Children**

[Policies DG, FFG, GRA](#)

As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who has reasonable cause to believe that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect following the procedures described above in *Reporting Suspected Child Abuse*.

## **Reporting Crime**

[Policy DG](#)

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

## **Grading and Reporting Handbook**

[Policy EIA](#)

The Grading and Reporting Handbook was developed by a team of district staff with the purpose of establishing guidelines to provide support for student learning through research-based instructional strategies. The handbook is designed to ensure coherent and consistent district-wide regulations. EIA(LOCAL) requires the superintendent to "ensure that each campus or instructional level develops guidelines for teachers to follow in determining grades for students." The grading and reporting handbook includes information such as grading guidelines, homework, report cards and progress reports, as well as assessments.

<https://www.emsisd.com/domain/4052>

## **Scope and Sequence**

[Policy DG](#)

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

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

## **Technology Resources**

### [Policy CQ](#)

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

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

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

Employees are required to abide by the provisions of the district's acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action. Employees with questions about computer use and data management can contact the [Technology department](#).

## **Personal Use of Electronic Communications**

### [Policy CQ, DH](#)

Electronic media includes all forms of social media, including but not limited to text messaging, instant messaging (Remind), electronic mail (email), web logs (blogs), electronic forums (chat rooms), video-sharing web sites (e.g., YouTube), video conferencing software (Microsoft Teams), learning management system (Canvas), editorial comments posted on the internet, and social network sites (e.g., Facebook, Instagram, Snapchat, TikTok, Twitter, LinkedIn). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.

As role models for the district's students, employees are responsible for their public conduct even when they are not acting as district employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media interferes with the employee's ability to effectively perform

his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for Web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

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

- The employee shall not use the district's logo or other copy righted material of the district without express, written consent.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
  - Confidentiality of student record. [See Policy FL]
  - Confidentiality of student health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
  - Copyright law [See Policy CY]
  - Prohibition against harming others by knowingly making false statements about a colleague or the school system.

See Use of Electronic Media with Students, below, for regulations on employee communication with students through electronic media.

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

## **Electronic Communications between Employees, Students, and Parents**

### [Policy DH](#)

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

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

- Electronic media includes all forms of social media, including but not limited to text messaging, instant messaging (Remind), electronic mail (email), web logs (blogs), electronic forums (chat rooms), video-sharing web sites (e.g., YouTube), video

conferencing software (Microsoft Teams), learning management system (Canvas), editorial comments posted on the internet, and social network sites (e.g., Facebook, Instagram, Snapchat, TikTok, Twitter, LinkedIn). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.

- Communicate means to convey information and includes a one-way communication as well as dialogue between two or more people. A public communication by an employee that is not targeted as students (e.g., a posting on the employee's personal social network page or blog) is not a communication; however, the employee may be subject to district regulations on personal electronic communications. See Personal Use of Electronic Media, above. Unsolicited contact from a student through electronic means is not a communication.
- A certified or licensed employee means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

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

- **The district recommends that employees use a system such as *Remind* when communicating with students.**
- Only a teacher, coach, sponsor, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility.
- The employee shall limit communication to students who are employed with EMS ISD to matters within the scope of the student's professional responsibilities as an employee (e.g., maintenance and custodial).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable administration and parents to access the employee's professional page.
- The employee shall not communicate directly with any student between the hours of 11:00 p.m. and 5:00 a.m. With the exception of extracurricular activities that extend into these hours. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:



- Compliance with the [Public Information Act](#) and the [Family Educational Rights and Privacy Act \(FERPA\)](#), including retention and confidentiality of student records. [See Policies [CPC](#) and [FL](#)]
- Copyright law [Policy [CY](#)]
- Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See [Policy DH](#)]
- Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DF]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more currently enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through email, text messaging, instant messaging, or any other form of one-to-one communication.
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through email, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee shall notify his or supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

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

[Policy CQ, DH](#)

The EMS ISD computer use and data management policies are posted on the [Technology department](#) website. All district employees should be familiar with this information and are required to abide by the district's technology policies and guidelines. Also see policies [CQ](#) and [DH](#).

## **Public Information on Private Devices**

[Policy DH, GB](#)

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

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

## **Criminal History Background Checks**

[Policy DBAA](#)

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

## **Employee Arrests and Convictions**

[Policy DH, DHB, DHC](#)

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, and any of the other offenses listed below:

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

Moral turpitude includes the following:

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

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

**Certified Employees.** The superintendent and directors are required to report the misconduct or criminal history of a certified employee or individual applying for certification or permit to TEA

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

Misconduct or allegations of misconduct include:

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

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

Misconduct or allegations of misconduct include:

- Abuse or unlawful act with a student or minor, or
- Involvement in a romantic relationship with or solicited or engaged in sexual contact with a student or minor

## **Alcohol and Drug-Abuse Prevention**

### [Policy DH](#)

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

## **Tobacco Products and E-Cigarette Use**

### [Policies DH, FNCD, GKA](#)

State law prohibits smoking, using tobacco products, or e-cigarettes on all district-owned property and at school-related or school-sanctioned activities, on or off school property. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of district-owned vehicles are prohibited from smoking, using tobacco

products, or e-cigarettes while inside the vehicle. Notices stating that smoking is prohibited by law and punishable by a fine are displayed in prominent places in all school buildings.

## **Fraud and Financial Impropriety**

### [Policy CAA](#)

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

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

## **Conflict of Interest**

### [Policy CB, DBD](#)

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

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

Employees should contact their supervisor for additional information.

## **Gifts and Favors**

### **[Policy DBD](#)**

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

## **Copyrighted Materials**

### **[Policy CY](#)**

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

## **Associations and Political Activities**

### **[Policy DGA](#)**

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

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

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

## **Booster Clubs and School Support Organizations**

Booster clubs and school support organizations shall organize and function in a way that is consistent with the district's philosophy, objectives, and adopted board policies, in accordance with affiliated governing bodies and UIL regulations, as applicable. District employees may serve as an officer with the exception of treasurer. District employees may not serve as the treasurer

nor be authorized to sign checks or enter into any contract verbal or written for the organization. See [Booster and School Support Organizations Guidelines](#) for more information.

## **Charitable Contributions**

### **[Policy DG](#)**

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

## **Safety and Security**

### **[Policy CK series](#)**

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

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

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

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

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

Employees with questions or concerns relating to safety programs and issues can contact the Safety and Security department.

## **Possession of Firearms and Weapons**

[Policies DH, FNCG, GKA](#)

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

## **Visitors in the Workplace**

[Policy GKC](#)

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

## **Asbestos Management Plan**

[Policy CKA](#)

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

## **Pest Control Treatment**

[Policies CLB, DI](#)

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

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located on each campus or at the Central Administration Building. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by

telephone, written, or electric means. Pest control information sheets are available from campus principals or facility managers upon request.

## **Other Topics**

### **Accounting – Cash in School Buildings**

Cash in School Buildings-applies to all state funds, local taxes, cafeteria or activity funds, and funds raised by students. Any district employee who comes into possession of any district funds shall turn the money in to the school office (or designated official) on a daily basis. The employee turning in the money shall be given a proper receipt and shall be responsible for obtaining such receipt. The money turned in shall be deposited in a school vault daily. District funds coming into the hands of any employee from any source shall be kept separate until turned in and receipted; no employee shall allow district funds to be commingled with personal funds. In the event of any loss or theft of district funds, the circumstances shall be reported immediately. A full investigation shall be made to determine the facts.

### **Returned Check Policy**

The district uses a third party, Paytek Solutions, to process returned checks on our behalf. Checks that do not clear the bank on the initial presentation are forwarded to Paytek for collection. Paytek is a check recovery company that electronically debits consumers accounts to collect funds. Paytek's NSF fee is \$31.88 per check. If Paytek is unable to collect on a check after 60 days, it will prepare the check for prosecution by mailing certified letters when required, filling out and notarizing required paperwork, and when possible, delivering paperwork to authorities for prosecution. Paytek Solutions may be reached by calling 866-399-4101.

### **Pay for Activity Sponsors Who Drive Their Own Bus**

Sponsors who drive buses for their groups (speech, drama, band, athletics), and any other teacher/sponsor who drives their group must meet all requirements to qualify as a school bus driver for GoldStar Transit. They will be paid at the regular hourly driver rate for behind-the-wheel driving by GoldStar Transit.

## **General Procedures**

### **Emergency School Closing**

The district may close schools because of severe weather, epidemics, or other emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late, to release students early, or to cancel school, district officials will post a notice on the district's



website and social media sites, notify area radio and television stations, and a phone or text message will be sent using the district's call-out system.

## **Emergencies**

### [Policies CKC, CKD](#)

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

## **Purchasing Procedures**

### [Policy CH](#)

All requests for purchases must be submitted to the [Purchasing department](#) on an official district purchase order (PO) form with the appropriate approval signatures. 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 the [Purchasing department](#) 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 Resources department if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary.

**Address and Phone Number Changes** – Employees may change their address and phone number through [Skyward Employee Access](#) by going to Employee Information and then Personal Information. Requests may also be made by completing an [Employee Information Change Form](#) and submitting it to the [Human Resources](#) department.

**Name Changes**-All name change requests must be accompanied by a copy of the employee's social security card. Employees must download and complete an [Employee Name Change Form](#) and submit the form to the [Human Resources](#) department

## Personnel Records

[Policy DBA, GBA](#)

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

Employees may choose to have the following personal information withheld:

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

The choice to not allow public access to this information or change an existing choice may be made at any time by submitting a written request to the Human Resources department. New or terminated employees have 14 days after hire or termination to submit a request. Otherwise, personal information may be released to the public until a request to withhold the information is submitted or another exception for release of information under law applies. An employee is responsible for notifying the district if he or she is subject to any exception for disclosure of personal or confidential information.

## Facility Use

[Policies DGA, GKD](#)

Employees who wish to use district facilities after school hours must follow established procedures. The Energy Manager is responsible for scheduling the use of facilities after school hours. Contact the [Energy Manager](#) at 817-306-0864 to request to use school facilities and to obtain information on the fees charged.

# Termination of Employment

## Resignations

[Policy DFE, DHB](#)

**Contract Employees.** Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the superintendent. Supervisors who have not been designated by the board to accept resignations shall instruct the employee to submit the resignation to the superintendent. Contract employees may resign at any other time only with the approval of the superintendent or the board of trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

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

**Noncontract Employees.** Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to the Human Resources 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.

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

## **Dismissal or Nonrenewal of Contract Employees**

[Policies DF Series, DHB](#)

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

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

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

## **Dismissal of Noncontract Employees**

[Policies DCD, DP](#)

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

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

## **Discharge of Convicted Employees**

### **[Policy DF](#)**

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

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

## **Procedures for Separating from the District**

When leaving the district, a letter is sent to the employee with information on the continuation of benefits, release of information, and procedures for requesting references. Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience. All district keys, books, property, including intellectual property, and equipment must be returned upon separation from employment.

## **Reports to Texas Education Agency**

### **[Policies DF, DHB, DHC](#)**

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

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

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

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

## Reports Concerning Court-Ordered Withholding

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

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

## Student Issues

### Equal Educational Opportunities

[\*Policies FB, FFH\*](#)

In an effort to promote nondiscrimination and as required by law, Eagle Mountain-Saginaw ISD does not discriminate on the basis of race, color, religion, national origin, age, sex, or disability in providing education services, activities, and programs, including Career and Technical Education

(CTE) programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

Questions or concerns about discrimination against students based on sex, including sexual harassment should be directed to Chandra Turrentine, Senior Director of Student Services, 1600 Mustang Rock Road, Fort Worth, Texas 76179; [T9Coordinator@ems-isd.net](mailto:T9Coordinator@ems-isd.net); 817-232-0880 the district Title IX coordinator for students.

Questions or concerns about discrimination on the basis of a disability should be directed to Dr. Heather Hughes, Executive Director of Special Programs, 1600 Mustang Rock Road, Fort Worth, Texas 76179; [hhughes@ems-isd.net](mailto:hhughes@ems-isd.net); 817-232-0880, the district ADA/Section 504 coordinator for students. All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

## **Student Records**

### [Policy FL](#)

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

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

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

## **Parent and Student Complaints**

### [Policy FNG](#)

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

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

## **Administering Medication to Students**

[Policy FFAC, FFAF](#)

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

## **Dietary Supplements**

[Policies DH, FFAC](#)

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

## **Psychotropic Drugs**

[Policy FFAC](#)

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

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

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

## **Student Conduct and Discipline**

[\*Policies in the FN series and FO series\*](#)

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

## **Student Attendance**

[\*Policy FEB\*](#)

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

## **Bullying**

[\*Policy FFI\*](#)

Bullying is defined by §TEC 37.0832. All employees are required to report student complaints of bullying, including cyberbullying, to the campus principal. The district's policy [FFI\(LOCAL\)](#) includes definitions and procedures for reporting and investigating bullying of students. Procedures related to reporting allegations of bullying may also be found on the district's website at this [link](#).

## **Hazing**

[\*Policy FNCC\*](#)

Hazing is a criminal offense, therefore, any teacher, administrator, or employee who observes a student engaged in any form of hazing, or who has reason to know or suspect that a student intends to engage in hazing, or has engaged in hazing must report that fact or suspicion to the designated campus administrator or supervisor.



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STUDENT WELFARE  
FREEDOM FROM BULLYING

FFI  
(LOCAL)

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

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

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**Bullying Prohibited**

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

Examples

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

**Retaliation**

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

Examples

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

**False Claim**

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

**Timely Reporting**

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

**Reporting  
Procedures**

Student Report

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

Employee Report

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

STUDENT WELFARE  
FREEDOM FROM BULLYING

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(LOCAL)

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

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