

WE ARE COMMUNITY



#mustangSTRONG

NIXON-SMILEY CISD
Employee
Handbook
2024-25

Table of Contents

Employee Handbook Receipt.....	4
Introduction.....	5
District Information.....	6
Description of the District.....	6
District Vision.....	6
District Mission Statement and Cultural Tenets.....	6
Public Education Goals and Objectives.....	6
Board of Trustees.....	7
Board Meeting Schedule for 2024–2025.....	8
Helpful Contacts.....	8
School Calendar.....	9
School Directory.....	9
Employment.....	10
Equal Employment Opportunity.....	10
Job Vacancy Announcements.....	10
Employment after Retirement.....	10
Contract and Noncontract Employment.....	11
Certification and Licenses.....	11
Recertification of Employment Authorization.....	12
Searches and Alcohol and Drug Testing.....	12
Health Safety Training.....	13
Reassignments and Transfers.....	13
Workload and Work Schedules.....	13
Breaks for Expression of Breast Milk.....	14
Pregnant Workers Fairness Act.....	14
Notification to Parents Regarding Qualifications.....	14
Outside Employment and Tutoring.....	15
Performance Evaluation.....	15
Employment Involvement.....	15
Staff Development.....	15
Compensation and Benefits.....	17
Salaries, Wages, and Stipends.....	17
Paychecks.....	17
Automatic Payroll Deposit.....	17
Payroll Deductions.....	17
Overtime Compensation.....	18
Travel Expenses Reimbursement.....	19
Health, Dental, and Life Insurance.....	19
Supplemental Insurance Benefits.....	19
Cafeteria Plan Benefits (section 125).....	19
Workers’ Compensation Insurance.....	19
Unemployment Compensation Insurance.....	20
Teacher Retirement.....	20
Other Benefit Programs.....	21
Tuition-Free Attendance.....	21
Insurance / Deferred Compensation.....	21
Living Accommodations.....	21
Onsite Daycare Facility.....	21
Free Athletic Passes to All Home Games.....	21

Paid Insurance Premiums	21
Free Breakfast, Lunch and Fresh Fruits Daily	21

Leaves and Absences 22

Personal Leave	23
State Sick Leave.....	24
Local Leave.....	24
Reporting of Absences in a Timely Manner	24
Family and Medical Leave Act (FMLA)—General Provisions	24
Local Procedures for Implementing Family and Medical Leave Provisions	26
Temporary Disability Leave	28
Workers’ Compensation Benefits	28
Assault Leave.....	28
Bereavement Leave.....	29
Jury Duty.....	29
Compliance with a Subpoena.....	29
Truancy Court Appearances.....	29
Religious Observance	29
Military Leave.....	29

Employee Relations and Communications 31

Employee Recognition and Appreciation	31
District Communications	31
Dissemination of Information	31
Personal Communication	31
Cell Phone Policy for State Assessment	31
Radios, CD Players, Cell Phones, Electronic Games and Devices	31

Complaints and Grievances 33

Employee Conduct and Welfare 34

Standards of Conduct	34
Texas Educators’ Code of Ethics	34
Purpose and Scope	34
Enforceable Standards	35
Discrimination, Harassment, and Retaliation.....	37
Harassment of Students.....	37
Reporting Suspected Child Abuse	37
Sexual Abuse and Maltreatment of Children	38
Reporting Crime.....	39
Scope and Sequence.....	39
Technology Resources	39
Personal Use of Electronic Communications.....	39
Electronic Communications between Employees, Students and Parents	40
Public Information on Private Devices	42
Criminal History Background Checks	43
Employee Arrests and Convictions.....	43
Alcohol and Drug-Abuse Prevention	44
Tobacco and Nicotine Products and E-Cigarette Use	44
Fraud and Financial Impropriety.....	45
Conflict of Interest	45
Gifts and Favors.....	45
Copyrighted Materials	46
Associations and Political Activities.....	46
Charitable Contributions	46
Safety and Security	46

Possession of Firearms and Weapons	47
Visitors in the Workplace	47
Asbestos Management Plan	47
Pest Control Treatment	47
General Procedures	49
Emergency School Closing	49
Emergencies	49
Purchasing Procedures	49
Name and Address Changes	49
Personnel Records	49
Equipment and Facilities	50
Facility Use	50
Travel / Field Trip Request	50
Teacher Service Records	50
Employee Dress Code	51
Termination of Employment	52
Resignations	52
Dismissal or Nonrenewal of Contract Employees	52
Dismissal of Noncontract Employees	53
Discharge of Convicted Employees	53
Exit Interviews and Procedures	53
Report to Texas Education Agency	53
Reports Concerning Court-Ordered Withholding	54
Student Issues	55
Equal Educational Opportunities	55
Student Records	55
Parent and Student Complaints	55
Administering Medication to Students	55
Dietary Supplements	56
Psychotropic Drugs	56
Student Conduct and Discipline	56
Student Attendance	56
Bullying	57
Hazing	57
Transportation of Students	57
Field Trips	57
Guidelines for Grading	57
Grading Policy	58
Relation to Essential Knowledge and Skills	58
General Emergency Procedures by Campus	59
Nixon-Smiley CISD Grading Plan	60
APPENDIX I: FREEDOM FROM BULLYING FFI(LOCAL)POLICY	63
APPENDIX II: Student Nutrition / Wellness Plan	66
APPENDIX III: Universal Precautions in the School Setting	71
APPENDIX IV: Where to Find Copies of District Policies on the Website	72

Employee Handbook Receipt

Name _____

Campus/Department _____

I hereby acknowledge receipt of an electronic copy of the Nixon-Smiley CISD Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

Employees may access and print(if desired) the electronic version of the District Employee Handbook located in each employee's "Personnel" folder by logging in to the TalentEd application at: <https://nixonsmiley.tedk12.com/sso/Account/Login>.

To access your employee handbook, "click" on the "Files" icon on the top right-hand side of your "Tasks" page and "click" on your "Personnel" folder. There, you may view or print your signed employee handbook acknowledgment document.

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

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

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

Signature

Date

Please sign and date this receipt and forward it to your campus principal.

Please do not remove this page. This must stay in handbook.

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:

Jeff Van Auken
Superintendent of Schools
PO Box 400
800 Rancho Road
Nixon, Texas 78140
830-582-1538 ext. 104
jeff.vanauken@nixonsmiley.net.

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 office in the District. District policies can be accessed online at <http://pol.tasb.org/Home/Index/515>.

District Information

Description of the District

Nixon-Smiley Consolidated Independent School District encompasses 367 square miles in South Central Texas 50 miles Southeast of San Antonio in Gonzales County, extending into Guadalupe, Karnes and Wilson counties. The District is one of 53 Districts served by Region 13 Education Service Center in Austin.

District Vision

Our students will be successful in their future, maximizing their full potential and making positive contributions to society.

District Mission Statement and Cultural Tenets

Inspire and empower everyone to grow, lead, and serve through meaningful educational opportunities and experiences.

Cultural Tenets:

WE ARE COMMUNITY

We listen

We care

We grow

We protect

Never give up on us . . . We will never give up on you.

#mustangSTRONG

Public Education Goals and Objectives

Policy AE

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

OBJECTIVE 1: Parents will be full partners with educators in the education of their children.

OBJECTIVE 2: Students will be encouraged and challenged to meet their full educational potential.

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

The academic goals of public education are to serve as a foundation for a well-balanced and appropriate education. The students in the public education system will demonstrate exemplary performance in:

- GOAL 1: The reading and writing of the English language.
- GOAL 2: The understanding of mathematics.
- GOAL 3: The understanding of science.
- GOAL 4: The understanding of social studies.

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 annually and serve 3-year terms. Board members serve without compensation, must be qualified voters, and must reside in the District.

Current Board members include:

- President – Richard Lott
- V. President – Lester Warzecha
- Secretary – Aly Tschoepe
- Member – Bud Box
- Member – Mark Mendez
- Member – Jimmy Newman
- Member – Chris Villasana

The Board usually meets on the second Monday of each month at 7pm. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the District web site and outside of the central office at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a one-hour notice.

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

Board Meeting Schedule for 2024–2025

Monday, September 9	Monday, January 27	Monday, May 12
Monday, October 21	Monday, February 10	Monday, June 9
Monday, November 11	Monday, March 17	Monday, July 14
Monday, December 9	Monday, April 14	Monday, August 11 & 25

Helpful Contacts

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

Administration

Jeff Van Auken.....	Superintendent of Schools
Jane Dwyer	Deputy Superintendent
Dr. Wendy Fuller	Executive Director of Special Programs
Maria Jimenez	Principal, Nixon-Smile High School
Jeremy Gordon	Asst. Principal, Nixon-Smile High School
Brittany Rogers.....	Principal, Nixon-Smile Middle School
Jeff Stavinoha	Asst. Principal, Nixon-Smile Middle School
Tamatha Pecina.....	Principal, Nixon-Smile Elementary School
Lundy Atkins	Asst. Principal, Nixon-Smile Elementary School
Sarah Loer	Principal, Nixon-Smile DAEP
Jaci Wheat	Director, Special Education
Carlton McKinney.....	Director, Athletics

School Calendar

All campuses operate under the District approved regular calendar. The 2024-25 calendar is on the district website.

School Directory

A school directory is provided to all employees at the beginning of each year.

Employment

Equal Employment Opportunity

Policies DAA, DIA

In its efforts to promote nondiscrimination and as required by law, Nixon-Smilely CISD 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: *Jeff Van Auken, 800 North Rancho Road, Nixon, Texas, jeff.vanauken@nixonsmiley.net, 830-582-1536 ext 104.* 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: *Jeff Van Auken, 800 North Rancho Road, Nixon, Texas, jeff.vanauken@nixonsmiley.net, 830-582-1536 ext 104.*

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 web site.

Employment after Retirement

Policy DC

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

Contract and Noncontract Employment

Policy DC series

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

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 Human Resources in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify Human Resources 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 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 Human Resources if you have any questions regarding reverification of employment authorization. Failure to verify employment authorization may result in termination.

Searches and Alcohol and Drug Testing

Policies CQ, DHE

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

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 District by August of the current school year.

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

Reassignments and Transfers

Policy DK

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

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request to the principal. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the superintendent's office and must be approved by the receiving supervisor.

Workload and Work Schedules

Policies DEAB, DK, DL

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

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

Staff Work Schedule. The current work day for all staff members begins at 7:30am and ends at 4:00pm. Teachers should be in their rooms before the first bell rings and children arrive. Teachers should schedule all appointments--medical, professional, etc.--so that it does not interfere with their scheduled time to be on campus. In special circumstances, the principal may give an individual teacher permission to leave after students have been dismissed. Teachers must not plan to have an aide or another teacher "keep" classes "for a few minutes." Teachers will have a scheduled thirty minute duty-free lunch period at least four days a week. Teachers may leave the campus during this period. Teachers should avoid leaving school during the school day to take care of personal business and to run errands at times other than lunch.

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. The employee must give the district 10 days to come into compliance before making any claim of liability against the district. An employee with concerns should contact Human Resources at ext. 105.

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 Human Resources at ext. 105 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

notification 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 Superintendent Jeff Van Auken at 830-582-1536 ext. 104.

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, 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.

Employment Involvement

Policies BQA, BQB

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

Staff Development

Policy DMA

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

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

Compensation and Benefits

Salaries, Wages, and Stipends

Policies DEA, DEAA, DEAB

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

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

Employees should contact human resources at 582-1536 ext 105 for more information about the District's pay schedules or their own pay.

Paychecks

All professional and salaried employees are paid twice a month. Paychecks will not be released to any person other than the District employee named on the check without the employee's written authorization. Employees are responsible for regularly reviewing the accuracy of their pay statement.

The schedule of pay dates for the 2024-25 school year follows:

September 10 & 26	October 10 & 25	November 8 & 22	December 10 & 20	January 10 & 24	February 10 & 26
March 7 & 26	April 10 & 25	May 9 & 23	June 10 & 26	July 10 & 24	August 8 & 26

Automatic Payroll Deposit

Employees can have their paychecks electronically deposited into a designated account. A notification period of two weeks is necessary to activate this service. Contact human resources for more information about the automatic payroll deposit service.

Payroll Deductions

Policy CFEA

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

- Teacher Retirement System of Texas (TRS) or Social Security employee contributions
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)

- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

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

Overpayments. Employees are not entitled to any funds the district overpays. An overpayment occurs if an employee is paid more than the amount the employee should have been paid under the assigned pay grade and applicable supplemental pay.

If an overpayment is reported in the current fiscal year, a payment plan will be developed to recoup the payment. Generally, an overpayment will be paid in one pay cycle. However, if this creates an undue hardship for the employee, the district has the discretion to develop a plan for regular payroll deductions in the same fiscal year.

An agreement between an employee and the district must be in place in order to deduct any overpayment.

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.

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 12:00AM Saturday and ends at 11:59PM Friday.

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

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 Expenses Reimbursement

Policy DEE

Before any travel expenses are incurred by an employee, the employee's supervisor and 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 receipts, to the extent possible, to be reimbursed for expenses other than mileage. No reimbursement is made for alcoholic beverages. All travel requests **require** PRIOR WRITTEN APPROVAL and reimbursement must be requested on a Record of Expenses for Month report form. Mileage will be reimbursed at the approved state rate. Employees are required to request use of a school owned auto for school trips. If an employee opts not to request and use an approved school auto, travel reimbursement is subject to denial.

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 human resources for more information.

Supplemental Insurance Benefits

Policy CRD

At their own expense, employees may enroll in supplemental insurance programs for life insurance, dental insurance, and dread disease insurance. Premiums for these programs can be paid by payroll deduction. Employees should contact human resources for more information.

Cafeteria Plan Benefits (section 125)

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

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

Workers' Compensation Insurance

Policy CRE

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

Administrative Services. 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 the campus nurse and then to Human Resources at 582-1536 ext. 105. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits*, page 25 for information on use of paid leave for such absences.

Unemployment Compensation Insurance

Policy CRF

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

Teacher Retirement

Policy DEG

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

Employees who plan to retire under TRS should notify human resources at 830-582-1536 ext. 105 as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the web (www.trs.texas.gov). See page 10 for information on restrictions of employment of retirees in Texas public schools.

Other Benefit Programs

Tuition-Free Attendance

Policy FDA

Children of nonresident District employees may attend District school's tuition-free, subject to District transfer policy.

Insurance / Deferred Compensation

Policies CRD, CRG

Any District provisions regarding insurance programs and/or deferred compensation programs are found in policies CRD(LOCAL) and CRG(LOCAL), respectively.

Living Accommodations

Employees living in District-owned housing shall pay rent in an amount established by the Board and shall pay all utilities.

Onsite Daycare Facility

Our "Mini Mustang Cottage" is located on the Nixon campus and is available to all staff.

Free Athletic Passes to All Home Games

School employees get in free to all home athletic events. (This is not a family pass.)

Paid Insurance Premiums

The District pays the employee's disability insurance, the "employee only" health insurance and a \$20,000 life insurance policy. The District also offers a 457 matching plan.

Free Breakfast, Lunch and Fresh Fruits Daily

Free breakfast and lunch is served to all students. Fresh fruits are served daily to elementary students.

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 human resources for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the District.

Paid leave must be used in whole or 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:

- Personal Leave
- Local Leave
- Dock Pay (whole day or half day)

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

If an hourly employee does not report or request leave of absence(s) according to district procedures, the incident is considered a "no call/no show". An employee who is absent for three (3) 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. Any employee who is absent more than three days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee's fitness to return to work. The district may require medical certification due to an employee's questionable pattern of absences or when deemed necessary by the supervisor or superintendent. The district may also request medical certification when

an employee requests leave under the Family and Medical Leave Act (FMLA) for the employee's serious health condition, a serious health condition of the employee's spouse, parent, or child, or for military caregiver leave.

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

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

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

Personal Leave

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

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

Discretionary. Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor three days in advance of the anticipated absence. The effect of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

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

State sick leave accumulated before 1995 is available for use and may be transferred to other school Districts in Texas.

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

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

Local Leave

Policy DEC

All employees shall earn, concurrently with state personal leave, an additional five workdays of local sick leave per school year. Local sick leave does not transfer between Districts. Local sick leave shall accumulate to a maximum of 30 workdays. You may take local leave or state personal leave in any order. Local sick leave shall be subject to the same terms and conditions applicable to sick leave accumulated prior to the 1995-96 school year, except as otherwise provided by Board policy.

Reporting of Absences in a Timely Manner

If an illness or emergency necessitates an individual's absence, that individual must contact his/her supervisor before 6:00 a.m. on the day he/she is to be absent.

Family and Medical Leave Act (FMLA)—General Provisions

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

What is FMLA leave?

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

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

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

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

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

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

Am I eligible to take FMLA leave?

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

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

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

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

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

How do I request FMLA leave?

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

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

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

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

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

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

What does my employer need to do?

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

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

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

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

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

Where can I find more information?

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

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



Local Procedures for Implementing Family and Medical Leave Provisions

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

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

Combined Leave for Spouses. Spouses who are 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 permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

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

Temporary Disability Leave

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

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

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

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

Workers' Compensation Benefits

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

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

Assault Leave

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

An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries he or she sustained. At the request of an employee, the District will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will

not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation the District may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

Bereavement Leave

Use of state leave and/or local sick leave for death in the immediate family shall not exceed five workdays per occurrence, subject to the approval of the District.

Jury Duty

Policies DEC, DG

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

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

Compliance with a Subpoena

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

Truancy Court Appearances

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

Religious Observance

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

Military Leave

Paid Leave for Military Service. Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to 15 days of paid leave per fiscal year when engaged in authorized training or duty ordered 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. Paid military leave is limited to 15 days each fiscal year. In addition,

an employee is entitled to use available state and local personal or sick leave during a time of active military service.

Reemployment after Military Leave. Employees who leave the District to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the District will be reemployed provided they can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment within the time specified by law to human resources. 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 human resources for details on eligibility, requirements, and limitations.

Employee Relations and Communications

Employee Recognition and Appreciation

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the District. Employees are recognized at Board meetings and through special events and activities. Recognition and appreciation activities also include special recognition of staff members at the "Superintendent's End of the Year Luncheon for Staff". Tenure pins are given to employees in increments of five years of service within the District. Retirement plaques are given with five years of service and rocking chairs after ten years of service with Nixon-Smilely CISD.

District Communications

Throughout the school year, the central office publishes calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements. The District home page at www.nixonsmiley.net is an excellent source of information on current activities at the school.

Dissemination of Information

Any information of concern to staff members will be placed on the bulletin boards at each campus or in email. **Staff members should check their school email regularly.** Individuals are to obtain approval from the principal before posting anything on the board. Individual messages, mail and other materials will be placed in teachers' mailboxes. Each campus will have a communication system (memos, bulletins, email). Please read these items and contribute to the success of the system.

Personal Communication

Use of cell phones should be limited to before school, conference periods, lunch, and after school only.

Cell Phone Policy for State Assessment

During state assessments teachers and staff must have cell phones turned off completely. If a cell phone is seen during any state assessment, it will be taken up immediately and the office will be notified. This policy will be reviewed during the campus training sessions prior to any state assessments, and all information regarding cell phone use or possession will be documented.

Radios, CD Players, Cell Phones, Electronic Games and Devices

All students may possess the following items: radios, CD players, tape recorders, camcorders, DVD players, cameras, electronic devices and games. However, the use of these items in the classroom is at the teacher discretion and should not interfere in anyway with the instructional day. The use of cell phones in locker rooms or restroom areas at any time during the instructional day is strictly prohibited. Students may use their cell phones and other devices during the day at the discretion of the campus principal and classroom teacher including before school, between classes, at lunch, after-school and in class for instructional purposes.

If a device is used other than as designated in the Student Handbook guidelines, cell phones, music players, and electronic gaming devices will be confiscated for a minimum of **two school days** and will be returned at the end of the second school day. (ex. If a cell phone is picked up at 8:30am Monday, it will be returned to the student at 3:45pm Wednesday.) Cell phones, laptops, and other electronic devices are also subject to search if the principal or other administrator has reasonable belief that the device was used inappropriately such as for

cheating, possessing pornography or sexually oriented materials on school property, etc. Use of devices taken on bus trips are at the discretion of the principal and sponsor.

Complaints and Grievances

Policy DGBA

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

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the Board of Trustees. For ease of reference, the District's policy concerning the process of bringing concerns and complaints is reprinted as follows: [http://pol.tasb.org/Policy/Download/515?filename=DGBA\(LOCAL\).pdf](http://pol.tasb.org/Policy/Download/515?filename=DGBA(LOCAL).pdf)

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 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*, page 45 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 to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.

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

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

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

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

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

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

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

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

2. Ethical Conduct toward Professional Colleagues

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

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

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

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

- Standard 2.5** The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.
- Standard 2.6** The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
- Standard 2.7** The educator shall not retaliate against any individual who has filed a complaint with the SBEC or provides information for a disciplinary investigation or proceeding under this chapter.

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.

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.

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

[http://pol.tasb.org/Policy/Download/515?filename=DIA\(LOCAL\).pdf](http://pol.tasb.org/Policy/Download/515?filename=DIA(LOCAL).pdf)

Harassment of Students

Policies DF, 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 suspects has reasonable cause to believe that child abuse or neglect occurred must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See Reporting Suspected Child Abuse, page 33 and Bullying, page 48 for additional information.

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

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DF#legalTabContent>

[http://pol.tasb.org/Policy/Download/515?filename=DHB\(LEGAL\).pdf](http://pol.tasb.org/Policy/Download/515?filename=DHB(LEGAL).pdf)

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 nearest local Child Advocacy Center is Norma's House located at 1604 St. Paul Street, Gonzales, Texas 78629, (830)672-1278, fax (830)672-5749, www.normashouse.net.

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

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

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the 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

The District has established a plan which may be accessed in Board policy under FFG and FFH for addressing sexual abuse and other maltreatment of children. 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.

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, e-mail 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 computer or network resources.
- Has no adverse effect on job performance or on a student's academic performance.

Electronic mail transmissions and other use of the 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 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/or legal action. Employees with questions about computer use and data management can contact Sarah Loer at 582-1536 ext. 112.

Personal Use of Electronic Communications

Policy CQ, DH

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

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

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

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

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 in writing by the superintendent or a campus principal, may use electronic communications with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. Electronic communications between all other employees and students who are enrolled in the district are prohibited.

Employees are not required to provide students with their personal phone number or email address.

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

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

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

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

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

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
- Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:

- The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators’ Code of Ethics including:
 - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
 - Copyright law [Policy CY]
 - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DHB]
- 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 e-mail, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.
- All staff are required to use school email accounts for all electronic communications with parents. Communication about school issues through personal email accounts or text messages are not allowed as they cannot be preserved in accordance with the district’s record retention policy.
- 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.

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

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. 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, DUI)
- 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 educators’ criminal history to the Division of Investigations at TEA.

Certified Employees. The superintendent and directors are required to report the misconduct or criminal history of a certified employee or individual applying for certification or permit to TEA Division of Educator Investigations. Information about misconduct or allegations of misconduct of a certified employee obtained by a means other than the criminal history clearinghouse that results in termination, resignation, or criminal

history (e.g., arrest, indictment, prosecution, conviction, or other disposition by the criminal justice system, including probation and deferred adjudication) will be reported to TEA.

Misconduct or allegations of misconduct include:

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

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

Misconduct or allegations of misconduct include:

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

Alcohol and Drug-Abuse Prevention

Policies DH

Nixon-Smiley CISD 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 follows:

[http://pol.tasb.org/Policy/Download/515?filename=DH\(LOCAL\).pdf](http://pol.tasb.org/Policy/Download/515?filename=DH(LOCAL).pdf);

[http://pol.tasb.org/Policy/Download/515?filename=DI\(LOCAL\).pdf](http://pol.tasb.org/Policy/Download/515?filename=DI(LOCAL).pdf) and at

[http://pol.tasb.org/Policy/Download/515?filename=DI\(XHIBIT\).pdf](http://pol.tasb.org/Policy/Download/515?filename=DI(XHIBIT).pdf)

Tobacco and Nicotine Products and E-Cigarette Use

Policies DH, FNCD GKA

State law prohibits smoking, using tobacco and nicotine 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.

Employees are prohibited from possessing or using any type of nicotine product, including nicotine pouches, regardless of whether the product contains tobacco, while on school property or while attending an off-

campus school-related activity. Exceptions may be made for smoking cessation products with supervisor approval.

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

Policies 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 are to be used in the classroom for educational purposes only. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

Associations and Political Activities

Policy DGA

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

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

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

Charitable Contributions

Policy DG

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

Safety and Security

Policy CK series

The District has developed and promotes a comprehensive program to ensure the safety and security of its employees, students, and visitors. The safety program includes written guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. See Emergencies on page 42 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 Superintendent, Jeff Van Auken.

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, unloaded, and not in plain view. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisor or call Superintendent, Jeff Van Auken immediately at 582-1536 ext. 104.

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 CSC

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 central office and is available for inspection during normal business hours.

Pest Control Treatment

Policies CLB, DI

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

Notices of planned pest control treatment will be posted in a District building 48 hours before the treatment begins. Notices are generally located on the bulletin board of each campus. 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.

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. Methods used to broadcast information are the school District's web page at www.nixonsmiley.net, phone calling system, the school marquees located on highway 80 in Nixon and 87 in Smiley, and the District's Facebook page will broadcast what procedures need to be taken; and the radio and television stations will also be notified by school officials.

Emergencies

Policy 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 shelter in place, lockout, and lockdown procedures. 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 campus secretary 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 bookkeeping department at 582-1536 ext. 132 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 office if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be obtained from human resources.

Personnel Records

Policies DBA, GBA

Most district records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal e-mail 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 human resources. 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 by 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.

Equipment and Facilities

From time to time, equipment will fail, furniture will need repair, and the building and facilities will need work. Requests for repair work should be made by email to their campus principal. Each staff member has a responsibility to report any item in need of repair. Staff members should not make verbal requests of maintenance or custodial personnel except in an emergency.

Facility Use

Policies DGA, GKD

Employees who wish to use District facilities after school hours must follow established procedures. Lora Torres, Cafeteria Director, at 582-1536 ext. 211 is responsible for scheduling the use of the cafeteria facilities and Carlton McKinney, Athletic Director, at 582-1536 ext. 111 is responsible for scheduling the use of the gyms after school hours.

Travel / Field Trip Request

To avoid conflicts, a calendar is kept in the Central Office to schedule all travel requests and coordinate expedition and bus assignments. The **Travel/Field Trip Request** form is used for both professional and instructional trips. Complete the top portion of the form, including the request for bus or van. The principal must approve and sign the request form before it is sent to the Central Office. The request will be processed and returned to the sender showing approval or disapproval and vehicle assigned. No verbal requests will be scheduled.

Keys will be available at the Central Office. Upon returning from trip, return the keys to the Central Office or, if after hours, drop the keys in the drop box by the Central Office door. You will be held responsible for the school expedition key and will be charged the cost of replacing the key if not promptly returned or if lost. The replacement cost for the District is approximately \$100 for each key.

Teacher Service Records

The basic document in support of the number of years of professional service claimed for salary increment purposes and both the state's sick and personal leave program data for all personnel is the teacher service record or a similar form containing the same information.

As of September 1, 1998, experience as a substitute teacher is now recognizable for salary increment purposes; as long as you held a valid teaching certificate at the time the service was rendered. All prior-year service in this area can be claimed for salary placement purposes, as long as the minimum number of day's requirement and the certification requirement were met.

Employee Dress Code

Our District believes that an employee's personal appearance has a direct correlation with an atmosphere of professionalism and efficiency. Nixon-Smiley CISD employees are expected to come to work neatly dressed and well groomed. Employees should dress so that impressions of them and our District are favorable. Visitors to any campus will easily distinguish the teachers from the students.

Termination of Employment

Resignations

Policies 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, Jeff Van Auken. 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* on page 45. The superintendent will notify SBEC when an employee resigns and there is evidence to indicate that the employee has engaged in such conduct.

Noncontract Employees.Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to Superintendent, Jeff Van Auken 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 knew about an employee's resignation or termination following an alleged incident of misconduct described above.

Dismissal or Nonrenewal of Contract Employees

Policies DF series, DHB

Employees on probationary, term, and continuing contracts can be dismissed during the school year according to the procedures outlined in District policies. Employees on probationary or term contracts can be nonrenewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The 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 45. 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. [http://pol.tasb.org/Policy/Download/515?filename=DF\(LEGAL\).pdf](http://pol.tasb.org/Policy/Download/515?filename=DF(LEGAL).pdf)

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, gender, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the District process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, page 29.)

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.

Exit Interviews and Procedures

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

Report 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 has a reported criminal history. "Reported criminal history" means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction.

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

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

Student Issues

Equal Educational Opportunities

Policies FB, FFH

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

Questions or concerns about discrimination of students based on any of the reasons listed above should be directed to Superintendent, Jeff Van Auken.

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 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 bring a note signed by the parent that describes the reason for the absence. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

Bullying

Policy FFI

Bullying is defined by §TEC 37.0832. All employees are required to report student complaints of bullying, including cyber bullying, to the campus principal. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below:

Hazing

Policy FNCC

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

Transportation of Students

Employees are encouraged not to transport students in their personal vehicles. In the event of an accident, the employee's private insurance will become the primary insurance to cover the student since District liability insurance does not cover students being transported in private vehicles.

Field Trips

Policy FMG

Field trips offer an opportunity for teachers to bridge the gap between the classroom instruction and observation of the real world application of the information taught. These trips should focus on connecting the **TEKS** to student understanding by adding personal experiences, hands on activities, and engaging interaction between students, staff, parents, and professionals in the field. Field trips that provide an educational opportunity for students also utilize pre activities to help students connect the event with prior understanding and post activities to build depth and complexity through communication and changing perspectives. Packets for field trips are available at each campus office. They contain all the information needed for the process. These packets must be filled out four weeks prior to the trip. For more information, contact your campus secretary.

Guidelines for Grading

Grading policies for teachers and courses shall align with campus and District policies. In development of grading policies the primary focus should always be on student achievement.

Written policies will be distributed to, and communicated to students and parents prior to instruction. Copies of all policies will be maintained in campus offices. Changes in grading policies will not be made during the year without consulting the campus administrator to ensure compliance with campus and District policies. Any changes made must be promptly communicated to students and parents.

Grades (or extra assignments and homework) are not to be used as a form of punishment.

Grading Policy

Policy EIC

Nixon-Smiley CISD's grading plan has been developed by local educators and is reviewed annually. The passing standard for students in the District is a grade of 70 on a scale of 100.

Pre-K – 1: For pre-kindergarten and kindergarten, the District shall utilize checklists that relate to instructional objectives for pre-kindergarten and kindergarten students.

Grades 2 – 3: Numerical scores shall be established for all core subjects, E, S, N and U may be used in "Specials" such as PE/Fine Arts, library and computer.

Grades 4 – 12: Numerical scores shall be used for reporting grades for all State Board-approved courses. Pass/fail may be used for accelerated curriculum.

Permanent Record and Other Purposes: Numerical scores shall be maintained in the permanent records for grades 2 – 8 and used on all academic achievement records (transcripts) for grade 9 -12.

Numerical scores shall be used in determining promotion, course credit, and maintenance of a grade of 70 for participation in extracurricular and other activities.

Grade Conversion Scale: When letter grades are used, the following conversion table shall be in effect:

1. 90 – 100 = A
2. 80 – 89 = B
3. 70 – 79 = C
4. 69 and below = F (actual number grade earned)

All assignments are to be graded within the nine weeks they are assigned.

At least once every nine weeks, the District shall give written notice to parents of students' grades in each class or subject. ("Parent" includes legal guardian.) During the fourth week of a grading period, parents will be given a written progress report. If the student receives a grade lower than 70 in any class or subject during a grading period, teachers should schedule a conference with the parent.

Relation to Essential Knowledge and Skills

Assignments, tests, projects, classroom activities, and other instructional activities shall be designed so that the student's performance indicates the level of mastery of the designated District objectives. The student's mastery level shall be the focus in determining the grade for a subject or course.

General Emergency Procedures by Campus

	Elementary	Middle School	High School	Daycare	DAEP
Chain of Command	Tamatha Pecina Lundy Atkins Jacquelyn Cunningham Rabecca Vasquez	Brittany Rogers Jeff Stavinocha Melissa Baethge Oralia Martinez	Maria Jimenez Jeremy Gordon Christina Cowey Traci Newman	Susan Bell Ida Rogers Jane Dwyer Brittany Rogers Oralia Martinez	Sarah Loer Valerie McInvale
Fire	Fire alarm- Immediately leave the building Admin will signal teachers to return	Fire alarm- Immediately leave the building 3 bells – safe to return	3 Bells Immediately leave the building 2 bells – safe to return	One long tone – Immediately leave the building 2 bells – safe to return	Intercom directions to exit building Office Staff will give directions to enter building
Bomb Threat Or Other Evacuation	Office Staff will give intercom directions for evacuation	Office Staff will give intercom directions for evacuation	Office Staff will give intercom directions for evacuation	Office Staff will give intercom directions for evacuation	Office Staff will give intercom directions for evacuation
Lockdown	<i>Over the intercom:</i> We are going to lockdown! When clear: “All Clear, Safe to return”	<i>Over the intercom:</i> We are going to lockdown! When clear: “All Clear, Safe to return”	<i>Over the intercom:</i> We are going to lockdown! When clear: “All Clear, Safe to return”	<i>Over the intercom:</i> We are going to lockdown! When clear: “All Clear, Safe to return”	<i>Over the intercom:</i> We are going to lockdown! When clear: “All Clear, Safe to return”
Severe Weather	Long Tone & “Teachers, please take your students to your weather safe zone” Students and teachers move to the safe zone on the campus. TAs will go to room with a substitute. When clear- All clear, “All clear, Safe to return”	Long Tone & “Teachers, please take your students to your weather safe zone” Students and teachers move to the safe zone on the campus. TAs will go to room with a substitute. When clear- All clear, “All clear, Safe to return”	Long Tone & “Teachers, please take your students to your weather safe zone” Movement of students is dependent on location – all outside classes report to 500 / 600 hallways When clear- All clear, “All clear, Safe to return”	Long Tone & “Teachers, please take your students to your weather safe zone” Grade level TAs will go to room with a substitute. When clear- All clear, “All clear, Safe to return”	We are going into Drop, Cover, and Hold! Teachers & students will move into the designated safe zone. All clear All clear Safe to return
First Aid Response	Tamatha Pecina Lundy Atkins Melissa Warzecha Maria Gamez Rabecca Vasquez Amanda Griffin	Brittany Rogers Jeff Stavinocha Cameron LaRue Melissa Baethge Jennifer Boatright	Maria Jimenez Jeremy Gordon Daisy Ho Traci Newman Christina Cowey Phyllis Stone Gracie Pooley	Susan Bell Jennifer Boatright Jane Dwyer Brittany Rogers	Sarah Loer Valerie McInvale will contact elementary nurse
Crisis Team	Tamatha Pecina Lundy Atkins Amanda Griffin	Brittany Rogers Jeff Stavinocha Melissa Baethge Cameron LaRue Jennifer Boatright Rena McMarion	Maria Jimenez Jeremy Gordon Christina Cowey Traci Newman Daisy Ho	NA	Sarah Loer Beverly Squyres
CPI Team, Nonviolent Crisis Intervention	Tamatha Pecina Lundy Atkins Amanda Griffin Jacquelyn Cunningham	Brittany Rogers Jeff Stavinocha Melissa Baethge Cameron LaRue Christie Murray Jennifer Johnson Rena McMarion	Christina Cowey Maria Jimenez Jeremy Gordon Susan Williams Tracy Pantoja	Susan Bell Jane Dwyer Brittany Rogers	Sarah Loer Beverly Squyres

Nixon-Smiley CISD Grading Plan

Board adopted 08/19/2009 reviewed 06/13/2016 Revised 06/18/19 Board Reviewed 08/15/19

Grading is intended to reflect the student's mastery of objectives taught. Each student should progress to the level of scholastic achievement expected for the assigned grade level and/or course. ***Teachers are required to assign grades that reflect the student's relative mastery of an assignment. No minimum grade should be given without regard to the student's quality of work.***

Student mastery of subject matter may be assessed in a variety of ways. Therefore, grades may be assigned for both written and non-written work. Grades, extra assignments, and/or homework are not to be used as punishment. Teachers should not use a "gotcha" approach to grading student work. Remember: The primary focus of grading policies should always be on student achievement.

Categories

Recorded grades should include multiple measures that inform educators, parents, and students, the extent learning has occurred. Therefore, work that counts toward final grades will include an appropriate mix of assessments such as tests, quizzes, assignments, class work, skill mastery evaluation, independent practice, and projects. Each campus administration may determine appropriate categories and weight for various types of assessment based on the content area and age of the students if the following options are not appropriate:

Daily grades include items such as quizzes, independent practice (homework), quality of participation in class work, in-class discussion, and evaluation. Homework will be used to practice objectives already mastered, not to practice a new skill incorrectly. It is not appropriate to count a daily grade twice.

Major grades include items such as summative tests that encompass material from a chapter or unit, work packets, and projects that have been completed over time. Projects will be divided into several stages with appropriate daily grades given so that formative progress can also be checked.

Quantity of Grades

If the above categories are used, teachers will record a minimum of 2 daily grades per week. An appropriate mix of the examples listed above will be used.

Teachers will record a minimum of three major grades every quarter, with a minimum of one per progress report.

If alternate categories and weights are used, the teacher should discuss with the principal the appropriate number of grades for a quarter so that no single assignment or project is weighted inappropriately.

Homework

Professional discretion is allowed regarding homework. However, teachers should focus on success. This requires designing quality homework, implementing completion strategies, and providing homework support.

Make-up Work (after absences)

The students will be given the number of days absent plus one additional day to make up work. After that time period, late work policies (below) apply. Missing assignments will be given to students upon return to school. The teacher and principal will discuss an appropriate timeline for the student to complete work in the case of extended absences, such as those over 3 days.

Late Work

Each campus will have a procedure regarding the expectations for students to complete assignments. Depending on the grade level, points may be deducted for work not turned in by the due date.

Extra-Credit

If extra-credit is offered, it must be offered equally to all students. Alternative assignments must coincide with the objective being assessed.

Grade Storage

Grades must be posted in the grade book within three school days of the due date except in extenuating circumstances, as approved by the principal. Grades are backed up electronically through the Education Service Center Region 13 every 24 hours. Grades must be verified quarterly with campus administration.

Additional Grading Issues

Any grading issue or question that arises and is not covered by this policy should be reviewed with the campus principal. Parents who have concerns about grades should first try to resolve the issue with the teacher and then the campus principal. Formal complaints should be addressed through the process described in Board policy FNG.

Best Practices

- Teachers should exercise caution when counting homework as part of the student's grade. Was the work completed by the student or a well-meaning parent? Did the student have the resources at home to complete the assignment? When assigning a "0" for work that was not completed, does the "0" reflect the student's mastery of a TEK or was it punishment for a poor work habit?
- Develop a syllabus that includes a scope and sequence of major course units, late work policy, and homework expectations.
- Comprehension quizzes on AR can be used for daily grades, not as major test grades.
- You can replace a grade with an alternate assignment as long as the alternate assignment measures the same objectives or TEKS.
- Keep in mind that learning is developmental and grows with time. If a student masters an objective or skill on subsequent assessments, teachers should consider dropping earlier grades where the student was still in the initial learning stage.
- Extra-credit points should not be given for turning a paper in on time or for coming to a school event because neither are tied to a measurable TEKS or mastery of content.
- Grades are based on mastery of content – not on how "good" the student is, how hard the student works, or parent signatures on assignments or logs.
- Allowing students to correct their papers and figure out why they made an incorrect choice is a good strategy to promote learning.

- Benchmarks scores should not be considered as part of a student's grade, they are assessment tools intended to inform instruction.
- Don't assign grades based on a student's achievement compared to other students; compare each student's performance to preset standards.
- Provide rubrics for grading to students as they are beginning the work, don't keep them secret until you are grading the work. Students deserve to know up front what is expected.
- Assignment due dates should be posted in Gradebook when grades are entered.

Appendix I: Freedom from Bullying FFI(LOCAL)Policy

Note that school board policies may be revised at any time. For legal context and the most current copy of the local policy, visit <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=FFI#legalTabContent>. Below is the text of Nixon-Smiley CISD's policy FFI(LOCAL) as of the date that this Handbook was finalized for this school year.

Policy Update 121 - Adopted on May 13, 2023

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

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

Bullying Prohibited

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

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

Minimum Standards

In accordance with law, the Superintendent shall develop administrative procedures to ensure that minimum standards for bullying prevention are implemented.

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.

Report Format

A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

Periodic Monitoring

The Superintendent shall periodically monitor the reported counts of bullying incidents, and that declines in the count may represent not only improvements in the campus culture because bullying declines but also declines in the campus culture because of a decline in openness to report incidents.

Notice of Report

When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.

Prohibited Conduct

The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

Investigation of Report

The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

Concluding the Investigation

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.

The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.

Notice to Parents

If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

District Action

Bullying

If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.

Discipline

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.

The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

Corrective Action

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.

Transfers

The principal or designee shall refer to FDB for transfer provisions.

Counseling

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.

Improper Conduct

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.

Confidentiality

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

Appeal

A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.

Records Retention

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

Access to Policy and Procedures

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.

Appendix II: Student Nutrition / Wellness Plan

Policy FFA

Purpose and Goal:

The link between nutrition and learning is well documented. Healthy eating patterns are essential for students to achieve their full academic potential, full physical and mental growth, and lifelong health and well-being. Healthy eating is demonstrably linked to reduced risk for mortality and development of many chronic diseases as adults. Schools have a responsibility to help students and staff establish and maintain lifelong, healthy eating patterns. Well-planned and well-implemented school nutrition programs have been shown to positively influence students' eating habits.

All students shall possess the knowledge and skills necessary to make nutritious and enjoyable food choices for a lifetime. In addition, staffs are encouraged to model healthy eating and physical activity as a valuable part of daily life. The Nixon-Smiley Consolidated Independent School District shall prepare, adopt, and implement a comprehensive plan to encourage healthy eating and physical activity. This plan shall make effective use of school and community resources and equitably serve the needs and interests of all students and staff, taking into consideration differences in cultural norms.

Component 1: A Commitment to Nutrition and Physical Activity

- A. Nixon-Smiley Consolidated Independent School District Board of Trustees shall appoint a School Health Advisory Committee (SHAC). One of its missions shall be to address nutrition and physical activity issues and will develop, implement, and evaluate guidelines that support a healthy school nutrition environment. This committee shall offer revisions to these guidelines annually or more often if necessary.
- B. Principals will address concerns such as kinds of foods available on their campus, sufficient mealtime, nutrition education, and physical activity.
- C. Nutrition education shall be integrated across the curriculum and physical activity will be encouraged daily.
- D. The school food service staff will participate in making decisions and guidelines that will affect the school nutrition environment.

Component 2: Quality School Meals

- A. The Nixon-Smiley Consolidated Independent School District will offer breakfast, lunch, and after school snack programs. Students and staff are highly encouraged to promote and participate in these programs.
- B. School foodservice staff that is properly qualified according to current professional standards and regularly participates in professional development activities will administer the Child Nutrition Programs.
- C. Food safety will be a key part of the school foodservice operation.
- D. Menus will meet the nutrition standards established by the U.S. Department of Agriculture and the Texas Department of Agriculture, conforming to good menu planning principles, and featuring a variety of healthy choices that are tasty, attractive, of excellent quality, and are served at the proper temperature.
- E. When appropriate, students will be given the opportunity to provide input on local, cultural, and ethnic favorites of the students.
- F. School personnel, along with parents, will encourage students to choose and consume full meals.

Component 3: Other Healthy Food Options

- A. The SHAC will develop and recommend to the administration guidelines on nutrition standards for food and beverages offered through parties, celebrations, social events, and any school functions. See Attachment A.
- B. No foods or beverages other than those provided through the school food service department may be made available to elementary school students at any time. Elementary classrooms may serve one nutritious snack per day in the morning or afternoon (not during lunchtime) under the teacher's guidance. The snack may be provided by the school food service, the teacher, parents or other groups and should be at no cost to the students. Foods and beverages other than those provided through the school food service department may not be available to junior high students until the end of the last lunch period, and may not be available to high school students during lunch periods or in locations where reimbursable meals are served or consumed. See Attachment A for serving size restrictions.
- C. School staff shall not use food as a reward for student accomplishment. The withholding of food as punishment for students is prohibited. For example, restricting a child's selection of flavored milk at mealtime due to misbehavior in the classroom.
- D. The school District will provide nutritional information to parents that will encourage parents to provide safe and nutritious foods for their children.
- E. Organizations shall only use non-food items or foods designed for delivery and consumption after school hours as fund-raisers. For example, barbecue plate sales after school hours would be acceptable. The sale of individually wrapped candy (i.e. candy bars) as a fundraiser is prohibited; however, packaged candy gift items are allowed provided they are only part of a fund-raising project that includes other gift items (i.e. nuts, candles, jewelry) as well.

Component 4: Pleasant Eating Experiences

- A. Facility design will be given priority in renovations and new construction.
- B. Drinking fountains will be available for students to get water at meals and throughout the day.
- C. A short recess for elementary campuses is encouraged.
- D. School personnel will assist all students in developing the healthy practice of washing hands before eating.
- E. School personnel will schedule enough time so students do not have to spend too much time waiting in line.
- F. Schools should not schedule tutoring, pep rallies, assemblies, club/organization meetings, and other activities during meal times.
- G. Adequate time to eat in a pleasant dining environment should be provided. The minimum eating time for each child after being served will be 10 minutes for breakfast and 20 minutes for lunch.
- H. Parents are encouraged to dine with students in the cafeteria.
- I. Creative, innovative methods will be used to keep noise levels appropriate.

Component 5: Nutrition Education

- A. Nixon-Smiley Consolidated Independent School District will follow health education curriculum standards and guidelines as stated by the Texas Education Agency. Schools will link nutrition education activities with the coordinated school health program.
- B. Students in pre-kindergarten through grade 12 will receive nutrition education that is interactive and teaches the skills they need to adopt healthy eating behaviors. Teachers are encouraged to integrate nutrition education into core curriculum areas such as math, science, social studies, and language arts as applicable.

- C. Nutrition education will be offered in the school dining room and in the classroom, with coordination between school foodservice staff and teachers. Teachers can display posters, videos, websites, etc. on nutrition topics.
- D. Nixon-Smiley Consolidated Independent School District campuses will participate in USDA nutrition programs such as “Team Nutrition” and conduct nutrition education activities and promotions that involve students, parents, and the community. The school nutrition team responsible for these activities will be composed of Child Nutrition Services staff, school nurses, health teachers, and physical education coaches.

Component 6: Marketing

- A. Students will receive positive, motivating messages, both verbal and non-verbal, about healthy eating and physical activity throughout the school setting. All school personnel will help reinforce these positive messages.
- B. Schools will consider student need in planning for a healthy school nutrition environment. Students will be asked for input and feedback through the use of student surveys, and attention will be given to their comments.
- C. Schools will promote healthy food choices and will not allow advertising that promotes less nutritious food choices.
- D. Healthy eating and physical activity will be actively promoted to students, parents, teachers, administrators, and the community at registration, Open Houses, Health Fairs, teacher in-services, etc.
- E. Schools will work with a variety of media to spread the word to the community about a healthy school nutrition environment, such as local newspaper and television stations.

Component 7: Implementation and Evaluation

- A. The SHAC shall be composed of parents, students and school District staff. Permanent members of the committee shall include: school nurse, Food Service Director, Superintendent, Campus Principals, Special Education Director, and Curriculum Director.
- B. The SHAC members from each campus will conduct a review of their respective campuses in the Fall semester of each year to identify areas for improvement. These groups will report their finding to the campus principal and develop with him/her a plan of action for improvement.
- C. The SHAC will hear reports from each campus group after each review period. Before the end of each school year the committee will recommend to the Superintendent any revisions to the Student Nutrition/Wellness Plan it deems necessary.

Attachment A - Student Nutrition/Wellness Plan

Guidelines for Food and Beverages Offered to Students at School & School Functions

All foods and beverages, other than school meals, made available to students during allowable times must meet the following maximum portion size and nutrition standards.

Food Items:	Elementary Schools	Middle Schools	High Schools
Chips (regular)	1 oz	1 oz	1.25 oz
Baked Chips	1.5 oz	1.5 oz	1.5 oz
Crackers, popcorn, Trail mix, seeds, Dried fruit, jerky, Pretzels. Cookies/cereal bars	2 oz	2 oz	2 oz

Baked Goods (Pastry/muffin)	3 oz	3 oz	3 oz
Frozen Desserts, Ice cream	3 oz	3 oz	4 oz
Yogurt	8 oz	8 oz	8 oz
Whole Milk	8 oz	8 oz	8 oz
Reduced fat milk	8 oz	16 oz	16 oz
Beverages other than Milk or FMNV (water exempt)	12 oz	12 oz	12 oz
Fruit Drinks/slushes (50% juice minimum)	6 oz	12 oz	12 oz
All other food/beverages	No more than 9 grams of fat per package. (except nuts & seeds) and no more than 35% by weight or 15 grams per serving of added sugar.		

At any school function (parties, celebrations, receptions, festivals, sporting events, etc.) healthy food choice options should be available to students. Some suggested foods are listed below to include on refreshment tables, price lists, etc.

- Raw vegetable sticks/slices with low-fat dressing or yogurt dip
- Fresh fruit and 100% fruit juices
- Frozen fruit juice pops
- Dried fruits (raisins, banana chips, etc.)
- Trail Mix (dried fruits and nuts)
- Dry roasted peanuts, tree nuts, and soy nuts (not coconut or palm nuts)
- Low-fat meats and cheese sandwiches (use low-fat mayonnaise in chicken/tuna salads)
- Party Mix (variety of cereals, nuts, pretzels, etc.)
- Low-sodium crackers
- Baked corn chips & fat-free potato chips with salsa and low-fat dips (Ranch, French Onion, bean, etc.)
- Low-fat muffins, granola bars, and cookies
- Angel food and sponge cakes
- Flavored yogurt & fruit parfaits
- Jello and low-fat pudding cups
- Low-fat ice creams, frozen yogurts, sherbets
- Low-fat and skim milk products
- Pure ice cold water

Foods to Avoid – *Consume only occasionally (recommended no more than once per month)*

- Carbonated and caffeinated beverages (soft drinks, tea, & coffee)
- High sugar content candies and desserts
- High fat foods (fried foods like french fries, fatty meats, most cheeses, buttery popcorn)
- High sodium foods (luncheon meats, cheeses, chips, salty popcorn, pickles)

- In selecting food items to offer keep in mind the numerous students and adults who are on special diets and their consumption of sugar, fat, sodium, etc. is restricted.
- The use of foods of minimal nutritional value (See Attachment B) as learning incentives should not be practiced, and healthy food choices or non-food items should be substituted.

Attachment B - Student Nutrition/Wellness Plan

Foods of Minimal Nutritional Value

- Soda Water – any carbonated beverage (even water). No product shall be excluded from this definition because it contains discrete nutrients added to the food such as vitamins, minerals and protein.
- Water Ices – any frozen, sweetened water such as “...sicles” and flavored ice with the exception of products that contain fruit or fruit juice.
- Chewing Gum – any flavored products from natural or synthetic gums and other ingredients that form an insoluble mass for chewing.
- All Candies – any processed foods made predominantly from sweeteners or artificial sweeteners with a variety of other ingredients, including powdered drink mix (i.e., Kool-Aid).
- Certain Chips and Snack Foods – any portions larger than or nutritional content other than those indicated on Attachment A.

*** - Approved Times for the Availability of Foods of Minimal Nutritional Value**

Elementary Schools – no access any time

Middle Schools – after the end of the last lunch period

High Schools – no restrictions except during times and locations of school meal service

Exemption: Three days will be exempt from the inaccessibility of the Foods of Minimal Nutritional Value listed above. These items may not be made available during meal times in the areas where school meals are being served and/or consumed. The designated days will be determined by each campus on an annual basis.

Appendix III: Universal Precautions in the School Setting

Purpose:

The purpose of universal blood and body fluid precautions is to eliminate or minimize exposure to blood or other potentially infectious body fluids. All body fluids from another individual should be considered infectious. Appropriate barrier precautions should be used to prevent skin and mucous membrane exposure when in contact with blood or other potentially infectious body fluids of any person.

- I. Hand washing is an important preventative measure in the spread of disease. Hands and other skin surfaces should be washed with soap and water after contact with blood or body fluids and after the removal of gloves. Antiseptic hand cleaners should be used when soap and water is not available.
- II. Housekeeping – All surfaces contaminated with blood or body fluids should be disinfected with 1:10 solution of bleach (mixed fresh each day), or 70% alcohol, or some of the ammonia based disinfectants used by custodians. Use latex gloves when cleaning up a spill. Call custodian for cleanup of any large spills, or if you need help cleaning a contaminated surface.

Do not pick up broken glass with bare hands.

Articles contaminated with blood should be placed in a double plastic bag. If contaminated articles are thrown away in a classroom waste basket, have custodians remove material as soon as possible. In an article is saturated with blood (if 3 ounces or more of blood or bloody fluids can be squeezed out of it), it should be placed in a red biohazard bag (located in the nurse's office). The nurse will arrange to have it disposed of properly.

Personal Protective Equipment – Gloves (latex) should be worn when any contact with blood or other potentially infectious body fluids is anticipated. Gloves should be worn only once and thrown away. They should not be washed or decontaminated for reuse and are to be replaced as soon as practical when they become torn, punctured, or when their ability to function as a barrier is compromised. Skin breaks should be covered with a bandage under the gloves. Wash hands immediately after removal of gloves.

Appendix IV: Where to Find Copies of District Policies on the Website

Equal employment opportunity and genetic nondiscrimination

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DAA#legalTabContent>

Criminal history and credit reports

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DBAA#legalTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DBAA#localTabContent>

Conflict of interest

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DBD#legalTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DBD#localTabContent>

Employment practices

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DC#legalTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DC#localTabContent>

Term contracts

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DCB#legalTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DCB#localTabContent>

Salaries and wages; incentives and stipends

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DEA#legalTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DEA#localTabContent>

Leaves and absences

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DEC#legalTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DEC#localTabContent>

Termination of employment

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DF#legalTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DF#localTabContent>

Termination of, or return to, probationary contract

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DFD#legalTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DFD#localTabContent>

Resignations

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DFE#legalTabContent>

Reduction in force

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DFE#legalTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DFE#localTabContent>

Employee rights and privileges

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DG#legalTabContent>

Employee complaints

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DGBA#legalTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DGBA#localTabContent>

Employee standards of conduct

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DH#legalTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DH#localTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DH#exhibitTabContent>

SBEC reporting

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DHB#legalTabContent>

Searches and drug/alcohol testing

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DHE#legalTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DHE#localTabContent>

Employee welfare

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DI#legalTabContent>

Freedom from discrimination, harassment, and retaliation

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DIA#legalTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DIA#localTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DIA#exhibitTabContent>

Assignments and schedules

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DK#legalTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DK#localTabContent>

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DK#exhibitTabContent>

Performance appraisal

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=515&code=DN#localTabContent>