Marshall Independent School District

Administrative Guidelines

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1 ADMINISTRATION

1.1 Absences-Principals

Reference or Contact: **Superintendent**

When a principal leaves his/her campus, for a non-scheduled event, the principal needs to report the absence to his/her supervisor and let him/her know about the absence. If the supervisor cannot be reached on the office phone, then a call must be made to the cell phone. The principal must make contact with the appropriate supervisor.

When a principal does not go to work due to personal illness, family illness, personal business, attendance at a workshop/conference, etc., the principal needs to let his/her supervisor know that he/she is out so the supervisor can be available in the event a problem arises and the assistant principal needs assistance.

1.2 Calendar Timeline – Instructional Calendar

Reference or Contact: **Assistant Superintendent of Curriculum and Instruction**

The Marshall ISD Instructional Calendar will be created in collaboration of the Office of the Superintendent, Office of Assistant Superintendent of Curriculum and Instruction, and the input of the District Academic Calendar Setting Committee. The instructional calendar will be created, submitted, and voted on by the faculty and staff of Marshall ISD following the timeline provided below:

- November – following year Instructional Calendar options created
- January – Instructional Calendar Options presented to Superintendent
- February – Calendar Options for voting selected by District Academic Calendar Setting Committee
- March – final instructional calendar presented to Board of Trustees
- March – release of final instructional calendar

1.3 Calendar Timeline – Professional Development Calendar

Reference or Contact: **Assistant Superintendent of Curriculum and Instruction**

The Office of the Assistant Superintendent of Curriculum and Instruction will work in collaboration with all departments in releasing a finalized summer professional development calendar and the August teacher in-service training schedule in accordance with the timeline listed below:

- Posting of the Summer Professional Development calendar will be completed no later than **May 5** prior to the upcoming instructional year.

- Posting of the August teacher in-service training schedule will be completed no later than **June 25** prior to the upcoming instructional year.

1.4 Campus Staff Hours on Modified School Days

Reference or Contact: **Assistant Superintendent of Curriculum and Instruction**

Normal School Day

Elementary
Teacher hours: Determined by campus
Student hours: 7:31 am – 3:20 pm
Doors Open: 7:00 am

Secondary
Teacher hours: Determined by campus
Student hours: 7:56 am – 3:45 pm
Doors Open: 7:30 am

DAEP: 7:55 am – 3:15 pm

MEGS:
AM: 7:45 am – 12:10 pm
PM: 11:35 am – 4:00 pm

Delayed Start of School – inclement weather (2 hour delay). Staff will report to work two hours later than regularly scheduled start time.

Elementary
Teachers arrive at 9:55 am
Doors open: 9:40 am *(Some buses begin unloading students at 9:15)*
Classes begin: 10:25 am

Secondary
Teachers arrive at 9:15 am
Doors open 9:15 am
Classes begin 9:45 am

Administration Building/1305 E. Pinecrest Drive arrive two hours later than regularly scheduled start time.

Maintenance arrive as early as is safe.

Food Services arrive as directed by supervisor.

Non-Exempt Staff

Supervisors are responsible for notifying any staff who will need to report earlier than the two hour delay.

Timecard Adjustments

Non-exempt staff observing the delayed start will be granted up to two hours of compensated time, dependent on time worked. The additional time will be added to the employee's timecard. Compensated time will not be given to employees not in attendance on that day or to employees who work their full schedule.

Early Release Days – scheduled days

Elementary 12:06 PM
Secondary 12:26 PM

School Dismissing Early – unexpected event

In cases where the Superintendent must close schools early due to unforeseen events, notice will go out to all campuses and transportation will be arranged. The time that students leave school will be determined by the nature of the event.

Staff will stay on campus until notified that they may leave. This decision will be made by the Superintendent. The safety of the students is our first priority.

1.5 Campus Visitors

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

Marshall ISD is committed to providing safe and secure campuses for students and staff while maintaining an inviting climate for all parents. Realizing that parental involvement is vital to our success, this administrative guideline has been established to address these issues.

Board Policy

Board policy that outlines procedures for campus visitors is GKC (LOCAL). Among the highlights of this policy are:

- All parents and visitors on Marshall ISD campuses are required to register at the school office immediately upon arrival.
- No unauthorized individual should be on campus
- Trespassing and loitering are strictly prohibited on all Marshall ISD campuses

In addition these procedures are also mandatory:

- All parents and visitors will be screened for sexual offender violations using an automated scanning system, Raptor, or a list provided by the Marshall ISD Police Department.

- All visitors are required to wear a parent or guest identification badge for the duration of their stay on the campus.

Parents who do not possess a Texas driver's license

Marshall ISD realizes that not all of its parents possess a Texas driver's license. In those instances, the following procedures shall be followed:

- If a parent does not possess a Texas driver's license, he/she will be asked to present any other U.S. government issued form of photo identification.

If a parent does not possess a U.S. government issued ID, he/she will be asked to present a government issued form of photo identification from his/her native country. The ID may be expired as long as it lists the name and photo of the individual.

For assistance or problems with processing campus visitors contact the Assistant Superintendent for Auxiliary Services.

1.6 Housekeeping Protocols for Central Administration

Reference or Contact: **Superintendent**

The following housekeeping protocols have been established for the Administration Building in an effort to maintain a professional, customer-inviting, and working environment:

Areas designated as conference rooms will **not** be used for storage.

1. Conference areas can be used by any department. One secretary will maintain sign-up information for who/when that conference room is reserved.
2. Offices are to have a professional appearance. Only storage areas are to be used for storage. Offices, halls, conference rooms, restrooms, break areas and mechanical rooms may not be used for storage.
3. Supervisors are to ensure that the offices areas of those they supervise are professional, uncluttered, and orderly.

1.7 Lack of Substitute Teachers

Reference or Contact **Principal**

In the event of a substitute shortage, students must not be released to the gym or other common areas. Please refer to the following options for covering classes:

- Release an aide to teach the class, preferably in his or her field
- Release an Assistant Principal to teach the class

- Release a Counselor to teach the class
- Combine two classes in the same content

1.8 Junior High School Athletic Duty

Reference or Contact: **Athletic Director**

Administrator on Duty: *Objective is to ensure the safety of the game officials and spectators. The coaches care for the athletes.*

1. Check in with the police officer on duty.
2. Take position amidst the spectators.
3. Maintain appropriate behavior by spectators.
    i. Spectators must be seated whether they are viewing in a gym or at an outdoor facility.
4. Be available in case officials need your assistance.
5. After game, encourage students to alert their rides and depart the field/school.
6. Both campus administrators are to stay onsite until all sub-HS students have left the premises – regardless of which MISD schools they attend. This provides not only equity, but safety for the administrators as well.

Student spectators should be picked up no later than 20 minutes after the game. Students on site beyond that risk being banned from athletic events for six weeks. Repeat offenses could result in a school year ban.

1.9 Policy Updates

Reference or Contact: **Superintendent**

Policy Updates may be initiated by either a TASB Update or a policy request from the Board of Trustees (BOT), the Superintendent, an Assistant Superintendent, or a Director. All policy update requests should be sent to the **Superintendent.** That office will generate a timeline, contact TASB for a policy rewrite, and prepare the policy to be presented to the BOT. Once the policies have been adopted by the BOT, the **Secretary to the Board/Community/Volunteer Coordinator** will submit the revised policy to TASB for inclusion in Policy Online and begin the process of communicating the policy update implications.

1.10 Research Pre-Approval

Reference or Contact: **Superintendent**

Any research conducted in Marshall ISD must be approved through the office of the Superintendent. Information about the research request as well as personal

information about the person submitting the request shall be turned into the superintendent before any research is conducted. The superintendent will either approve or deny the research project within 15 business days of receipt.

1.11 Technology Standard Operating Procedures

Reference or Contact: **Director of Technology**

The Technology Standard Operating Procedures detailing many guidelines can be found by going to:

https://goo.gl/WBQPLC

1.12 Title 1 Allocations

Reference or Contact: **Director of Federal and State Programs**

The Director of Federal and State Programs shall make *projected* allocations available to campus administration by July 1 of each year. Planning allocations shall be made available within one calendar week of amounts released by TEA. Maximum entitlement amounts shall be released to campuses within one calendar week of receiving notification of maximum entitlement.

1.13 Security Access Badges

Reference or Contact **Assistant Superintendent for Auxiliary Services**

The Marshall Independent School District seeks to provide security to each campus in the district. A system which uses security access badges (hereafter referred to as "badge(s)") has been implemented.

Marshall ISD has put in place automation that looks directly at Skyward Finance True Time to pull the Badge Number for each employee. At the top of each hour, our automation runs and syncs the employee Badge information out of Skyward to both our Active Directory and Security Access systems. The coding of the each employee within Skyward Finance automatically grants the employee their campus/building access. For instance, a Teacher or Aide at WBT will automatically be given 5:00 AM - 7:00 PM access at WBT based on his/her coding within Skyward Finance. The same is true for all employees (see schedules below per employee groupings).

All badges are issued out of the Human Resource Department (HR). HR prints the employee badge and then immediately updates Skyward with their proximity badge number which is located on the back of each badge. At the top of each hour automation will update the badge system and grant the badge the appropriate access.

Employees should contact Human Resources if their badge has stopped working and Human Resources will determine if the badge needs to be replaced and will issue to HR a request for replacement. If an employee loses their badge, they should go directly to HR for issuance of a new card.

5:00 AM - 7:00 PM (M-T-W-T-F-S-S)
SH-Teachers, SH-Aides
PTY-Teachers, PTY-Aides
DC-Teachers, DC-Aides
WBT-Teachers, WBT-Aides
MJH-Teachers, MJH-Aides
LRC-All Employees
FS-All employees (Food Services)

7:00AM-11:00PM (M-T-W-T-F-S)
ATH-All Employees (Athletics)

(24 x 7 x 365)
SH-Office
PTY-Office
DC-Office
WBT-Office
MJH-Office
MAIN-All Employees (Maintenance)
Police-All Employees
Admin-All Employees
Tech-All Employees

1.14 Following Chain of Command

Reference or Contact **Assistant Superintendent for Auxiliary Services**

When an Employee asks approval on any request an Employee should follow the chain of command.

1. Employee should go to immediate Supervisor with documentation of what is requested. If the Employee does not agree with the decision made by immediate Supervisor they may send their request to the next Supervisor up the chain of command.
2. After following their chain, if the requestor is still desiring approval, they may take their request to the Superintendent. The requestor will need to have all of their documentation including their initial request and the reason for denial at each level in their chain.

3. If Employee does not agree with decision made by the Superintendent of Schools, they Employee has the option to follow the grievance process. See Board Policy [DGBA (LOCAL)].

Note: An Employee should not engage a Director or Assistant Superintendent for approval if they are not in their chain of command. For example, a Principal should not contact the Assistant Superintendent for Auxiliary Services if they do not agree with the decision made by the Assistant Superintendent of Curriculum and Instruction.

2 BUSINESS

2.1 "After the Fact" Purchases

Reference or Contact **Assistant Superintendent for Business and Finance**

Purchase orders serve as a formal order for goods, materials, and/or services from a vendor. A purchase order, once approved, is a binding commitment for a district to remit payment to the vendor after the item(s) and an invoice are received by the district.

Ordering and/or receiving goods, materials, and/or services prior to submitting a requisition and obtaining a purchase order are violations of district policy. District policy requires that a properly drawn and issued purchase order must be obtained prior to procuring such goods, materials, and/or services and committing district funds. While price quotes, estimates, or proposals may be solicited from a vendor, orders may not be placed or services authorized until the purchase order is issued.

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.

Any requisition, submitted electronically through the district's automated finance system, after goods are received or services rendered will be denied. This constitutes an "after the fact" purchase. Correspondingly, invoices received in the accounts payable department without an approved purchase order constitute a violation of purchasing requirements and district policy.

Failure to follow purchasing requirements and the district's policies and procedure may result in the vendor being notified that the purchase was unauthorized, that the district will take no responsibility for the debt, and the vendor should contact the employee for payment.

Under district policy, persons making unauthorized purchases shall assume full financial responsibility for all such debts. Additionally, failure to follow school district

procedures, policies and/or guidelines may result in adverse disciplinary action including, but not limited to, termination of employment with Marshall ISD.

These purchasing guidelines are included in the employee handbook and reminders are communicated annually through district email. Questions about procurement policies, regulations, and guidelines should be directed to the District Finance Coordinator.

2.2 Allowable Food and Beverage Expenditures for Employees

Reference or Contact **Assistant Superintendent for Business and Finance**

In an effort to provide for consistency amongst campuses and departments, maintain financial efficiency, and comply with IRS regulations in regards to non-compensatory meals, the following guidelines have been established to address food and beverage expenditures and reimbursements for the benefit of district employees.

These guidelines do not apply to food and beverage furnished to non-employees including board members, business partners, community members, parents and/or students. The following guidelines address both in-district and travel related meals.

In-District Meals

At times it is determined beneficial or expedient for the district to provide non-travel related meals to employees. Food or beverages furnished to employees must qualify as a de minimis benefit under IRS regulations.

"De minimis" fringe benefits are defined as "any property or service the value of which is (after taking into account the frequency with which similar fringes are provided by the employer to the employer's employees) so small as to make accounting for it unreasonable or administratively impracticable." Meals are less and less likely to meet this standard as the frequency with which employees accept them, and the value of the meals themselves, increases.

Allowable Food and Beverage Expenditures

Light Refreshments

Light refreshments, i.e., coffee, snacks, or soft drinks, may be provided to employees as part of a staff development or district/campus/departmental business meeting.

Business Meals

Business meals may be allowable under strictly interpreted guidelines. Business meals are meals with a clearly substantiated business purpose and are directly associated with the active conduct of district business. At a business meal, the business discussion is the primary purpose of the meal. The frequency and number

of local business meals should be limited. All expenditures for business meals must be justified and approved in advance by the Superintendent.

- Exception: Meals with other colleagues in local restaurants are not reimbursable. Local meals with colleagues should be considered a personal expense.

Occasional Meals

Occasional meals may be provided for the convenience of the employer and must be furnished on the business premises of the employer. Generally, meals furnished before or after the working hours of the employee will not be regarded as furnished for the convenience of the employer. Allowable meals may be provided for any of the following reasons:

Occasional meals may be furnished to the employee during working hours because the employer's business restricts the employee to a short meal period and because the employee could not be expected to eat elsewhere in such a short meal period. This includes instances where staff is required to work during normal meal breaks for working meetings or staff development.

Occasional Group Meals

Occasional group meals, parties, or picnics for employees may be provided to promote the morale or goodwill of employees. A maximum of two meals may be provided under this category per school year. Costs include meals, beverages, catering services, and other related expenditures for decorations or entertainment. Meals in this category are not required to coincide with staff development or a business meeting. These staff appreciation meals must be for staff employed with the sponsoring campus/department and may not include outside guests (exclusive of the Board of Trustees and Superintendent). The Superintendent may approve the invitation of other guests in certain circumstances. A speaker or presenter is not considered a guest for this purpose. The cost of the meal may not exceed $13 per person.

Food and Beverage Purchases

Purchases of food and beverages must be made utilizing an approved purchase order. An itemized receipt, a justification for the purchase (business meeting, professional development, employee appreciation, etc.), and a list of staff benefiting from the purchase is required. A tax-exempt form must be provided to the vendor as paying sales tax is not allowed. Tips and gratuities cannot be reimbursed; however, charges for delivery are acceptable.

Local Outside Agency Events

The purchase of seats or tables for a local event hosted by an outside agency may only be purchased with advance approval of the Superintendent.

Out of District Travel - In Texas
Personal meals are defined as meal expenses incurred when traveling on an out-of-town business trip. No reimbursement for meals will be made while traveling outside of the district unless an overnight stay occurs. The overnight stay guideline does not apply to staff traveling with students.

Per Diem
Employees will receive per diem at a rate of $45 per day. The per diem rate will be prorated by 75% on the first and last day of travel.

Per Diem Eligibility
To be eligible for a per diem:

1. The traveler must be away from the District overnight.
2. The employee's claim for per diem is submitted documenting actual attendance within 10 business days of returning.

Documentation
Travel costs must be properly documented to be reimbursable. Employees must submit auditable documentation and document travel costs with Appendix P-1 Travel Authorization and Expense Report Form. This form can be obtained from Campus Secretary or the Business and Financial Services page on the MISD website under "Forms".

Out of District Travel - Outside of Texas
Travel outside of Texas is subject to the same rules as outlined above.

2.3 Campus Visitors and Solicitors

Reference or Contact **Assistant Superintendent for Auxiliary Services**

All parents, visitors, and guests are expected to enter any district facility through the main entrance and register at the school office. Authorized visitors will wear a parent or guest identification badge and receive directions or be escorted to their destination. Visitors from private and for-profit institutions will not be allowed access for visitation with students on campus. Solicitation is not allowed except as noted below when following the proper procedures for approval. Failure to follow guidelines may result in the solicitor/vendor/agent being restricted from conducting business with school district employees.

Law Enforcement Entities (non – Marshall ISD Police)
Campus principal or appointed designee will be notified of law enforcement staff arrival and requests. Notification to Marshall ISD Police will be conducted for further assistance involving students. Notification to Marshall ISD Police and

Human Resources must be made for circumstances regarding Marshall ISD staff members.

Federal, State, and local Government Regulatory Agencies (including CPS, APS, TJJD, TDCJ)

Campus principal or appointed designee shall be notified of arrival and requests. Agency photo identification will be verified and copy obtained by campus administrator or designee. Visit with the students shall be conducted in an area to ensure privacy of the student.

Other Federal, State and local Government Agencies (including MHMR)

Campus principal or appointed designee shall be notified of arrival and requests. Agency photo identification will be verified and copy obtained. Parental consent will be verified and a copy obtained with regards to the student.

Visitors shall not interrupt the student's educational environment and be provided the appropriate lunch time for a brief visitation of the student not to exceed 15 minutes. Exceptions requiring urgent visitation must be approved by principal or appointed designee. Visitation with staff must be preapproved by campus principal or appointed designee.

Visits with the student shall be conducted in an area to ensure privacy of the student.

Classroom Observations must be approved by principal or appointed designee. Observations must not interfere or interrupt the educational environment. Privacy must be maintained and students must not be interrupted or addressed by observer.

ASSOCIATIONS AND POLITICAL ACTIVITES

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.

NO SOLICITATION IS ALLOWED during the instructional day on campus property without the **WRITTEN** approval of the school principal. All visitors and guests,

including association representatives are expected to enter any district facility through the main entrance and register at the school office. Authorized visitors will wear a parent or guest identification badge and receive directions or be escorted to their destination.

VENDORS

No person shall solicit or attempt to sell or explain any product or service on school grounds during the school day without the approval of the school principal. Vendors must be Marshall ISD approved vendors and have gone through the FACT fingerprinting process prior to having contact with any Marshall ISD student. The Business Services Department can verify if the vendor has complied with this requirement. Vendors approved by the principal and Business Services department may only attempt to sell or present products approved for purchase during non-instructional time (i.e. before school)

RETIREMENT AND NON-DISTRICT SUPPLEMENTAL INSURANCE PLANS

Gentry Financial Group is the district's approval third party administrator for all cafeteria insurance and retirement plans. There will be NO SOLICITATION ALLOWED on campus property (unless an employee has requested an appointment) without the approval of the principal.

All insurance or retirement plan vendors/agents must follow these guidelines:

1. Gentry Financial Group requires each agent to complete the "Rules for Solicitation" for each upcoming school year.

2. Agents/Solicitors must comply with all TPA regulations.

3. Each insurance company {403(b) accounts} and investment company/custodian {403(b) (7) accounts} must be approved by the district and/or state law (where applicable) before payroll reductions will begin.

4. The employee must request and receive approval from their principal or supervisor to meet with the agent at campus site prior to scheduling an appointment and the appointment must be made on the employee's own personal time and at a location determined by the employee and principal. Meetings should be held outside of the instructional day for example, before school, after school, or on a professional development days when the employee is not involved in training or other district meetings.

5. Agents/Solicitors must report his or her presence on campus to the building principal or department administrator prior to the scheduled appointment and follow appropriate check-in procedures.

6. Agents/Solicitors may not solicit business from other employees while on site. An appointment must be arranged for other employees and above procedures followed.

7. Literature is not allowed to be placed in employee's mailboxes or dropped off at any campus for distribution or forwarded through interoffice mail or company email.

8. Agents/Solicitors may not send sales materials or any type of literature to employees through interoffice mail or district email.

9. Solicitation by use of the district phone and/or email is not permitted.

10. Paperwork for new applications or changes must be submitted to Gentry Financial Group. There will be no payroll changes made without prior TPA authorization.

11. The forms necessary for new enrollments, increases/decreases, changing carriers, or stopping contributions must be submitted to Gentry Financial Group. All forms must be properly completed by the participant and the sales representative. Any form that is not completed properly will be rejected; the sales representative will be notified promptly. It is the responsibility of the sales representative to contact the employee and, in most cases, the employee's request for payroll reduction will be delayed until the following enrollment period or until the paperwork has been corrected. (If you are faxing paperwork, it is your responsibility to verify that the paperwork is received by Gentry Financial Group. Gentry Financial Group will not be held responsible for faxes that are not received by their office.

12. All paperwork will be processed according to the date received.

13. All 403(b) and 403(b) (7) account contributions will be made through the Third Party Administrator as the agent of the School District.

14. Any agent/solicitor who violates any of the District's policies will lose any and all privileges.

2.4 *Grants Management*

Reference or Contact **Director of Federal and State Programs**

The primary purpose of Grants Management is to facilitate, coordinate, and manage the district's discretionary/competitive grants. This includes research, preparation, and providing assistance and support during the development, implementation, monitoring, and evaluation of applicable grant-funded projects.

After the school district has received confirmation that a grant application has been approved, typically through a Notice of Grant Award, the Assistant Superintendent for Business and Financial Services or designee shall prepare and enter the grant budget on the general ledger. No funds may be expended until the grant approval has been received from the granting agency.

The following lists the grants MISD receives and the personnel responsible for each:

Assistant Superintendent for Curriculum and Instruction or Designee

- Title I Grants (including School Improvement grants) – Fund 211
- Title I, Part D, Subpart 1- Fund 211
- Title II, Part A Teacher/Principal Training and Recruiting – Fund 255
- Title III, Part A LEP Grant – Fund 263
- Title IV, Fund 289
- Title V, Part B Rural Schools Grant – Fund 270
- Perkins Career and Technical Grant – Fund 244

Director of Special Education

- IDEA B Special Education Grants – Funds 224, 225 and 226

Child Nutrition Coordinator

- National School Lunch Program - Fund 240

The grants coordinator shall work cooperatively with the grant managers listed above to ensure compliance with all grant requirements as they relate to grant activities, expending of funds, supplement not supplant, submitting reimbursement requests, financial reports, and evaluation reports. Please refer to the State and Federal Grant Manual for additional information regarding grant procedures and compliance. This manual can be obtained from Director of State & Federal Programs.

Grant Application Process

All discretionary/competitive grants submitted on behalf of Marshall ISD are subject to the Grant Application Process. For a complete outline of the application process, reference the Grant Procedures Manual.

2.5 Employee Travel

Reference or Contact **Assistant Superintendent for Business and Finance**

Board Members: Compensation and Expenses BBG (LOCAL)
Compensation and Benefits: Expense Reimbursement DEE (LOCAL)
Professional Development: Required Staff Development DMA (LOCAL)

An employee shall be reimbursed for reasonable, allowable expenses incurred in carrying out District business only with the prior approval. Reimbursement for

authorized travel shall be in accordance with legal requirements. Accounting records shall accurately reflect that no federal funds were used to reimburse travel expenses beyond those authorized for state employees and that these expenses comply with state and local guidelines. For any authorized expense incurred, the employee shall submit a statement, with receipts to the extent feasible, documenting actual expenses [See DEE].

Advances

The District does not provide travel advances for employees. School Board members may be provided a travel advance but upon return must provide itemized receipts as documentation to support the travel advance and any excess over actual allowable expenses shall be refunded to the district.

Travel Guidelines

All travel expenses shall comply with federal, state and local guidelines. The District shall apply the same travel guidelines and rates for all travel expenses regardless of funding sources, except for the following:

- Excess lodging above the GSA schedule, as applicable only with local funds (Fund 199) Federal guidelines (IRS)
- All travel expenses shall be paid under an Accountable Plan:
    1. Travel must have a business connection;
    2. The traveler shall account for all expenses;
    3. Excess advances, if any, shall be reimbursed to the district; and
    4. Meal expenses shall be in conjunction with overnight travel only.
- The meal expenses for the day of departure and return shall be adjusted as noted in the District travel guidelines.
- Travel advances will not be provided to travelers.
- Advances to board members in excess of actual expenditures need to be reimbursed to the district within 10 days from returning.
- If any travel expenses fail to meet the accountable plan guidelines, the payment to (or on behalf of) the traveler shall be considered taxable compensation.

Federal Guidelines (EDGAR)

All travel expenses paid with federal grant funds (typically funds 2XX) shall meet the new EDGAR requirements (200.474) such as:

1. all travel costs must be reasonable and necessary;
2. all travel costs must be consistent with the district's travel policy;
3. all travel costs must be directly related to the grant award; and
4. all travel costs must meet the obligation of expenses rules.

In addition, all federally-funded travel expenses must meet the TEA's Current Travel & Mileage Reimbursement Rates (as published in the most recent TEA Correspondence).

State Guidelines (TEA)

All mileage, lodging, and meal reimbursement rates published by the Texas Comptroller of Public Accounts apply to all grants (typically funds 2XX, 3XX and 4XX) funded by TEA for individuals on travel status. Refer to GSA rates for the current fiscal year at: https://fmx.cpa.state.tx.us/fm/travel/travelrates.php

All travel expenses paid with federal and state grant funds shall meet the allowable travel expenses as specified in the TexTravel Guidelines, subject to limits imposed by district travel guidelines.

Local District Guidelines

The local district guidelines shall apply to all travel expenses regardless of funding source for in-state and out-of-state travel.

A principal may attend two conference(s) per year. A maximum of one during the school year and one during the summer. [See DMD].

Employee requests to attend professional conferences must be submitted on a Travel Authorization and Expense Report Form (Appendix P-1) to the appropriate Assistant Superintendent for approval. This form can be obtained from Campus Secretary or the Business and Financial Services page on the MISD website under "Forms". The employee must supply information about the conference and justify the administrative and/or instructional, school related purpose to be accomplished.

If approved, and subject to availability of budgeted funds, travel expenses and registration fees may be reimbursable by the District for approved activities in accordance with District policy [see CE and DEE].

Travel must be approved prior to any commitment of district funds. All anticipated travel costs shall be encumbered to the appropriate budget account code(s) before any travel-related costs are incurred. The Administrative Assistant to the Assistant Superintendent for Curriculum and Instruction shall coordinate all campus based employee staff development travel arrangements and submit all related requisitions.

Travel expenses incurred due to the fault of a traveler, except for extenuating circumstances, such as late registration, cancelled flight, etc. are not considered to be reasonable or necessary; therefore, all such expenses shall be paid or reimbursed by the traveler.

Employee Reimbursements

The mileage and lodging reimbursement rates published by the comptroller apply to all travel reimbursement rates.

Employees will receive per diem at a rate of $45. On travel day, the per diem rate will be prorated at a rate of 75%.

Marshall ISD does not pay for any meals for day trips. A day trip is defined as a trip that does not require an overnight stay.

Lodging: The link below should be used to determine the appropriate maximum lodging rates for in-state and out-of-state travel for by location by month:

https://www.gsa.gov/travel/plan-book/per-diem-rates

These rates can change annually and are valid from October 1 – September 30 of each year.

If the city is not listed, but the county is listed, use the rate of the county.

For areas not listed (city or county), the rates are:

- Lodging In-State and Out-of-State: up to $250

General fund accounts shall be used to pay lodging costs in excess of the Domestic Maximum Per Diem Rates.

Mileage: The link below should be used to determine the appropriate rate for mileage reimbursement:

https://tea.texas.gov/about-tea/news-and-multimedia/correspondence/taa-letters/travel-reimbursement-rates-letter

District Allowable Travel Expenses

Per Diem

Employees will receive per diem at a rate of $45 per day.

To be eligible for a meal reimbursement, the traveler must be away from the District overnight. The maximum per diem rate will be prorated by 75% on the first and last day of travel.

Lodging

Lodging costs shall be allowable for travel events that require an overnight stay away from the traveler's home. No lodging shall be allowable in the traveler's home city at a commercial lodging establishment.

The maximum nights of lodging shall be based on the start and end times of the travel event and the distance of the travel location. Lodging costs that exceed the required minimum shall not be deemed necessary or allowable travel costs. For example, if an event in Dallas has a 9am or later start, lodging costs would not be reasonable, necessary or allowable travel costs for the night before the event.

Employees may request a purchasing card to make reservations for lodging after approval is obtained to travel by presenting an approved Purchase Order to the Finance Department. Employees are required to submit receipts for all charges made on the card. If receipts are not provided or the card was used for an unauthorized purpose, the employee will be required to refund the District for the expenses.

The federal per diem rates for lodging shall be used to determine the maximum amount that may be charged to a state or federal grant. The maximum lodging rate, for state and federal grants, shall be for the city of travel and the month of travel based on the GSA website.

Hotel and travel websites such as Hotels.Com, Expedia, Travelocity, etc. shall not be used to make hotel reservations if the website requires pre-payment of the hotel stay.

Lodging costs shall be paid with a district-issued credit card (travel card) on site at the time of arrival and/or departure based on the hotel's charging policy.

The traveler may, at his/her request, stay with a family member or friend instead of at a hotel. If the traveler selects this option, the traveler shall not receive any payment in lieu of lodging costs.

The traveler shall present a Hotel Occupancy Tax Exemption Certificate to a Texas hotel. If the traveler fails to present the certificate, the traveler shall reimburse the district for the unallowable tax expense. The Hotel Occupancy Certificate can be found on the district's website and the State Comptroller's Website. The hotel occupancy tax exemption does not apply to out-of-state travel.

The traveler shall present a Sales Tax Exemption Certificate to a Texas hotel for parking costs. If the traveler fails to present the certificate, the traveler shall reimburse the district for the unallowable tax expense. The Sales Tax Exemption Certificate can be found on the district's website and the State Comptroller's Website. The sales tax exemption does not apply to out-of-state travel.

When at least two (2) travelers (district employees) are traveling to the same event, they shall share the lodging and each receive the maximum lodging rate on the GSA schedule. District employees are required to share a room when reasonable and practical. However, supervisors do not share with their subordinates.

If you would like to have your own room the cost incurred will be the responsibility of the employee.

Lodging costs such as movies, gym facility, spa or other non-essential costs are not allowable for reimbursement or payment with any district funds.

Lodging tips may be paid at the traveler's discretion, but will not be allowable travel costs for reimbursement or payment with any district funds.

A detailed lodging receipt must be submitted by the traveler with the Travel Authorization and Expense Reimbursement Form within 10 days after the travel event.

Transportation – Flights

Flight costs shall be allowable for travel events that require travel away from the traveler's home.

The departure and return dates of the flight shall be based on the start and end times of the travel event and the distance of the travel location.

The actual cost of commercial air transportation (lowest coach fare) to accommodate the required travel dates of the travel event are allowable and reimbursement shall be limited to the lesser of the mileage or the actual flight cost.

Travelers should travel to their destination location by the most economical means, i.e. either flight or mileage; however, travelers may opt to travel to their event destination via district/personal vehicle in lieu of flying to the event for medical or personal comfort reasons. If the traveler opts to travel to an out-of-state destination, the costs/reimbursement for transportation shall be limited to the lesser of the mileage or estimated flight cost.

All flight costs associated with deviations from the required travel plans, such as pre or post personal days shall be paid by the traveler. For example, if the required travel dates are Sunday through Wednesday, but the traveler opts to depart on Friday to spend personal days at the travel destination, the additional cost, if any, to fly on Friday shall be paid by the traveler. All additional hotel days, meals, etc. will be at the employee's expense.

Transportation – Parking Charges

Parking charges shall be allowable for all travel events in-state and out-of-state. Valet parking will only be redeemed up to the cost if the traveler would have used self-park. Valet is redeemable in full if the hotel does not have self-park facilities.

Parking receipts must be submitted by the traveler with the Travel Authorization and Expense Reimbursement Form within 10 days after the travel event.

Transportation – Taxi, Shuttle, etc.
Taxi and shuttle costs shall be allowable for all in-state and out-of-state travel events, as applicable, if the traveler is on travel status.

Taxi and shuttle tips may be paid at the traveler's discretion, but will not be allowable travel costs for reimbursement or payment with any district funds.

Out-of-District Transportation – Mileage
Mileage reimbursements shall be allowable for travel events that require travel away from Marshall.

Travelers who drive their personal vehicle shall be reimbursed at the current mileage rate established by the Texas Comptroller and/or TEA.

The District has chosen the MapQuest mapping system to document mileage reimbursements. A MapQuest printout with the mileage from Marshall to the destination city (City to City, not Address to Address) shall be printed and attached to the Travel Authorization and Expense Reimbursement Form.
Mileage costs related to personal destinations before, during or after the travel event shall not be allowable costs. In addition, mileage costs due to the traveler's error in reaching the destination, such as getting lost shall not be allowable costs.

When four or fewer employees travel on the same itinerary, only one may be reimbursed for mileage. When more than four employees travel on the same itinerary, only one out of every four may be reimbursed for mileage. The district shall allow for an equal distribution of the mileage allotment among the travelers if they all opt to drive separately to the event. However, if an employee decides to take their own vehicle and not carpool with the group, they will not receive mileage reimbursement.

Registration Fees
Registration fees for a conference, workshop, or other training event as supported by a registration form are allowable costs. Fee-based optional events such as a speaker or awards luncheon shall be approved on a case-by-case basis if the event fee is reasonable and the traveler would derive a work-related benefit from attending the event. See the Administrative Guideline entitled "Allowable Food and Beverage Expenditures for Employees" for additional information.

The authorized travel expenses shall be supported by the registration form and Schedule of Events. The documentation shall include the start and end dates of the event, event location and registration fee.

A copy of the registration form and Schedule of Events shall be submitted with the Travel Authorization and Expense Reimbursement Form.

District Non-Allowable Travel Expenses

- Alcoholic drinks or beverages
- Entertainment expenses, such as in-room movies, fee-based hotel amenities such as gyms, spas, etc.
- Expenses for spouses or other non-district employees
- Expenses due to the traveler's failure to cancel a registration or travel arrangements (except for extenuating circumstances)
- Hotel Internet charges (unless expense is work-related and pre-approved on travel authorization)
- Non-substantiated or fraudulent travel reimbursement requests shall be non-allowable travel expenses. Travelers who submit fraudulent travel reimbursement requests shall be subject to disciplinary action, up to and including termination of employment.

Travel Documentation

Travel Costs must be properly documented to be reimbursable. The employee must document travel costs with the Travel Authorization and Expense Reimbursement Report (Appendix P-1). This form can be obtained from Campus Secretary or the Business and Financial Services page on the MISD website under "Forms". Auditable documentation must include the following at a minimum:

- Name of individual claiming travel reimbursement
- Destination and purpose of the trip, including why it was necessary
- Dates of Travel
- Actual mileage (not to exceed reimbursement at the maximum allowable rate)
- Actual amount expended on lodging per day, with a receipt attached (may not exceed the maximum allowable)
- Actual amount expended on public transportation, such as taxis and shuttles
- Actual amount expended on a rental car, with a receipt attached and justification for why a rental car was necessary and how it was more cost effective than alternate transportation; receipts for any gasoline purchased for the rental car must be attached (mileage is not reimbursed for rental car - only the cost of gasoline is reimbursed)
- Actual amount expended on incidentals, such as hotel taxes, copying materials, and other costs associated with the travel
- Total amount reimbursed to the employee.

Travel costs not supported by proper documentation as described above are not allowable.

2.6 Membership Dues for Administrators

Reference or Contact **Assistant Superintendent for Business and Finance**

The Marshall Independent School District may pay for professional association membership dues if the basic membership is solely for the professional development of the administrator. Those memberships which offer benefits of a personal nature such as life insurance, medical insurance, legal representation, etc., which are not separate fees from the membership fees will not be paid from district funds. If charges for these benefits are invoiced separately, the district will pay only the portion attributable to the basic membership and will not pay for any portion of the invoice attributable to the group benefits, i.e., life insurance, medical insurance, legal representation, etc.

Membership fees eligible for reimbursement by the district are subject to the following guidelines:

- The organization must be dedicated to the professional development of school district employees.
- Funds must be budgeted.
- A purchase requisition for the dues must be processed and approved by the employee's immediate supervisor or an administrator of a higher level.
- Membership dues paid by the district are limited to one (1) per fiscal year. Administrators may request approval for a second membership. A written request substantiating the benefit of the additional membership to the District must be submitted to the Superintendent for approval.
- Organizations eligible under these guidelines are limited to:

CTAT	Career and Technology Administrators of Texas
TAPT	Texas Association of Pupil Transportation
TASA	Texas Association of School Administrators
TASB	Texas Association of School Boards
TASBO	Texas Association of School Business Officials
TASN	Texas Association of School Nutrition
TASPA	Texas Association of School Personnel Administrators
TASSP	Texas Association for Secondary School Principals
TCEA	Texas Computer Education Association
TEPSA	Texas Elementary Principals & Supervisor Association
THSCA	Texas High School Coaches Association
TMEA	Texas Music Education Association
TSPRA	Texas School Public Relations Association

For the purpose of this guideline, "administrator" includes superintendent, deputy superintendent, assistant superintendent, director, supervisor, coordinator, principal, assistant principal, and specialist.

Requests for approval of organizations other than those listed above may be submitted to the Assistant Superintendent of Business and Finance.

2.7 Post Award Grant Management

Reference or Contact: **Director of Federal and State Programs**

The Director of Federal and State Programs provides support to staff, campuses and departments once a grant is awarded to the district. The level of staff support is determined by several factors:

1. Scope of award
2. Amount of award
3. Level of difficulty administering the grant award

Examples of the most common areas of support are:

1. Interpreting the Grant Award Notification (GAN)
2. Reviewing and interpreting grant documents; and establishing timelines for grant management
3. Understanding funder relations
4. Discussing staffing needs in accordance with grant requirements
5. Assessing the need for budget modifications
6. Processing Marshall ISD internal systems which require communication of award and coordination of services
7. Identifying reporting requirements (program, fiscal and evaluation)
8. Tracking expenditures and Administer the Budget

The Director of Federal and State Programs will notify the Point of Contact listed on the Intent to Apply form as to the level of support that can be expected from the department. A detailed outline of the Post Award Grant Management process is listed in the GMD Handbook.

2.8 Processing of Contractual Agreements

Reference or Contact: **Assistant Superintendent for Business and Finance**

Any type of agreement, contract or terms and conditions (software, online usage, testing online, etc.) must be reviewed by the business office before purchase or execution of service/goods takes place. This includes any document that requires a signature. Only the Board of Trustees is authorized to execute these documents or the board's designee per board policy. When in doubt, please check with the financial services department. Please do not sign your name to commit the district to an agreement, contract or terms and conditions. This includes agreements to purchase Six Flag tickets.

You must enter a purchase order for the agreement, contract or terms and conditions.

You must choose “CONTRACT” under project grant on the first requisition screen.

You must attach the APP F-1 Contract Approval Form with the appropriate campus/department approval signature, an explanation, the agreement, contract or terms and conditions. If the contract exceeds $50,000 and/or requires board approval, you must also attach APP E-1 Agenda Action Sheet Template. These forms can be obtained from Campus Secretary or the Business and Financial Services page on the MISD website under “Forms”.

The purchase order should be submitted with as much information as possible so the execution of the documents can be accelerated through the process. You must include vendor contact information.

All requisitions with “CONTRACT” must be routed to the financial services office after campus and department approval.

The purchasing coordinator will review the requisitions for information and coding and route to the Assistant Superintendent for Business and Financial Services.

The Assistant Superintendent for Business and Finance will coordinate all documents with the Superintendent’s office for review by legal counsel when necessary. All original documents must be hand delivered to the Assistant Superintendent for Business and Finance office for signatures. The above process will facilitate the review of the documents and processing of purchase orders.

Once legal counsel has reviewed and all negotiations have taken place the document shall be forwarded to the Superintendent’s office to be executed.

Once the document is executed and/or approved, the requisition will be approved and the goods and/or services can then be purchased.

If the contract, agreement or terms and conditions do not warrant a purchase by the district then the original document is to be delivered to the Assistant Superintendent for Business and Finance office with the Independent Contractor Agreement Approver Form attached.

2.9 **Purchase of iPad Applications**

Reference or Contact: **Assistant Superintendent for Business and Finance**

With the purchase of Apple iPads, the District has developed an efficient and effective way to purchase iPad applications (apps) that safeguard the district’s assets and save the district money. There are numerous problems with purchasing apps with gift cards:

- The gift card can be lost or stolen and cannot be replaced

- Purchases with gift cards are charged tax
- There is no volume purchase benefit for the school district
- Gift cards could be used to load apps on personal iPads, etc.

Working with Apple and the Technology Department staff, we believe we have come up with a solution that addresses these issues. The procedures are outlined below.

General Rules for iPad Apps purchased through Marshall ISD funds:

- They may only be installed on Marshall ISD owned equipment, not on personal iPads belonging to students or staff. It will be the Principal and/or Department head's responsibility to ensure that their organization is in compliance.
- No gift cards are allowed to be purchased for iPad apps. All apps must be procured through this designated process. This is to ensure that we maintain an accurate inventory, do not pay sales tax, and receive the volume discount price. Volume discount pricing is offered on purchases of quantities of 20 or more of the same app.
- iPad apps are being purchased through a volume discount program in order to receive discounted pricing on apps; therefore, orders will be consolidated among campuses whenever possible.
- This program will not work for the iBooks; however, there are now some books that have their own apps. This program also cannot be used to buy music, television programs, or movies.

Apple iPad App Purchase Process:

1. All App requests must be sent to the Technology Department through the "App Request Form" (https://goo.gl/forms/6EHf73o1inaMNhl13).
2. This form includes name of Apps, number of Apps, cost per App and School or Department requesting the Apps.
3. The Technology Department will contact Apple for a quote. This request to Apple will include the Volume Purchasing Apple ID from the requesting Department/Campus.
4. The Apple quote will be sent to the requesting Department head/Principal for approval.
5. The Technology Department will then create a Skyward PO Request using the quote and Department/Campus budget account and submit for approval.
6. Once the PO is approved, the MISD Business office will place the order to Apple.
7. When Apple has received payment for the Apps, Apple will send a confirmation email to the Technology Department managed Apple ID account.

8. The Technology Department will use the information in the Apple email to add credit to the Department/Campus Apple Volume Purchasing Program account.
9. The Technology Department will use the Apple VPP credit through the MISD iPad management system (JAMF Pro) to remotely distribute the Apps to the appropriate iPads.

2.10 Textbook Procedures

Reference or Contact **Instructional Technology Coordinator**

I. Textbook Responsibilities

A. Principal/Assistant Principal Responsibilities (Campus Textbook Coordinator)

The Principal has the primary responsibility for the care and distribution for textbooks at each campus. An assistant principal or clerk may be assigned the duty of Campus Textbook Coordinator by the principal. The Campus Textbook Coordinator will be responsible to the principal for the proper disposition of his/her duties. The principal, however, remains the primary custodian at the campus.

The Campus Textbook Coordinator shall carefully control the textbook activity within the school. The Campus Textbook Coordinator:

1. Verifies campus shipments of instructional materials and forwards packing slips to the District Textbook Coordinator.
2. Establishes campus procedures and maintains records for distributing textbooks to teachers.
3. Keeps all extra instructional materials in a controlled bookroom with limited access.
4. Completes all required reports from the District Textbook Coordinator.
5. Ensures that teachers, students, and parents are made aware that fines will be assessed for damage to instructional materials.
6. Ensures that proscribed accounting procedures are followed for funds collected for lost, destroyed, or damaged textbooks. Textbook records are auditable documents that must be kept for the life of the adoption plus two years or a minimum of eight years.
7. Sends all funds collected from students for lost, damaged or destroyed instructional materials to the Business Services Office at the end of the year to be returned to the district textbook account.
8. Conducts an annual physical inventory of all currently adopted instructional materials.
9. Submits all textbook requests to the Curriculum Department. The Curriculum Department and the District Textbook Coordinator will approve all orders.

10. If the campus is adding a new course, which will require the use of a textbook, you must inform the Curriculum Department and the District Textbook Coordinator as soon as the final decision is made. Textbooks will not be supplied for programs or courses that have not been approved by the Curriculum Department.
11. Promptly send all student consumable textbooks to the new campus when students transfer in district. Student consumable textbooks can be reused when a student transfers out of district if the pages that were used are removed from the textbooks.
12. Returns all textbooks to the campus textbook storage area at the end of the school year or at the end of the semester for any discontinued classes.

B. Teacher Responsibilities

The classroom teacher must:

1. Keep secure and in good condition all student and teacher materials issued.
2. Keep an accurate record of all textbook numbers received as class sets and issued to students.
3. Conduct periodic textbook inspections as required by the principal or campus textbook coordinator.
4. Notifies the Campus Textbook Coordinator when a textbook is lost, destroyed, or damaged by the student.
5. Notifies the Campus Textbook Coordinator if additional textbooks are needed.
6. Return all surplus textbooks to the bookroom.
7. Check the textbook number and condition of the textbooks as they are returned by the students.
8. Return all textbooks to the bookroom at the end of the year or the end of the course, for purposes of inventory.

C. Student/Parent or Guardian Responsibilities:

The student with his/her parent or guardian:

1. Is responsible for the student's textbook if a book has been issued to the student.
2. Must return all textbooks to the teacher at the end of the school year, end of the course, or at the time of withdrawal from class or school.
3. Responsible for keeping issued textbooks in good condition. Writing in, or marking on a non-consumable textbook is not allowed.
4. Reimburse school for all lost, destroyed, or damaged textbooks issued to student.

II. Ordering, Distribution and Use

A. District Guidelines and Procedures

1. The public schools of Texas shall provide Instructional Materials Allotment (IMA) funds for purchasing textbooks that have been adopted by the State Board of Education. A school district may also procure and use un-adopted books and materials through the IMA process. Districts are accountable for the use of the IMA funds and shall keep current records of all requests made via EMAT (current state adoptions) and for any disbursements for equipment and materials which not state adopted.
2. The Educational Materials and Textbooks System (EMAT) is the electronic ordering system used by school districts to order state adopted materials.
3. The district textbook coordinator shall request additional textbooks from the state when the district is eligible and if the curriculum department approves the use of IMA funds.
4. The district shall report any shipment discrepancies to the shipping location (publishers or depositories) within 10 days of the shipment.

B. Campus Guidelines and Procedures

1. The campus shall receive and verify shipments and transfers.
2. The campus shall report any shipment discrepancies to shipping location within 10 working days.
3. The campus may request additional textbooks from the District Textbook Coordinator when eligible and when a need arises. If the books are not available within the district, the coordinator will send that request to the curriculum department for approval prior to ordering textbooks via EMAT.
4. All transfers shall be made through the District Textbook Coordinator. A campus may not transfer textbooks to another campus unless directed to do so by the district office. A campus may not lend textbooks to any individual, organization, another campus, or another school district.
5. Each principal shall establish necessary control procedures for the management of the textbook inventory on the campus.

C. Definitions and Information

TRANSFERS - A transfer of textbooks takes place when books are moved within the district from one location to another. To ensure that textbook

records are accurate and up-to-date, all transfers are to be handled through the District Textbook Coordinator.

REQUESTS - When a campus requires, and is eligible for, additional textbooks because of a membership increase, a request must be made through the District Textbook Coordinator (the Follett Textbook Inventory System used by Marshall ISD has an entry screen for submitting requests for textbooks)

Requests will be filled or denied based upon the campus membership, number of textbooks in the campus inventory, and the number of textbooks available in the district inventory. If the requested textbooks are not available within the District's inventory, the District Textbook Coordinator shall send that request to the curriculum department for approval prior to ordering any textbooks via EMAT.

SHIPMENTS - Before the beginning of school each year, an initial supply of textbooks is shipped. This shipment will contain the first receipt of newly-adopted titles, consumable books and textbooks required to meet the needs of the fall membership. The numbers used to fill the initial fall shipment are from the previous fall PEIMS report.

The initial distribution of textbooks will be facilitated by the District Textbook Coordinator. It is the responsibility of the receiving location to verify the shipment count. Any discrepancies must be reported to the district textbook office within ten working days.

DISCREPANCIES - It is the responsibility of the receiving location to verify the count of the textbook shipment. If there is a discrepancy, the receiving location has ten working days to notify the shipping location of the difference. The discrepancy is to be sent to the shipping location either my email or fax. The discrepancy must be identified within ten working days of the initial shipment or the discrepancy is not honored. The numbers are to be verified by each location and the actual number of textbooks in the shipment should be recorded on the receiving form.

CONSUMABLE TEXTBOOKS - Consumable textbooks, textbooks in workbook format designed to be completely used and written in throughout the year, are to be sent with school records when a student transfers from one school to another within the district. Consumable textbooks are not to be sent with student records when a student transfers out of the district. If a campus is in need of additional consumable textbooks during the school year, contact the District Textbook Coordinator.

LENDING OF TEXTBOOKS - Textbooks may not be loaned to individuals who do not have school-age children in your building, outside groups, organizations or school districts. The District Textbook coordinator will furnish publisher's name, address and phone number, so individual may arrange to purchase the textbooks.

MEMBERSHIP - Membership is defined as the number of students enrolled in a grade and/or subject. Grades K-6 report the number of students enrolled in a grade. Grades 7-12 report the number of students enrolled in a subject. The membership data is used to determine how many books the district or campus is eligible to receive.

ACCELERATED STUDENTS - High school textbooks may be used by seventh and eighth grade students enrolled in accelerated classes. Use of books must be approved by the subject area coordinator. The students must be included in the high school subject enrollments for which the textbooks are needed and receive high school credit.

BILINGUAL MEMBERSHIP - Students identified as bilingual and enrolled in designated classes are entitled to bilingual textbooks. Bilingual textbooks are defined as textbooks written in Spanish for pupils not proficient in English. Bilingual students are eligible for the bilingual textbooks as well as the adopted English textbook for each subject.

ANCILLARIES - Instructional materials may be provided at no cost by publishers to school districts who adopt and order the publisher's textbooks. Under TAC 67.4(b) ancillary materials listed by publishers and made available at no charge to the school districts must be provided to each district that orders the adopted materials at the same ratio for the duration of the contract period. **Marshall ISD does not track these materials. Each location is responsible for maintaining and replacing ancillary materials.**

PUBLISHERS ARE PROHIBITED FROM PROVIDING SCHOOL DISTRICTS WITH ANCILLARY MATERIALS NOT LISTED WITH THE DIVISION OF TEXTBOOK ADMINISTRATION.

ENGLISH AS A SECOND LANGUAGE (ESL MATERIALS) - Instructional material designed for the instruction of non-English speaking students not restricted to one language. Since ESL is not designed for use only with Spanish speaking students, ESL students are not entitled to Spanish materials.

MULTI-VOLUME SETS OF TEXTBOOKS - Textbooks which are comprised of more than one individual title are called multi-volume sets of textbooks. Such sets will be assigned a bar code number for each volume of

the set. Campuses will be responsible for replacing an individual textbook belonging to a set.

D. LOST TEXTBOOKS

1. *District Guidelines and Procedures*
    a. The District Textbook Coordinator shall collect money for lost and paid textbooks from each campus to purchase replacement textbooks.
    b. The district shall collect money identified for lost and paid textbooks from each campus and send a statement of reconciliation to each campus.
    c. The campus inventories shall be adjusted to reflect lost textbooks for which payment has been received.
    d. The campus inventories shall be adjusted to reflect lost or destroyed textbooks wherein the student was not at fault and payment was not made. The district shall notify TEA of no fault losses within 30 days of the occurrence.
    e. The district shall send lost textbook information to TEA so that the district records can be adjusted or the funds may be used to purchase new or used textbooks to replace lost or destroyed textbooks.
    f. At any time during the year, lost and paid textbook records may be reconciled and inventories adjusted.

2. *Campus Guidelines and Procedures*
    a. The campus shall ensure that all required accounting procedures are followed for moneys collected for all lost, destroyed or damaged textbooks.
    b. The campus shall send all money collected from students for sales (included payment for lost and destroyed textbooks) to the Business Office (money should be kept in a campus activity account until the appropriate time to send to the District Account – normally at the end of the school year).
    c. The campus shall report all textbooks needing to be replaced due to destruction or wear to district office.
    d. The campus shall send notification to the forwarding campus of any student owing for outstanding payment for lost, destroyed or damaged textbooks.
    e. The campus shall notify the parent or guardian when a textbook is lost or damaged by letter and phone call.
    f. When payment for a textbook is remitted by a student, the textbook becomes the property of the student.
    g. The campus may waive or reduce payment requirement if a student is from a family of low income. Low income in this instance is defined as students eligible for free or reduced lunch.

2.11 **Procurement**

Reference or Contact **Assistant Superintendent for Business and Finance**

All Marshall ISD purchasing levels and requirements must be followed. This chart is located on the business and finance page of the Marshall ISD website.

It may be determined that the only method to secure a particular product or service is by following the formal bid/proposal process. In such instances a Request For Proposal (RFP) will be prepared by the Finance Coordinator. This will ensure that all legal requirements are met by the District. The Finance Coordinator will prepare the RFP document, handle publication, select the members of the committee, and set all meetings times. All sealed bids will be submitted directly to financial services and kept in the vault until a committee meeting has been set. The Assistant Superintendent for Business & Finance will be a member of every selection committee and must be present when all sealed bids are opened.

3 COMMUNITY RELATIONS

3.1 **Campus Partnership Activities**

Reference or Contact: **Director of Communications**

Approval process - Marshall ISD requires all school partnership activity proposals and programs be reviewed and approved by the principal. The principal shall determine academic value, need, and/or merit of the partnership activity.

Proposals, programs and partnership plans must be submitted in writing prior to any partnership activity taking place. Business coordinators and campus coordinators shall promptly receive written notice of approval, change requests, or denial.

Activities during the school day - All partnership activities taking place during the school day must demonstrate academic value and purposes closely tied into Texas Essential Knowledge and Skills (TEKS) and reinforce or demonstrate valid learning objectives.

Activities outside the school day - Partnership activities may take place outside the normal school day, including before or after school and weekends. These activities are also subject to campus principal approval and must be submitted in writing for approval.

Criminal history and background checks - All prospective Marshall ISD volunteers and mentors, 18 years of age and older, shall complete and pass a criminal background check prior to serving on Marshall ISD campuses.

Student volunteers from other schools - Student volunteers under age 17 from neighboring schools and their teachers or sponsors do not have to undergo a criminal background check at Marshall ISD. Student volunteers must be accompanied at all times by their teachers or sponsors, and must always be approved by the campus principal.

Celebration Days – All school celebration days will be set in the summer prior to the beginning of the school year. Celebration Days must be agreed upon by principals, the Director of Communications and the Superintendent. Celebration Days include but are not limited to:

- Dress Up Days
- Class Parties
- Campus Parties
- Activities that take away a significant amount of time from classroom learning

3.2 Flyer Distribution (non-district literature)

Reference or Contact: **Director of Communications**

As a community service, Marshall ISD will distribute or display promotional flyers, notices, announcements and brochures for non-profit or tax-exempt organizations. Literature to be distributed must promote an event or service that benefits students, parents, or staff of the district.

Requirements for Consideration

Flyers must:

- Be produced by a non-profit, tax-exempt organization
- Benefit a significant number of Marshall ISD youth and/or parents and staff
- Include name of the organization sponsoring the service or event

Approval Process for Distribution

These guidelines will be used for approval of non-school literature and flyers distributed in Marshall ISD. All flyers and/or literature must be submitted to the MISD Office of Public Relations/Communications for approval to be distributed.

- The flyer must clearly indicate the activity is for students.
- All flyers must include the following disclaimer: "This organization and its activities are not related to or sponsored by the Marshall Independent School District."
- The flyer must be submitted through PeachJar in order to receive approval by the Communications Department.
- Unauthorized solicitation of personal business for profit is strictly prohibited on any MISD campus.

- Once approved, flyers will be distributed by email to the parents/guardians of students at the appropriate campuses.
- MISD will not be responsible for the copying, editing or active distribution of flyers. Duplication of the flyers is the sole responsibility of the organization requesting permission to distribute.
- If at any time it is determined that previous non-school literature presented for approval contains false information or did not accurately represent the intent of the program, the approval of future material submitted by the requesting organization will be jeopardized.

Any questions regarding this policy or the distribution of non-school literature on MISD campuses may be directed to the Office of Communications via email at communications@marshallisd.com, or via phone at 903-927-8727.

The Superintendent has designated the Director of Communications and the Community/Volunteer Coordinator to be responsible for reviewing and approving flyers for external, non-school groups or organizations that provide evidence of non-profit or tax-exempt status.

The Director of Communications may approve a flyer from a for-profit business or organization if it promotes a fundraiser that benefits a significant number of Marshall ISD students or if it contains a coupon for a free gift for students and/or staff members with no special conditions or restrictions.

3.3 Nondiscrimination Disclaimer Statement

Reference or Contact: **Director of Communications**

Background information

Marshall ISD strives to comply with the Office of Civil Rights with regard to the nondiscrimination requirements of Title IX, Section 504 and the Rehabilitation Act of 1973, as amended. Prior to and throughout each school year, the district notifies students, parents, employees and the general public that it does not discriminate on the basis of race, color, national origin, sex, disability or age.

Text of statement

Statement of Non-Discrimination

The Marshall Independent School District (District) as an equal opportunity educational provider and employer does not discriminate on the basis of race, color, national origin, sex, religion, age, disability, or genetic information in educational programs or activities that it operates or in employment matters. The District is required by Title VI and Title VII of the Civil Rights Act of 1964, as amended, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, as

amended, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, as well as Board policy not to discriminate in such a manner.

For information or complaints regarding compliance with the nondiscrimination requirements of Title IX, contact Marshall ISD Assistant Superintendent of Auxiliary Services at 903-927-8700 and/or Marshall ISD Director of Athletics, at 903-927-8809. For information or complaints regarding compliance with the nondiscrimination requirements of Title VI and Title VII, as amended, contact Marshall ISD Assistant Superintendent of Auxiliary at 903-927-8700. For information or complaints regarding compliance with the nondiscrimination requirements of Section 504 or the Rehabilitation Act of 1973, as amended, contact Marshall ISD Section 504 Coordinator at 903-927-8700 or; 1305 E. Pinecrest Drive, Marshall, Texas 75670.

Declaración de No Discriminación

El Distrito Escolar Independiente de Marshall (Distrito), como proveedor y empleador educativo de igualdad de oportunidades, no discrimina por motivos de raza, color, origen nacional, sexo, religión, edad, discapacidad o información genética en los programas o actividades educativas que opera ni en asuntos laborales. El Distrito está obligado por el Título VI y el Título VII de la Ley de Derechos Civiles de 1964, según enmendada, el Título IX de las Enmiendas de Educación de 1972, la Ley de Discriminación por Edad de 1975, según enmendada, la Sección 504 de la Ley de Rehabilitación de 1973, la Ley de Estadounidenses con Discapacidades, así como la política de la Junta a no discriminar de esa manera.

Para obtener información o presentar quejas sobre el cumplimiento de los requisitos de no discriminación del Título IX, comuníquese con el Superintendente Asistente de Servicios Auxiliares del MISD al 903-927-8700 y/o con el Director de Atletismo del MISD al 903-927-8809. Para obtener información o presentar quejas sobre el cumplimiento de los requisitos de no discriminación del Título VI y el Título VII, según enmendados, comuníquese con el Superintendente Asistente de Auxiliares del MISD al 903-927-8700. Para obtener información o presentar quejas sobre el cumplimiento de los requisitos de no discriminación de la Sección 504 o la Ley de Rehabilitación de 1973, según enmendada, comuníquese con el Coordinador de la Sección 504 del MISD al 903-927-8700 o en 1305 E. Pinecrest Drive, Marshall, Texas 75670.

Use of disclaimer statement

The disclaimer statement shall appear in all communications used in the core business of the school district. Accordingly, the statement shall appear in the following publications: employee handbooks, district policies and procedures, student handbooks, course catalogs, recruitment materials, applications for employment, newsletters, bulletins, flyers, news releases, district and campus websites, and e-mail communications with external parties.

Non-use of disclaimer statement
The disclaimer statement shall not appear in publications relating to the celebration of achievements by students and staff members.

3.4 Notification & Communication of Major Incidents

Reference or Contact: **Director of Communications**

Introduction
Marshall ISD strives to maintain open lines of communication between the district and the Greater Marshall community including parents, supporters, school board members, business owners and the news media.

The Superintendent shall keep the Director of Communications informed about emergencies and other major incidents that occur on campuses and other school facilities. The Director of Communications also serves as media liaison and spokesperson for Marshall ISD during these incidents.

In emergency situations, the Director of Communications is responsible for gathering and disseminating facts. The Chief of Police shall assist if an unlawful act has occurred.

Information protected by the Family Educational Rights and Privacy Act (FERPA) will be withheld.

"Major Incident" Defined - A "major incident" at a Marshall ISD campus or facility is defined as:

- Any occurrence that causes a response by an emergency vehicle including but not limited to ambulance, fire truck and police.
- Any occurrence that results in a facility lockdown or deviation from the normal bell schedule.
- An altercation between students that causes a major disruption of the educational environment.
- An illegal infraction by a student or staff member that occurs on school property and results in an arrest.

Notification Procedure

The Principal's designee shall promptly inform the Administrative Assistant to the Superintendent of any occurrence resulting in an emergency vehicle response to the school and any major disruption of the educational environment.

The Chief of Police shall promptly inform the Superintendent or Designee of any major occurrence resulting in the safety of students and/or staff.

The Superintendent or Designee shall briefly notify the School Board and Cabinet members (Including Director of Communication) about events listed above that occur on campuses and other school facilities.

The Superintendent and Director of Communications will develop a communication plan for parents and the community.

3.5 Outstanding Teachers/Teacher of the Year Program

Reference or Contact: **Director of Communications**

Marshall ISD annually recognizes high quality teachers at each of its campuses through the Teachers of the Year Program. The program begins in the spring with the identification process at the campus level. Campus Teachers of the Year are recognized at the April Regular School Board Meetings. Each of the honorees then has the opportunity vie for Marshall ISD elementary or secondary Teacher of the Year. Winners at the district level are announced at the May Regular School Board Meetings and then advance to Region XII and possibly state competition.

3.6 Public Information Requests: Law

Reference or Contact: **Director of Communications**

An Overview of the Laws

As a tax-supported governmental entity, all records collected, assembled or maintained by the Marshall Independent School District are considered public information unless they are excepted from required disclosure under Texas Government Code Chapter 552 or expressly confidential under other law.

The Texas Public Information Act governs public requests for the various types of records held by school districts. This administrative guideline will outline the general provisions of the Public Information Act, including responding to records requests and identifying which records are subject to public inspection.

How the Request Process Works

The Texas Public Information Act directs the officer in charge of public record to promptly produce public information for inspection, duplication, or both when requested in writing by any member of the public. Written requests do not have to be in any particular form. However, the request should be addressed to the officer for public records and should identify the information sought as accurately as possible. The district can ask for clarification if it cannot reasonably understand the request. The district must make a good faith effort to explain what types of records are available in order to help the requestor narrow a vague request.

Public records include information recorded on paper, film, tape, mylar, linen, silk, vellum, and any magnetic, optical, or solid state device that can store an electronic signal. The general forms in which the media containing public information might exist include a book, paper, letter, document, printout, photograph, film, tape, microfiche, microfilm, photostat, sound recording, map, and drawing, as well as a voice, data, or video representation held in computer memory.

Section 552.228 provides that if public information exists in an electronic or magnetic medium, the person seeking the information may request a copy either on paper or in an electronic medium. The district must provide the information in the requested medium if the district has the technological ability to do so. However, the district is not required to purchase any software or hardware in order to accommodate the request. Further, the district is not required to provide the information in the requested medium if to do so would violate the terms of a copyright agreement between the district and a third party. If the district is unable to comply with the request for information in a specific medium, then the district must provide a copy of the information on paper or another medium acceptable to the requestor. A requestor cannot insist that a district copy information onto a diskette or other material provided by the requestor; instead, the district may use its own supplies.

The Act does not require school districts to prepare new information upon request or to create a record where none exists. In addition, if the requested information comes into existence *after* a request has been made and answered, the district has no duty to inform the requestor of that fact or to provide the previously requested information. Nor does a school district have to comply with a continuing request to supply information in the future on a periodic basis as it is prepared. Furthermore, the district does not have to prepare answers to questions or do legal research for requesters. Finally, a school district is not required to organize information in a particular way to suit the requestor.

If (1) a request for public information would require “programming or manipulation of data,” and compliance with the request is “not feasible” or would result in substantial interference with the district’s ongoing operations; or (2) “the information could be made available in the requested form only at a cost that covers the programming and manipulation of data,” then a governmental body is required to provide the requestor

with a written statement (a) describing the form in which the information is available, (b) describing what would be required to provide the information in the requested form, and (c) stating the estimated cost and time to provide the information in the requested form. The district must provide the statement within 20 days after receiving the request for information. However, if the district gives written notice within 20 days that it needs additional time to comply with the request, then the district shall have an additional 10 days to provide the statement.

If the requested information is unavailable because it is either in active use or in storage, the officer for public records must certify that fact in writing and set a date and hour within a reasonable time that the records will be available. Whether a governmental body releases the records sought in a reasonable amount of time depends on the facts surrounding each request. If a large amount of information is requested, the governmental body may discuss with the requestor how to narrow the scope of the request, but the governmental body may not inquire into the purpose for which the information will be used. Nor may a school district consider the requestor's motivation for seeking public information in determining whether to produce such information. All requests are to be treated "uniformly without regard to the position or occupation of the person making the request, the person on whose behalf the request is made, or the status of the individual as a member of the media." In fact, the officer for public records may not make any inquiry of the requestor other than to establish the party's identification and the nature of the public records requested. The Act does not authorize a governmental body to withhold information or to limit the availability of public records except by way of the exceptions specifically set forth in the Act.

An individual has a special right of access to public records containing information (1) that relates specifically to that person and (2) that is protected from public disclosure in order to protect the person's privacy. A governmental body may not withhold information from that person on the grounds that the information is confidential; however, the information may be withheld from that person based on other grounds under the Public Information Act.

The requestor must complete his or her examination of the records no later than 10 days after the records are made available. However, the officer for public records must extend this period by an additional 10 days if, within the initial 10-day period, the requestor asks for an extension in writing. The officer must extend the *additional* period by yet another 10 days if, within the additional 10-day period, the person requests *another* extension in writing.

Charges for Producing Public Records

For making copies of public records, a school district may charge an amount that reasonable includes all costs related to reproducing the information, including the costs of the materials, labor, and overhead. If, however, the request is for 50 or fewer pages of paper records, the charge must be limited only to the photocopying costs,

unless the pages to be copied are located in more than one building or in a remote storage facility.

The General Services Commission adopts and publishes guidelines for such costs. Governmental bodies (other than state agencies) may determine their own charges for producing copies but cannot exceed the General Services Commission guidelines by more than 25 percent, unless they request and receive an exemption based on good cause. However, no charge may be imposed for making available for *inspection* any public information that has to be removed. If the district must remove information from records in order to comply with a request for public inspection, the district may impose a charge only for the cost of making a copy of the page from which the information was removed; no charge other than the cost of the copy may be imposed.

The officer in charge of records may not consider the cost or method of supplying requested information in determining whether the information is public and, therefore, subject to inspection. However, a district can require a bond for the payment of costs, or prepayment of the anticipated costs, if the record preparation would by “unduly costly” and “would cause undue hardship” to the district if the costs were not paid.

For more information about charges for producing public records, please refer to Administrative Guideline 3.7.

Attorney General Opinions

If a district receives a request for information and the records officer is not sure whether the information should be disclosed to the public, then the district should submit a written request to the Attorney General for an opinion on whether the records should be released. The request should identify every exception under the Act that might protect the information from public disclosure. The district must submit such request within 10 days after receiving a request for information, or the records are presumed to be public. Within 15 days after the district receives the request for information, the district must submit to the Attorney General: (1) written comments stating the reasons why the stated exceptions apply that would allow the information to be withheld; (2) a copy of the written request for information; and (3) a copy of the specific information requested (or representative samples if a large amount of information was requested). The district must label the copy of the information requested (or the representative samples) to indicate which exceptions apply to which parts of the copy. If the Attorney General determines that the information requested should be disclosed, but the district disagrees, then the district may file a lawsuit in state court challenging the Attorney General’s opinion; however, the district may not take legal action against the person who requested the information. A district may not disclose the records to the public until the Attorney General (or a court) has made a final determination that the information is public.

If the district refuses either (1) to request an Attorney General’s opinion concerning the confidentiality of the records, or (2) to supply records the Attorney General has

ruled are subject to inspection, then the person requesting the records may file a lawsuit in state court seeking an order that requires the district to turn the records over for inspection. If the court determines that the documents must be disclosed, the court may order the district to turn over the records and may further order the district to pay attorney's fees to the requestor. In addition, the individual in charge of records could face criminal penalties for withholding public information, as discussed above.

Types of Public Information
The Public Information Act provides examples of 18 specific types of information that are considered public. A records request to a school district usually will fall into one of the following three categories: (1) personnel records, (2) student records, or (3) school business records. Each of those categories is discussed below.

Personnel Records
Because the activities of public employees in the workplace are of public interest, information about public employees generally is subject to required disclosure under the Public Information Act. Information contained in a personnel file is exempted from disclosure under the Texas Public Information Act if release of the information would constitute a "clearly unwarranted invasion of personal privacy." This provision is sometimes referred to as the "personnel file" exception. In reality, it protects very little of the information found in the personnel files of public employees. To be exempt, the information must be highly offensive to a reasonable person, and the public interest in disclosure must be minimal, e.g., an employee's medical records. However, all of the information in the personnel file of an employee must be made available to that employee. An employee may request a copy of his/her personnel records directly through the communications office in writing.

Under '552.022 of the Act, the employee's name, ethnicity, sex, salary, job title, and date of employment are considered public information. Also subject to public inspection are personnel contracts and information regarding the qualifications of public employees, including experience, licenses and certificates, professional awards and recognition, tenure, salary, educational level, membership in professional organizations, and previous employment. However, in regard to the college transcripts of district employees, only the degree obtained and the curriculum may be revealed to the public. Other information on the transcript, such as the employee's social security, dates attended, and grades received, is considered confidential and must be removed before releasing a transcript to the public. Thus, in our example, the teacher's transcript may not be released to Mrs. Brown in its entirety. Instead, the confidential information first must be deleted.

A district employee may choose whether to allow public access to information that identifies the employee's home address, home telephone number, or social security number, or that reveals whether the employee has family members. According to '552.024, the employee has 14 days from the date of beginning employment with the

district to inform the personnel office in writing to keep such information private. If the employee fails to make such a request, the information is deemed public and subject to public access. However, the employee may submit a written statement to the personnel office at any subsequent time requesting that the information be kept confidential.

Generally, information concerning applicants for employment with the district is public and must be disclosed upon request. One exception to this general rule concerns applicants for the position of superintendent of a public school district. The name of an applicant for the position of superintendent is excepted from required public disclosure, except that the board of trustees must give public notice of the name or names of the finalists being considered for the position at least 21 days before the date of the meeting at which a final action or vote is to be taken on the employment of the person.

Section 21.355 of the Texas Education code states that evaluations of teacher or administrator performance are confidential and are not subject to public disclosure. Further, the Attorney General has stated that "the legislature intended to make confidential any document that evaluates the performance of a teacher or administrator." However, the document must *evaluate* the teacher or administrator, not merely mention his or her name. If the document does not actually evaluate the employee, it is not confidential. Note that this ruling applies only to *certified* administrators and teachers. Therefore, evaluations concerning non-certified employees generally must be disclosed. In sum, most information concerning public employees is available for public inspection, unless the particular information specifically is exempted by the Act or the information falls within the "personal privacy" exception.

Student Education Records

When presented with a request for a student record, the district must consider the request in light of the Family Education Rights and Privacy Act of 1974 (commonly known as "FERPA"). The Public Information Act specifically states: "This chapter does not require the release of information contained in education records of an educational agency or institution, except in conformity with the Family Educational Rights and Privacy Act of 1974. . ." FERPA governs the availability of student records held by educational agencies or institutions that receive federal funds. FERPA generally prohibits the release of student records of their children. Once a student turns 18, the rights given to the parents under FERPA become the student's rights. However, the parents retain a right of access to the student's records if the student is a dependent for federal income tax purposes. Thus, FERPA generally requires consent of the student or the student's parent before an educational agency or institution discloses personally identifiable information contained in the student's education records.

According to FERPA, “educational records” are records that contain information directly relating to a student and that are maintained by an educational institution or agency. The Public Information Act does not define “student record” or “education record,” but the Attorney General has stated that a “student record” generally includes information concerning the student and his or her individual relationship to the educational institution. The Attorney General generally has treated “student record” information as the equivalent of “educational record” information that is protected by FERPA. Similar to FERPA, '552.114 of the Public Information Act excepts from public disclosure information contained in a student record at an education institution funded wholly or partly by state revenue.

Both FERPA and the Public Information Act have interpreted “student records” broadly to include virtually anything that can be traced to or identified with an individual with an individual student. Examples of student records include the following: application for admission; standardized achievement test scores; attendance data; scores on standardized intelligence, aptitude, and psychological tests; interest inventory results; health data; family background information; teacher or counselor ratings and observations; and reports of behavioral patterns or disciplinary actions.

Under both FERPA and the Public Information Act, any record that contains “personally identifiable information” about a student must not be released without parental consent unless a specific exception applies. Anything that could reveal the student’s identity constitutes “personally identifiable information.” FERPA defines “personally identifiable information” to include: “the student’s name, the name of the student’s parent or other family member, the address of the student or student’s family, a personal identifier such as the student’s social security number or student number, a list of personal characteristics that would make the student’s identity easily traceable, or other information that would make the student’s identity easily traceable.”

An exception to the general rule prohibiting disclosure of personally identifiable student information exists for “directory information.” “Directory information” is defined under FERPA as “the student’s name, address telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of member of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student.” Such information might be found in a school’s student directory or athletic program and generally is not considered harmful or an invasion of the student’s privacy. A school district may release directory information without the consent of the parent or student, if the district has given notice of the categories of information it plans to disclose. After providing the notice, the district must allow a reasonable period of time for a parent to inform the district that any or all of the information should not be released without parental consent.

In addition, FERPA specifically permits disclosure of student records without parental consent to the following individuals and entities: (1) school officials, including teachers, with a legitimate educational interest; (2) other schools to which a student is transferring; (3) certain government officials carrying out lawful functions; (4) appropriate parties in connection with financial aid to a student; (5) organizations doing certain studies for the school; (6) accrediting organizations; (7) individuals who have court orders or subpoenas; (8) persons who need information in case of health and safety emergencies; and (9) state and local authorities to whom disclosure is required by state law. Similarly, the Public Information Act provides that the school district shall make the student record available on the request of "(1) education institution personnel; (2) the student involved or the student's parent, legal guardian, or spouse; or (3) a person conducting a child abuse investigation required by section 34.05, Family Code."

Unless the request for student records concerns directory information or falls within one of the above-named exceptions, the district must not release or provide access to any personally identifiable information in the educational records of a student without parental consent. The consent should be in writing and should specify (1) the records to be released, (2) the reasons for such release, and (3) the person to whom the records may be released. Upon request, the district should provide a copy of the records to be released to the parents or student.

Students and parents may request student records directly from the campus holding the records. If a student or parent requests student records, then the district must comply with the request within a reasonable amount of time, not to exceed 45 days after receiving the request. To the extent that the records requested contain information about another student, the requesting parent or student may inspect, review, or be informed only of the specific information about the student who made (or whose parents made) the request. The district must remove any information in a requesting student's record that pertains to another student.

Thus, referring back to our opening example, Mrs. Brown is entitled to review her son's grades, since they are student records, pursuant to FERPA, the Public Information Act, and Texas Education Code '26.004(3). However, Mrs. Brown would not be entitled to review the teacher's entire grade book, since it would include information concerning students other than her son, Joey. In order to comply with the disclosure laws, the district could copy the page from the teacher's grade book containing Joey's grades, then delete all the information concerning the other students before providing the information to Mrs. Brown. In sum, when a school district receives a request for student records, the district must comply not only with the Public Information Act but also with FERPA.

School Business Records

In addition to student and personnel records, members of the public often ask to inspect school business records. The following include specific examples of business

records that are considered public information (unless a specific exemption can be found in the Public Information Act or the information is confidential under other law): (1) a completed report, audit, evaluation, or investigation made of, for, or by the district; (2) information in an account, voucher, or contract relating to the receipt or expenditure of school funds; (3) the name of each official and the final voting record on all board proceedings; (4) all working papers, research material, and information used to estimate the need for or expenditure of public funds or taxes, on completion of the estimate; (5) a policy statement or interpretation that has been adopted or issued by an agency; (6) administrative staff manuals and instructions to staff that affect a member of the public; (7) information in a bill for attorney's fees (if it is not privileged under the attorney-client privilege); and (8) a settlement agreement to which the district is a party.

The Act specifically exempts from public disclosure inter-agency memoranda or letters "that would not be available by law to a party in litigation with the agency. . ." The Attorney General has concluded that "this information includes advice, recommendations, and opinions on matters involving the agency's policy mission." Information exempted from disclosure under '552.111 "must be related to the policy making functions of the governmental body." An agency's policymaking functions do not encompass information that pertains solely to internal administrative or personnel matters. Thus, advice, recommendations, and opinions that pertain exclusively to administrative or personnel matters of individual employees are subject to public inspection. Furthermore, purely factual information that is severable from the advice and opinion portions of internal memoranda must be disclosed.

With regard to legal matters, '552.022 states that legal bills and settlement agreements are subject to public access as long as such disclosure does not violate the attorney-client privilege and the information is not confidential under other law. Information in attorney fee bills may be withheld only to the extent that the bills reveal privileged information, such as client confidences or the attorney's legal advice. Routine information, such as a list of phone calls or conferences or notations indicating an attorney's review of documents, must be disclosed so long as it does not reveal privileged information. If a district seeks to withhold attorney fee bills, the district must submit the bills (or representative samples) to the Attorney General to identify the privileged portions of the bill that may be withheld.

Although a school district must release a settlement agreement that is not made confidential by law, '552.103 permits a district to withhold information relating to litigation or settlement negotiations if the Attorney General or the attorney for the school district determines the information should be withheld from public inspection. When the settlement or litigation is concluded, the information must be released upon appropriate request. Moreover, '552.107 allows the district to withhold any information that the Attorney General or the attorney for the school district is prohibited from disclosing because of a duty to the client under the state rules of

evidence or the rules governing attorney conduct. Also, the district may withhold information that has been prohibited from disclosure by court order.

In addition, under '552.104, a district may withhold information that, if released, would give an advantage to a competitor, for instance, in competitive bidding. Thus, a district need not release submitted bid proposals to the public until a contract has been awarded. Section 552.105 permits a school district to withhold the location of real or personal property prior to the announcement of a public project. The district also may withhold the purchase price or value of property until after a contract has been awarded. Then the price becomes public information that must be released if requested.

As noted above, the names of all board members and their voting records are considered public information under the Act. In addition to the Public Information Act, the Texas Open Meetings Act specifically addresses the availability to the public of board minutes and tape recordings of school board meetings. Section 551.022 of the Open Meetings Act provides that the minutes and tape recordings of open school board meetings are available for public inspection and copying. The certified agendas or tape recordings of closed meetings or executive sessions, however, are not available to the public except in limited circumstances as permitted by '551.104 of the Open Meetings Act. Whether other documentation created during a school board meeting is subject to public access should be analyzed under the exceptions set out in the Public Information Act. A school board may not withhold a document from disclosure simply because the document was discussed in executive session, unless the document falls within one of the specific exemptions set out in the Public Information Act. Thus, in our opening example, Mr. Jones is entitled to both the voting record of the school board members as well as a copy of the minutes from the open school board meeting.

Conclusion
As set forth above, the general purpose behind the Public Information Act is to allow the public to inspect the workings of governmental bodies, including school districts. If a district is unsure whether requested information is subject to public disclosure under the Act, the district should seek an Attorney General's opinion on the matter within 10 days. If the district fails to act on the request, the information will be deemed public 10 days after the request was made, and district officials could face criminal penalties for violating the Act if the information wrongfully was withheld. Given the Act's strong preference for public disclosure as well as the desire to avoid criminal penalties, school districts should give prompt attention to all requests for public information.

3.7 Texas Public Information Act: Cost of Copies

Reference or Contact: **Director of Communications**

Reference to Board Policy

Applicable charges for producing public information can be found in Board Policy GBAA (Exhibit). These charges are based on estimate average costs to governmental bodies across the state.

Computation of Applicable Charges
Charges are applied as individual situations dictate. The determination of whether information is readily available is determined by the governmental entity. The charge for copies of records up to and including legal size (8 ½ x 14 inches) are as follows.

1. For 50 pages or less of readily available information the guideline charge shall be $.10 per page.

2. For more than 50 pages of readily available information, the charge shall be:
   $.10 per page
   + Personnel charge (if applicable)
   + Overhead charge (if applicable)
   + Document retrieval charge (if applicable)
   + Actual cost of miscellaneous supplies (if applicable)
   + Postage and shipping (if applicable)
   $ TOTAL CHARGE

3. Information deemed not readily available requiring programming or manipulation of data, the charge shall be:
   $.10 per page
   + Personnel charge (if applicable)
   + Overhead charge (if applicable)
   + Computer resource charge (if applicable)
   + Programming time (if applicable)
   + Document retrieval charge (if applicable)
   + Actual cost of miscellaneous supplies (if applicable)
   + Postage and shipping (if applicable)
   $ TOTAL CHARGE

4. When a request is expected to involve considerable time and resources to process, Marshall ISD will inform requesters of the anticipated completion date and an itemized estimate of charges.

5. If Marshall ISD cannot produce the public information for inspection and/or duplication within 10 calendar days after the date the information is requested, the district shall certify this in writing and set a date and hour within a reasonable time when the information will be available to the requestor.

6. A deposit may be required in the amount of the estimated charges if such charges exceed $100.

The following is a summary of the charges for copies of public information.

Service Rendered	Charge
(1) Standard-size paper copy	0.10 per page
(2) Nonstandard-size copy	
(A) diskette/CD	1.00 each
(B Magnetic Tape	Actual Cost
(C) VHS video tape	2.50 each
(D) audio cassette	1.00 each
(E) DVD	3.00 each
(F) paper copy	0.50 each
(G) other	Actual cost
(3) Personnel charge	15.00 per hour
(4) Overhead charge	20% of personnel charge
(5) Remote document retrieval charge	Actual cost
(6) Computer resource charge	
(A) mainframe	10.00 per minute
(B) midsize	1.50 per minute
(C) client/server	2.20 per hour
(D) PC or LAN	1.00 per hour
(7) Programming time charge	28.50 per hour
(8) Miscellaneous supplies	Actual cost
(9) Postage and shipping charge	Actual cost
(10) FAX charge	
(A) local	.10 per page
(B) long distance, same area code	.50 per page
(C) long distance, different area code	1.00 per page
(11) Other costs	Actual cost

3.8 Marshall ISD Public Information Requests: Routing Form

Reference or Contact: **Director of Communications**

Marshall Independent School District has received a request pursuant to the Texas Open Records Act for records presumed to be maintained by your department. A description of the request appears below or is attached.

An Open Records Request is a high priority item. The Texas Open Records Act allows governmental entities ten (10) business days to respond to requests. The

initial response may include the records requested or, depending on the volume of the request, an itemized estimate of the cost of providing the requested records. These costs may include copy fees, retrieval fees, and labor associated with satisfying the request.

If the requested records are readily available in your office, please make copies and forward them to the Communications Department as soon as possible. If the volume of copies is greater than 50 pages, please call me at Extension 2017.

Should you have questions about this request or concerns that the information being sought is confidential under the statutes of the Texas Open Records Act, please notify the Director of Communications immediately and we will seek the advice of an attorney.

Thank you in advance for helping us to comply with state law.

3.9 **Publicity**

Reference or Contact: **Director of Communications**

Each campus principal should designate one person to be responsible for campus publicity. This publicity contact should provide news to the communications office to be featured in district publications, the website and local media.

All story ideas for local newspapers, magazines and broadcast media should be sent to the Communications Department for distribution to appropriate media outlets. News coverage will be logged for tracking purposes. The publicity contact should also keep the communications department informed of noteworthy campus/classroom activities so coverage may be arranged in advance.

For students to be featured in pictures or stories about Marshall ISD two qualifications must be met:

1. **Students must have FERPA approval from parents.**
   If parents have signed a document denying the district permission to use their child's picture, school work or name in district information, we will honor the parent's choice to exclude these children from district publicity.

2. **Students must be dressed according to the school dress code.**
   If students are not in dress code they will be excluded from district photographs. If campuses send photographs of students who are not in dress code, the communications department will not use the photographs in district publications or send to media.

3.10 **School Board Recognition**

Reference or Contact: **Director of Communications**

The Marshall ISD Board of Trustees recognizes students and staff members for special accomplishments. Special Recognition shall be an item on the board agenda at its regular monthly business meetings customarily held on the third Monday of each month. When appropriate the students or groups being recognized will have the opportunity to display their talents or awards.

Level of Accomplishment Criteria

1. To qualify for School Board recognition in athletics, the individual or team shall have advanced beyond district competition and concluded the season in a varsity sport sanctioned by the University Interscholastic League (UIL) or the Texas High School Powerlifting Association (THSPA). The Athletics Director initiates the request for all athletic related school board recognitions.
2. To qualify for School Board recognition in the fine arts, the individual or group shall have advanced beyond district competition and concluded the season in an event sanctioned by the University Interscholastic League or other organizations widely respected for fine arts competitions such as the Texas Music Educators Association (TMEA). The Fine Arts Coordinator initiates the request for all fine arts related school board recognitions.
3. To qualify for School Board recognition in academics and leadership, the individual or group shall have advanced beyond district and concluded competition in an event sanctioned by the University Interscholastic League or shall have been recognized by other organizations widely respected for academic competitions and honors. Such organizations include, but are not limited to: The College Board, National Merit Scholarship Corporation, Marshall Rotary Club, History Fair, Science Fair, Campfire Absolutely Incredible Kids, and Academic Decathlon. The Assistant Superintendent of Curriculum and Instruction or Subject Coordinator shall initiate the request for all academic and leadership related school board recognitions.
4. To qualify for School Board recognition in cheerleading, the team or individual shall have concluded competition and declared a national champion in an event sanctioned by the National Cheerleaders Association or American Cheer Power which included a minimum of three teams in the competing category. The program director who oversees cheerleading shall initiate the request for school board recognitions.
5. Faculty and staff recognition will be considered based on accomplishments in district initiatives and professional organizations. Consideration also will be given to faculty and staff whose professional accomplishments have resulted in benefitting the image of the district. Requests for this type of recognition may be initiated by the director who oversees the faculty or staff member to be recognized.

General Procedures

1. The Director of Communications organizes School Board recognition for achievement of students and staff based on recommendations from campuses and departments.
2. Coaches, teachers, sponsors and directors working in collaboration with the campus principal shall determine if a particular individual or group meets the level of accomplishment required for recognition.
3. Nominations for achievement in athletics must be approved by the Athletics Director before the request is forwarded to the Director of Communications.
4. Nominations for achievement in the fine arts must be approved by the Fine Arts Coordinator before the request is forwarded to the Director of Communications.
5. Nominations for all other student and staff achievements should be sent directly to the Director of Communications.
6. Every attempt will be made to recognize student achievement equitably and consistently throughout all programs in the district.
7. Once recognition is approved, the requesting party will be notified. It is the responsibility of the requesting party to provide correctly spelled names of all honorees to the Director of Communications for use in writing the recognition script and producing certificates.
8. The requesting director and/or campus principal must verify that all honorees have been notified and will be in attendance at the meeting during which recognition will occur.

3.11 **Social Media Accounts**

Reference or Contact: **Director of Communications**

Purpose

The purpose of this administrative guideline is to establish consistent standards for the creation, management, and use of social media accounts (Facebook, Twitter (X), and Instagram) representing Marshall Independent School District (MISD). Limiting the number of official social media Accounts will strengthen district branding, improve communication with families and the community, reduce duplication of information, and ensure that public communications are accurate, timely, and appropriately managed.

Guidelines

Marshall ISD will maintain a limited number of official Accounts to provide clear and consistent communication to students, families, staff, and the community.

1. Official District Accounts

The primary official social media accounts across all platforms for Marshall ISD shall be maintained by the Department of Communications and shall serve as the District's primary source for:

- Districtwide announcements and information;
- Emergency and time-sensitive communications;
- School closures and operational updates;
- District news and accomplishments;
- Board and leadership communications;
- Major events and initiatives;
- Districtwide celebrations and recognitions;
- Information of broad interest to the MISD community.

The official district Account shall be considered the authoritative social media source for districtwide information.

2. Campus Accounts

Each MISD campus may maintain **one official Account on social media platforms**.

Campus Accounts should primarily be used for information specific to that campus, including:

- Campus events and activities;
- Student and staff celebrations;
- Campus-specific announcements;
- Classroom and instructional highlights;
- Parent engagement opportunities;
- Campus achievements and recognitions.

Campus Accounts should not duplicate districtwide announcements when the information can be communicated through the official MISD Account. When appropriate, campus Accounts should share the original post from the official district Account rather than creating a separate version.

3. Department and Program Accounts

Individual departments, programs, initiatives, clubs, organizations, teams, or special events should **NOT** create separate official Facebook Accounts without prior approval.

Requests for a new official account must demonstrate a legitimate communication need that cannot reasonably be met through:

- The official MISD Accounts;
- An existing campus Account;
- The District website; or
- Another approved district communication channel.

The District may deny a request for a separate account when the proposed account would duplicate an existing communication channel.

4. Approval of New Accounts

All requests to establish a new official MISD Social Media Account must be submitted to the Department of Communications for review and approval prior to creation.

The request should identify:

- The purpose;
- The intended audience;
- The department, campus, or program responsible;
- The employee(s) who will the administrator;
- The type and frequency of content anticipated;
- Why an existing MISD account cannot adequately serve the communication need.

Approval of a new account does not establish an expectation that the account will remain active indefinitely.

5. Account Administrators

Official MISD Accounts must be administered by designated MISD employees.

At least two authorized district employees should have administrative access to each official account to ensure continuity when an employee changes positions, separates from the District, or is otherwise unavailable. The Director of Communications must be an administrator on all District accounts with full access or control.

6. Branding and Content

All official MISD Social Media Accounts shall follow District branding, communications, copyright, accessibility, student privacy, and social media requirements.

Official accounts should use approved District or campus logos and other established visual identity standards. Account names, profile images, cover

images, and descriptions should clearly identify the Account's relationship to Marshall ISD.

Content posted on official Accounts must comply with all applicable District policies and administrative regulations, including requirements related to:

- Student and employee privacy;
- Copyright and intellectual property;
- Public records;
- Accessibility;
- Appropriate use of District technology and resources;
- Professional conduct;
- Student safety and confidentiality.

7. Consolidation of Existing Accounts

The Department of Communications may periodically review official and unofficial Accounts associated with MISD.

Accounts that are inactive, redundant, duplicative, inadequately administered, or no longer serve a legitimate District communication purpose may be:

- Consolidated with another official Account;
- Transitioned to an appropriate existing Account;
- Archived or unpublished; or
- Removed from District-approved social media listings.

When appropriate, the District will provide notice to the Account's administrator and followers before consolidation or discontinuation.

8. Unofficial Accounts

Employees, parents, students, booster organizations, parent organizations, and community groups may independently operate social media accounts that discuss or promote MISD-related activities, subject to applicable law and District policy.

Such Accounts shall not represent themselves as an official Marshall ISD Account unless authorized by the District.

The use of District logos, trademarks, photographs, student information, or other District materials must comply with applicable District policies and law.

3.12 *Social Media Permission Form*

Reference or Contact **Director of Communications**

Student name:_____

School attending:_____

School year: _____

Classroom teacher (if applicable):_____

I, the parent or guardian of the student listed above, do hereby grant permission to the school and teacher listed above to use the name and photograph of the student listed above on social media sites operated by Marshall ISD personnel solely for the purpose of promoting student and school accomplishments. I understand that the content of social media page is the responsibility of the teacher and school principal in accordance with Marshall ISD Administrative Guideline 3.11 – Social Media Accounts.

Name of parent or guardian:

_____

Signature of parent or guardian:

_____

Date: _____

3.13 Weather Conditions Resulting In School Closing or Delays

Reference or Contact: **Chief of Police, Director of Communications**

School closing and Delayed Start Recommendations
The decision to close or delay school is made by the Superintendent based on a recommendation by the Assistant Superintendent for Auxiliary Services and Transportation Supervisor. The recommendation is made after a thorough inspection of road and bridge conditions.

School Closing or Delayed Start Notification Plan
The following procedures ensure proper notification of all parties in the event a school closing or delayed start is warranted:

Superintendent will notify the Cabinet – *staff to respond with "OK" to confirm text*

Superintendent OR Assistant Superintendent of Curriculum and Instruction will notify Directors and Campus Principals.

The Secretary to the Board will notify school Board members.

Director of Communications to notify all media channels

- Local Media (TV/Radio)
- Send a school closure notification message to parents using Thrillshare, the district's automated telephone messaging system.
- District Website

Early School Closing Recommendations and Notification Plan
Occasionally, weather conditions warrant a daytime early closing of schools.

Information on early closings will originate from the Director of Communications who will:

- Notify Assistant Superintendents, Directors and Principals
- Notify local television and radio stations
- Post the information on district website
- Send an early closing notification call-out to parents using Thrillshare, the district's automated telephone messaging system

3.14 Use of AI in Graphic Design, Fliers and District Branding

Reference or Contact: **Director of Communications**

Purpose
Marshall Independent School District recognizes that Artificial Intelligence (AI) can be a valuable tool for creating professional, engaging, and accessible communication materials. AI may be used to assist employees in developing flyers, social media graphics, presentations, invitations, promotional materials, and other visual communications.

The purpose of these guidelines is to ensure that AI-generated or AI-assisted materials accurately represent Marshall ISD, maintain district branding standards, protect students and employees, and comply with applicable laws and district policies.

General Expectations
Employees may use AI tools to assist with the development of district communication materials when:

- The employee has authorization to create the material.
- The final product complies with Marshall ISD policies and administrative procedures.
- The material accurately represents the district, campus, department, program, or event.
- District branding and logo standards are followed.

AI is considered an assistive design tool. Employees remain responsible for the accuracy, appropriateness, and quality of all materials produced using AI.

Human Review Required
All AI-assisted materials must be reviewed by an employee before they are shared publicly.

The reviewer should verify:

- Spelling and grammar.
- Dates, times, locations, and event information.
- Names and titles of individuals.
- Phone numbers, email addresses, websites, and other contact information.
- Appropriate use of photographs and graphics.
- Proper use of district and campus logos.

- Compliance with district branding standards.
- Age-appropriateness and professionalism.
- Accessibility and readability.

AI-generated text and images should never be assumed to be accurate simply because they appear professional or authoritative.

AI-Generated People and Students
AI should not be used to create images that could reasonably be interpreted as actual Marshall ISD students or employees without appropriate authorization.

AI-generated people should not be presented as actual students, staff members, graduates, athletes, or community members.

Employees should not upload identifiable student or employee photographs, personally identifiable information, confidential records, or other protected information into an AI platform.

MARSHALL ISD LOGO AND BRANDING
The Marshall ISD name, logos, marks, mascots, and other official visual identifiers are important representations of the district and must be used consistently.

A. Official Logos -

- Official Marshall ISD logos should be obtained from the district's approved logo files or Communications Department.
- Employees should not use AI to recreate, redraw, modify, or generate an alternative version of an official Marshall ISD logo when an official logo is available.
- AI-generated logos should not be represented as official Marshall ISD logos.

Prohibited Logo Alterations

Employees should not:

- Change the colors of an official district logo.
- Stretch, distort, rotate, or otherwise alter the proportions of a logo.
- Add text or graphics directly to an official logo.
- Remove elements from an official logo.
- Change the appearance of the Maverick mascot contained in an official logo.
- Combine the official logo with AI-generated artwork in a manner that changes the identity of the mark.

- Use AI to create a logo that could be confused with an official district logo.
- Place the official logo on inappropriate, offensive, or unapproved materials.

APPROVAL AND PUBLICATION

The employee or department responsible for creating a communication is responsible for obtaining any required approvals before publication.

Materials that use official Marshall ISD branding, communicate districtwide information, represent the Superintendent or Board of Trustees, or involve significant public-facing campaigns require review by the Communications Department.

The Communications Department may request revisions to any material that does not meet district branding, communication, accessibility, or professional standards.

QUICK REFERENCE

Employees MAY:

✓ Use AI to brainstorm flyer ideas.
✓ Use AI to create original backgrounds and decorative artwork.
✓ Use AI to develop design concepts.
✓ Use AI to assist with layouts and visual themes.
✓ Use AI to resize or adapt approved artwork.

Employees SHOULD NOT:

✗ Ask AI to recreate the official Marshall ISD logo.
✗ Alter an official district logo.
✗ Present an AI-generated logo as an official district logo.
✗ Upload confidential student or employee information into an unapproved AI tool.
✗ Create AI images that falsely appear to depict actual students or employees.
✗ Use copyrighted or trademarked artwork without appropriate permission.
✗ Publish AI-generated materials without human review.
✗ Use AI-generated content that is inaccurate, misleading, offensive, or inconsistent with district standards.

4 INSTRUCTION

4.1 Class Sizes

Reference or Contact: **Superintendent**

In the event that a campus enrollment causes overcrowding in a classroom that is outside the laws set by TEA, the following steps will be taken.

- Follow Policy EEB (LEGAL)
- MISD will continue to pursue a certified teacher while the substitute is fulfilling his/her duties.
- Operate according to the Board of Trustees approved District of Innovation Plan as it relates to class size.

4.2 Dyslexia

Reference or Contact: **Director of Special Education**

Dyslexia is a specific learning disability that is neurological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities.

Characteristics of Dyslexia:

- Difficulty reading real words in isolation
- Difficulty accurately decoding nonsense words
- Slow, inaccurate, or labored oral reading
- Difficulty learning to spell

We screen for characteristics of dyslexia for all students in kindergarten and first grade. If a disability is suspected, a referral for a dyslexia evaluation is made through the Special Education department.

Procedures to follow:

- A referral for a Special Education evaluation is made.
- The Special Education department will contact parents to obtain consent for testing.
- The evaluation is completed by a group of trained professionals, including the dyslexia specialist.
- The ARD committee will meet to determine if the student is eligible for special education services, including dyslexia services.
- If the student is determined to be eligible, an Individualized Education Program (IEP) will be developed and parent permission will be obtained.

4.3 Field Trips

Reference or Contact: **Superintendent and Principals**

Student Activities Travel – FMG

Any travel/trip that involves MISD students shall require approval from the Superintendent. A Trip Request Form (APP P-2) must be completed by the Student Group Sponsor and submitted to the following for approval: Campus Principal, Superintendent and Director of Transportation. This form can be obtained from the Campus Secretary or the Business and Financial Services page on the MISD website under "Forms". Completion of this form ensures the Superintendent of Schools is aware of the whereabouts of all student groups at any given time.

Field Trips

Field trip procedures will be reviewed annually in May by campus principals. A list of appropriate field trips will be generated and updated each year with input from principals, Curriculum and Instruction Department, and the Content Coordinators. Field trip planning should be included in the Campus Needs Assessment and reflected in the Campus Improvement plans. The field trip forms must be completed for each field trip and returned with a parent's signature prior to student participation. **Elementary Campuses are allowed two field trips per year, per grade level, one academic and one celebratory field trip.**

Academic field trips are defined as: A school-sponsored journey away from campus that provides first-hand, experiential learning directly tied to the curriculum. It requires teacher supervision and aims to teach concepts that cannot be fully learned inside a regular classroom.

Celebratory field trips are defined as: A group excursion by students primarily to reward, commemorate or mark an achievement rather than for academic instruction. The funds for these, **including mileage**, should be raised by the campus, PTO, club/sponsor organization, etc.

Academic Elementary Campus Field Trip parameters are as follows: Pre-K, Kindergarten, & 1st grade are allowed one field trip per year within a 70-mile radius, 140 miles round trip. 2nd grade through 4th grade are allowed one field trip per year within a 120-mile radius, 240 miles round trip. 5th grade is allowed one field trip per year within a 185-mile radius, 370 miles round trip.

Celebratory Field Trip parameters are as follows: Pre-K through 4th grade is allowed one celebratory field trip per year within a 70-mile radius, 140 miles round trip. 5th grade is allowed one celebratory field trip per year within a 275-mile radius, 550 miles round trip.

Field trip requests should be submitted to the transportation department. The transportation department will track miles traveled per campus and submit the information to the business office on a monthly basis for accounting purposes.

The transportation department will also provide a monthly report to each campus that includes information and details of the miles traveled in the previous month and the

balance of miles remaining in the campus allocation. The Business office will invoice the campus for the mileage on celebratory field trips. The campus will enter a PO before the trip is taken for the mileage amount that will be charged.

Charter Buses

The District will provide yellow school buses for school sponsored activities. Booster organizations have the option of upgrading this to a commercial bus service (charter bus) for extra-curricular activities. Reserving charter buses is oftentimes a challenge if reservations are not made far enough in advance. It is recommended that charter buses be reserved as soon as possible. The cost to the booster organization for the charter busses will be the cost of the charter buses less the cost of the school buses. The mileage rate per the TEA Operation Report will be applied to the estimated number of miles to determine the cost of the school buses that will be covered by the District.

Meals

Attach a list of students to support the number and amount of meals requested for co-curricular or extra-curricular events, if applicable. Sponsors may either pay for the students' meals with a district credit card or provide individual students with their meal allotment. If the meals were paid by the sponsor with the district credit card, a detailed receipt for the student meals must be submitted upon return of the trip. If students were provided with a meal allotment, the Sponsor must create a list of the students and have them sign next to their name acknowledging that the allotment of meal money was received directly by the student. In this case, the student does not have to provide their receipt. The current rate is $8 per meal.

Overnight Trips

Trips that will include overnight travel of more than one night (other than UIL sanctioned trips) must be submitted in proposal format, which must contain, but not be limited to the following:

A. A clearly defined instructional purpose for the trip.
B. A defined student/chaperone supervision ratio sufficient to meet reasonable safety requirements.
C. A full accounting of the cost of the activity.
D. Documented travel and transportation plan.
E. A plan for medical emergencies.
F. An explanation of any activity that may be hazardous and the safety procedures and precautions that will be taken to ensure student safety.
G. A security plan for monitoring rooms during the night to ensure safety for participants.
H. All MISD forms needed for any other Field Trip.

Teacher Sponsor responsibilities for overnight are as follows:

A. Secure all approvals and notices prior to committing the District and collecting/raising funds. School Principal approval must be secured by the teacher prior to being sent for Superintendent Approval. The Superintendent will notify the teacher sponsoring the trip whether he/she will be responsible for preparing an overview of the trip for the Board of Trustees.
B. Provide appropriate adult supervision. The ratio of students to chaperones will be determined by Campus Principal.
C. Inform chaperones, in writing, and prior to the trip, of their full responsibilities while on the trip, including any special instructions necessary for a successful trip.
D. Secure parent/guardian permission (Parent/Guardian Approval Form) in writing and retain in the possession of the sponsor. Sponsors and students may be required to complete other forms if the trip is being sponsored by an organization.
E. The sponsor must be aware of students on prescribed medication while on the trip. The sponsor must have a signed copy of the student's Physician/Parent Request for Administration of Medicine or Special Procedures by School Personnel, a copy may be obtained by the school nurse or parent.
F. Know what to do in the event of an accident or illness while on a trip.
    a. The teacher sponsor should:
        i. Plan, with the school nurse, what to do in case of an accident or illness before leaving for the trip.
        ii. Render first aid for minor injuries, such as minor scrapes and cuts.
        iii. Call the local police department/emergency medical service for more serious injuries. If the emergency medical service transports the student to the hospital, the sponsor or his/her adult designee must accompany the student and remain with the student until the Parent/Guardian arrives, or written consent is received form the parent or guardian that the sponsor may bring the child back home.
        iv. Notify the Principal and the Parent/Guardian.
        v. DO NOT assume hospital costs. This is the responsibility of the Parent/Guardian.
        vi. Upon return, make a report of the accident to the Principal who will provide a copy to the school nurse and Superintendent.
G. Frequently count the number of students, such as when the group arrives and departs from each activity. Implement a buddy system for use throughout the entire trip.

H. The primary reason for the chaperones is to supervise a group of students. Chaperones are responsible for students and are expected to stay with their assigned group and monitor their behavior for the entire field trip from departure time until they return to school.
I. A Campus or District Level Administrator, unless approved otherwise by the Superintendent, is required on all overnight trips where 45 or more students are attending, or the trip requires air travel out of the continental U.S.

HOTEL GUIDELINES: These guidelines are to serve as a protection for both student travelers, administrators and chaperones.

- When available, hotel rooms should be located on the lowest floors possible and within enclosed hallways, where doors are not accessible from the outside or to balconies.
- The "Trip Coordinator" and "Administrator" reserve the right to search the rooms, luggage, personal belongings, and persons at any point before, and during a school related trip. Students and parents should be advised prior to the trip that students and their belongings are subject to random search during the trip.
- No adult may share a room with a person of the opposite sex unless he or she is that adult's spouse.
- Assigning students who are more than two years apart in age to sleep in the same room should be avoided unless the students are relatives. Male and female students should have separate sleeping, changing, and restroom areas. District personnel shall not share rooms with any student, unless it is their own child.
- Chaperones may not share rooms with any student, unless it is the chaperone's own child.
- Male and female students shall not share the same room.
- The rooms for male and female students should be separated by floor, when possible.
- District personnel and other chaperones hotel rooms should be strategically dispersed among the hotel rooms occupied by students to ensure maximum supervision.

Charter Bus or Air Transportation

- The charter bus company must be an approved MISD vendor. In addition to charter bus rules, students must follow the MISD Student Code of Conduct while on all charter buses and on all trips.

- All participants must be accounted for by the Sponsor prior to departure at all stops. Air Transportation Students must be accompanied at all times at the airport.
- A lead Chaperone, Supervisor or Administrator should go through security prior to any students, while another Chaperone, Supervisor or Administrator should be the last traveler to clear security.
- Boarding and deplaning should follow the same process. All students must be accounted for by the Sponsor prior to departure at all stops.

4.4 Grade Change

Reference or Contact: **Assistant Superintendent of Curriculum and Instruction**

In the event that there is a question about grades that were given to a student, the following steps will be taken.

- A conference with the teacher of the student and a member of the administrative team.
- All documentation will be presented supporting the reason for the grade given.
- The district level director will review all of the documentation and hear any insinuating circumstances.
- The district level director will collaboratively award a grade for the student in question.

Approved at July 16, 2018 Regular Board Meeting

4.5 Granting SIS Access

Reference or Contact: **Information Systems Coordinator**

Marshall ISD is committed to providing all staff members with the necessary tools to successfully complete their job responsibilities. One of these tools, for many employees, is access to the district's SIS. Realizing that such access, although needed, brings about issues of security and confidentiality, this administrative guideline has been established to address these issues.

Specifications regarding granting access to the District SIS

Marshall ISD realizes that the district SIS contains a wide variety of information and securities that must be taken into consideration when granting access. Therefore, the following procedures shall be followed:

- Employees shall be assigned, without additional permissions, specific SIS access per their job description. The access provides them the ability to fulfill all their job specific duties.

- If additional access or security is requested for any staff member, a written request for that access must be sent to both the PEIMS Coordinator and SIS Coordinator by the staff member's supervisor reflecting the SIS access needed to fulfill the job description.
- Substitutes are NOT granted SIS access. Attendance is to be taken on paper and entered by the campus PEIMS specialist. Entering grades is the responsibility of the instructional specialist, department head, grade level chair, or assigned administrator. Long-term substitutes will be given access to grades and attendance for the time period they are designated as a long-term substitute.

4.6 Homeschool FEA (Local)

Reference or Contact **Assistant Superintendent of Curriculum and Instruction**

A school age child residing in Texas who is pursuing, under the direct supervision of his/her parents, a curriculum designated to meet basic education goals or is attending a private school within the meaning of Section 25.086(a)(1) of the Texas Education Code is therefore exempt from compulsory school attendance.

FEA (LOCAL)
When the District becomes aware that a student is being or will be homeschooled, the Superintendent or designee may request in writing a letter of notification from the parents of their intention to homeschool using a curriculum designed to meet basic education goals of reading, spelling, grammar, mathematics, and a study of good citizenship.

If the parents refuse to submit a letter of notification or if the District has evidence that the school-age child is not being homeschooled within legal requirements, the District may investigate further and, if warranted, shall pursue legal action to enforce the compulsory attendance law.

As the homeschool forms are received in the Superintendent's Office, the Assistant Superintendent of Curriculum and Instruction will check with the campus principal to determine the appropriate action. If an investigation is warranted, s/he will initiate the home visits through the Supervisor of Attendance and Dropout Recovery.

Not investigate - The district will not investigate if any of the following criteria are in place:

a. the district has a strong belief that homeschooling is in progress. (a belief created by conversation or written notice that homeschooling would be through a church organization, homeschool group, or has confirmation of curriculum, etc.)
b. the student has passing grades in the core classes.
c. a verifiable curriculum is recorded on the homeschool withdrawal form

To Investigate - The district will contact the parent over the phone or by home visit to confirm that an appropriate curriculum is in place and being used five school days after the student withdrew if:

a. no curriculum was recorded on the homeschool withdrawal form and there is no reason to believe schooling is occurring **or**
b. the student is trying to avoid discipline processes.

4.7 HVAC During State Testing Periods

Reference or Contact: **Director of Facilities**

All HVAC is run by the control systems. This allows each staff member to adjust the temperature of each room to their comfort level within the guidelines of the Energy Management System.

4.8 New Course Proposals and Existing Deletions

Reference or Contact: **Assistant Superintendent of Curriculum and Instruction**

As a result of changes in the state law, new requirements by the legislature or by the State Board of Education, student growth, and/Marshall ISD's continual effort to meet student needs, all courses at grades 6-12 will be reviewed each November by the Secondary Course Selection committee. The following process will be used:

Step One

Adding New Course - To propose a new course, a campus course selection committee must agree that:

- a student/school need and interest exist;
- a qualified teacher is available and willing to teach the course;
- funds are available for personnel and resource support;
- at least fifteen student enroll in the respective course for it to "make"; and
- the course correlates to the TEKS (Texas Essential Knowledge and Skills).

Deletion of a Course - In order to delete a course, a campus course selection committee must agree that:

- there is a documentable rationale for deletion
- there is/are appropriate course(s) in which a student can enroll in lieu of the deleted course

Step Two

Adding New Course

When the above criteria have been met, the campus principal will submit the appropriate forms(s) to the Assistant Superintendent of Curriculum and Instruction.

The form for a new course includes the following information: proposed course title; contact person; targeted grade levels; numbers of credits; length of course; course description (to appear in the course selection catalog); rationale/purpose of the course; goals of the course; major concepts to be taught; alignment with the TEKS, departmental curriculum, and graduation program requirements; impact of course on other departmental courses; instructional strategies; methods of assessments; resources/equipment needed; personnel (required certification and proposed teacher for the course); and projected costs.

Deletion of a Course

The form for deletion of a course includes the following: course title, department, number of credits, length of course, rationale for deletion, contact person, and background data (number of students currently enrolled in course, student course options in lieu of this course, possible financial savings).

Step Three

The Assistant Superintendent of Curriculum and Instruction will review the proposals and acquire clarification where necessary.

Step Four

After clarification and review, the course proposal and course deletion forms will be forwarded to the Secondary Course Selection Committee for Approval. The Secondary Course Selection Committee will be comprised of the following individuals as appropriate: curriculum and instruction professional(s), personnel administrator, campus principal(s), assistant/associate principal(s), counselor(s), department chairs, teacher(s) and technology representative(s).

The following criteria will be used for making recommendation for approval of the new course:

- Student/school need and interest;
- Completed proposal/deletion form;
- Texas Essential Knowledge and Skills (TEKS);
- Campus master schedule issues/conflicts;
- Start-up cost and materials (consumable/non-consumable), cost to student (fees);
- Necessary equipment
- Integration with similar courses;

- Flow of course with current offering;
- Level of long-term interest in course; and
- Availability of certified personnel

Step Five

The Secondary Course Selection Committee will submit a report to the Board of Trustees at a Regular board meeting regarding all recommended course additions and/or deletions or will state that there are no recommended changes.

Step Six

Local course numbers and/or PEIMS numbers will be assigned by Marshall ISD's PEIMS administrator.

After action by the Board of Trustees, information regarding course addition and course deletions will be sent to principals, counselors, etc., by the office of instructional programs.

If you have any questions, do not hesitate to contact the Office of Curriculum and Instruction (903-927-8700) for more information.

Proposed Calendar

September	Blank forms sent to secondary principals by instructional programs department (Delete courses or submit new course)
October	Deadline for teachers, directors, counselors, etc. to submit completed deletions and additions course forms to principals. (Forms received after the due date will be returned and may be resubmitted the next school year.)
November	Forms submitted to the Curriculum Department. Clarifications and additional information, if necessary, will be submitted to the Assistant Superintendent of Curriculum and Instruction. Committee review of new courses/course deletions and proposed recommendations.
December	Recommendation to board for action
January	Approved course offering descriptions (new course) sent to campuses for inclusion in course handbook.

4.9 Opening and Closing Media Centers

Reference or Contact: **Assistant Superintendent of Curriculum and Instruction**

Opening Libraries at the beginning of the school year

Libraries should be open for book circulation by the beginning of the second week of school. In order to facilitate the opening, student records with updated enrollment will need to be imported by the end of the first week of school. To facilitate a timely opening, Librarians or Library Aides should not be pulled for other duties. Extenuating circumstances may occur which will delay the opening of the library. If a delay in opening is anticipated, the Principal and ELAR Coordinator should be notified as soon as this situation seems likely.

Library Procedures

- Every effort should be made to minimize the number of overdue books during the school year
- Campus Administration should receive a report each month showing the number of students with books overdue more than two weeks. [Due date + two weeks] A weekly notice should be sent to each student (and parent) who has a book overdue more than one week.
- Students in the second grade and above may check out up to two books at a time. If a student loses one book, he/she may only check out one book until the missing book is found or paid for.
- A student may pay for a lost book and to have his/her record cleared. If the library book is found during the school year, the money paid for the book will be refunded to the student. This does not apply if the book was lost during a prior school year.
- If a student cannot afford to pay for the book, he/she may work off the cost of the library book. Sample tasks include: Assist the librarian with cleaning bookshelves and “edge” books; Sort books in a cart for shelving.
- Designated time to work off a fine for a lost book may not be during class time.
- Working off the cost of a book should occur during the school year rather than at the end of the year.
- Teachers should return books within four weeks for circulation or repeat check-out.

Closing libraries at the end of the school year

1. Four weeks before the last day of school, the librarian/aide should begin the inventory of all books and library materials.
    a. Circulation should continue during inventory.
    b. Inventory should be completed in two weeks.

c. Three weeks before the last day of school, students are allowed to check out only one book at a time, unless the librarian grants special permission to check out more. No student with an overdue book may check out another book.
d. All books should be returned to the library five days before the last day of school.
e. During the last week of school, books may be checked out to the teacher for classroom use. Any teacher with library books checked out should not be sending the books home with students.

4.10 School Supplies

Reference or Contact: **Assistant Superintendent of Curriculum and Instruction**

In January of each year, principals will receive the current school supply list. Each campus principal will review the list with teachers and make revisions as needed.

The Assistant Superintendent of Curriculum and Instruction will collect the input, revise the lists, and redistribute them to principals for final review. Each grade level will be consistent in supplies across all campuses.

After reviewing, the supply lists will be approved through the Superintendent's Cabinet.

Public Information Office will post the supply lists on the website in June.

4.11 Use of Primary Literacy Aides to Perform Other Duties

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

Pre-K/Kindergarten Literacy Aides should remain with their assigned teacher/class during instructional time throughout the school day.

1st/2nd Grade Literacy Aides should remain with their assigned teachers/classes during instructional time throughout the school day with the exception of recess, assigned teachers' conference time, and specials.

Primary Literacy Aides must be available to plan with their assigned teacher(s) at least once a week.

4.12 White Robe Requirements

Reference or Contact: **High School Principal**

Marshall ISD Distinguished White Cap and Gown Graduation Requirements –

Starting with Graduating Class of 2028 (2024-2025 Incoming Freshman)

- Top 10% ONLY as calculated per local board policy EIC (LOCAL), and
- 95% Attendance Rate per class/credit

Remove below following the Graduating Class of 2027:

9th Grade –

- Complete at least **TWO** Pre-AP Courses, and
- Have a 95% attendance rate

10th Grade –

- Complete at least **TWO** Pre-AP Courses, and
- Have a 95% Attendance rate, and
- Optional PSAT

11th Grade –

- Complete at least **TWO** AP, Pre-AP, or Dual Enrollment Courses, and
- Take the PSAT during the Fall semester, and
- Take the ACT or SAT during the Spring semester, and
- Have a 95% Attendance Rate

12th Grade –

- Complete at least **TWO** AP or Dual Enrollment Courses, and
- Be classified as College Ready*, and
- Have a 95% Attendance Rate

Requirement started with 2022-2023 Freshman students. Students graduating in 2023, 2024, and 2025 who have completed the 2 years of Spanish requirement will be recognized by an honor cord and notated in the Marshall High School Graduation Ceremony Program.

*College readiness is the level of preparation a student must attain in English Language Arts and Mathematics courses to enroll and succeed, without remediation, in an entry-level general education course for credit in that same content area for a baccalaureate degree or associate degree program.

Approved at April 15, 2024 Regular Board Meeting

5 MAINTENANCE AND OPERATIONS

5.1 Air Conditioning Use After Hours

Reference or Contact **Director of Facilities**

Requests for air conditioning for any event outside of normal operating hours shall follow these guidelines.

For the purpose of this Guideline, After Hours shall be defined as the time beginning at 5:00 p.m. any weekday till 8:00 a.m. the next weekday; OR any Saturday, Sunday or holiday.

Air conditioning or heating must be requested through the work order system. Requests should be entered into the system at least 48 hours in advance of the event OR the last work day for a weekend or holiday event.

In an emergency, call the Maintenance office or the On-Call number 903-927-8843 or the Director of Facilities at 903-407-1336 for assistance. Air conditioning may be turned on remotely. The above number should be called if the air conditioning does not appear to be operating.

5.2 Attachments to Walls, Ceilings, Floors, Windows, Doors and Roofs of School Buildings

Reference or Contact: **Director of Facilities**

This Guideline is directed at any item that is attached to any wall, ceiling, roof or floor to any building in the Marshall ISD. Items may include pictures, marker boards, clocks, posters, paint including murals and graphics, etc.

DEFINITIONS

Wall - all outside and inside walls, regardless of the construction materials used to build the wall.

Ceiling - the overhead interior surface of any room in any school building.

Roof - the covering on the uppermost part of any school building.

Floor/Flooring - the walking surface of a building or room.

Window - any interior or exterior glass used for viewing including mirrors.

Doors - classroom doors, cabinet doors, etc.

Each of these surfaces has been constructed over different time periods, using different construction materials and in many cases asbestos is involved. Therefore, regulating how attachments are made to our walls, ceilings, floor or roofs becomes very important for the safety and well-being of our students, staff and patrons.

There are two basic categories for attachments to walls of school buildings in MISD.
1) School buildings built before 1995; and
2) Schools built after 1995.

School buildings built before 1995 most likely contain asbestos, although we have been aggressively abating any asbestos we encounter in all of our bond construction and regular maintenance. These schools must have maintenance or maintenance supervised installation of any items that could release asbestos from these surfaces.

All schools built after 1995 generally do not have to contend with the asbestos issue, so the use of push pins, nails and staples is preferred. Punctures from these attachments can be easily repaired whereas tacky materials and tape leave oily and sticky residues that make painting very difficult.

GENERAL RULES

1. ALL OUTSIDE and INSIDE WALLS, ROOFS and FLOORS (if necessary) must be painted by maintenance personnel or approved contractors.
2. Any wall graphics must be submitted in writing with proposed artwork and approved by the Superintendent or his/her designee prior to the work being started.
3. All banners, poster or large pictures or items of significant size should be installed by Maintenance to insure a secure and safe building.
4. Any attachment to be made on a masonry block or brick wall shall be done by maintenance or an approved contractor.
5. Any attachments to be made on sheetrock or walls with paneling or vinyl coverings are subject the following regulations.
6. Nothing shall be attached to any windows in the District.
7. Nothing shall be attached to any doors in the District except for approved room signage or other designation. No one shall tape or attach by any means anything to any door in the District.

SCHOOL BUILDINGS CONSTRUCTED BEFORE 1995:

Walls: Any attachment that requires breaking the surface of a wall in these buildings, regardless of the wall material (masonry block or sheetrock) must be done by maintenance.

This means all punctures including pins, push pins, nails, staples etc. are strictly prohibited. There is a 50 percent chance that the wall will contain asbestos and any

disturbance of these walls may release asbestos fibers into the air. Asbestos is a cancer hazard that if released, could subject the District or the person who caused the release to heavy fines including the payment of asbestos related medical expenses.

We prefer occupants to use tack boards and strips where possible that maintenance must install. This includes the installation of "shower board" over chalkboards. Tape or tacky material may be used to attach posters, artwork etc., to walls but we ask that this be kept to a minimum as these leave a sticky or oily residue that is extremely difficult to cover with paint.

Nothing should ever be attached by tape, tacky material, nail, stapler, push pin, etc. to an inside or outside brick or ceramic tile wall.

Ceilings: Nothing should be attached by any means to any ceilings.

All of the 12" square ceiling tiles in the older buildings contain asbestos but have been covered by lay-in ceilings. There is insulation above most if not all lay-in ceilings and care must be taken when moving or replacing ceiling tile not to spread dust and insulation fibers throughout the room. For this reason we ask that nothing be attached to the ceiling grids. These grids cannot support much weight and attachments to the grid could cause release of asbestos.

Attachments should never be made to concrete or tectum ceilings. The tendency is to use tape or sticky tack materials that permanently discolor these absorbent surfaces.

Floors: Nothing should be painted or attached to any carpet or tile flooring. This permanently discolors the flooring and cannot be removed without replacing the flooring. Most schools have asbestos in the tile flooring that expensive and time consuming to abate. Many schools have carpet glued to asbestos containing tile and when the carpet is removed the tiles come up and asbestos is released. The cost to abate asbestos flooring usually doubles the costs of replacing flooring.

Roofs: Nothing should be attached to any roof in the District without approval from the Director of Facilities.

SCHOOL BUILDINGS CONSTRUCTED AFTER 1995

Walls: Occupants may use staples, nails, push pins, pins etc. to make any attachment to walls in these buildings. There is no chance of asbestos releases from walls in these campuses. Tape or tacky materials should never be used on walls in these buildings because they leave an oily or sticky residue that is extremely hard to remove or cover with paint. Punctures to these walls are easily repaired compared to the residues left by tape or tacky materials.

Unless an item is to become a permanent fixture we prefer occupants to use tack boards and strips where possible that maintenance must install. Repeated use of nails, tacks, staples, screws, command strips and other items used to hang objects, and paper undermines wall coverings such as sheetrock, or masonry. This includes the installation of "shower board" over chalkboards.

Ceilings: Nothing should be attached by any means to any ceilings.

Any items hanging from the ceiling confuses the security systems. If they move they can and will trigger false alarms. If this situation continues and we do not recognize the problem, we could expend a lot of dollars chasing a phantom and the security company loses faith in our system.

We are required to have all our facilities inspected by the Fire Marshal before we reoccupy our buildings at the beginning of each school year. Items that are found hanging from the ceiling are considered a hazard during a fire and the building fails inspection.

There is insulation above most if not all lay-in ceilings and care must be taken when moving or replacing ceiling tile not to spread dust and insulation fibers throughout the room. For this reason we ask that nothing be attached to the ceiling grids. These grids cannot support much weight and attachments to the grid could cause release of dust or insulation fibers.

Concrete or tectum ceilings are porous and yet impenetrable by staples, nails etc. The tendency is to use tape or tacky materials that permanently discolor these surfaces.

Floors: Nothing should be painted or attached to any carpet or tile flooring. This permanently discolors the flooring and cannot be removed without replacing the flooring.

Roofs: Nothing should be attached to any roof in the District without approval from the Director of Facilities.

5.3 **Donated Equipment**

Reference or Contact **Director of Facilities**

When PTO's and other groups wish to donate equipment and materials to the MISD, certain specifications shall be met prior the installation or acceptance of the gift. These guidelines are in place to ensure that legal requirements, sustainability of the gift, and district standards are met. The following list is an example of types of equipment that are affected:

- signs, monuments
- playground equipment, including benches
- ponds, fish, botanical or other
- greenhouses
- trees, landscaping
- fencing
- band towers
- printing equipment

1. The donated materials and equipment shall comply with the district standards.

2. All quotes and specifications must be submitted to the Director of Facilities for review. The review will occur within ten days and any deficiencies will be identified and reported to the respective PTA.
3. Equipment that requires special consideration not included in the installations costs shall be brought to the attention of the maintenance department prior to purchasing of said equipment. This is to ensure that the full scope of the project is known before equipment is purchased and installation begins.
4. In cases where no power wiring exists or the equipment requires different electrical service, the installation of this wiring should be the responsibility of the donating organization. Maintenance will assist in procuring quotes for wiring costs.
5. All equipment, materials and installation necessary for a complete and functioning project should be included in the quote. Marshall ISD may request further breakdown of costs to ensure that the full scope of the project is included in the quote.
6. In cases where electrical wiring exists, maintenance will help to make final connections. If repair or replacement of wiring is needed, quotes for this will be sought and paid for by maintenance. This work may not exceed $2,000.
7. Maintenance will coordinate any data or internet connections necessary for the operation of the equipment through the Technology department.
8. The complete installation of the product shall be the responsibility of the donating organization. This includes foundations, piers, footings, brackets for connecting to buildings for the level and complete functioning product.
9. If the vendor does not provide installation for the product, then the district can make available quotes from the district approved vendors or the PTA may choose to seek quotes from other outside contractors as long as the work meets district specifications.
10. The vendor shall include all cleanup and restoration activities necessary to make the project appear finished. Any finishes to building components that require restoration shall be stipulated in the quote. Coordination for the disposal of trash and recyclable materials shall be the responsibility of the contractor/vendor.
11. The maintenance department shall supervise the installation to ensure the district receives a high quality product and/or services that will be minimize maintenance issues.
12. Marshall ISD can provide some incidental items necessary for the installation such as temporary power and water, location of existing underground lines, temporary removal of fencing, etc.

13. All of the equipment and/or materials information including warranties, operating manuals, parts catalogs and service information shall be turned over to the maintenance department.
14. All necessary permits are the responsibility of the maintenance department.
15. Compliance with applicable laws and/or regulations must be ensured in the project design or equipment specifications.
16. If the donated project includes previously used materials or equipment, maintenance must verify that the condition is acceptable for use in MISD. Any historical maintenance data or records available should be turned over to the maintenance department.
17. If district funds are used to subsidize or supplement the donated amount for any item or project, a district approved vendor must be used.
18. All donations that require installation or other assistance from the maintenance department must be submitted to maintenance by the campus principal for review.
19. All funds must be collected and available before work can begin in any phase of the project.

Timeline for working with donating organizations/agencies - Donating agencies/organizations are interested in seeing their gifts in place in a timely manner. As such, maintenance or other involved departments will respond within ten (10) days to each phase of the project. This includes idea development, planning, bid/quote solicitation, project review, materials selection, ordering, and installation.

5.4 Energy Conservation

Reference or Contact **Director of Facilities**

This Guideline is directed at controlling the use of all utilities, including electricity, natural gas and water, of Marshall ISD. Related topics may include recycling, and garbage pickup.

The Marshall ISD, its Board of Trustees and Administration are committed to energy conservation and fulfilling the goals and objectives of the program throughout the District. This requires the active awareness and participation of everyone connected with the School District. This includes ALL employees at each level of responsibility, as well as students, parents and the community who utilize the school facilities.

- All unnecessary lighting in unoccupied areas shall be turned off. (i.e., classrooms, cafeterias, gymnasiums, libraries, hallways, lounges, workrooms, closets, etc.)
- Lights should be turned off when students and teachers leave the classroom.

- Lights will only be turned on in the areas where work is taking place or people are meeting and turned off when finished.
- Outside lighting should be turned off during the daylight hours.
- It is the responsibility of the head custodian of each campus to see that a complete or appropriate shutdown of the facility occurs each evening.
- All gymnasium doors, all classroom windows and doors, and all entrance/exit doors should be closed when the air conditioning or heating systems are operating. This applies to portable classrooms also.
- The air conditioning equipment will be set to occupied and unoccupied through scheduling by the Controls Technician using building controls and programmable thermostats.
- After-hours air conditioning requests for functions should be made via the work order system.
- Cafeteria lighting should be on only when the area is occupied.
- The lighting in classrooms, computer rooms, labs and offices should be dark when not in use.
- Turn off all equipment and machines when not in use.
- Turn off gymnasium lighting at earliest time possible.
- Report air conditioning that is on after hours to your immediate supervisor.
- All starting setpoints are determined by the Controls Technician in accordance with Energy Management guidelines. They are set as High limit of 69 in winter and low limit of 68 in summer. These will apply to all controlled HVAC Units.
- There shall be no space heaters in the district unless furnished by the maintenance department in the event of a heating emergency.

5.5 **Key Control Guidelines**

Reference or Contact: **Director of Facilities**

The control of District and campus keys is a priority for the safekeeping of all District assets. The control of keys must be very deliberate and procedures must all be followed and documented for this system to insure the protection of all District assets. Maintenance continues to issue a great number of “extra” keys every year that are unaccounted for. Our locksmiths need to concentrate on updating and maintaining door hardware. Therefore, we have established the following guidelines for key control.

Each campus shall designate one person to maintain control of campus keys. This person will be responsible for issuing and collecting keys at the beginning and end of each school year and when an employee retires or leaves. This person will be responsible for keeping an updated inventory of the keys issued to the campus and keys held in inventory at the campus.

Campuses should issue keys at the beginning of the school year and collect them at the end of the school term. Any person issued a District key shall sign for that key.

Campuses that hold summer school will issue existing keys from inventory to teachers and administrators working over the summer. A log will be kept of everyone that is issued and returns keys.

Campuses will have separate keys for exterior and interior doors, a separate key for test materials in a secure closet as per state regulations, separate keys for mechanical rooms, kitchens, MDF and IDF rooms, computer labs and various other facilities' type rooms. Maintenance personnel will be issued a key for each of these areas except for the test materials storage room.

Campus principals must approve who receives outside door keys. These will not be automatically issued to a campus unless requested.

Campus principals must request in writing for the approval of additional campus master keys besides those used by the custodians. All staff who are issued a building master must have a key form on file with the Facilities office. If a staff member, who has a master, leaves the District the key must be collected and returned to Facilities. When the staff member is replaced a master will then be reissued by the Facilities office after the proper forms are submitted. This allows the master keys to be tracked and accounted for. It is important that the masters are not just passed on to the replacement since these allow access to all areas of the building and if any issues arise we need to be able to account for these keys.

Employees will be issued a key based on their need of access. Principals, assistant principals and custodians will have campus masters. Teachers and most employees will be issued a key to their room. Persons with need of access to the testing, mechanical, electrical, MDF and IDF rooms, etc. will be issued the appropriate key for that area. Custodians must have access to all parts of the building except for the testing, electrical, mechanical, and IDF, or MDF rooms.

Keys must never be issued to non-District employees. If keys must be issued to volunteers, contractors or others, then the individual must sign and date a key request form obtained through the Facilities Department.

6 Personnel

6.1 Absence Reporting

Reference or Contact **Assistant Superintendent for Auxiliary Services**

The district offers employees paid and unpaid leaves of absence in times of personal need. Additional information about the basic types of leave available and restrictions on leaves of absence can be found in the Employee Handbook.

For exempt positions and for any position (exempt and non-exempt) that normally requires a substitute, leave must be used in half-day increments. For hourly position for which a substitute is not normally required, leave is recorded in one-half hour increments.

Earned comp time must be used before any available paid state and local leave. All employees, exempt and non-exempt must exhaust accumulated paid leave before using unpaid leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- Compensatory time
- Local leave
- State sick leave accumulated before the 1995-1996 school year
- State personal leave

All other available leave must be exhausted before Leave Without Pay may be used.

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 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 two 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 can be used only in one-half day increments, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

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

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

Local Leave

Local leave is granted based on Board Policy DEC (LOCAL). Local leave shall accumulate to maximum 20 leave days. Please Note: The number of local leave days granted to employees by MISD is based on the number of days the employee is annually employed by the district.

- Certified/Professional Employees
  - 10 month employee (197 or less) – allocated 5 days
  - 11 month employee (198 – 217) – allocated 6 days
  - 12 month employee (226 – 260) – allocated 7 days
- Paraprofessional/Noncertified Employees
  - 10 month employee (197 or less) – allocated 2 days
  - 11 month employee (198 – 217) – allocated 3 days
  - 12 month employee (226 – 260) – allocated 4 days

Local leave is to be used for the purpose of personal illness, illness in the immediate family, family emergency, or death in the immediate family.

Available leave shall be used in the following order:

- Compensatory or over-time leave
- Local leave accumulated before the 1991-92 school year
- Local leave earned in the 1991-92 school year and thereafter
- State sick leave accumulated prior to the 1995-96 school year
- State personal leave

Non-Work Days

The maximum number of non-duty days shall vary each year. The number of non-duty days shall be calculated by subtracting the number of assigned or contracted

workdays and the school calendar holidays from the total number of weekdays in the school calendar year. These days are allocated on July 1.

An exempt and non-exempt employee who works 226 workdays shall use the non-duty days available to him or her in a school calendar year by June 30 of that year. An employee may, however, carry over a maximum of three unused non-duty days.

It is important to note that although non-duty days are allocated as leave to be used at the employee's discretion, the days are not paid days off. The days are not included in the 226 day duty calendar nor are they included in calculating annualized compensation amounts.

Vacation Days

A full-time, 12-month employee who works 260 school calendar workdays shall earn ten workdays of paid vacation annually. Employees on a 260 school calendar workdays shall not earn any vacation days until he or she has been continuously employed by the District for one calendar year.

An employee working 260 workdays shall be expected to use the vacation days available to him or her in a fiscal year by August 31 of that year. An employee may, however, carry over a maximum of three unused vacation days from one fiscal year to the next. Unused vacation days that are carried over from one fiscal year must be used by August 31 of the next fiscal year. Unused vacation days at the end of the fiscal year, in excess of the maximum number of days allowed to be carried over, shall be lost.

Vacation days shall be available at the beginning of each fiscal year. However, if an employee ceases to be employed by the District and has used more vacation leave than he or she has earned, an amount equal to the employee's daily rate of pay times the number of vacation days used but not earned shall be deducted from the employee's final paycheck. If the employee's final paycheck is not sufficient to cover the amount owed to the District the employee shall be responsible for reimbursing the District for any deficit.

Scheduling of vacation days shall require prior approval from an employee's immediate supervisor.

School Business Leave

A time off request for school business leave should be submitted for approval into Skyward Employee Access and Skyward will prompt employee to enter it into AESOP, when an employee is:

- Requesting to be absent to attend a workshop or other professional development activity
- Accompanying students on an approved trip

Compensatory Time

Nonexempt employees receive compensatory time off rather than overtime pay for time worked over 40 hours. An employee must have written approval (Appendix N-7) from supervisor before working overtime. This form can be obtained from Campus Secretary or the Business and Financial Services page on the MISD website under "Forms".

- Available compensatory time shall be used before any other category of leave.
- Compensatory time shall be used in the year earned.
- Compensatory time limited to 60 hours.

Jury Duty

Employees will receive leave with pay and without loss of accumulated leave for jury duty.

Jury Duty Employee Responsibilities/Procedures

1. Employee must notify their supervisor as soon as possible when a jury summons is received.
2. The employee will enter his/her absence into Skyward Employee Access and Skyward will prompt employee to enter it into AESOP, noting Jury Duty as the reason for the absence, and requesting a substitute, if necessary. .
3. Teaching employees requiring a substitute must prepare lesson plans and make them available to the substitute.
4. Employees must present a court excuse (the jury summons is not acceptable) to the Leaves and Benefits Specialist and immediate supervisor for the service and may retain any court compensation received. If an employee is dismissed by the court, he/she is required to report back to work.

Administrative Leave

When an employee is placed on Administrative Leave, the administrator should work with the Leaves and Benefits Specialist to report leave in AESOP or Skyward, whichever is applicable as Administrative Leave.

Catastrophic Sick Leave Bank

A sick leave bank membership is available to all employees on a voluntary basis. The purpose of the sick leave bank is to provide sick leave to members of the bank in event of a life threatening or catastrophic disability due to illness, injury, or non-elective/emergency surgery. This source of sick leave is available only to bank members and only after a member's available leave resources such as compensatory time, non-duty days, accumulated state personal leave, and/or state and new employees hired prior to the opening of school coincides with TRS Active Care Open Enrollment dates. The annual enrollment period for the Catastrophic Sick

Leave Bank is September 1 – September 15. Employees must have one Local day available to join. Questions regarding the sick leave bank and full procedures for operations should be addressed to the Leaves and Benefits Specialist in the Human Resources Office.

Leave Requests

Time off requests must be submitted Skyward Employee Access and Skyward will prompt employee to enter it into AESOP, and approved by the employee's supervisor to report and record the use of leave. Time off request submitted in Employee Access can be edited and deleted prior to supervisor approval. To make changes or delete a time off request after it has been approved, a negative leave request must be submitted using the same time off code and date used in the prior submission.

Any employee that needs to take FMLA (Appendix N-5), Temporary Disability (Appendix N-6), or any other medical leave shall submit a Leave of Absence Request (Appendix N-1) to the Leaves and Benefits office 30 days before the anticipated leave date (or as soon as reasonably possible). This form can be obtained from Campus Secretary or the Business and Financial Services page on the MISD website under "Forms". The Leave/Benefit Specialist will notify supervisors when an employee has been approved for medical leave.

In the event an employee is out for 5 consecutive work days, campuses must notify the Leaves and Benefits Specialist immediately.

Exhaustion of Paid Leave

In the event an employee exhausts all paid leave, the Leaves and Benefits Specialist will send a Leave Exhaustion memo to the employee and copy the Supervisor.

Returning to Work

An employee that is off due to his/her own medical condition for more than 5 days must submit a Medical Release to the Leave/Benefits Specialist **before** returning to work. The employee's Supervisor will receive a notification from the Leaves and Benefits Specialist when the employee has been cleared and is released to return to work. Under no circumstance should an employee be allowed to return to work prior to receiving a notification from the Leaves and Benefits Specialist. All employees returning to work from after a workers comp injury or doctor's visit must deliver the work status report to the Leaves and Benefits Specialist before returning to work.

6.2 Administrative Leave/Suspension With or Without Pay

Reference or Contact **Assistant Superintendent for Auxiliary Services**

An employee may be put on "administrative leave" or "suspended with or without pay" when he/she is suspected to be involved in wrong doing. In essence, administrative

leave gives the superintendent or designee discretion to place contract employees on administrative leave with pay, and non-contract employees on administrative leave with or without pay, if such administrative leave is prompted by an allegation of wrong doing or is deemed by the superintendent or designee to be in the best interest of the district.

The specifics for administrative leave are listed under "suspension with/without pay" in board policy manual and can be found in the following sections.

At-Will Employees	DCD (LEGAL/LOCAL)
Probationary Contract Employees	DFAA (LEGAL/LOCAL)
Term Contract Employees	DFBA (LEGAL/LOCAL)

Absolutely no one is to be placed on administrative leave without prior approval from the superintendent or designee.

Further information regarding administrative leave/suspensions with or without pay may be found in the Business Services Fiscal Manual posted on the district's website.

Questions about Administrative Leave/Suspension policies, regulations, and guidelines should be directed to the Assistant Superintendent for Auxiliary Services.

6.3 Americans with Disabilities Act (ADA) – Requesting Reasonable Accommodation

Reference or Contact **Assistant Superintendent for Auxiliary Services**

The Americans with Disabilities Act (ADA) of 1990 is a federal anti-discrimination statute designed to remove barriers that prevent qualified individuals with disabilities from having the same employment opportunities as persons without disabilities. The ADA requires employers to provide reasonable accommodation(s) for qualified employees with disabilities.

The ADA applies to a "qualified individual" with a disability. An individual is considered "qualified" only when they possess the necessary skills, experience, education, and other job-related requirements and can perform the essential functions of his or her job with or without reasonable accommodation.

An individual is disabled if they have a physical or mental impairment that substantially limits one or more major life activities, have a record of such an impairment, or are regarded as having an impairment.

The essential functions of a job are the fundamental job duties of the position the individual with a disability holds or desires. Essential functions of a job must be performed by employees in the position and may be the reason the job exists.

A reasonable accommodation is any modification to a job that makes it possible for an individual with a disability to continue performing the essential functions of the job. The accommodation must be effective in reducing barriers to equal employment opportunities and must be work related. A reasonable accommodation does not have to be the best available as long as it is effective and does not pose an undue hardship to the District. An undue hardship is an action that requires significant difficulty or expense in relation to the District's available resources and daily operations.

It is the policy of Marshall ISD (MISD) to provide reasonable accommodation(s) for qualified individuals with "known" disabilities. Since reasonable accommodation requests are tailored for each individual making the request, it is necessary for made on an individual basis because of the nature and extent of a disabling condition the requirements of a job will vary in each case. If the individual does not request an accommodation, the employer is not obligated to provide one except where an individual's know disability impairs his/her ability to know of, or effectively communicate a need for, an accommodation that is obvious to the employer.

Procedures to Request an Accommodation Under the ADA

The employee should notify his or her immediate supervisor or the Leaves and Benefits Specialist. If the immediate supervisor is notified, the supervisor should immediately notify the Leaves and Benefits Specialist.

- The Leaves and Benefits Specialist will request the employee to provide medical documentation.
- The Leaves and Benefits Specialist will review the documentation and with the supervisor to determine if accommodation is needed and can be provided within the district's resource constraint; and make accommodations as possible.
- The Leaves and Benefits Specialist will file a copy of the request, medical certification and accommodations made.

Complaints regarding allegations of noncompliance with the ADA will be directed to the Assistant Superintendent for Auxiliary Services for investigation.

Marshall ISD recognizes its responsibility to provide its employees and applicants for employment with an environment that is wholesome, safe, conducive to good job performance and free of discrimination and/or harassment of any kind. Marshall ISD does not condone and will not tolerate discriminatory or offensive conduct.

6.4 Annual Mandatory Compliance Training for Non-Exempt Employees

Reference or Contact **Coordinator – Professional Development**

All Marshall ISD employees are required to complete mandatory compliance training upon being hired to the district and annually thereafter. The district currently utilizes an online training platform Eduhero with Regional Education Service Center VII, which allows employees to go online to complete the require training. While exempt employees may complete the training online at their convenience, non-exempt employees must be paid for any time spent completing the new hire or annual refresher training.

All newly hired (hired over the summer prior to the start of the work schedule) and returning employees must complete the required trainings no later than the first Monday of October.

For additional information, including the trainings required and instructions for exempt employees to complete the online training, please see Administrative Guideline 6.27 Mandatory Compliance Training.

6.5 Applicant Criminal History

Reference or Contact **Assistant Superintendent for Auxiliary Services**

The Human Resources Department obtain criminal history record information on all applicants for employment, upon receipt of his/her application. Since all district positions have the potential for contact with students, any applicant whose criminal history indicates that the person poses a threat to students or employees or whose criminal history is otherwise inconsistent with the job duties of the position for which the person is being considered may be disqualify from employment.

The Assistant Superintendent for Auxiliary Services or designee, will make an individualized assessment of criminal history record information when determining a person's eligibility for employment in a specific position. The district may take into account a variety of factors, including the following:

1. The nature of the offense;
2. The age of the person when the crime was committed;
3. The date of the offense and how much time has elapsed;
4. The adjudication of the offense (e.g., whether the person was found guilty by a trier of fact, pled guilty, entered a no contest plea, or received deferred adjudication);
5. The nature and responsibilities of the job sought;
6. The accuracy of the person's disclosure of his or her criminal history during the selection process;
7. The effect of the conduct on the overall educational environment; and
8. Any further information provided by the person concerning his or her criminal history record.

ARRESTS

The fact of an arrest alone does not establish that criminal conduct has occurred, and the district shall not disqualify a person based solely on an arrest. The district may make an employment decision based on the conduct underlying the arrest if the conduct makes the person unfit for the position in question.

The district may refuse to hire an employee or applicant for employment if the District obtains information through a CHRI review that:

1. The employee or applicant has been convicted of:
   a. A felony under Penal Code Title 5;
   b. An offense requiring registration as a sex offender under Code of Criminal Procedure Chapter 62; or
   c. An offense under the laws of another state or federal law that is equivalent to an offense under paragraphs a or b; and
2. At the time the offense occurred, the victim of the offense was under 18 years of age or was enrolled in a public school.

However, the District is not required to refuse to hire an employee or applicant if the person committed an offense under Title 5, Penal Code and:

1. The date of the offense is more than 30 years before:
   a. June 15, 2007, in the case of a person employed by the District as of that date; or
   b. The date the person's employment will begin, in the case of a person applying for employment with the District after June 15, 2007; and
2. The employee or applicant for employment satisfied all terms of the court order entered on conviction.

The Marshall ISD Employment Application requires an applicant to disclose any convictions, being placed on deferred adjudication or community supervision, pleas of guilty or no contest, as well as any current pending criminal changes and if the applicant is currently serving a probationary period (such as parole, probation or deferred adjudication probation) to any felony or misdemeanor offense other than a minor traffic violation. Failure by the applicant to disclose criminal history information may result in an automatic disqualification from employment consideration due to falsification of the application.

6.6 Attendance Consequences Guidelines

Reference or Contact **Director of Human Resources**

Personal Days:

1. All personal days must be approved by the principal two days prior to absence.
    a. Can deny absence if there are already too many subs out for that day.
    b. Can deny if it is before or after a holiday.
    c. Can deny if it is on a staff development day.
    d. Can deny if it is on a testing day.
    e. Can deny if they have not put in two days prior to the absence.
    f. Personal leave shall not exceed five consecutive workdays.

Local and Personal Days:

1. Any staff with excessive days should be sent a Specific Incident Memorandum. (See HR Documents for an example)
2. Continued excessive absences can require doctor's note after every absence.
3. Any staff that does not provide lesson plans while absent can be given a Specific Incident Memorandum. (See HR Documents for an example)
4. Any staff that has excessive absence can be on a growth plan for attendance.
5. You may require your staff to fill out a personal leave form to be approved by the principal before putting in the personal leave in Skyward. (See HR Documents for an example)
6. If any staff miss more than 5 days in a row leaves and benefits must be informed. (Daniela Darden at ext. 1064)
7. Employees must follow district and campus procedures to report or request any absence
8. An hourly employee who is absent for 3 consecutive days without notice is considered to have abandoned their job and may face disciplinary consequences up to and including termination.
9. Early Release Days – Whether the early release is scheduled or unscheduled, any employee who uses a Local Leave Day or State Personal Leave Day on one of these dates will be charged a full day of leave.

6.7 Authorization to Drive/Transport Students

Reference or Contact **Transportation Director**

Individuals who drive district owned motor vehicles or who transport students in their personal vehicles for school sponsored activities or as a requirement of the position they hold with Marshall ISD must seek authorization from the Marshall ISD Transportation Director.

Authorization to Drive District Owned, District Leased, or Private Passenger Vehicles

In order to obtain authorization to drive, the individual must:

1. be at least 21 years of age;
2. have an acceptable criminal history report;
3. provide a copy of a valid Texas driver's license
4. have an acceptable driving record according to the School Bus Drivers' Evaluation Point System develop by the Texas Department of Public Safety;
5. provide proof of personal liability insurance (for private passenger vehicles only); and
6. complete an Authorization to Drive/Transport Students Request form (required for individuals requesting to drive for Marshall ISD unless the person is already an employee of Marshall ISD whose job description requires them to drive).

Transporting Students in Private or Leased Passenger Vehicles
CNA Legal & Education Code §34.003(c)
The operator of a passenger car or passenger van used to transport students to school or to a school activity must:

1. ensure that the number of passengers does not exceed the design capability of the vehicle; and
2. ensure that each passenger is secured by a safety belt.

Drivers must refrain from the use of alcoholic beverages or controlled substances for a period of at least 24 hours before transporting students, employees, volunteers, etc.

Student Field Trip/School Activity Permission Slip and Medical Authorization Release Form
In addition to the driver authorization and passenger vehicle requirements above, vehicles operators must also obtain a copy of each student's completed field trip permission slip and medical authorization release form. These forms shall be provided to the driver by the school administrator, teacher, or coach who is sponsoring the field trip/school activity.

Additional Passengers for School Sponsored Activities
The school administrator, teacher, or coach of the school sponsored activity or field trip must ensure that any additional passenger who is not a student of Marshall ISD or an authorized driver must have an acceptable criminal history background. The criminal history authorization and data form may be obtained from any Marshall ISD school. The Marshall ISD Human Resources department will process the criminal history check and will notify a campus administrator if there is a problem.

Use of School District Vehicles
School-owned vehicles shall be used for official school-related purposes and shall be driven only by authorized District employees. Drivers shall obey all traffic laws. Only district students, employees, or other specifically authorized persons shall be permitted to ride in District-owned vehicles. Any personal use of school-owned vehicles shall have

the prior approval of the Superintendent or a designee. All traffic violations incurred while in the course and scope of doing district business are the sole responsibility of the driver.

The Authorization to Drive/Transport Students request can be found on the Traversa Trip Scheduling Program (student-transportation.tylerapp.com/TXMarshallISD/TripEx).

Each official school-related sponsor will be given a User Profile through the Transportation Department. The Transportation Director will run a DPS Driving Record Check. The Transportation Director will then notify the employee/volunteer, the supervisor and/or campus principal, and the department or campus secretary of the driver's status. The employee must complete the Traversa Trip request for each trip 10 days prior to the trip. The Campus Principal must approve the trip 10 days before the requested trip. Any questions concerning vehicle availability and requirements for driving vehicles can be answered by the Transportation Department.

If a private owned vehicle is used for school business, the District's automobile insurance is secondary after the driver's personal policy limits have been exhausted and if the District employee is found to be liable should a vehicle accident occur.

The employee must immediately notify the Transportation Department of any changes in vehicle insurance coverage or driving record.

6.8 Automobile Accident Reporting

Reference or Contact **Transportation Director**

School-owned vehicles shall be used for official school-related purposes and shall be driven only by authorized District employees. Employees who operate commercial motor vehicles, including school buses; employees who operate noncommercial vehicles, including MVPs; monitors; police officers; van drivers; employees required to inspect, service, repair, or maintain, vehicles or equipment; and other positions as determined by the Superintendent, are considered "safety-sensitive" positions for purposes of random and reasonable suspicious drug, alcohol, and controlled substance testing. In the event of a motor vehicle accident where a district-owned vehicle is involved, the following procedures apply:

1. The employee driving the vehicle will immediately notify their supervisor of the accident.
2. The employee will participate in any police investigation of the accident.
3. The employee will provide proof of district automobile insurance information located inside of the vehicle.
4. The employee will collect the other driver's information (owner's name, phone number, driver's name, address, driver's license number and state, insurance company and policy number, vehicle make, year and plate number, injuries, and damage to the other vehicle).

5. The employee shall not drive the vehicle from the scene of the accident and should wait for the supervisor to arrive.
6. The supervisor and another employee (if the vehicle involved in the accident is drivable) should then go to the scene of the accident to pick up the employee involved in the accident and the vehicle involved.
7. The employee involved in the accident, regardless of fault, will be transported by the Transportation Director to MISD Approved Health Provider for a drug and alcohol screen.
8. The supervisor should contact the Transportation Director or Secretary to the Transportation Department to contact MISD Approved Health Provider to authorize a drug and alcohol screen and any medical care needed. The employee is not to drive a district vehicle or personal vehicle for district business until a "negative" drug screen is received by the Transportation Department.
9. If the employee is injured and needs medical attention, they may receive it upon arrival at MISD Approved Health Provider.
10. The supervisor will be notified by the Transportation Director when the employee is clear to drive. Any employee involved in an automobile accident while driving a district-owned vehicle is subject to alcohol and drug testing, regardless of fault. A positive drug or alcohol test result will result in the employee's immediate termination of employment.

Immediately following the accident, the supervisor, with assistance from the employee involved in the accident, will complete the Motor Vehicle Claim report, police report (including pictures from the accident) and submit to Financial Services Department. If the employee is injured, a First Report of Injury should also be completed. The Transportation Department and Financial Services Department will work with the supervisor for any vehicle repairs needed.

6.9 Break and Meal Periods

Reference or Contact **Assistant Superintendent for Auxiliary Services**

Marshall ISD staff are expected to work their assigned hours according to their job title and responsibilities.

MEAL PERIODS
Non-exempt employees are to clock out and in when they take their approved lunch. The length of the lunch period will be determined by their supervisor usually lasting 20 minutes or more.

BREAKS
There is not a requirement that employees receive a daily break. As stated in the legal definition below, breaks are subject to the principal/supervisor. Breaks will be based upon situational need.

Federal law does not require lunch or coffee breaks. However, when employers do offer short breaks (usually lasting about 5 to 20 minutes), federal law considers the breaks as compensable work hours that would be included in the sum of hours worked during the work week and considered in determining if overtime was worked. Unauthorized extensions of authorized work breaks need not be counted as hours worked when the employer has expressly and unambiguously communicated to the employee that the authorized break may only last for a specific length of time, that any extension of the break is contrary to the employer's rules, and any extension of the break will be punished.

Bona fide meal periods (typically lasting at least 30 minutes), serve a different purpose than coffee or snack breaks and, thus, are not work time and are not compensable. Examples:

- *In some cases, where a staff member cannot leave their post, a scheduled break would be appropriate.*
- *It would be appropriate for staff, who are working in strenuous situations, to be provided a break to cool down and recover from the physical exertion.*

Breaks for Expression of Breast Milk

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.

6.10 **Criminal History Checks**

Reference or Contact **Assistant Superintendent for Auxiliary Services**

Senate Bill 9, passed by the 80th Legislature, mandates that the Texas Education Agency (TEA) acquire criminal history reports on charter school employees, certified and currently employed educators, substitutes, and non-certified employees hired after January 1, 2008. Certified employees require a national, fingerprint-based check that will be undertaken by the State Board for Educator Certification (SBEC). Non-certified employees require a national, fingerprint-based check to be undertaken by the Texas Department of Public Safety (DPS). The district will complete a criminal history check on an applicant prior to the applicant being presented to the board for employment or before an applicant begins working. After reviewing the criminal history of the applicant, the Executive Director of Human Resources & Student

Services or designee will designate whether or not the applicant is eligible for employment with Marshall ISD.

The district also obtains all criminal history information on individuals who have completed an online volunteer application. Under *TEA Code ' 22.053*, a district MAY obtain criminal history information on these individuals. The district will also obtain criminal history information on any individual, who may come in contact with the district's children.

The district may discharge an employee if the district obtains information of the employee's conviction of a felony or misdemeanor involving moral turpitude that the employee did not disclose to the State Board for Educator Certification or to the district. An employee so discharged shall be considered to have been discharged for misconduct for the purposes of *Labor Code ' 207.044* (unemployment compensation). *Education Code 22.085*

Procedures for criminal history checks:

1. An authorization to conduct a criminal history check is required of all applicants and volunteers. Applicant, volunteer, and designated contracted service providers must complete the criminal background check section online in order to be considered. Contract providers and others who will work directly with children are also required to complete an authorization as are those who work at facilities or grounds in close proximity to students. Human Resources Department is responsible for conducting criminal history information checks for applicants and employees, and student teachers. The Community/Volunteer Coordinator is responsible for conducting criminal history information for parents, volunteers, student teachers/observers and nursing students/observers. The Human Resources department is responsible for conducting and/or verifying criminal history checks for consultants and vendors.
2. When a candidate's criminal history check has been completed and there are no outstanding warrants, felony offenses involving moral turpitude, or other criminal history that would prohibit employment as defined by the district's criteria, as set out in these regulations, the individual's online criminal record check (CRC) will be marked clear. No employment action will be taken and volunteers will not be allowed to volunteer until a favorable review is received.
3. If a candidate's background check reveals any felony offenses or offenses involving moral turpitude, or other criminal history that would prohibit or preclude employment as defined by the district's criteria the candidate may be disqualified from consideration.
4. If a background check of an applicant reveals an outstanding warrant, information may be forwarded to the appropriate law enforcement agency.
5. If the background check of an applicant for, or holder of, a certificate or permit issued by the State Board for Educator Certification (SBEC) reveals a "reported criminal history", the Superintendent must report this information within 7 days to

the SBEC under the new disciplinary rules for educators. A reported criminal history included information about an arrest, indictment, prosecution, conviction, or other disposition by the criminal justice system. Probation and deferred adjudication, for instance, are part of an individual's reported criminal history.

6. All computerized criminal histories are confidential.
7. Any applicant or volunteer who fails or refuses to grant authorization for the district to conduct a criminal history check shall be deemed to have an incomplete application and shall not be eligible for consideration for employment or service as a volunteer.
8. An applicant may not be employed if he or she fails to disclose on the application any pending criminal charges or the disposition of any criminal case.

DEFINITIONS

CONVICTION: For the purposes of this policy, the word "conviction" shall mean a court verdict, regardless of plea or whether a jury has been waived or any subsequent disposition or suspension of the case has been rendered, whereby a judgment of the court results in incarceration, probation, deferred adjudication, or other.

DEFERRED ADJUDICATION: The deferral of criminal proceedings by the court after a person has entered a plea of guilty or nolo contendere. The court defers a finding of guilty and places the person on communication supervision.

FELONY: Is a crime of a more serious nature than a misdemeanor that is punishable by fine and/or confinement in a penal institution and, includes capital felonies and first, second, third degree and state jail felonies. Typically in the State of Texas,

a. Capital felonies are punishable by imprisonment in the institutional division for life or by death.
b. First degree felonies are punishable by imprisonment in the institutional division for any term of not more than 99 years or less than 5 years.
c. Second degree felonies are punishable by imprisonment in the institutional division for any term of not more than 20 years or less than 2 years.
d. Third degree felonies are punishable by imprisonment in the institutional division for any term of not more than 10 years or less than 2 years.
e. State jail felonies are punishable by confinement in a state jail for any term of not more than 2 years and less than 180 days.

MISDEMEANOR: Is a less serious criminal offense, generally punishable by a fine and/or imprisonment in the county jail and, can include Class A, B, and C misdemeanors.

PLEA OF GUILTY: Admission of the criminal allegations brought by the prosecuting attorney.

PLEA OF NOLO CONTENDERE: The legal effect of which is the same as a plea of guilty, except that such a plea may not be used against the defendant as an admission in a civil suit based upon or growing out of the act which the criminal prosecution is based.

PROBATION: The placement of a convicted individual under community supervision wherein the sentence of imprisonment or confinement is suspended in whole or in part for a specified period of time.

The State of Texas and the United States have criminal codes which define what conduct is considered criminal. If clarification is needed or conflict exists between a definition used in these guidelines and laws enacted, the definitions in the State of Texas, United States and other states' codes, as applicable, will prevail.

Offenses that preclude employment or assignment as a volunteer:

1. Felony:

An individual will not be hired as an employee or contract provider or granted status as a volunteer with the Marshall Independent School District if, in the past ten years, the individual has been convicted of a felony of the third degree or greater or of any offense equivalent to a felony of the third degree or greater, as defined by the Texas Penal Code or federal statute, unless that conviction has been set aside by a court of competent jurisdiction.

2. Offenses that pose a risk to children:

No individual will be hired as an employee or contract provider or granted status as a volunteer with Marshall Independent School District if the individual has ever been convicted of an offense that poses a risk of a harm to children including, but not limited to, the following Texas Penal Code Statutes (unless overturned on appeal):

a. Rape or sexual assault; (Texas Penal Code 22.011 and 22.021)
b. Physical, sexual, emotional, abuse or neglect of a minor; (T.P.C. 21.11, 22.011, 22.021, 22.04 and 22.041)
c. Incest; (T.P.C. 25.02)
d. Exploitation, including sexual exploitation, of a minor, or sexual misconduct with a minor; (T.P.C. 43.05, 43.24, 43.25 and 43.26)
e. Molestation of a child; (T.P.C. 21.11)
f. Lewdness or indecent exposure; (T.P.C. 21.11)
g. Possession, distribution, or sale of obscene or pornographic literature, photographs, or videotapes; (T.P.C. 43.24 and 43.26)
h. Assault, battery, or any violent offenses involving a child; (T.P.C. 22.01 and 22.04)
i. Endangerment of a child; (T.P.C. 22.041)

j. Removing a child from a state or concealing a child in violation of a court order; (T.P.C. 20.02, 20.03 and 20.04)

k. Any type of child abduction; (T.P.C. 25.03)

3. State jail felony:

   An individual will not be hired as an employee or contract provider or granted status as a volunteer with Marshall Independent School District if they have been convicted of a state jail felony or equivalent offenses within the past three years, or are currently serving probation, parole, court-ordered community supervision, or deferred adjudication resulting from the same.

   Subsequent to a conference with the HR Director, individuals who have been convicted of state jail felonies or equivalent offenses prior to the past three years and are not currently on probation, parole, court-ordered community supervision, or deferred adjudication may be considered for employment or volunteer status by the Marshall Independent School District.

4. Misdemeanors: Class "A" and Class "B":

   An individual who has a conviction classified as a Class "A" or Class "B" Misdemeanor, as defined by the Texas Penal Code, may be considered for hire as an employee or contract provider or granted status as a volunteer if the offense does not fall within the criteria as previously stated.

5. Misdemeanors: Class "C", Criminal, or Equivalent:

   An individual who has a conviction of any Class "C" Misdemeanor, as defined by the Texas Penal Code, that is criminal in nature, may be reviewed on an individual basis.

6. Misdemeanors: Class "C", Non-Criminal, or Equivalent:

   An individual who has a conviction of any misdemeanor, not classified in the Texas Penal Code, or "traffic offense," as that term is defined by the Texas Motor Vehicle Laws, may be considered for hire as an employee or contract provider, or granted status as a volunteer with the Marshall Independent School District. However, if an individual has submitted an application for employment or to serve as a volunteer with the Marshall Independent School District and his or her duty and responsibility includes transporting students, then that individual must meet the minimum requirements for school bus drivers set by the Texas Department of Public Safety. See 37 Texas Administrative Code, Section 14.14

Other Governing Criteria for Employment/Volunteer Decisions

The Assistant Superintendent for Auxiliary Services and/or designee may consider the factors listed below in determining whether to waive the criminal history restrictions to employment or granting volunteer status. In pursuit of such information regarding the matter, the Assistant Superintendent for Auxiliary Services and/or designee may conference with the applicant or person seeking volunteer status and consult with other

relevant persons as deemed appropriate. The factors include, but are not limited, to the following:

1. The nature and seriousness of the crime.
2. The relationship of the crime to the purposed of the district.
3. The extent to which employment might offer an opportunity to engage in further criminal activity of the same type as that in which the person previously had been involved.
4. The relationship of the crime to the ability, capacity, or fitness required to perform the duties and discharge the responsibilities of the position being considered by the district.
5. The extent and nature of the person's past criminal activity.
6. The age of the person at the time of the commission of the crime.
7. The time elapsed since the person's last criminal activity.
8. The conduct and work activity of the person prior to and following the criminal activity.
9. Evidence of the person's rehabilitation or rehabilitative effort while incarcerated or following release.
10. The results of any action taken by the licensing authority if the person holds a professional license.
11. Other evidence of the person's present fitness, including letters of recommendation from: prosecution, law enforcement and correctional officers who prosecuted, arrested or had custodial responsibility for the person; law enforcement officers in the community where the person resides; and any other persons in contact with the convicted person.
12. The effect of the crime upon the district or, if an applicant, the effect that hiring the person would have upon the district.
13. Whether the individual has a pattern of habitual criminal activity.
14. The publicity surrounding the actual crime.
15. The overall impact of the conduct upon the operation of the school or the district.
16. Any other extenuating circumstances.
17. If after applying the criteria outlines above, the Assistant Superintendent for Auxiliary Services and/or designee believes that the applicant, contract provider or prospective volunteer should be employed or given volunteer status, he/she shall remove the restriction

6.11 **Disciplining of Non-Exempt Employees**

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

The Marshall Independent School District seeks to establish and maintain positive and productive standards of employee conduct and supervisory practices. These

procedures will support the efficient delivery of support services to the Marshall ISD through a fair and consistent administration of employee relations. The desired goal is to address job performance problems proactively and prevent the necessity of termination whenever possible.

Supervisory personnel in the Marshall ISD responsible for employees considered to be under the *"employment-at-will"* doctrine should exercise caution in the disciplining of workers. Every effort should be made to balance the employer's freedom to dismiss an employee without reason and at any time with the rights of the employee. Generally, attempts at correcting problems should be applied in a progressive manner with documentation that supports the supervisor's attempts to improve the employee's performance. With the exception of a very serious offense, an employee is rarely terminated for a single instance of misconduct.

Increasing severe penalties will be imposed as the seriousness of the offense increases or as repeated offenses occur. For specific steps on how to address unsatisfactory employee performance or conduct, all supervisors shall use the MISD Progressive Discipline Manual. As supervisors encounter employee performance that warrants a corrective action, the following steps should be taken unless the behavior is considered to be severe:

Step 1: Verbal Directive and Note to the File - When a supervisor notices a problem with an employee's performance, a brief verbal directive is usually sufficient to correct a normal, nonrecurring problem followed by a “Note to the File”. This should be a simple handwritten or typed note made by the supervisor giving a clear and concise statement of the infraction and the date.

The objective is always to improve the employee's deficient performance in a positive and productive manner. Again, depending on the severity of the violation whether it be misconduct or poor job performance, a verbal directive and note to the file may be used prior to a formal discipline conference and formal written reprimand/write up.

Step 2: Disciplinary Conference and Written Reprimand / Write Up - When a serious violation occurs or when other corrective actions have not been successful, the supervisor should call the employee in for discipline counseling and issue a written reprimand/ discipline write up / specific incident memorandum.

Communication plays a key role in the sequence of corrective steps taken to improve an employee's job-related deficiencies. The conference should attempt to clearly communicate the district's policies and procedures and the conduct/performance expected of the employee.

The auxiliary departments have discipline counseling forms that should be used for this purpose. *The completed appropriate discipline counseling form* should be issued to the employee during the discipline conference. The supervisor(s) should note the employee’s response. The employee should also be given the

opportunity to write and submit a rebuttal within 7 to 10 following the discipline conference.

A copy of the discipline conference form should be sent to Human Resources for filing in the employee's personnel file.

Other non-exempt employees (i.e. instructional aides, clerical staff, security guards, etc.) will receive a written reprimand/ discipline write up / specific incident memorandum.

REVIEW BEFORE COMPLETING A *DISCIPLINARY WRITE-UP*

- Clear communication is important in the completion of a *Disciplinary Counseling Form/written reprimand/specific incident memorandum.*
- Give The Facts First, Then Conclusions - Written documentation should briefly state the facts that caused the supervisors concern and then state the conclusion based on those facts.
- Avoid Fighting Words - Supervisors should strive to be a problem-solver and not incite further problems. All documentation should be factual and stated objectively with the conclusions reported.
- Assume The Documentation Will Be Read - All information documenting employee performance deficiencies and corrective actions should be written in a manner free from bias, with a clear understanding that the written communication could be used in hearings and/or court.
- Do Not Write When Angry - Supervisors should delay writing disciplinary documentation or conducting a conference until they are able to discuss the issue in a level-headed and fair manner.
- Treat All Employees Alike - All rules and procedures should be applied to all employees evenly and fairly.
- Be Timely - Supervisors should not delay in telling employees about problems and should follow through on all documentation and conferences.
- Do Not Backdate - Backdating documentation constitutes falsification of an official record. If an infraction happened earlier without being documented, the supervisor should not "go back" and prepare backdated documentation.
- Do Not Document Unlawful Reasons to Support Termination - Numerous state and federal laws protect employees from retaliation or adverse employment actions. Supervisors should not "write up" employees, for example:

- for refusing to perform illegal acts;
- for filing or cooperating in the investigation of an employment discrimination claim;
- for filing a complaint or assisting an inspector under health or environmental laws;
- for reporting a violation of law to an appropriate law enforcement authority in good faith;
- for filing a worker compensation claim;
- for exercising rights to receive overtime or fair compensation under the Fair Labor Standards Act;
- for providing information about potential school district violations of the Asbestos Hazard Response Act.
- for exercising constitutionally protected First Amendment free speech right; or,
- for any action that appears discriminatory on the basis of race, color, ethnicity, handicap, national origin, age or gender.

Finally, experienced supervisors know there are two sides to every story and that if is not advisable to write "the facts" without conducting an adequate investigation. At a minimum, the supervisor should first discuss the alleged facts with the employee.

Documentation is a valuable tool for attempting to improve employee performance. Through effective documentation, a supervisor can provide directives that contribute to solving potential problems before they result in a termination action.

Step 3: Decision and Recommendation to Terminate – Board policy states that only the superintendent may terminate an at-will employee. Prior to that, when all efforts for improving an employee's performance fails or in the case of a severe violation of district policies, a termination is necessary. To proceed with a termination, the appropriate department director or supervisor should send a request to terminate correspondence to the HR Director or the Supervisor of Employee and Personnel. This request can be sent via email. The recommendation to terminate employment email correspondence should include the following information:

- Name of Employee
- Position
- Campus
- Most Recent and Final Incident
- Attempts to Remediate Employee's Performance/Behavior
- Summary of Prior Misconduct / Disciplinary Action and Date the Disciplinary Action Was Issued and Attempts to Retrain.

Example:

- *Mrs. Werabouts Are-U,*
- *Custodian at Somewhere Middle School*
- *Has failed to follow school district procedures for calling in her absences. She has been a no call no show for the last two days (Monday, December 1 and 2, 2011).*
- *Mrs. Are-U received prior warnings that similar incidents could result in disciplinary action including termination.*
    - *December 1, 2009 – Verbal and Note to the File – Failure to follow school district procedures for calling in an absence. Employee was told to refer to employee handbook.*
    - *February 6, 2010 – Discipline Counseling Session and Write Up – Called in at 8:30 a.m. when shift began at 7:15 a.m. Was reminded of call in procedures and was told "Future similar incidents could result in further disciplinary action including termination of employment." She was also given another copy of the section related to these procedures from the Marshall ISD Employee Handbook.*
- *At this time, I, (Supervisor), recommended termination of Mrs. Are-U's employment effective immediately.*

The recommendation should be sent to the Assistant Superintendent for Auxiliary Services, as they may have follow up questions for the supervisor recommending the termination.

The recommendation will then be sent to the Superintendent for approval. Once the recommendation to terminate the employee is approved by the Superintendent, the supervisor recommending termination will be notified via email.

Step 4: Termination Conference –The department director or department supervisor should meet with the employee to inform him/her that the superintendent has approved their termination. At this time the employee is expected to return all district property and keys in his/her possession. If a supervisor may request the presence of a Human Resources administrator if they do not feel comfortable conducting the employment termination meeting.

Auxiliary employees (i.e., at-will employees) can be terminated at the will of the employer at any time and for any reason. However, a terminated auxiliary employee is entitled to express concerns or complaints through the employee complaints procedures. In addition, there are constitutional provisions that protect employees from violations of their civil rights. Department director and supervisors must ensure that a constitutionally impermissible reason such as ADA, sexual harassment, or whistleblower action is not being used to support the decision to terminate an employee. The employee also retains the right to file an employee complaint/grievance within 15 days from the date he/she first knew of the information leading to the complaint. The employee complaint/grievance procedures and forms

can be accessed from the Marshall ISD website under Employment – Documents/Forms or by contacting the Human Resources department. Please contact the human resources department to seek clarification regarding the employment termination procedures if needed.

6.12 Electronic Communication with Students and Public Use of Electronic Media

Reference or Contact: **Assistant Superintendent of Curriculum & Instruction**

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

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

In accordance with administrative regulations, a certified or licensed employee, or any other employee designated in writing by the Superintendent or a campus principal, may use electronic media to communicate with currently enrolled students about matters within the scope of the employee's professional responsibilities. All other employees are prohibited from using electronic media to communicate directly with students who are currently enrolled in the District.

The regulations shall address:

1. Exceptions for family and social relationships;
2. The circumstances under which employees may use text messaging to communicate with students; and
3. Other matters deemed appropriate by the Superintendent or designee.

Employees shall be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media violates state or federal law or District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

Employees shall be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media violates state or federal law or District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. Employees will

complete an Acceptable Use of Technology form annually through Skyward Technology. Authorization to communicate with students must be given by the campus principal.

6.13 Eligibility for Stipends

Reference or Contact **Assistant Superintendent for Auxiliary Services**

Stipend payments represent compensation paid to exempt employees for responsibilities they have been assigned that require work beyond their regular duty. Stipend amounts are approved by the Board of Trustees on an annual basis.

Paraprofessional employees will not be assigned athletic responsibilities or other after school program sponsor duties (drill team, cheerleading, etc.) and will not be paid a stipend. Starting in the 2026-2027 school year, employees working on a 226-day calendar will not be eligible to receive an extra duty stipend. 226 employees currently receiving an extra duty stipend are grandfathered.

6.14 Employee Dress Code

Reference or Contact **Assistant Superintendent for Auxiliary Services**

The dress and grooming of District employees shall be clean, neat, in a manner appropriate for their assignments, and in accordance with any additional standards established by their campus principal or department supervisor.

All District employees shall adhere to all dress and grooming regulations during regular school business hours.

Appropriate dress for female staff:

- Dresses and skirts which are no shorter than three inches above the knee. Dress and skirts which are ankle length and tight enough to hinder walking are not acceptable attire. The slit of a dress or skirt must come no higher than three inches above the knee.
- Slacks and Capri pants may be worn in an appropriate manner. Capri pants must be below the knee. Physical education teachers may wear shorts. All other female staff will not wear shorts. Jeans are not acceptable with the exception of Casual Friday. Jeans with rips or holes above the knee not permitted. Tights or leggings may not be worn as pants.
- Low cut blouses, see-through clothing, off the shoulder, halter style, tank tops, or clothing which reveals the midriff are not allowed. Sleeveless clothing must cover undergarments.
- Shoes must be worn. House shoes, flip flops, or beach-type shoes are not permissible.
- Ears and only one facial piercing allowed.

- Hair must be neat, clean and well groomed. Distracting styles, and/or unnatural hair colors are not allowed. Hats are not to be worn inside.
- Tattoos that are considered offensive, racist, vulgar, show scenes of violence, drug-related, contain strong sexual imagery, gang related or contain obscene phrases must not be visible.
- Shirts promoting surrounding districts are not permitted.

Appropriate dress for male staff:

- Men must wear a dress shirt and/or similar collared shirt. T-shirts or tank tops are not allowed.
- Slacks and casual dress pants are acceptable. Suits/jackets are optional. Physical education teachers may wear shorts. All other male staff may not wear shorts. Jeans are not acceptable with the exception of Casual Friday. Jeans with rips or holes above the knee not permitted.
- Shoes must be worn. House shoes, flip flops, or beach-type shoes are not permissible.
- Hair (including facial hair) must be neat, clean and well groomed. Distracting styles, and/or unnatural hair colors are not allowed. Hats are not to be worn inside.
- Ears and only one facial piercing allowed.
- Tattoos that are considered offensive, racist, vulgar, show scenes of violence, drug-related, contain strong sexual imagery, gang related or contain obscene phrases must not be visible.
- Shirts promoting surrounding districts are not permitted.

With the express permission of the department director, dress may vary from the norm on special days (theme days) or when a special project dictates such a need.

By enacting this dress code policy, the Marshall Independent School District recognizes that there are occasions when individuals may need to wear specific clothing due to medical reasons. When such is the case, the employee must provide the proper medical documentation that gives rise to the need for deviation from this dress code policy.

School district staff members who do not, in the judgment of the supervisor, reasonably conform to this dress code shall receive a notice from their supervisor. Repeated violations or refusal to comply with the directions of the supervisor by an employee could result in disciplinary action up to and including termination.

6.15 **Employee Benefits**

Reference or Contact **Leave and Benefits Specialist**

Health, Dental, and Life Insurance
Policy CRD

Marshall ISD administers all employee insurance benefits and protects the confidentiality of all employee personal health information in accordance with all applicable laws, regulations and requirements. The Leave and Benefits Office is available to assist employees with issues that cannot be resolved by accessing online information or direct customer support provided by benefit providers.

Further information regarding Leave and Benefits may be found on the District Website under *About MISD > Departments > Human Resources > Benefits tab*.

Questions about Leave and Benefits policies, regulations, and guidelines should be directed to the Leave and Benefits Specialist.

6.16 Employee Complaints Procedures

Reference or Contact **Assistant Superintendent for Auxiliary Services**

PURPOSE

The purpose of the Employee Complaints Procedure is to provide employees an orderly process for the prompt and equitable resolution of complaints. The board intends that, whenever feasible, complaints be resolved at the lowest possible administrative level. The board encourages employees to discuss their concerns and complaints through informal conference with their supervisor, principal, or other appropriate administrator.

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

NOTICE TO EMPLOYEE

The principal of each campus and other supervisory personnel shall be responsible for informing all employees under their supervision of the district's policy on employee complaints and grievances. Upon request, employees shall be provided a copy of the Employee Complaints Procedure and given assistance in proper procedures for filing complaints and grievances.

DEFINITIONS

1. Complaint - The terms "complaint" and "grievance" shall have the same meaning. A complaint under this policy shall include:
    a. Grievances involving an employee's wages, hours, or conditions of work;

b. Specific allegations of unlawful discrimination in employment in the basis of sex (including allegations of sexual harassment), race, religion, national origin, age, or disability;
c. Specific allegations of unlawful discrimination or retaliation based on the employee's exercise of legally protected rights; or
d. Specific allegations of adverse personnel action based on the employee's good faith report to an appropriate law enforcement authority of a violation of a law by the District or a District employee, i.e., "whistleblower complaint. [See DG]
e. Complaints arising from the dismissal or termination of an at-will employee. [See DFAA]
f. Complaints arising from the termination at end of year of the probationary contract of a professional employee. [See DFAA]

A complaint must specify the individual harm suffered.

2. Aggrieved Party - An aggrieved party is an employee who alleges a violation of a constitutional, statutory, common law right, or of a State Board rule or local Board policy in accordance with Board Policy DGBA. An employee who files a grievance is not necessarily an "aggrieved party." Under State Board rules, different timelines and procedures may apply to "aggrieved partied" than to "complaint." Those distinctions shall be determined on a case-by-case basis.

PRESENTATIONS AND HEARINGS

In most circumstances, complaints shall be entitled to an administrative review conference and an informal presentation of the complaint to the Board; however, aggrieved parties whose legal rights allegedly have been adversely affected such that they are entitled to some type of due process hearing shall be offered a hearing before the Board or its designee at Level Three. Upon receipt of the written request party is legally entitled to more than a presentation and, if so, the type of hearing appropriate.

OTHER REVIEW PROCESSES

Some topics are governed by other review processes and are not subject to this procedure. Employee termination procedures are found in policy [DGBA (LOCAL)]. The termination or non-renewal of an employee shall not be the subject of a complaint under this policy except when the district does not otherwise provided a hearing on the matter.

REPRESENTATION

The employee filing a complaint or any employee who is the subject of a complaint may be represented at his or her own expense by a fellow employee, attorney, or other person or organization that does not claim the right to strike. The district may be assisted in processing a complaint, as it deems appropriate. If the employee designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel.

GENERAL PROVISIONS

The following shall be general provisions for processing complaints:

1. Complaints shall be heard in informal, administrative conferences.
2. Time is of the essence. If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days starting at the level at which the complaint was dismissed.
3. "Days" shall mean District business days. In calculating time lines under this policy, the day a document is filed is "day zero," and all deadlines shall be determined by counting the following day as "day one."
4. The appropriate administrator at each level shall respond to the employee within ten District business days of a complaint conference.
5. The employee has ten District business days after receiving a response denying the complaint to appeal to the next level. The complaint shall be considered concluded if at any level it is not appealed within the given time limit.
6. All complaints arising out of an event or related series of events must be addressed in one complaint. An employee shall not file separate or serial complaints concerning events or series of events that have been or could have been addressed in a previous complaint.
7. Costs of any complaint shall be paid by the party incurring them.
8. Complaints shall be submitted in writing on district provided forms contained in this packet. All items on the complaint forms must be completed and any documents that support the complaint should be included. Copies of supporting documents may be presented at the Level One conference if not available when the complaint was filed.
9. At each level of notice or appeal, the employee is expected to send the human resources director a copy of the complaint files and any supporting

documentation. Human resources staff is also available to assist the employee as to procedures, timelines, and filing forms throughout the complaints process. Human Resources may be reached by telephone at (903)927-8700 or by mail at:

Marshall Independent School District
Human Resources Office
PO BOX 43
Marshall, TX 75670

10. Completed complaint form may be submitted by hand delivery, fax, or U.S. mail to the immediate supervisor and to the director of human resources.

INITIATING A GRIEVANCE

LEVEL ONE

The employee is expected to attempt to resolve any complaint informally by meeting with the principal or immediate supervisor. If the complaint is unable to be resolved informally, the employee shall request a conference with the principal or immediate supervisor by submitting the complaint in writing on a "LEVEL ONE" form provided by the district. This form must be filed within 15 District business days of the time the employee first knew or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance.

Principal or immediate supervisor shall hold the "LEVEL ONE" conference within ten District business days after receipt of the written request. During this conference, principal or immediate supervisor will review the contents of the "LEVEL ONE" form and any other documentation submitted by the employee specifically related to the complaint. The employee is also expected to give the names of any individuals who can provide information relevant to the complaint.

Principal or immediate supervisor shall have ten District business days following the "LEVEL ONE" conference to give a written response. If the employee is satisfied, the process is complete. If the employee is not satisfied with the response, he/she may request a "LEVEL TWO" conference with the appropriate administrative supervisor, e.g. assistant superintendent or director to appeal the "LEVEL ONE" decision.

LEVEL TWO

The employee must request the "LEVEL TWO" conference on the form provided within ten District business days following receipt of a "LEVEL ONE" written response from the principal; or immediate supervisor. Within ten District business days of the receipt by the appropriate administrative supervisor, e.g. assistant superintendent, or director, of the employee's written appeal, the assistant superintendent or director will hold the "LEVEL TWO" conference. [BOARD POLICY DGBA (LOCAL)].

During this conference, the appropriate administrative supervisor will review all documentation presented at 'LEVEL ONE" including information presented by any individuals who provided information relevant to the complaint. Employee may have present the same witness or request the appropriate administrative supervisor conference with these individuals before making a decision. The appropriate administrative supervisor shall consider only the issues and documents presented at "LEVEL ONE" and identified in the "LEVEL TWO" appeal notice.

A decision is made within ten District business days after the "LEVEL TWO" conference, and the employee is notified in writing. If the employee is satisfied, the process is complete. If the employee is not satisfied he/she may request a "LEVEL THREE" conference with the Superintendent to appeal the "LEVEL TWO" decision.

LEVEL THREE

The employee must submit a written appeal of the "LEVEL TWO" decision within ten District business days after receiving the written response to the "LEVEL TWO" conference. The appeal to the Superintendent must be in writing on the "LEVEL THREE" form provided by the district. Within ten District business days of the receipt by the Superintendent of the employee's written appeal, the Superintendent will hold the "LEVEL THREE" conference. [BOARD POLICY DGBA (LOCAL)].

During the conference, the Superintendent will review all documentation presented at "LEVEL ONE" including information presented by any individuals who provided information relevant to the complaint. The Employee may have presented the same witness or request the superintendent or designee conference with these individuals before making a decision. The Superintendent shall consider only the issues and documents presented at "LEVEL ONE" and "LEVELTWO" and identified in the Level Three appeal notice. A decision is made within ten District business days after the "LEVEL THREE" conference, and the employee is notified in writing. IF the employee is satisfied, the process is complete. If not, the employee may file a "LEVEL FOUR" appeal to the Board. The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written "LEVEL THREE" response.

LEVEL FOUR

The employee must submit a written appeal of the "LEVEL THREE" decision within ten District business days after receiving the written decision. The appeal to the board shall be in writing on the "LEVEL FOUR" form provided by the district. If the written appeal is received within ten District business days of the response deadline, "LEVEL FOUR" appeal will be placed on the agenda of a future board meeting [Board Policy BE (LOCAL)]. The superintendent or designee shall inform the employee of the date, time, and place of the "LEVEL FOUR" appeal.

The Superintendent or designee shall provide the Board with copies of the employee's original grievance, all responses, and any written documentation

previously submitted by the employee and the administration. The Board is not required to consider documentation not previously submitted or issues not previously presented.

The “LEVEL FOUR” appeal before the Board shall be recorded by audio recording, video/audio, or court reporter. The presiding officer may set reasonable time limits. The Board shall consider the grievance and may request a response from the administration.

The lack of a response by the Board upholds the administrative decision at “Level Three”. If the Board chooses to respond, the Board shall then make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. Announcing a decision in the employee’s presence constitutes communication of the decision.

PRESENTATION FORMAT

The presentation before the Board of Trustees is conducted as an administrative proceeding. This means the presentation is somewhat informal; but all testimony, documentation presented, and closing statements made must relate to the existing complaint. Both the employee and the administration may have witnesses, but no cross-examination of witnesses is permitted. Only board members may ask witnesses questions. However, board members are not subject to any questioning. Only questions seeking procedural clarification may be addressed to the board president.

Since an appeal usually involves a personnel matter, the board will hear the matter in closed session unless the employee requests that it be held in open session, which means the public may attend. A closed session attendance is limited, and the board determines who may be present.

During the presentation you are asked to avoid talking when others are speaking. After the president of the board opens the presentation, the superintendent or designee will present a brief overview of the nature of the complaint and state what prior transactions have taken place. Following the superintendent’s opening comments, employee will have a specified amount of time to give testimony, present witnesses, and/or review existing documentation that supports the grievance. Likewise, the administration will have the same amount of time to present its case.

After all testimony and closing statements are made, board members will have an opportunity to ask any questions before they adjourn to deliberate. The Board will deliberate in closed session and vote, as required by law, is in open session. The decision of the board is final.

CLOSED MEETING

If the complaint involves the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the employee bringing the complaint, it shall be heard by the Board in closed meeting unless the employee bringing the complaint requests it to be heard in public. However, if the complaint constitutes a complaint or charge against another district employee, the Board shall hear it in closed session unless an open hearing is requested in writing by an employee against whom the complaint or charge is brought. [BOARD POLICY DGBA (LOCAL)]

These procedures shall in no way supersede board policy DGBA (LEGAL & LOCAL)

6.17 Employee Transfer Requests, Professional Recommendation, Internal Applicants (Current Employees) and Reassignments

Reference or Contact: **Director of Human Resources**

Open Transfer Notice for Teachers, Instructional Coaches, Counselors, and Interventionists

The Open Transfer process allows current Marshall ISD Teachers, Instructional Coaches, Counselors, and Interventionists, who meet the guidelines outlined below, to request and accept a new position at another campus for the following year. During the Open Transfer period, current principal approval is not required.

TIMELINE

MISD will begin accepting Open Transfer Request Forms when the Open Transfer period officially opens on Monday, March 23, 2026. Eligible employees must apply online at www.marshallisd.com to be considered for any vacant positions. Employees that do not apply will not be eligible to participate. The deadline to submit an Open Transfer Request and corresponding employment application is Thursday, June 11, 2026 at 4:30 PM.

ELIGIBILITY

To be eligible for a transfer to one of the positions listed, the following criteria must be met:

1. Currently hold a valid Texas Teacher Certificate in the requested subject-area of vacancy
2. Not currently on a growth plan
3. Not received an Unsatisfactory rating on most current T-TESS evaluation (or equivalent evaluation instrument)
4. Have not been identified for contract termination or non-renewal at the end of the current school year due to performance

5. Approval by the Assistant Superintendent of Curriculum & Instruction is required for Instructional Coaches and Interventionist positions

NOTIFICATIONS

The Human Resources Department will send email notifications of approval/denial throughout the Open Transfer period. These notifications will be sent to the employee and to the current and receiving principals. Transfers are not final until an approval email notification has been sent from MISD Human Resources. All notifications will be completed by Thursday, June 26, 2025.

If you have any questions about the Open Transfer process, please contact Tina Brown, Director of Human Resources, at brownk@marshallisd.com to assist you.

Steps for Employees Requesting a Transfer:
Employees interested in applying for vacant district positions may apply by submitting an employee transfer request by doing the following:

1. Go to www.marshallisd.com
2. Click on Careers Tab
3. Click on the Current Employee Opportunities
4. Click on 2026 – 2027 Teacher Pool
5. Apply for the position

It is also recommended that the employee attach a letter of interest to their transfer application or send a letter of interest directly to the principal. Employees will be given the same consideration as other qualified applicants.

Employees should call the Human Resources Department (903) 927-8704 for assistance with this process.

Professional Recommendation Internal Applicants (Current Employees)

Principals/Supervisors wanting to recommend an internal applicant must complete the **Recommendation for Employee Action** in Eduphoria**.** The principal/supervisor must also ensure appropriate qualifications, certification, and ESSA highly qualified requirements prior to sending the recommendation to the human resources department. The principal and/or supervisor may call the elementary or secondary personnel supervisor to obtain a reference check.

Recommendations to hire internal professional applicants should cease June 11, 2026. Recommendations received afterwards, will require the signature of the current principal/supervisor, and Human Resources approval.

Once the Employee Action form is completed, only a human resources staff member can offer the job to the candidate. The HR staff will notify both the current and receiving principal/supervisor once the candidate accepts the position.

Intra - Campus Reassignments

The principal's criteria for approval of campus assignments and reassignments shall be consistent with District policy regarding equal opportunity employment, and with staffing patterns approved in the District and campus plans. [See BQ series]

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

The principal/supervisor must ensure appropriate qualifications, certification, and ESSA qualified requirements prior to reassignments on their own campus. The principal and/or supervisor should contact the supervisor of personnel services to verify the proper credentials required for the position.

Principals/supervisor must complete **Recommendation for Employee Action in Eduphoria** to reassign to another grade level / subject level on their campus to so that the staffing roster in the human resources department, and payroll records are updated accordingly.

Intra – District Reassignments

Policy DK (Local)

All personnel are employed subject to assignment and reassignment by the Superintendent or designee when the Superintendent determines that the assignment or reassignment is in the best interest of the District.

Reassignment shall be defined as a transfer to another position, department, or facility that does not necessitate a change in the employment contract of the employee. Any change in an employee's contract shall be in accordance with policy DC.

The requestor must complete the **Recommendation for Employee Action in Eduphoria** to initiate an employee's reassignment. The requestor can be any of the administrators listed below. The requestor must also ensure appropriate qualifications, certification,

The superintendent has the authority to reassign a staff member without principal, program director, or assistant superintendent approval at any time.

Human Resources will notify all applicable supervisors once reassignment is finalized.

Assignment to School or Department of Employees Who Are Related

An employee shall not be assigned to a school or department if the employee is related, within the second degree by blood or marriage, to an administrator in that school or department.

Employees who are related by blood or marriage within the second degree shall not be assigned to positions where one directly supervises the other.

6.18 Employee Travel Reimbursement

Reference or Contact: **Assistant Superintendent for Business and Finance**

Employee Reimbursements

The mileage and lodging reimbursement rates published by the comptroller apply to all travel reimbursement rates.

Per diem: The maximum per diem rate is $45. This is the same rate for both in-state and out-of-state.

Marshall ISD does not pay for any meals for day trips. A day trip is defined as a trip that does not require an overnight stay.

Lodging: The link below should be used to determine the appropriate maximum lodging rates for in-state and out-of-state travel for by location by month:

https://www.gsa.gov/travel/plan-book/per-diem-rates
These rates can change annually and are valid from October 1 – September 30 of each year.

If the city is not listed, but the county is listed, use the rate of the county.

For areas not listed (city or county), the rates are:

Lodging In-State and Out-of-State: up to $250

General fund accounts shall be used to pay lodging costs in excess of the Domestic Maximum Per Diem Rates.

Mileage: The link below should be used to determine the appropriate rate for mileage reimbursement:

https://tea.texas.gov/about-tea/news-and-multimedia/correspondence/taa-letters/travel-reimbursement-rates-letter

District Allowable Travel Expenses

Per Diem
The maximum per diem rate is $45 per day. Proof of attendance must be submitted within 10 days of returning in order to receive per diem.

To be eligible for a per diem, the traveler must be away from the District overnight. The maximum meal reimbursement rate will be prorated by 75% on the first and last day of travel.

Lodging
Lodging costs shall be allowable for travel events that require an overnight stay away from the traveler's home. No lodging shall be allowable in the traveler's home city at a commercial lodging establishment.

The maximum nights of lodging shall be based on the start and end times of the travel event and the distance of the travel location. Lodging costs that exceed the required minimum shall not be deemed necessary or allowable travel costs. For example, if an event in Dallas has a 9 am or later start, lodging costs would not be reasonable, necessary or allowable travel costs for the night before the event.

Employees may request a purchasing card to make reservations for lodging after approval is obtained to travel by presenting an approved Purchase Order to the Finance Department. Employees are required to submit receipts for all charges made on the card. If receipts are not provided or the card was used for an unauthorized purpose, the employee will be required to refund the District for the expenses.

The federal per diem rates for lodging shall be used to determine the maximum amount that may be charged to a state or federal grant. The maximum lodging rate, for state and federal grants, shall be for the city of travel and the month of travel based on the GSA website.

Hotel and travel websites such as Hotels.Com, Expedia, Travelocity, etc. shall not be used to make hotel reservations if the website requires pre-payment of the hotel stay.

Lodging costs shall be paid with a district-issued credit card (travel card) on site at the time of arrival and/or departure based on the hotel's charging policy.

The traveler may, at his/her request, stay with a family member or friend instead of at a hotel. If the traveler selects this option, the traveler shall not receive any payment in lieu of lodging costs.

The traveler shall present a Hotel Occupancy Tax Exemption Certificate to a Texas hotel. If the traveler fails to present the certificate, the traveler shall reimburse the district for the unallowable tax expense. The Hotel Occupancy Certificate can be found on the district's website and the State Comptroller's Website. The hotel occupancy tax exemption does not apply to out-of-state travel.
The traveler shall present a Sales Tax Exemption Certificate to a Texas hotel for parking costs. If the traveler fails to present the certificate, the traveler shall reimburse the district for the unallowable tax expense. The Sales Tax Exemption Certificate can be found on the district's website and the State Comptroller's Website. The sales tax exemption does not apply to out-of-state travel.

When at least two (2) travelers (district employees) are traveling to the same event, they shall share the lodging and each receive the maximum lodging rate on the GSA schedule. District employees are required to share a room when reasonable and practical. However, supervisors do not share with their subordinates.

If you would like to have your own room the cost incurred will be the responsibility of the employee.

Lodging costs such as movies, gym facility, spa or other non-essential costs are not allowable for reimbursement or payment with any district funds.

Lodging tips may be paid at the traveler's discretion, but will not be allowable travel costs for reimbursement or payment with any district funds.

A detailed lodging receipt must be submitted by the traveler with the Travel Authorization and Expense Reimbursement Form within 10 days after the travel event.

Transportation – Flights

Flight costs shall be allowable for travel events that require travel away from the traveler's home.

The departure and return dates of the flight shall be based on the start and end times of the travel event and the distance of the travel location.

The actual cost of commercial air transportation (lowest coach fare) to accommodate the required travel dates of the travel event are allowable and reimbursement shall be limited to the lesser of the mileage or the actual flight cost.

Travelers should travel to their destination location by the most economical means, i.e. either flight or mileage; however, travelers may opt to travel to their event destination via district/personal vehicle in lieu of flying to the event for medical or personal comfort reasons. If the traveler opts to travel to an out-of-state destination, the costs/reimbursement for transportation shall be limited to the lesser of the mileage or estimated flight cost.

All flight costs associated with deviations from the required travel plans, such as pre or post personal days shall be paid by the traveler. For example, if the required travel dates are Sunday through Wednesday, but the traveler opts to depart on Friday to spend personal days at the travel destination, the additional cost, if any, to fly on Friday shall be paid by the traveler. All additional hotel days, meals, etc. will be at the employee's expense.

Transportation – Parking Charges

Parking charges shall be allowable for all travel events in-state and out-of-state. Valet parking will only be redeemed up to the cost if the traveler would have used self-park. Valet is redeemable in full if the hotel does not have self-park facilities.

Parking receipts must be submitted by the traveler with the Travel Authorization and Expense Reimbursement Form within 10 days after the travel event.

Transportation – Taxi, Shuttle, etc.

Taxi and shuttle costs shall be allowable for all in-state and out-of-state travel events, as applicable, if the traveler is on travel status.

Taxi and shuttle tips may be paid at the traveler's discretion, but will not be allowable travel costs for reimbursement or payment with any district funds.
Out-of-District Transportation – Mileage

Mileage reimbursements shall be allowable for travel events that require travel away from Marshall.

Travelers who drive their personal vehicle shall be reimbursed at the current mileage rate established by the Texas Comptroller and/or TEA.

The District has chosen the MapQuest mapping system to document mileage reimbursements. A MapQuest printout with the mileage from Marshall to the destination city (City to City, not Address to Address) shall be printed and attached to the Travel Authorization and Expense Reimbursement Form.

Mileage costs related to personal destinations before, during or after the travel event shall not be allowable costs. In addition, mileage costs due to the traveler's error in reaching the destination, such as getting lost shall not be allowable costs.

When four or fewer employees travel on the same itinerary, only one may be reimbursed for mileage. When more than four employees travel on the same itinerary, only one out of every four may be reimbursed for mileage. The district shall allow for an equal distribution of the mileage allotment among the travelers if they all opt to drive separately to the event. However, if an employee decides to take their own vehicle and not carpool with the group, they will not receive mileage reimbursement.

Registration Fees

Registration fees for a conference, workshop, or other training event as supported by a registration form are allowable costs. Fee-based optional events such as a speaker or awards luncheon shall be approved on a case-by-case basis if the event fee is reasonable and the traveler would derive a work-related benefit from attending the event. See the Administrative Guideline entitled "Allowable Food and Beverage Expenditures for Employees" for additional information.

The authorized travel expenses shall be supported by the registration form and Schedule of Events. The documentation shall include the start and end dates of the event, event location and registration fee.

A copy of the registration form and Schedule of Events shall be submitted with the Travel Authorization and Expense Reimbursement Form.

District Non-Allowable Travel Expenses

Alcoholic drinks or beverages

Entertainment expenses, such as in-room movies, fee-based hotel amenities such as gyms, spas, etc.

Expenses for spouses or other non-district employees

Expenses due to the traveler's failure to cancel a registration or travel arrangements (except for extenuating circumstances)

Hotel Internet charges (unless expense is work-related and pre-approved on travel authorization)

Non-substantiated or fraudulent travel reimbursement requests shall be non-allowable travel expenses. Travelers who submit fraudulent travel reimbursement requests shall be subject to disciplinary action, up to and including termination of employment.

Travel Documentation

Travel Costs must be properly documented to be reimbursable. The employee must document travel costs with Appendix P-1. This form can be obtained from Campus Secretary or the Business and Financial Services page on the MISD website under "Forms". Travel Authorization and Expense Reimbursement Report. Auditable documentation must include the following at a minimum:

- Name of individual claiming travel reimbursement
- Destination and purpose of the trip, including why it was necessary
- Dates of Travel
- Actual mileage (not to exceed reimbursement at the maximum allowable rate)
- Per diem amount
- Actual amount expended on lodging per day, with a receipt attached (may not exceed the maximum allowable)
- Actual amount expended on public transportation, such as taxis and shuttles

- Actual amount expended on a rental car, with a receipt attached and justification for why a rental car was necessary and how it was more cost effective than alternate transportation; receipts for any gasoline purchased for the rental car must be attached (mileage is not reimbursed for rental car - only the cost of gasoline is reimbursed)
- Actual amount expended on incidentals, such as hotel taxes, copying materials, and other costs associated with the travel
- Total amount reimbursed to the employee.

Travel costs not supported by proper documentation as described above are not allowable.

Questions about employee travel policies, regulations, and guidelines should be directed to the Assistant Superintendent of Business and Finance.

6.19 Employee Written Reprimands in Personnel Files

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

Procedures for administering reprimands

1. All reprimands require the signature of the employee.
2. For a reprimand to remain confidential the following verbiage must be incorporated: "*This information may be considered during your annual appraisal."*
3. Send only the signed original reprimand to the executive director of human resource services and maintain a copy kept with supporting documentation in the campus/department personnel file.

Suggested components of a reprimand

1. Date and attendees of conference
2. Nature of allegation (*dates and times of incident(s) and dates of when incident(s) has been addressed with employee)*
3. Facts resulting from investigation *(observations, earlier meetings regarding topic, etc.)*
4. Rules, laws, policies or directives violated
5. Directives
6. Opportunity to respond

7. Dated signature of the employee

Maintaining reprimands as confidential documents

In order for reprimands **not** to be public information, they need to be part of the employee's appraisal. Administrators should add the phrase "This information may be considered during your annual appraisal" or a facsimile thereof, to make the reprimand part of the appraisal and not public information.

> [Suggested closing verbiage: "*I have received a copy of this memorandum. I understand that my signature does not necessarily indicate that I agree with its contents. I further understand that I have the right to submit a written response within ten working days. I also understand this information may be reflected in my annual appraisal.*"]

Appraisals and highly intimate or embarrassing facts about a person's private affairs such that its publication would be highly objectionable to a person of ordinary sensibilities and of no legitimate public concern are confidential.

6.20 Employment Application Processing – Substitute Employee

Reference or Contact: **Director of Human Resources**

In an effort to provide continuous educational opportunities to students, Marshall ISD will hire substitutes for professional and paraprofessional positions to work on an at-will, as needed basis to fill the absence of another district employee.

All persons wishing to substitute in the district must apply online at www.marshallisd.com. In order to qualify as a substitute the following guidelines must be met:

- A paraprofessional is a non-teacher, including instructional aide, clerical and secretarial positions. Substitutes in these areas must possess a minimum of a High School Diploma/GED. Substitutes working in these assignments will earn a daily rate of $75 per day regardless of higher credentials.

- The District shall hire substitute teachers who have at least a High School Diploma/GED. Every effort shall be made, however, to employ substitute teachers who have completed at least 60 college credit hours as a minimum requirement, completed a bachelor's degree from an accredited institution and hold a valid teacher certificate. The daily rate of pay for teacher positions will be as follows:

  Elementary

- Non-Degreed - $85 per day
- Bachelor's Degree - $110 per day
- Certified - $125 per day

Secondary
- Non-Degreed - $85 per day
- Bachelor's Degree - $110 per day
- Certified - $135 per day

Price T. Young Fine Arts Academy
- Non-Degreed - $125 per day
- Bachelor's Degree - $110 per day
- Certified - $95.00 per day

A substitute teacher whose continuous employment as a substitute for an individual teacher exceeds 5 consecutive business days shall be paid the long-term pay rate set by the Board of Trustees. See Board Approved MISD Compensation Plan for a Long Term Substitute pay per day.

A TRS Retiree may not serve in a vacant position (one in which no other person holds the position) as it is not considered a "substitute" for TRS return-to-work purposes.

The District shall hire Licensed Vocational Nurses (LVN)/Registered Nurses (RN), Assistant Principals, and Counselors, with the appropriate education, certifications, and/or licenses to act as substitutes in these areas. The rates of pay is $15 per hour.

The Human Resources Department will print all submitted applications and review for completeness. If there is any information missing, the applicant will be notified by e-mail (or phone if no e-mail is available) to provide the incomplete information. Applicants are also responsible for providing any required credentials (high school diploma/GED certificate, college transcripts, teaching certificates, and/or licenses, when applicable). The applicant must also provide at least three (3) reference forms completed by an individual that can attest to the applicant's work history, competency, work ethic, job performance, etc. Upon receipt of all credentials and references, the applicant's file will be considered eligible for hire and the file will be reviewed by the Director of Human Resources, who will approve/disapprove for hire.

Upon approval for hire, the Human Resources Administrative Assistant will upload the applicant's personal information to the State Board of Educators Certification (SBEC), which will generate a report showing those needing or not needing to be fingerprinted because they previously completed this requirement with SBEC. For those applicants needing to be fingerprinted the SBEC system will generate a "fast pass" and the Human Resources Administrative Assistant will contact them to check email for directions from Identigo.com. The applicant is required to pay the processing fee for fingerprinting. After being fingerprinted applicants will be notified

by the Human Resource Specialist by email or phone to schedule substitute new hire paperwork which must be filled out before being hired as a substitute.

All applicants for employment must pass a pre-employment background check, including criminal history.

6.21 Exempt Employees Taking Job-Related College Courses

Reference or Contact **Superintendent**

Employees may take approved Non-Workdays during the academic year to attend college classes during the instructional day or half day. During the summer months, administrators may take up to three school business/professional development days to participate in job-related college coursework. When these days are exhausted, discretionary personal business days must be taken.

Professional employees on less than a twelve month work contract may not take off during student instructional days nor staff development or work days to attend or participate in college coursework, even if another employee volunteers to cover his/her class. If an employee chooses to take off during the school day for college courses, personal leave must be utilized.

6.22 Family Medical Leave Act (FMLA) & Temporary Disability Leave (TDL)

Reference or Contact: **Leaves and Benefits Specialist**

Family and Medical Leave (FML) and Temporary Disability Leave (TDL)
Any employee that needs to take Family and Medical Leave (FML), or Temporary Disability Leave (TDL), shall notify the Leaves and Benefits Specialist 30 days before the anticipated leave date (or as soon as reasonably possible). The Leaves and Benefits Specialist will notify supervisors when an employee is eligible and again when the employee has been approved and designated for FML and/or TDL leave.

District Contact
Employees that require FMLA or have questions should contact the Leaves and Benefits Specialist in the Human Resources Department for details on eligibility, requirements, and limitations.

6.23 Human Resource Hiring Process

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

The Human Resources Department serves as a clearinghouse for all personnel actions. All prospective applicants must complete the Marshall ISD employment application online before entering into the application process.

Prospective applicants (applicants who make verbal inquiries or who verbally express interest in vacant positions) should not be interviewed unless they have a completed employment application on file in Human Resources. Human Resources should be called when the principal or campus designee cannot locate an applicant's file on the online applicant tracking database. This may mean there is a problem with the application.

Application Processing and Screening

The Human Resources Department will review and screen all applications received to ensure completeness and to assemble all related documents necessary for consideration of the applicant for employment. If there is any information missing, the applicant will be contacted to provide the incomplete information. When applicable, applicants are responsible for providing any required credentials required by the job description (high school diploma/GED, college transcripts, certifications or licenses). In order to be considered qualified for a position the applicant must meet the minimum education and experience requirements as posted on the job description. Applicants must also satisfactorily pass a preliminary criminal background check, which will be performed prior to the application being made active for supervisors to review.

Supervisors are able to electronically view all completed applications in Skyward.

Interview Procedures and Professional Recommendation

The supervisor will then select from the qualified applicants for interviews. Not all applicants need be interviewed. Supervisors may not interview an applicant unless they have a completed employment application in Skyward. The Supervisor should contact Human Resources if an application in not in Skyward, as this may indicate a problem with the application.

All applicants for the selected position must be asked the same list of questions during the interview. The supervisor may utilize an interview committee to assist with the selection of personnel. A minimum of three qualified candidates should be interviewed.

Once the committee has been established and the applicants to interview determined by the supervisor, the supervisor and/or committee will conduct the interviews. If using an interview committee, each member should be given a copy of each candidate's application and the interview questions to be asked of each candidate. Once the interviews are completed, the committee members must return all

applications and interview notes/questions to the interview committee chairperson, who will return the completed documentation to the Human Resources Department.

The committee will then meet to rate the candidates using the rating form and make a Professional Recommendation. If the committee does not recommend any of the applicants interviewed, the position may be reposted upon request. Upon completion of the interview and selection of the final candidate made, the supervisor will submit the application for each applicant interviewed and interview questions used during the interviews to the Human Resources Department:

Professional Recommendation forms are located in Eduphoria. Professional, Auxiliary and Clerical Recommendation forms must be submitted in Eduphoria with application, interview questions, and two telephone references (one reference from former supervisor).

An applicant should never be told they are being recommended for the job or that they have the job! The applicant should only be told the timeline within which a decision will be made and that the Human Resources Department will contact them after that decision been made.

This will allow the Human Resources Department to verify certification status in the event applicants must submit to alternatives for certification requirements. In addition, no commitment to the applicant should be made in the event credentials and references do not meet all criteria required for employment by Marshall ISD.

DO NOT TELL THE APPLICANT YOU ARE RECOMMENDING THEM FOR THE JOB! All reference checks should be finalized before a candidate is recommended.

At least two telephone reference checks should be completed and any required credentials reviewed before a candidate is recommended for employment.

Timeline for Professional Recommendation Process

All Professional Recommendation forms must be submitted in Eduphoria with all attachments and form complete. Human Resources will then run an official Texas DPS criminal history, and if clear, will then get the appropriate salary approvals, make the job offer to the applicant, and schedule the applicant for new hire paperwork. Once the applicant has accepted the position, Human Resources will contact the supervisor with the anticipated state date via email. Applicants may not start working until they have completed the new hire paperwork and have been fingerprinted.

Fingerprint Scheduling Procedure

All applicants hired by the District must adhere to a national criminal history background check required by the State Board of Educators Certification (SBEC). Human Resources will then upload the applicant's personal information to SBEC, which will generate a report showing if the applicant needs to be fingerprinted. Some applicants may not need to be fingerprinted because they previously completed this requirement with SBEC. For those applicants needing to be fingerprinted, the SBEC system will send an email to schedule a fingerprint appointment. The applicant is required to pay the processing fee for fingerprinting. The district will receive an email from DPS after fingerprints are processed.

New Employee Paperwork Process

All new employees will complete new hire paperwork after fingerprint information has been received by HR. Human Resources will contact the applicant to schedule an appointment to complete new hire paperwork.

Central Office and Administrative Positions

Selected candidates for all central office administration and campus principals' positions may be interviewed by an interview committee unless waived by the Superintendent. The Superintendent may designate a chair for the committee and recommend individuals to serve on the interview committee as a prescreening process. The committee may develop a list of top candidates for further employment consideration.

The Assistant Superintendent for Auxiliary Services or designee may meet with the committee chairperson for central office positions to: (1) discuss screening criteria, (2) develop a profile of professional and personal characteristics for the position, and (3) review applications. The committee chairperson will inform committee members regarding the date, time, and location of the preliminary meeting and interviews.

The interview packet will typically include:

Committee Member Packet:

- Applicant information
- Interview questions for each applicant
- Copy of Job Description
- Interview Schedule

Committee Chairman Packet

- Applicant information (application, resume & reference forms)
- Interview questions for each applicant

- Copy of Job Description
- Interview Schedule
- Committee Final Ranking Sheet
- Reference Check Forms
- Professional Recommendation Form

Finalists for all administrator positions recommended are subject to interview and approval by the Superintendent and/or designee. Administrator recommendations that will serve on an employment contract must be recommended by the Superintendent for approval by the Board of Trustees.

Recommendation of Candidate

At the conclusion of the interview and after completing two to three references checks, the supervisor or designated interview committee chair can recommend a candidate to the human resources department by completing a "Professional Recommendation" form and by recommending the candidate in Eduphoria. Applicants marked recommended in Skyward should not be pursued by other supervisors. Administrative applicants who were not recommended will be notified by the Human Resources Department.

Job Offer and Salary Determination/Quote

Once the applicant is recommended in Eduphoria and the recommending supervisor has completed the Professional Recommendation form in Eduphoria, Human Resources will propose a salary that is fair and equitable based on the Board approved, compensation plan, credentials, and relevant work experience. Human Resources will then contact the recommended candidate and offer the job. At the time of the job offer, the salary for the position will be quoted to the applicant. If the applicant accepts the offer a start date will be determined and a time to come and complete new hire paperwork will be scheduled. Human Resources will mark the applicant as hired in Skyward and will send an email to the recommending supervisor. If the applicant declines the job offer an email will be sent to the recommending supervisor by the Human Resources Department.

Candidates for administrative positions requiring a contract are placed on the board agenda for approval. Professional candidates are approved by the Superintendent.

6.24 Intellectual Property Rights

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

Any work or product produced by a District employee in the course and scope of his or her employment irrespective of the material being created with or without district

own equipment is owned by the District, including the right to obtain patents and copyrights.

Any work or work product produced by an employee not used for school district purposes or instruction, on his or her own time, away from his or her job, and with personal equipment and materials is owned by the employee, including the right to obtain patents or copyrights.

6.25 **Job Reclassification**

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

All positions will be assigned to pay grades based on the level of skill, effort, and responsibility required of the job assignments. Superintendent or designee will determine job classifications or reclassifications with input from TASB for positions based on an assessment of job requirements and comparability to other district positions.

Change in placement of a job is not a promotion or demotion. Classification change signifies modifications of job duties or qualifications.

Job reclassification, not initiated by the superintendent, follows these steps:

1. The immediate supervisor of a job may request a job reclassification during the designated time period during the spring semester.
2. Principal or department director with assistance from the employee will complete the job analysis and questionnaire form and supervisor must sign it.
3. Principal or department director must complete the job reclassification request form.
4. Principal or department director will sign and forward the job questionnaire, the job reclassification request form, and any additional supportive information to the human resource services office by the designated date/time.
5. Human Resources reviews the reclassification packets and, if necessary, requests additional information.
6. Human Resources will coordinate the analysis process and prepare a recommendation to the superintendent for final approval.
7. Decision of the superintendent is final.
8. Human Resources will inform the respective employee and supervisor of the final decision.

6.26 **Jury Duty**

Reference or Contact **Leaves and Benefits Specialist**

Employees will receive leave with pay and without loss of accumulated leave for jury duty.

The Employee will notify their supervisor as soon as possible when a jury summons is received.

6.27 Mandatory Compliance Training

Reference or Contact **Coordinator of Professional Development**

In an effort to provide the most effective and meaningful compliance for all district employees, the Human Resources Department and the Curriculum and Instruction Department will provide Eduhero, an online training platform.

All district employees will be able to access and complete the required trainings.

6.28 T-TESS Second Observation / Appraisal Request

Reference or Contact: **Assistant Superintendent of Curriculum and Instruction**

Teachers requesting second appraisals are to submit the request to the building principal within ten working days of receiving documentation or an observation/summative report. The building principal will notify the Assistant Superintendent of Curriculum and Instruction. A second appraiser will be assigned by the Human Resources department from the Board approved list of appraisers. The teacher shall also provide the campus principal with a copy of the request. (DNA Local) The second appraiser may or may not schedule the observation by mutual consent. (DNA Legal)

Observations for second appraisals shall be scheduled within a two-week time frame (DNA Local). The second appraiser shall appraise the teacher in domains I - III or shall review the Goal-Setting and Professional Development Plan for evidence of goal attainment and professional development activities. A teacher may be given notice of the date or time of a second appraisal, but advance notice is not required. (DNA Legal)

The total scores of each domain are to be scored independently. The total scores of each domain in the second appraisal are to be averaged with the total scores of each domain in the first appraisal so that the two appraisals carry equal weight. The T-TESS summary of the first and second appraisal should be used for this purpose.

6.29 Personal Business Leave (Requests for)

Reference or Contact: ***Assistant Superintendent for Auxiliary Services***

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 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 two 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.

Further information regarding Personal Business Leave may be found in the Business Services Fiscal Manual posted on the district's website as well as the Employee Handbook.

Questions about Personal Business Leave policies, regulations, and guidelines should be directed to the Assistant Superintendent for Auxiliary Services.

6.30 Recording Work Time – Non-Exempt Employees

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

All non-exempt employees will be required to clock-in and clock-out using the Skyward time clock terminal.

Non-exempt employees are required to clock out and clock in for lunch breaks. Non-exempt employees must also clock out any time they physically leave work whether they return later in the day or not.

Examples of non-exempt employees are paraprofessionals and auxiliary staff which include but are not limited to:

Instructional Aides	Custodial Staff
Technicians	Technology/Computer
Secretaries	Cafeteria Staff
Office/Clerical Staff	Maintenance Staff
Para Specialists	Police Officers and Security Guards

Further information regarding Recording Work Time may be found in the Business Services Fiscal Manual under “Timekeeping” posted on the district’s website.

Questions about Recording Work Time policies, regulations, and guidelines should be directed to the Assistant Superintendent for Auxiliary Services.

6.31 Request to Work Beyond Regular Work Schedule (for Non-Exempt Employees Only)

Reference or Contact: **Assistant Superintendent for Business and Finance**

COMP TIME (Accrual and Use) - Policy DEA (Local)

Compensatory Time

Nonexempt employees receive compensatory time off rather than overtime pay for time worked over 40 hours. An employee must submit Appendix N-7 and receive approval from supervisor and Assistant Superintendent for Business and Finance before working overtime. This form can be obtained from Campus Secretary or the Business and Financial Services page on the MISD website under “Forms”.

- Available compensatory time shall be used before any other category of leave.
- Compensatory time shall be used in the year earned.
- Compensatory time limited to 60 hours.

Non-exempt employees are responsible for submitting all compensatory time, overtime or any extra time worked in excess of the normal work schedule in the appropriate manner by punching in and out on the time clock. All time worked must

be approved by the employee in the Skyward True Time system to ensure that the information is submitted directly to the payroll department in the pay period that the time was earned.

Timesheets must be approved in Skyward by both the employee and employee's supervisor. Failure to report hours worked may result in disciplinary action. Failure to complete the **Overtime Request and Authorization Form** before working in excess of the employee's normal work scheduled may also result in disciplinary action. The supervisor should scan and attach the form (whether approved or denied) to the employee's time record in Skyward. Questions about Request to Compensatory Time policies, regulations, and guidelines should be directed to the Assistant Superintendent of Business and Finance.

6.32 Requesting Substitutes for Administrative, Professional and Paraprofessional Employees Not Directly Assigned to a Classroom

Reference or Contact **Assistant Superintendent for Auxiliary Services**

Administrative, professional and paraprofessional employees not directly responsible or assigned to a classroom may only hire substitutes for an absence when the employee is out for an extended amount of time.

An assistant principal who will be out for at least five days must seek approval to request a substitute from his/her principal. The principal will then email the Assistant Superintendent for Auxiliary Services for approval. The approval should be forwarded to the Administrative Assistant in Human Resources. The Administrative Assistant will enter the absence in Skyward and assign a substitute. This will ensure the substitute has the proper credentials.

For some positions it is noted that a request for a substitute must be made by the supervisor to the Assistant Superintendent for Auxiliary Services. Requests must be made by Eduphoria to Human Resources, who will review the request and notify the supervisor when the request has been approved/denied. If approved, the request will also be forwarded to the Human Resource secretary, who will arrange for the substitute.

For positions that require an employee to be on an approved extended leave of absence, contact the Human Resource Administrative Assistant to assist with arranging a substitute. Extended leave includes absences for FMLA, temporary disability leave, or any other leave which an employee is absent for 5 or more consecutive days.

6.33 School Business Release Days

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

School Business Leave

A time off request for school business leave should be submitted for approval in Skyward Employee Access and Skyward will prompt employee to enter it into AESOP, when an employee is:

- Requesting to be absent to attend a workshop or other professional development activity
- Accompanying students on an approved trip

6.34 Screening, Interviewing, and Recommending Administrative, Professional, and Paraprofessional Applicants for Employment

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

The Human Resources Department serves as a clearinghouse for all personnel actions. All prospective applicants must complete the Marshall ISD employment application online before entering into the application process.

Prospective applicants (applicants who make verbal inquiries or who verbally express interest in vacant positions) should not be interviewed unless they have a completed employment application on file in Human Resources. Human Resources should be called when the principal or campus designee cannot locate an applicant's file on the online applicant tracking database. This may mean there is a problem with the application.

Screening and Interviewing

Supervisors should screen all applications through the online application system Skyward. The supervisor should verify that the applicants meet the minimum qualifications listed on the job posting and job description. Only applicants meeting the minimum qualifications for the job should be interviewed. If a supervisor wishes to interview an applicant who does not meet the minimum qualifications for the job, they must contact the Director of Human Resources or designee to explain the reasons for wanting to proceed with an interview.

In Skyward, the screening supervisor can mark desired applicants as "Preferred". Upon screening the completed online applications and marking candidates as "Preferred" the appropriate supervisor or designee will contact applicants to schedule interviews.

Interview Process

A supervisor may also choose to use an interview committee to assist with selection of campus/department personnel. The supervisor may create and organize a

committee and involve committee members in the interview process. The recommendation for employment must be made by the person who will be the primary supervisor of the position.

Development of Interview Questions

The interview committee chairperson, with the assistance of the Human Resources Supervisors and/or the Director of Human Resources, is responsible for developing interview questions prior to the committee interview for administrative positions. This can be accomplished at the meeting to select interview candidates. Questions should be job-related and designed to elicit responses about professional skills, qualifications and personal characteristics. To insure fair employment practices, all applicants must be asked the same questions during the interview. Asking questions about the employees race, religion, ethnicity, disability, gender, personal family type questions (i.e. How many kids do you have?) is prohibited. The supervisor may contact the Human Resources Director for preapproved sample questions from a database bank maintained in the human resources department. Sample interview questions including behavioral interview questions can also be found in the Leadership Share file.

Preparation of Interview Materials

The Human Resource Specialist in the Human Resources Department will be responsible for preparing a packet of materials for all **administrator** and central office paraprofessional interviews. The packets will contain forms for evaluating the applicant, completed application, credentials, and any other pertinent materials.
Campus secretaries will be responsible for preparing interview packets for campus interview committees. The packets will contain forms for evaluating the applicant, completed application, credentials, and any other pertinent materials.

The interview committees should be given a copy of each candidate's resume and written references. These materials are to be returned to the Human Resources Department immediately after the interview. Interviews will be conducted by principals and supervisors for campus personnel and support staff personnel, and by interview committees for administrator positions. Committee members may not retain any applicant materials or interview materials. The supervisor should retrieve all materials from all committee members (if applicable) and these materials are to be returned to the human resources department along with two to three reference check forms immediately after an employment decision has been made on an applicant. If the committee does not recommend any of the applicants interviewed, the chair of the committee can make a written request to the Human Resources Director to repost the vacant position.

What to Tell the Applicant After an Interview

After the interview, an applicant should only be told the timeline within which a decision will be made and that the Human Resources Department will contact them after a decision is made. This will allow the Human Resources Department to verify

certification status in the event applicants must submit to alternatives for certification requirements. In addition, no commitment to the applicant should be made in the event credentials and references do not meet all criteria required for employment by Marshall ISD. **DO NOT TELL THE APPLICANT YOU ARE RECOMMENDING THEM FOR THE JOB! All reference checks should be finalized before a candidate is recommended.**

Phone Reference Checks

Before a candidate can be selected for employment a minimum of two phone professional reference checks (preferably the current and/or last two supervisors) must be completed. The recommending supervisor must obtain permission from their supervising executive director to contact a non-supervisor professional colleague reference when they are unable to reach a current or previous supervisor. Friends and family members of recommended candidate shall not be called as a reference.

Central Office and Administrative Positions

Selected candidates for all central office administration and campus **principals' positions** may be interviewed by an interview committee unless waived by the Superintendent. The Superintendent may designate a chair for the committee and recommend individuals to serve on the interview committee as a prescreening processes. The committee may develop a list of top candidates for further employment consideration.

The Assistant Superintendent for Auxiliary Services or designee may meet with the committee chairperson for central office positions to: (1) discuss screening criteria, (2) develop a profile of professional and personal characteristics for the position, (3) review applications. The committee chairperson will inform committee members regarding the date, time, and location of the preliminary meeting and interviews.

The interview packet will typically include:

Committee Member Packet

a.) Applicant information (application, resume & reference forms)
b.) Interview questions for each applicant
c.) Copy of Job description
d.) Interview schedule

Committee Chairman Packet

a.) Applicant information (application, resume & reference forms)
b.) Interview questions for each applicant
c.) Copy of Job description
d.) Interview Schedule
e.) Committee Final Ranking Sheet
f.) Reference Check Forms
g.) Professional Recommendation Form

Finalists for all administrator positions recommended are subject to interview and approval by the Superintendent and/or designee. Administrator recommendations that will serve on an employment contract must be recommended by the Superintendent for approval by the Board of Trustees.

Recommendation of Candidate

At the conclusion of the interview and after completing two to three references checks, the supervisor or designated interview committee chair can recommend a candidate to the human resources department by completing a "**Professional Recommendation"** form and by recommending the candidate in **Eudphoria.** If the position is one that is also supervised by a specific program the Eduphoria form must also include the program director's signature. Examples of positions that require the program director's signature include but are not limited to: fine arts, coaching, counselors, special education positions, career and technology positions, and nurses.

Applicants marked recommended in Skyward should not be pursued by other supervisors. Administrative applicants who were not recommended will be notified by the Human Resources Department.

Job Offer and Salary Determination/Quote

Once the applicant is recommended in TEAMS and the recommending supervisor has sent the **"Professional Recommendation"** form to Human Resources, a Human Resources Coordinator will propose a salary that is fair and equitable based on the pay schedule, pay grade, credentials, and relevant work experience. The Human Resources Specialist will then contact the recommended candidate and offer the job. At the time of the job offer, the salary for the position will be quoted to the applicant. If the applicant accepts the offer a start date will be determined and an orientation will be scheduled. The Human Resources Specialist will mark the applicant as hired in Skyward and will send an email to the recommending supervisor. If the applicant declines the job offer an email will be sent to the recommending supervisor by the Human Resources Specialist.

Candidates for administrative positions requiring a contract are placed on the board agenda for approval. Professional candidates are approved by the Superintendent and/or Assistant Superintendent for Auxiliary Services.

Employment Sessions for New Employees

All new employees must attend an employment orientation session prior to beginning work in the Marshall ISD. The employment orientation session will be scheduled and conducted by several Human Resources staff members. Employees must complete necessary payroll paperwork and other relevant employment documents required for entry into the district information system prior to attending new employee orientation. Important information relating to district expectations, benefits, and job requirements will be discussed at new employee orientation.

6.35 Taking Work Home

Reference or Contact **Superintendent**

For exempt employees such as instructional specialists, counselors, assistant principals, and principals that work throughout the year, it is acceptable that work will be taken home. This may be for a single night or up to a three day weekend. During longer holiday breaks, materials/documents must be left at school. At all times, confidentiality of information must be ensured. An exception to this rule is student cumulative files must remain at school.

When an employee leaves for summer break at the end of their working calendar, all district materials/documents must remain on the campus.

Non-exempt employees may not take work home and should not read or reply to work-related emails while off the clock. The district is required to pay employees for all time work. The district must compensate employees for all hours worked – including any work performed by an employee outside of their normal schedule. Any work performed outside of an employee's normal work schedule must be pre-approved, in writing, by his/her supervisor. Under no circumstances will an employee be authorized to complete work at home. All work completed by a non-exempt employee must be done while at their place of employment.

6.36 Use of District Property and Equipment

Reference or Contact **Assistant Superintendent for Business and Finance**

No employee of Marshall ISD shall use any equipment belonging to the district, consume any supplies, or utilize any district personnel for any purpose other than the business of the district, nor shall they permit the unauthorized use of such equipment, supplies, or personnel by others, without the written consent of the Superintendent or his/her designee. Failure to adhere to this guideline may result in the employee being subject to appropriate disciplinary action up to and including termination.

Property Distribution and Collection Form
At the beginning of each school year, the employee's principal or supervisor shall have each employee complete a Property Distribution and Collection Form, listing all district property or equipment and district related online accounts issued to the employee. This would include all electronic equipment, cell phones, two way radios, keys, uniforms, ID badge, tools, district owned credit/procurement cards, and all online accounts issued to the employee for the purpose of doing school district business. The form should be kept on file at the work site where the physical property resides.

At the end of each school year or at termination of employment, the form should be used to inventory all equipment and note the date the property is returned. Upon

separation of employment the form should be returned with the Employee Exiting Checklist form and sent to Human Resources for the employee's personnel file.

Questions about Use of District Property and Equipment policies, regulations, and guidelines should be directed to the Assistant Superintendent of Business and Finance.

6.37 Workers Compensation Reporting Procedures

Reference or Contact **Leaves and Benefits Specialist**

Marshall Independent School District's Worker's Compensation coverage is through Claims Administrative Services (CAS) to protect employees in the event of a work related injury or illness.

Employees injured at work must report it to their supervisor immediately, but no later than 24 hours after the work related incident, no matter how minor the incident may be.

The Employee should go to the district or campus nurse and complete a First Report of Injury (FROI) immediately or within 24 hours for an injury caused during their work hours while performing their job duties. If the employee needs immediate medical treatment by a doctor, the form should be completed before they go to the doctor.

Once the acknowledgement form has been signed, the nurse should scan the FROI and email it to the Leaves and Benefits Specialist, Daniela Darden, dardend@marshallisd.com

The goal of the Worker's Compensation program is to get the employee the treatment they need and return them to productive work as soon as possible. For more details employees may refer to Policy CRE (Legal).

7 STUDENTS

7.1 Administrative Placements for Overcrowding

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

Marshall ISD's District of Innovation (DOI) states, the district fully intends to continue its practice of maintaining reasonable class sizes in kindergarten through grade four. Those standards include staffing at a maximum K-4 class size of 24:1. However, flexibility from these statutes will allow principals to make decisions about reasonable class sizes based on local factors such as the concept of neighborhood schools, the needs and interactions of the particular students involved, the age of the students, the subjects to be taught, and the teacher's skill and experience. The administration

will continue to consider the timing in the school year, available space, and the need for another teacher or teacher aide to ensure that decisions about class size continue to be made in the best interest of the students. This exemption would provide relief from the reporting encumbrances currently required by state law.

7.2 Bilingual/ESL Procedures

Reference or Contact: **ESL/BE Coordinator**

Identifying EB Students

LPAC MEETINGS: Within the **first four weeks** of the student's enrollment the members of the committee meet to discuss test results, proper placement, and interventions. Depending on the time of the school year, state assessment decisions are made according to the state criteria. Ensure that the Permission Form indicating testing results and providing information about the Bilingual/ESL program is provided to the parent. Parent signature must be in place for services to be provided, and for the District to receive funding for services. Let the EB department know when an EB student withdraws from school, has been transferred to another school or to the Alternative school.

UPON INITIAL ENROLLMENT IN A TEXAS PUBLIC SCHOOL: PEIMS clerk **administers** the standardized Home Language Survey (HLS) to each new student enrolling for the first time in a Texas public school in any grade from prekindergarten through grade 12. Prekindergarten (in this case) includes students participating in an Early Education (EE) setting. If any language other than English is noted on the form, the PEIMS clerk is to notify the campus LPAC Lead and the district's EB department.

- It is the responsibility of the LEA to ensure the parent/family member understands the purpose and impact of the HLS form.
- Students in grades 9-12 can complete the HLS for themselves. It is the responsibility of the LEA to ensure the student, in this case, understands the purpose and impact of the HLS form. If anything other than English is noted, the campus staff will email the HLS, Registration Form with student information, Immigrant Form, and Birth Certificate to the Campus LPAC lead, and the EB Department.

The campus **assess** the student if any response on the HLS indicates a language other than English.
LEAs must use the standardized state-approved English language proficiency test for identification:

- **Pre-LAS** for Pre-K and Kindergarten
- **LAS Links** for grade 1 (listening and speaking components)
- **LAS Link**s for grades 2-12 (listening, speaking, reading, and writing components)

LEAs that provide a bilingual education program at the elementary grades shall administer a language proficiency test in the home language of the student eligible to be served in the bilingual education program. **These assessments do not influence identification as emergent bilingual.**

Students with a home language of Spanish: LEAs must administer the LAS Links Español (listening and speaking) for students which home language is language assessment is not in their language, the LEA shall determine the student's level of proficiency using informal oral language assessment measures.

The campus **convenes** an LPAC meeting to determine a student's identification as emergent bilingual based on the above English language proficiency assessment and recommend bilingual education or ESL program placement for each identified EB student. The student is considered an emergent bilingual if any of the identification assessment scores are below the level indicated for English proficiency.

The LPAC lead will **notify** the parent/family member in the family's primary language if the child has been identified as emergent bilingual. The Parental Notification of Identification and Approval of Placement (BE) (ESL) letter shall include:

- the child's classification as an emergent bilingual;
- level of English proficiency;
- recommendation for placement of the child in the required bilingual education or ESL program; and purpose, content, and benefits to the student of the recommended bilingual/ESL program

The campus will **place** the EB student in the recommended bilingual or ESL program until the LEA receives the signed parental approval or denial of program services

- Once the parental approval form is signed, the LEA can code the student's program participation in TSDS PEIMS to start generating bilingual education allotment (BEA) funding, effective the date indicated on the signed parental approval form.
- Parental approval of program participation can be obtained in writing, through a documented phone conversation, or by e-mail that is documented and retained.
- If the parent denies program services, the student will be placed in a general education classroom and will not generate BEA funding.
- If a parent chooses to deny bilingual services the ESL/BE Coordinator will contact the parents/ families of these EB students that have denied services to discuss the benefits of bilingual education.

The campus lead will **upload** the following information into ELLEVATION:

- The Home Language Survey
- The front page of each test given.
- The LPAC form if not signed electronically
- The signed permission letter.

Once the information has been uploaded they will complete the EB PEIMS code form and notify the ESL/BE Coordinator.

The ESL/BE Coordinator will **enter** the student information into the TSDS PEIMS, using the appropriate TEDS codes outlined in the Code Guide.

STUDENTS TRANSFERRING FROM ANOTHER TEXAS PUBLIC SCHOOL: The PEIMS clerk will **request** and secure the student's records, including the Home Language Survey (HLS) and all LPAC documentation including the student's educational history worksheet. The PEIMS clerk will **check** the TREx database, or other databases, for an uploaded version of the HLS and to obtain TELPAS history and any other LPAC documentation. Multiple attempts should be made to obtain the student's HLS and any other LPAC documentation. The LPAC Lead will **document** the evidence found in LPAC paperwork. If there is documented evidence that the student was previously identified as an emergent bilingual in Texas, but no HLS has been obtained, the campus shall document this in writing and retain this documentation in the student's cumulative folder and in ELLEVATION. The LPAC will **determine** if the student was previously served in a program or identified as an emergent bilingual student in TSDS PEIMS. The LPAC will **honor** the original identification as an emergent bilingual student if there is sufficient evidence that indicates that the student was previously identified in Texas.

The LPAC Lead will **communicate** continuation of bilingual education or ESL services with the parent/family member.

The LPAC Lead will **upload** the following information into ELLEVATION:

- The first original Home Language Survey
- The front page of each test given.
- All previous LPAC forms
- The signed permission letter.
- Other relevant LPAC information sent through TREx from previous district

Once the information has been uploaded they will complete the EB PEIMS code form and notify the ESL/BE Coordinator. The ESL/BE coordinator will **enter** the student information into the TSDS PEIMS, using the appropriate TEDS codes outlined in this Code Guide.

STUDENTS TRANSFERRING FROM OUTSIDE OF TEXAS: The LPAC will **review** any documentation brought in by the student to provide background information. The PEIMS Clerk and LPAC lead will **determine** if evidence indicates that the student was previously enrolled in a Texas school by checking the TREx database, TSDS PEIMS or any other databases if applicable. If the student had at any time been previously enrolled) in a Texas public school, follow the procedures listed above for "Students Transferring from another Texas Public School". The LPAC will **proceed**

with the statewide identification process as outlined in the section of this document titled “Upon Initial Enrollment in a Texas Public School”.

The ESL/BE coordinator will **enter** the student information into the TSDS PEIMS, using the appropriate TEDS codes outlined in this Code Guide.

STUDENTS ENTERING FROM ANOTHER SCHOOL WITHIN THE DISTRICT: Bilingual/ESL records are examined for proper placement. Bilingual/ESL records are examined to determine possible accommodations prior to state assessment. Accommodations must mirror routinely provided instructional practices. Discussion to determine appropriate testing procedures for individual student in each subject area occurs in mid-year LPAC meetings.

Spring:

- End of year Oral Language Proficiency Test is given to determine student progress
- TELPAS - (Online Reading Proficiency Test in English) and TELPAS – Speaking, Listening, and Writing assessments occur for each EB student, according to state guidelines.

End-of-Year:

- LPAC meets to discuss student progress test scores, grades, and teacher anecdotal data.
- Decision is made for next year’s placement (Bilingual/ESL class, Sheltered Instruction class, regular class, or reclassification)
- End-of-Year Progress Report is completed for the parent’s signature.
- An Annual Review report is completed for each student.
- LPAC meeting minutes for each day’s LPAC meetings are completed.
- Monitoring forms for year 1 and year 2 after reclassification are completed, reflecting the reviews conducted each 6 weeks throughout the school year.
- All documents are processed so that the EB Department receives a copy of all documents, documents are scanned and saved in Ellevation, and the originals are filed in student orange folder within the cumulative folder.

TRAINING FOR STAFF: LPAC members will be trained at the beginning of the school year, middle of the school year, and end of the school year on procedures described below. These trainings typically occur mid-August, November, mid-January, and end of April/early May, respectively.
Reclassification from Bilingual/ESL Program: LPAC considers state criteria that enables “Reclassification” from the Bilingual/ESL program. Follow end-of-year procedures.

Reclassified Students: Grades are monitored after each 6 weeks for 2 years. LPAC determines re-enrollment if grades are not satisfactory, each grading period.

Elementary Implications: Students entering the district should be served in the bilingual program, if in grades Pre-K through 5 and 6 if the 6th grade is part of the elementary campus. Students who have already begun their program in ESL may remain in the program to which they were assigned.

Secondary Implications: If the student is enrolled in the ESL English 1 and ESL Reading 1 class, the student can be placed in ESL English II and English Reading II or in regular English III class.

If the student is very limited in English speaking skills, the counselors and the ESL teacher work together to place the student in classes with other speakers of his/her same language (usually Spanish) to provide the new student with a safe, comfortable learning environment.

The ESL teacher corresponds with other content area teachers about expectations and instructional interventions/strategies for the EB student. The ESL classroom is open for accepting EB students for tutoring and for assistance in test taking/assignment completions. This is done most routinely for the recent arrival ELLs.

For speakers of languages other than English – the ESL room has dictionaries for other languages and students are allowed to use electronic translators during regular class time. Effort is made by school personnel to find another high school student who speaks the same language to whom the new student can be introduced.

If the student needs to be placed in classes before the testing can be completed or before ESL records (if applicable) are received, the counselors and the ESL teacher work together to place the student in appropriate classes.

Data Integrity Checks: Each 6 weeks reports will be sent to campus staff to verify student coding. Corrections will be noted by staff and reviewed by the campus principal, and coding will be corrected by the ESL/BE Coordinator.

LPAC Committees on the campus will be trained to ensure that all meetings and documentation are completed in a timely manner. Deadlines for LPACs are established by Chapter 89 of TAC as a 4 week window of enrollment of any student with a language other than English, if they qualify for services or if a closing LPAC has determined that the student does not qualify for services. Deadlines for conducting meetings and submitting paperwork are established and communicated to campus principals and LPAC chairs at the beginning of each school year. The deadlines typically occur within 20 days of the start of school for Beginning of the Year (BOY) LPACs, the last week in March for Middle of the Year (MOY) LPACs, and the last week of May for the End of the Year (EOY) LPACs. Data Integrity Checks also require deadlines to be met, typically 5 per year – at the end of each 6 weeks.

The EB Department monitors the accuracy of proper procedures in LPAC meetings (required membership, training of LPAC members, and procedures during meetings), paperwork, student placement, teacher certification, instructional strategies for differentiation, as well as the timeliness of campus submission of documents. Documentation of submission of paperwork, which accounts for all EBs on the campus, will require signatures of the campus principal, LPAC Lead, EB Content Specialist, and EB coordinator for required documents such as, but not limited to the following:

Beginning of the Year (BOY)

1. Home Language Survey (to initiate testing and identification),
2. Testing documents (provided by the EB Department),
3. Minutes of Meetings,
4. Initial Review,
5. Parent Permission (due within 4 weeks of student enrollment and reoccurring throughout the year based on the date of the student's enrollment).

Middle of the Year (MOY)

1. Minutes of Meetings,
2. Linguistic Accommodations (TEA testing forms),
3. Student History Sheet (documenting 1-3 year immigrants).

End of the Year (EOY)

1. Minutes of Meetings,
2. Annual Review (LEP – including denials and Non-LEP- M1 & M2 – monitored students),
3. Progress Report (LEP – including denials and Non-LEP- M1 & M2 – monitored students) – must be signed by parent to exit the program,
4. Parent Permission if student changes program (bilingual to ESL in Elementary).

Data Integrity Checks

1. LEP list (provided by EB Department),
2. LPAC Roster Review Form (provided by campus).

Processing of Paperwork:

Copies of all documents must be submitted to the ESL/BE Coordinator prior to or upon the deadline. Submission of paperwork to the ESL/BE Coordinator must be preceded by filing the original student documents in the blue folder within the cumulative folder.

As PEIMS coding and District funding are tied to these documents, whether entering or exiting the program, timeliness and accuracy are paramount. Campuses will be

supported by the ESL/BE Coordinator to meet these requirements. One week prior to each deadline, EB Content Specialists will contact the campus LPAC chair to assess progress and timeliness of completion of LPACs and documentation.

Program Model

Roles	1st 6 Weeks	2nd 6 Weeks	3rd 6 Weeks	4th 6 Weeks	5th 6 Weeks	6th 6 Weeks
ESL/BE Coord.	Communicate Expectations for our DLI program and provide support. Ensure all initial LPAC meetings for all newly enrolled students with a HLS stating other than English are held Change PEIMS coding for all EB students Review all documents from potential EB students Work with director of state and federal programs on any T3 Compliance report info. needed Plan/Implement T3 Parent, Family, Community events	Collaborate with Principals, Specialists, LPACs, and Teachers to evaluate student data for accuracy and program success. Review teacher certifications & assignments to prepare for Exceptions/Waivers (Nov 1) Review PEIMS coding/ SNAPSHOT Prepare required EB annual program evaluation (due to Board by Nov 1) Plan/Implement T3 Parent, Family, Community events	Provide professional development based on comprehensive PD plan Meet with EB Advisory Council – Investigate ways to improve the Bilingual Model- strategies and training. Review PEIMS coding is up to date and accurate for EBs (including parent-denials), immigrant, and F, S, 3, 4 Monitor EB linguistic and academic progress (including F, S, and parent-denials). For those who are struggling, identify appropriate interventions. Plan/Implement T3 Parent, Family, Community events	Collaborate with Principals, Specialists, LPACs, and Teachers to evaluate student data for accuracy and program success. Introduce improvement strategies, while providing support. Conduct required TELPAS window activities Plan for required BE/ESL summer school program Ensure all MOY LPAC meetings are completed Plan/Implement T3 Parent, Family, Community events	Collaborate with Principals, Specialists, LPACs, and Teachers to evaluate student data for accuracy and program success. Introduce improvement strategies, while providing support. Continue planning for required BE/ESL summer school program	Meet with EB Advisory Council – propose ways to improve the Bilingual Model- strategies and training to begin district-wide. Continue planning for required BE/ESL summer school program Coordinate with SPED regarding reclassification for dually identified EBs Ensure all EOY LPAC meetings are completed
BE Intstuct. Coaches	Provide Training and classroom support – Observations and PLCs.	Monitor instruction, provide support – Observations and PLCs.	Monitor instruction, provide support – Observations and PLCs.	Monitor instruction, provide support – Observations and PLCs.	Monitor instruction, provide support – Observations and PLCs.	Monitor instruction, provide support – Observations and PLCs.
Principals	Recruit, Mentor, and Retain Teachers Ensure Quality Instruction through EB Model Implementation	Ensure Quality Instruction through EB Model Implementation. Monitor instruction and provide support – Observations.	Ensure Quality Instruction through EB Model Implementation. Monitor instruction, and provide support – Observations.	Ensure Quality Instruction through EB Model Implementation. Monitor instruction, and provide support – Observations.	Ensure Quality Instruction through EB Model Implementation. Monitor instruction, and provide support – Observations.	Ensure Quality Instruction through EB Model Implementation. Monitor instruction, and provide support – Observations.

Office Staff	EB Department will query student data daily to identify students who have a language other than English, test, and ensure proper coding.	EB Department will query student data daily to identify students who have a language other than English, test, and ensure proper coding.	EB Department will query student data daily to identify students who have a language other than English, test, and ensure proper coding.	EB Department will query student data daily to identify students who have a language other than English, test, and ensure proper coding.	EB Department will query student data daily to identify students who have a language other than English, test, and ensure proper coding.	EB Department will query student data daily to identify students who have a language other than English, test, and ensure proper coding.
LPAC Chairs	Evaluate student data for program placement. Ensure all EB students are placed within 4 weeks of enrollment. Attend training and submit Beginning-of-the-Year paperwork by deadline.	Ensure all EB students are placed within 4 weeks of enrollment. Data Integrity Check – submit verification form by deadline.	Ensure all EB students are placed within 4 weeks of enrollment. Data Integrity Check – submit verification form by deadline.	Ensure all EB students are placed within 4 weeks of enrollment. Data Integrity Check – submit verification form by deadline. Attend training and submit assessment paperwork by deadline.	Ensure all EB students are placed within 4 weeks of enrollment. Data Integrity Check – submit verification form by deadline.	Ensure all EB students are placed within 4 weeks of enrollment. Data Integrity Check – submit verification form by deadline. Attend training and submit End-of-the-Year paperwork by deadline.
Teachers	Provide quality, differentiated instruction – Lesson Plans and Schedules reflect EB Model (grade level and student level of proficiency). On-going.	Participate in PLCs on grade level, and vertical team to evaluate student data. Analyze student proficiency from TELPAS of previous year – set goals for improvement.	Provide feedback to EB Content Specialist regarding strategies used and their effectiveness. Participate in investigating additional strategies and research for improvement.	Participate in TELPAS training, evaluation, and writing activities. Introduce strategies investigated on a trial basis. Reflect in lesson plans and schedule.	Evaluate the impact of strategies introduced. Collaborate with other teachers to provide and receive feedback. Continue to participate in TELPAS activities.	Provide feedback regarding strategies used and feasibility of implementation of new strategies to improve the EB Model.

7.3 **Bilingual Inter-district Transfer**

Reference or Contact: **ESL/BE Coordinator**

1. Parents register on campus and student eligibility for bilingual services is verified through prior testing and LPAC decision-making or the campus will initiate testing procedures, as required.
    a. Personnel receiving student Home Language Survey indicating a language other than English, will fax a copy to the EB Coordinator.
    b. If bilingual services are not available at the receiving campus, a transfer request will be provided to the EB Coordinator.
2. EB Department receives transfer request
    a. Personnel will enter student's info into database, and verify student bilingual program eligibility.
    b. The EB Coordinator will inquire of campuses with available bilingual services regarding availability of space according to student needs and potential sibling requirements.

c. Transportation needs will be considered and if busing is required, the EB Coordinator will work with the campuses and STS to set up the bus. Existing bus routes and available campuses will be considered prior to setting up any new routes.
d. Transfer request will be faxed to the campus sending transfer request, campus receiving the transfer student, and STS.
e. The campus will contact the parents to let them know that the transfer was approved and when the bus will be available, if appropriate.

7.4 **Community Service (Students)**

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

Marshall ISD students participating in school based clubs or organizations may work for community service hours at school locations provided they are under the supervision of a MISD employee and have the approval of the principal.

Students may not complete community service hours at any MISD location in order to fulfill probation/court ordered requirements.

7.5 ***DAEP Placements (Emergency)***

Reference or Contact **Superintendent**

Policy FOE (Legal) excerpts:

The principal or the principal's designee is not prohibited from ordering the immediate placement of a student in a disciplinary alternative education program (DAEP) if the principal or designee reasonably believes that the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with a teacher's ability to communicate effectively with students in class, with the ability of students to learn, or with the operation of school or a school-sponsored activity.

At the time of an emergency placement, the student shall be given oral notice of the reason for the action. The reason must be a reason for which placement in a DAEP may be made on a nonemergency basis. Within a reasonable time, but not later than the tenth day after the placement, the student shall be accorded the appropriate due process required for a removal. [See FOA, FOC, and FOD] If the student is a student with disabilities who receives special education services, the emergency placement is subject to federal law and regulations and must be consistent with the consequences that would apply under Education Code Chapter 37, Subchapter A, to a student without a disability. [See FOF]

Fighting, depending on severity, may also qualify as an emergency DAEP placement condition.

Process for placement:

1. A campus administrator notifies the Director of Student Services that a placement is about to take place.
2. A campus administrator has the parent/guardian sign the emergency placement form during a conference. If conference is not able to occur, the campus will notify the parent/guardian of the placement over the phone.
3. A campus administrator will meet the parent and student at DAEP the next school day while the student enrolls.
4. If the student is in Special Education, the campus must notify the Special Education assessment staff (diagnostician or LSSP) of the emergency placement so they may begin the process for a manifestation hearing. This hearing will take place at the student's home campus. This hearing should take place as soon as possible as to allow time within the ten day window for the DAEP hearing to be held.
5. The campus will provide a copy of the student's IEP to DAEP by the time the student enrolls.

7.6 DAEP Release to Campus

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

Students attending DAEP will complete all days as assigned before returning to their home campus. An exception may occur if the student meets the criteria for **early release**.

Early Release Criteria

- The student must have at least a 70 average on Behavior Chart.
- Completion of all academic assignments to the satisfaction of DAEP and home campus teachers.
- Attendance of the required number of days
- Compliance with the student code of conduct
- Compliance with DAEP rules and academic requirements

Marshall ISD Disciplinary Alternative Education Program

Elementary/Middle/Jr. High

Success Documentation Form

Name: _____ Gr: _____Week of: _____

Period	Monday	Tuesday	Wednesday	Thursday	Friday
7:15 – 7:55					
7:55 – 8:45					
8:45 – 9:35					
9:35 – 10:25					
10:25 – 11:15					
11:15- 12:45					
12:45 – 1:35					
1:35 – 2:25					
2:25 – 3:15					
Daily Total					

Next Level: _____ Weekly Total: _____

Violations

- 5 A Failure to follow directions
- 5 B Horseplay
- 5 C Projectile
- 5 D Roaming
- 5 E Inappropriate Behavior
- 5 F Failure to be in Dress Code
- 10 A Sleeping
- 10 B Threat (possible ref/citation)
- 10 C Cursing (possible ref/citation)
- 10 D Failure to complete work
- 10 E Talking
- 10 F Failure to follow DAEP Rules

COMMENTS:

_____

_____

_____

Referral = Loss of all points for the day
70 points must be earned daily for it to count.
Students must meet eligibility requirements for 100%

DAILY ASSIGNMENTS GOALS SHEET

Week of: _____

Subjects	Monday		Tuesday		Wednesday		Thursday		Friday	
	Assignments	Staff Initials	Assignments	Staff Initials	Assignments	Staff Initials	Assignments	Staff Initials	Assignments	Staff Initials

Code of Conduct

The MISD student code of conduct applies to DAEP students. Failure to comply may result in loss of privileges, return to a lower level, suspension, or expulsion from the DAEP. Punishment will be determined by the severity of the violation. Discipline will be strict and firm, but fair and consistent. The DAEP teacher may recommend a disciplinary action, but the DAEP principal has final authority in deciding such action.

DAEP Discipline Management System

- Must earn 70-100 points each day
- Levels – Red, Yellow, Green
    - Red – Entry level
        - No privileges
    - Yellow – 1000 points
        - Jeans with uniform shirt (Friday ONLY)
    - Green –
        - Jeans with uniform shirt (Friday ONLY)
        - FRIDAY only – Snack
- Level Drop
    - Student goes back to Red Level until 1000 points have been accumulated
    - If student receives a referral or less than 70 points while on any Level, the day will not count, and the count towards the 1000 points will start over.
    - An unexcused absence during the week could result in level drop or reverting back to previous weeks totals.
    - Reasons to receive Level Drop
        - Less than 70 points in one day
        - Referral
        - Unexcused Absence

Point Assignment

When students enter DAEP, they are assigned a set number of days to successfully complete. The number of days x 70 points determines the minimum number of points the student must have to be released from DAEP. For example, a student who has 25 days to complete will be as follows:

25 days x 70 points =1750 25 days x 100 =2500

The students must complete 25 successful days and have accumulated 1750-2500 points.

Students are required at all times to carry a clip board with their Disciplinary form attached.

If a Student at any time refuses the request by Staff to turn over documentation (Point Sheet or Work) sheet or defaces or changes sheet. They will receive Discipline deemed appropriate by the DAEP Principal.

Campus Notification

DAEP will notify the home campus prior to the return of a student. Notification simply states that the student is likely to return based upon current progress, but will be on the condition that the student maintains grades, points and attendance until the day of return. If not, the return to home campus will be delayed.

7.7 Early Childhood/Elementary Transition Celebrations

Reference or Contact: **Assistant Superintendent for Curriculum and Instruction**

Elementary principals' support having the option of end of year celebration programs for students. There is only one **MISD student graduation ceremony**, and that is at the high school level. Children in Early Childhood Programs may have a **transition** celebration giving parents the opportunity to take photos and be involved in celebrating the child's success. Cap and gown reserved for MISD Graduating Seniors.

7.8 Early Graduation

Reference or Contact **High School Counselor**

In accordance with EIF (Legal), students may graduate earlier than the rest of the cohort. Before formally initiating a request for early graduation, the student should meet with the counselor to clarify exactly what courses are remaining for the chosen graduation plan. Students interested in early graduation must complete the Early Graduation Application, available from the counselor. The application requires signatures by the student and parent before being submitted to the counselor for review. The campus principal is responsible for approving or denying such applications. If the application for early graduation is denied, the student may appeal to the Board of Trustees.

Upon completion of all required courses, the transcript will be evaluated by the counselor and registrar to verify the student has met all graduation requirements before being given to the principal for final approval. Once approval, the student will immediately be coded as a graduate in the student information system (SIS). Official transcripts will be available upon request. The student will be provided the opportunity to attend the next graduation ceremony for the school. The student's diploma will be ordered within ten days of the graduation date in the SIS.

7.9 Emergency Drills (Mandatory)

Reference or Contact **Assistant Superintendent for Auxiliary Services**

Under Policy CKC, Marshall ISD is required to conduct mandatory school drills and exercises to prepare District students and employees for responding to an emergency. Annually each campus must conduct the following emergency drills according to guidelines provided by the State of Texas Fire Marshall and/or Texas School Safety Center:

1. A fire drill must be conducted four times a school year (two per semester). At the conclusion of the year, the campus will send the Director of Student Services the Texas Department of Insurance Fire Exit Drill & Fire Prevention Education in Schools form. These forms are kept on file at the Marshall ISD Administration Building.
2. Lockdown drills must be conducted by each campus two times a year (one per semester).
3. Shelter for Severe Weather drills must be conducted by each campus one time per school year.
4. Secure Drill must be conducted by each campus one time per school year.
5. Evacuation Drill must be conducted by each campus one time per school year.

It will be the campus principal's responsibility to schedule and conduct the drills within the month they are required, at a time that is convenient for the campus. In some months there may be two drills required. Campuses not completing their required drill(s) in a timely manner will receive an e-mail from the Director of Student Services noting the drill(s) not completed and a directive to complete and report the drill as soon as possible.

Prior to the start of each school year, the Director of Student Services will provide campus principals with a copy of the Emergency Operations Plan along with a schedule of all emergency drill activities.

Principal responsibilities include:

1. Providing the Emergency Operations Plan and lesson plans to their staff, including conducting training with the staff members prior to the start of the school year.
2. Clearly posting maps of evacuation routes for use by staff, students and others on campus in the event of a drill or emergency.
3. Reviewing and updating the campus' Emergency Operations Plan annually or as needed.

4. Ensuring teachers have drill procedures posted in their rooms and are informed of drill dates during the course of the school year. It is recommended the principal review the drill date schedule and procedures during a staff meeting at the beginning of each month.

5. Ensuring each teacher or staff member has the appropriate emergency status card (one red, one green for each room to show if all staff and students are accounted for) to use during the drill or in case of true emergency.

6. Providing emergency procedures to substitute teachers and communicating scheduled drills to any substitutes that may be on campus that day.

Teachers and other staff are responsible for instructing all students on emergency drill procedures and safeguarding students prior to, during and after the drills.

7.10 Homecoming Court Selection and Ceremony Expectations

Reference or Contact: **High School Principal**

The purpose of a Homecoming Queen/King and Court is to positively represent the student body of the high school, the Marshall Independent School District, and the community of Marshall.

HOMECOMING COURT SELECTION

The students nominated for the Homecoming Queen and King Court must be a part of the Senior class of the current school year. Students may nominate any senior girl and boy and seniors may submit their own name. All nominees must attend a scheduled informational meeting facilitated by the student council director.

Students nominated must meet the following criteria to be eligible:

- Senior by credits
- No discipline referrals from classroom teachers
- Fewer than six (6) absences
- Passing all classes at the time of the event

After students are nominated and nominees are approved by campus administration according to the standard defined above, voting will occur as directed by the campus administration. Nominees are allowed to hang one (1) poster in the cafeteria to promote their nomination. Any inappropriate poster will be removed and a replacement will not be allowed.

The top four (4) senior girls and top four (4) senior boys as determined by the preliminary vote are identified as the Homecoming Court. Voting will again occur as directed by the campus administration to identify a Homecoming Queen/King to be announced prior to the start of the Homecoming football game.

One student boy and girl elected nominee from the freshman, sophomore, and junior class will be a homecoming representative on the homecoming court.

HOMECOMING CEREMONY

The Homecoming ceremony will take place at the beginning of the high school Homecoming football game. Finalists will be given written guidelines for expectations related to the event. Finalists must attend a rehearsal conducted by campus administration the day prior to the event.

Guidelines for finalist participation in the Homecoming ceremonies are as follows:

- Female Students - Dresses at the game must be “formal” appropriate. This means no midriffs, backs must be covered, and the hemline must be past the fingertips when the arm is fully extended down toward the knee.
- Male Students - Pants should be full length and belted at the waist with an appropriate shirt. Jacket and tie are optional.
- MHS Uniforms may be worn if performing at the Homecoming Game.
- Finalists will submit to a dress code check prior to the start of the event. If the nominee is found to not be in compliance with the defined dress code, she will not be allowed to participate in the event unless the compliance issue is corrected. The campus principal will be responsible for the determination of appropriateness of the nominee’s attire.
- As defined in the student dress code, tattoos must be covered. If a finalist’s tattoo is visible to campus administration, they will not be allowed to participate in the ceremony unless she is able to comply with the guideline.
- Finalists are only allowed two (2) adult escorts on the field during the ceremony. The escort MUST be a parent or guardian. If a finalist does not have an escort, they may choose a teacher or administrator from the campus to accompany them during the ceremony. No one beside the nominee and the nominee’s escorts will be allowed on the field or sideline.
- Finalists will provide a script that will be submitted for review by a campus administrator prior to being read during the ceremony. The campus principal will be responsible for the final review of content read for each nominee during the ceremony.

- Finalists must attend an announced practice conducted at the MISD stadium the day of the game.
- Only the finalists and each defined escort for each will be allowed to enter the game free of admission cost.

7.11 In School Suspension

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

In-school suspension (ISS)

ISS is one option for addressing student misbehavior. Each campus has a designated location for ISS. As placement in ISS is considered a disciplinary removal, a referral must be created and recorded in PEIMS.

Only those students with an assigned placement should be in the ISS room. Once a student crosses the threshold of the ISS room, there must be documentation to support it and recorded in PEIMS. As such, only administrators may assign students to ISS.

Reporting Requirements

*A PEIMS 425 Student - Disciplinary Action record **must** be reported for each disciplinary action that results in a removal of a student from any part of their regular academic program. A single student will have multiple 425 Student - Disciplinary Action records if removed from his/her classroom more than once. Every disciplinary action that results in the removal of a student from any part of their regular academic program will be categorized in one of the following general categories: In-School Suspension (ISS), Out-of-School Suspension (OSS), Expulsion, Juvenile Justice Alternative Education Program (JJAEP), or DAEP assignments. Refer to PEIMS Code Table C164 Discipline Action Code for the specific actions to be reported.*

7.12 Intra-district Transfer (in-district transfers)

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

Application Submission

1. Applications are available online at www.marshallisd.com. The transfer application window is open from June 1 to June 29.
2. The parent/guardian must complete and submit the online transfer application form no later than June 29.
    a. A transfer application must be submitted each year.

Application Review

1. The Director of Student Services receives and reviews each student application.
2. The Director of Student Services evaluates the application based on attendance history and discipline records.
3. The Director of Student Services will determine space availability and indicate one of the following.
    a. Acceptance
    b. Denial
    c. Probationary Admission

Probationary Admission (if applicable)

1. If the student is admitted on a probationary basis, the campus principal will meet with the parent/guardian.
2. The parent/guardian must sign a probationary contract outlining the specific conditions and timeline for possible revocation of the transfer.

7.13 Inter-district Transfer

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

Application Submission

1. Applications are available online at www.marshallisd.com.
2. The parent/guardian must complete and submit the online transfer application form.

Application Review

1. The Director of Student Services receives and reviews each student application.
2. The Director of Student Services evaluates the application based on attendance history and discipline records.
3. The Director of Student Services will determine space availability and indicate one of the following:
    a. Acceptance
    b. Denial
    c. Probationary Admission

Probationary Admission (if applicable)

1. If the student is admitted on a probationary basis, the campus principal will meet with the parent/guardian.
2. The parent/guardian must sign a probationary contract outlining the specific conditions and timeline for possible revocation of the transfer.

7.14 Investigation Overview

Reference or Contact **Assistant Superintendent for Auxiliary Services**

Investigation Overview

Investigations will take place in a timely manner. Below is the process for reporting an incident and the time in which the investigation will be completed.

Timeline

1. All incidents/complaints will be responded to within 24 hours by the appropriate department. The campus will investigate most types of incidents as outlined below.
2. When an allegation of inappropriate conduct involves a staff member (for the purpose of this policy, a staff member is defined as a MISD employee, volunteer, vendor, unpaid intern or student teacher), notify the Superintendent or designee. This includes any of the following situations:
    - staff member to staff member;
    - student to staff member; and
    - staff member to student allegations.
3. The Superintendent or designee will respond within 24 hours.
4. All investigations will be completed within five business days.
5. A Summary Report will be completed within five business days from the completion of the investigation and submitted to the appropriate departments as identified below.[1]

    - Non-staff incidents: The summary report will be sent to the campus principal upon the completion of the report.
    - All investigation summary reports concerning staff members will be sent to the staff identified in #2. The report will be reviewed by an administrative team, who will decide what action, if any, will be taken. The team will consist of the principal, the primary investigator, and may include another administrator from Cabinet and/or the Chief of Police.[2]

Investigation types

Investigations fall into several categories. The departments assigned to the different investigation types are identified as follows:

Investigation types	**Conducted by**[3]
Allegations involving staff members	Executive Director of Human Resources & Student Services
Sexual, force, abuse, etc. Sexual Harassment/contact (S:S)	Campus w/MISD Police Executive Director of Human Resources & Student Services

Bullying	Campus/Director of Student Services
Fight Club	Campus/MISD Police - proportional to degree of incident/Director of Student Services
Gang Activity	Campus/MISD Police notification for tracking
Parental Custodial Issues	Call Director of Student Services
Racial Harassment	Campus/Director of Student Services
Staff to Staff Altercation	Campus/Executive Director of Human Resources & Student Services
CPS School Investigation	CPS/MISD Police/Director of Student Services
Weapons Issue - *Make photocopy of weapon and attach to referral*	
Non-illegal Weapon	Campus
Illegal Weapon	MISD Police/Director of Student Services

Verbal complaint to Principal (staff member or parent)
If a verbal complaint is made to the principal/asst. principal, the individual will be directed to schedule a conference with the appropriate campus administrator. This conference must be documented and a response letter mailed to the complainant and the Executive Director of Human Resources & Student Services. If that step does not resolve the complaint, the individual needs to be directed to contact the Director of Student Services. At this step, the formal complaint process can be filed, if necessary.

Before filing a grievance, and pursuant to Marshall ISD Board Policy (FNG LOCAL), the District strongly encourages each individual to attempt to resolve his or her concerns with the applicable campus or department administrator or employee. The District believes it is typically in the best interest of everyone involved to informally resolve concerns if at all possible. Please keep in mind that any applicable timelines for filing a grievance are not affected by an attempt at an informal resolution.

Bullying Reports/Complaints
Upon receipt of a complaint or report of bullying, the campus principal will email a copy of the complaint to the Director of Student Services. The investigation will be initiated by the campus within 2 hours. The report or complaint of bullying will be discerned by campus completion of the Bullying Checklist for School located at https://txssc.txstate.edu/videos/bullying-and-the-law/#checklist along with other documentation available for assistance in determination. Upon completion of the investigation, a copy will be emailed to the Director of Student Services.

CPS School Investigations
Upon notification to the Campus Principal by CPS of an investigation involving a staff member, the Campus Principal will email the HR Director within 24 hours. Appropriate measures by Human Resources will be taken to ensure the safety of all students. Student Services and/or Police will also conduct an investigation as necessary while maintaining communication with CPS pending their conclusion.

Conducting Investigations

Conducting an investigation often requires considerable time and effort. However, if your investigation is poorly done, the quality of your documentation may be seriously, if not fatally, compromised. Of course, the scope of your investigation will be determined by the seriousness and complexity of the alleged incident.

These procedures can be used for investigating most allegations of inappropriate conduct including theft of district property, misuse of district time and personnel, or any reports of alleged sexual harassment, sexual abuse or child abuse.

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[1] Extenuating circumstances may extend the timeline as long as it is communicated through the Executive Director of Human Resources and Student Services. [2] When the principal is the subject of the investigation, the administrative team will consist of the investigator, any cabinet member, and/or Chief of Police. [3] Any incident that a principal would like assistance from the Superintendent, they need only call.

Do Not Delay Beginning An Investigation

Do not delay beginning an investigation into either alleged wrongdoing or ineffectiveness. Decide whether an investigation is warranted after receiving a complaint. If you suspect an investigation is warranted, determine the type/category of investigation and notify the specific department(s) as soon as possible…not to exceed 24 hours. Matters involving staff member free speech or private conduct off campus often are beyond the legitimate interests of the school district. Some administrators assume that if persons who witness events are unwilling to prepare a statement or step forward to testify, nothing can be done. While it is true that staff members have a right to confront witnesses against them at a due process hearing, nothing precludes an administrator from beginning an investigation. Do not dismiss rumors or anonymous tips. Look for strong, independent corroborating evidence. In some instances such as allegations involving sexual harassment or abuse, administrators who fail to initiate an investigation risk exposing both the school district and themselves to liability.

Remember Staff Members Have a Duty to Report to the Texas Department of Family and Protective Services – CPS

IMPORTANT: Any professional who has cause to believe that a child has been or may be abused or neglected shall make a report as required by law. The report must be made within 48 hours after the professional first suspects abuse or neglect[1]. A Professional Reporter is anyone licensed or certified by the state or works for an agency or facility

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[1] **Definitions of Abuse**
Physical abuse is a physical injury that results in substantial harm to the child, such as bruises, fractures, or death. It also can include a genuine threat of harm even if there is no visible injury. **Sexual abuse** is sexual conduct harmful to a child's mental, emotional, or physical welfare. This includes fondling a child's genitals, penetration, indecent exposure, and exploitation through prostitution or producing pornography. **Emotional abuse** is an action that results in a marked impact on a child's growth, development, or psychological functioning. Emotional abuse includes extreme forms of punishment such as confining a child in a dark closet, habitual scape-goating, or belittling to the point that it results in noticeable effects on the child's daily functioning.

licensed or certified by the state and has contact with children as a result of their normal duties. By law, professionals may not delegate their duty to report to another person such as a coworker or family member. It is the responsibility of professionals to report and the responsibility of the Texas Department of Family and Protective Services to investigate allegations or suspicions of abuse or neglect. Refer to policy FFG (Legal). TDFPS/CPS reporting hotline is 1-800-252-5400.

Immediately Seek Preliminary Finding of Facts

Begin the investigation immediately.

1. **Have the complainant complete the witness form.**
   If a complaint has been registered against a staff member, ask complainant(s) separately to fill out and sign a **complaint form**, describing the nature of the alleged wrongdoing and identifying other witnesses. Review the witness form for completion and make sure the complainant signed and dated the form.
2. **Interview the complainant.**
   Do a follow up interview with the complainant to ascertain the credibility of the allegation. Do your best to maintain confidentiality of the complainant however, do not promise confidentiality. The accused may have the right to confront accusers if formal action is taken. Use the complainant interview guide to assist you with the interview.
3. **Contact parent(s) of students who are alleged victims.**
   If students are victims of alleged employee wrongdoing, notify their parents at the earliest opportunity.[2] Notify the parents and afford them the opportunity to be present at the time of the interview with the student.
4. **Collect cell phones that could have critical information on them for the investigation.**
5. **Interview the victim and have them write a statement.**
   Determine how the harassment incident has affected the alleged victim by asking questions. Please ask the victim to write a statement. Have the victim complete the **victim's statement form**.
6. **Interview witnesses and have them write a statement.**
   Interview student and employee witnesses separately. Have witnesses complete a witness written statement of what they observed and secure a signature. Again, do

[2] Under Texas law, parents are considered "full partners" in the education of their children. They have a right under TEC § 26.004 and § 26.008 to see all the documents relating to their children.[4] Include parents in interviews and allow them to bring legal counsel, if desired. Remember that you would rather have parents as partners with you in your investigation than for them to learn about allegations of employee wrongdoing involving their child later on. It is the latter situation that triggers lawsuits from angry parents. When the student reaches adulthood at the age of 18 and is no longer subject to the compulsory school law, the parents generally do not have to be informed or involved in the investigation. However, there may be situations where it would be prudent and wise to involve the parents (e.g., the student is cognitively impaired or otherwise 18 and is no longer in need of legal assistance). For this reason, the school's human resources director, title IX coordinator, or other appropriate official should be consulted before a decision is made not to involve the parents of older students in an investigation.

not promise confidentiality. Make sure that your investigatory procedure is in accordance with district policy and practice. Consult district officials if in doubt.[3] Again, if possible, do not reveal the identity of either the alleged victim or alleged harasser to the witness at the beginning of the interview but tell him/her the reason for the interview. You will also want to develop your own questions based on the information you received from the complainant and/or victim. Prepare these questions in advance.

7. **Interview the accused.**
   Interview the accused, follow the same procedures used when interviewing witnesses. Do not assume guilt. Explain that allegations of harassment/bullying have been made against the individual and that the purpose of the interview is to investigate the complaint. Use the accused/harasser interview guide to assist you with the interview. You will also want to develop your own questions based on the information you received from the complainant and witnesses. Prepare these questions in advance. Keep your notes of the interview process. Finally, have the accused write a statement on the accused statement form.
8. **Review the information.**
   At this point, the investigator may now have enough information to determine those areas of agreement and consistency in stories between the alleged victim's, witnesses, and alleged accuser harasser's versions of the incident. If necessary, additional questions can be asked to the witnesses, victim, or alleged accuser.
9. **Complete an investigation summary report.**
   Once you have obtained written statements, interviewed complainant, victim, witnesses, and accused prepare an investigation summary report. Use the sample investigation summary report as a guide.

NOTE:
Notify the victim of the outcome of the investigation. If disciplinary action is taken against the harasser, that is confidential information and cannot be revealed to the victim. Monitor the situation to be reasonably sure harassment does not resume or continue, and that retaliation does not occur.

Sufficient Serious Alleged Misconduct
If the preliminary findings reveal sufficient serious misconduct including allegations of employee sexual harassment or abuse of students and possible criminal code violations, Campus Principal will alert the Marshall ISD police department and the appropriate district's Title IX Coordinator. The administrative review team will recommend the appropriate personnel action (if any) including but not limited to

[3] If complaints also have been filed with the police or outside administrative agencies, contact them before your investigation in order to coordinate efforts and assert school district's obligations. Remember that the district has interest of its own such as maintaining confidentiality of records, safeguarding privacy of students, and protecting the professional reputation of employees.

suspension with pay pending investigation. If such action is taken, the superintendent will notify the Board of Trustees.

Marshall ISD Police Department Joe Arledge, Police Chief
Office Phone Number: 903-702-7692
Mobile Number: 903-578-1623

The superintendent may contact the district's school attorney depending on the severity of the allegation and preliminary findings. This is most likely to be true when complaints also have been filed with law enforcement or outside administrative agencies. In such cases, it will be necessary to contact them to coordinate efforts and to assert the school district's obligations, such as maintaining confidentiality of records, safeguarding privacy rights of students, and protecting the professional reputation of staff members. The superintendent will also consider whether the matter is sufficiently serious that suspending the employee with pay is warranted.

Things to Remember:

Do not communicate with the news media because student and family privacy rights and employee constitutional rights may be involved. Refer all news media to Director of Communication, Marketing, and Public Relations.

When the investigation is over, retain the investigatory file for possible use later on. The investigation should not be inserted in the employee's campus file of (1) the possibility of reprisal by the employee, (2) the difficulty of exercising all personally identifiable information under FERPA, and (3) the potential damage that could accrue to the employee form the portions of the investigatory file that are false or misleading. Only the specific incident memorandum resulting from the investigation should be kept in the employee's personnel file.

A careful investigation is essential to providing a firm foundation for effective documentation. What's more, it will demonstrate to all that you have not been careless, negligent, or callously indifferent to allegations of serious wrongdoing. Failure to take allegations seriously, especially in the context of student sexual harassment and abuse, can lead to potentially devastating litigation involving both the school district and school administrators.

7.15 Nursing (Medical) Emergencies

Reference or Contact: **District Head Nurse**

School nurses support campus students and faculty by making physical assessments, providing nursing interventions, and evaluating outcomes. All nursing care should be provided in the clinic for injured or ill students who are physically able to ambulate to the clinic without assistance or being carried. Calling a nurse away from the clinic for a minor

medical injury that requires basic first aid or for checking classes for head lice is not appropriate.

It is important to call 911 as appropriate for a true emergency or at the guardian's request. Employees need to follow instructions of the nurse during emergency situations. If a nurse or other medical professional is not available, employees need to follow instructions of the administrator until help arrives.

Emergency Medical Service Protocol

1. Stabilize the student. This is top priority. Never leave student unattended.
2. Call EMS.
3. Notify parent/guardian that EMS has been called. (If nurse is involved in emergent care, the principal may be asked to notify parents/guardian.)
4. Notify the office that 911 has been called. Request additional assistance, if needed.
5. Ask secretary to make copies of the student Skyward information.
6. Notify the Health Service Dept., who will then notify Administration.
7. When EMS arrive at the scene, be prepared to;
   - Give description of incident – facts only
   - Student's vital signs
   - Pertinent medical information
   - Give copy of student's Skyward information
8. If the parent/guardian is not available, a district representative will accompany the student to the designated Emergency Department until parent/guardian arrives. The representative will be selected by the Principal.
9. Follow up with appropriate documentation in Skyward.

Please remember to remain calm, be reassuring, and communicate clearly during emergency situations.

911 Medical Emergencies include but not limited to:

- Anaphylaxis - The victim may first present with common symptoms of an allergic response such as itching, redness, hives, a scratchy throat, or dry mouth. A severe response that is considered Anaphylaxis involves noticeable difficulty breathing, swelling of the throat/neck, wheezing, dizziness, and weakness. There will be a list of all qualified employees in the event of an emergency if the nurse is not available. In the event that a trained member is not available there are step by step instructions on the use of our emergency epi-pens. We have readily available epi-pens on all campuses for emergencies. Get with your campus nurse and familiarize yourself with the location of epi-pens as well as AED's on your campus.

- Severe Chest Pain/Heart Attack - Signs and Symptoms include: chest pain, shortness of breath, sweating, nausea, and pressure or heaviness to the chest/neck/jaw/arms. Many victims complain of pain to the chest and down the left arm. Please be aware that anxiety attacks can present as a cardiac related event.
- Unresponsiveness/Unconsciousness - The victim does not respond to any type of verbal, tactile, or painful stimuli.
- Severe Shortness of Breath - The victim is breathing fast, unable to speak, using neck/chest muscles to breathe, and has a bluish or pale color to the face/lips/neck/hands.
- Severe bleeding that won't stop when pressure is applied.
- Compound Fracture - A broken bone visible through an open wound
- Serious Burns
- Seizure Activity that involves loss of muscle control and decreased oxygenation
- Heat Stroke
- Suspected neck or spinal injury

7.16 Other Districts Requesting Disciplinary Records

Reference or Contact: **Superintendent**

Current year discipline records are considered part of the educational record. As such, they may be transmitted to a requesting school with other pertinent educational records.

FERPA § 99.31 Under what conditions is prior consent not required to disclose information?

(a) An educational agency or institution may disclose personally identifiable information from an education record of a student without the consent required by § 99.30 if the disclosure meets one or more of the following conditions: …(2) The disclosure is, subject to the requirements of § 99.34, to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

7.17 Outside Therapy for Students

Reference or Contact: **Director of Special Education**

In a *To the Administrator Addressed Letter* issued in 2001, the Texas Education Agency (TEA) advised school districts that regularly scheduled daily or weekly absences to obtain ongoing treatment for a chronic health condition related to a student's disability cannot be considered "temporary" absences within the meaning of the Texas Education Code (TEC) §25.087. This guidance continues to apply to students with disabilities who have regularly scheduled daily or weekly absences to obtain ongoing treatment for a chronic health condition.

The TEC §25.087(b-3) provides that a temporary absence under subsection (b)(2) includes the temporary absence of a student diagnosed with autism spectrum disorder resulting from an appointment with a health care practitioner to receive a generally recognized service for persons with the disorder including applied behavior analysis, speech therapy, and occupational therapy. The intent of this amendment was to clarify that these types of absences must be excused as temporary absences under TEC §25.087(b) (2). Thus, a school must excuse any absences that fall within TEC §25.087(b-3).

Student absences to access private therapies will be unexcused absences even with the provision of documentation from the therapy provider. Students leaving for outside therapies will be subject to all requirements of compulsory attendance. Only students with an identified autism spectrum disorder will continue to have absences excused in accordance with Texas regulations.

7.18 Photographic Documentation of Reported Injuries

Reference or Contact: **District Head Nurse**

For the purpose of documenting injuries for CPS or other agencies regarding possible abuse, student health services staff will contact the Marshall ISD Police Department. At that time the Marshall ISD Police Department will take the photographs and will manage the chain of custody for the evidence. The student health service staff member can notify CPS that they may contact the Marshall ISD Police Department for the evidence in their confidential report if appropriate.

In the event that an injury is allegedly caused by a Marshall ISD staff member the student health services staff will contact the Marshall ISD Police Department for photographs at the time the student arrives in the clinic with the injury.

7.19 Revocation of Transfer for Attendance Reasons

Reference or Contact: **Superintendent**

A student may have their in-district transfer revoked for attendance and/or tardy reasons at the end of the semester or school year if the student's absences and/or tardies resulted in truancy court. If revocation of a transfer becomes a possibility, FDB (Local) states that the student and parent be notified in writing and given an opportunity to correct the attendance. If no improvement occurs after notice is provided, the principal may revoke the transfer at the end of the semester or school year. A revocation notice must be in writing and delivered no later than May 15th of any school year. Such notice provides the parent the opportunity to apply for an in-district transfer to another campus or attend their school of residence for the following school year.

Ten days prior to notifying parents of a transfer revocation, the Principal for the campus must be notified.

Agreement to Transfer: A parent and a student accepting a transfer shall agree to abide by the receiving school's standards for attendance and discipline as outlined in writing on or before the effective date of the transfer.

Revocation may occur as follows: The principal of the receiving school may revoke a parent-requested transfer at the end of the semester or the school if approved by the Superintendent or designee if attendance and discipline standards are not met. Circumstances resulting in transfer revocation may include, but are not limited to, the following situations:

A student has documented unexcused absences that meet the definition of nonattendance as outlined in policies at FEA.

Warning Notice: *As stated in FEA (Legal)*

The District shall notify a student's parent in writing at the beginning of the school year that, if the student is absent from school on ten or more days or parts of days within a six-month period in the same school year or on three or more days or parts of days within a four-week period, the student's parent is subject to prosecution under Education Code 25.093, and the student is subject to prosecution under Education Code 25.094 or to referral to a juvenile court in a county with a population less than 100,000. Parts of days occur when a student tardy in the morning or leaves school before the end of the day.

7.20 Student Clubs/Organizations

Reference or Contact: **Assistant Superintendent for Business and Finance**

Participation in student organizations/clubs provides additional educational access and opportunities for students. Because of the positive impact of clubs, schools are encouraged to make available clubs of varying interests.

A "**student group**" or "**club**" in the District is defined as a District-approved club or a group of District students that:

1. Meets together for a non-curricular common purpose or interest;
2. Holds its meetings or activities on school premises during non-instruction time;
3. Does not have state or national affiliation;
4. Has District-approved status; and
5. Is supervised by an approved District employee.

Examples of student groups include: Chess Club, Spanish Club, Art Club, etc.

The following is the process for approval of a school sponsored student club:

1. The group must have a teacher sponsor
2. Must be composed of current, full-time District students at the campus where the student group exists;
3. A constitution/by-laws must be established
4. Approval by the campus principal
5. Sent to the Business and Financial Services Office for approval.
6. The clubs/organization will select officers as stated in the student handbook.

Clubs are granted approval for one school year. Reapplication is required for continuation of a student group/club. Student Club Applications (Appendix APP-B2) can be obtained from Campus Secretary or the Business and Financial Services page on the MISD website under "Forms".

The club sponsor may not promote, lead, or participate in the meetings. However, overseeing the accounting for any monies earned by the group members through fund-raising actives shall be the responsibility of the monitor, in accordance with District guidelines/procedures.

The principal may revoke the student group/club status upon determination the group has:

1. Conducted meetings in the absence of an approved adult monitor;
2. Violated any state or federal law; or
3. Mismanaged monies earned from any of its fund-raising activities.

For more information see Student Club Procedures (Appendix B-1). This can be obtained from Campus Secretary or the Business and Financial Services page on the MISD website under "Forms".

7.21 **Students Suspected Under the Influence**

Reference or Contact: **Chief of Police**

Students suspected of being under the influence of alcohol, marijuana or other controlled substance shall be escorted to the Campus Principal, Campus Behavior Coordinator or other administrator.

The administrator shall contact the campus nurse and/or Marshall ISD police to assist in determination of the student as being under the influence.

Upon determination by the nurse and/or Marshall ISD police of the student as under the influence, the administrator will immediately contact the student's parent or guardian. The administrator shall ensure that the student remains supervised at all times. Student must not be released until a parent or guardian picks the student up from campus.

Marshall ISD police and/or nurse will provide the administrator with the appropriate documentation required. EMS will be notified if further medical attention is deemed necessary.

7.22 Supervision of Students

Reference or Contact: **Superintendent**

School employees have the responsibility to hold pupils responsible for their conduct while under MISD Supervision. Employees have the legal duty to prevent misconduct on the part of pupils which could result in injury to a pupil.

MISD's number one responsibility to keep our students safe at all times with active supervision. Active Supervision of students is required by all staff. Active supervision means that staff:

- All students are within sight and/or hearing of supervising staff at all times.
- Students are not to be left unattended at any time.
- Staff effectively supervises all areas accessible to students.
- Volunteers are never to supervise students alone, indoors or outdoors.
- Staff members are not to be engaged in any other activities such as cleaning, preparation of their next class, talking or texting on phones, etc., while supervising students. This ensures an interactive process of supervision.
- Except for necessary discussions or concerns regarding students during duty, staff are not to congregate together outside. This is not a time for adults to visit. Supervisors should roam when appropriate.

- Staff members must spread out in the playground, athletic facility, or campus to ensure adequate supervision of all areas.
- Students must be supervised during all indoor/outdoor transitions.
- Secondary campuses are to divide games or events equally among all administrators.
- Staff shall report and sign in on time to the duty station for game/event.

7.23 Transfer Renewals

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

Prior to June, the Director of Student Services will contact all current transfer students to confirm their intent to return for the upcoming school year.

If the parent wishes for their child(ren) to continue attending the transfer school, they must complete and submit the district's online transfer application form by the end of June.

Failure to submit the form by the deadline will result in the student's spot being made available to other applicants.

7.24 Transportation: Routing & Implementation Guidelines

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

Each year the transportation department will plan, route and implement a new transportation plan. The transportation plan will follow Texas law, Board policy, and the following guidelines:

a. When planning where bus stops are to be placed, students will not be required to walk more than five blocks from their house.
b. Bus stops are designed for right-side pickup of Elementary students, Junior High and High School students may cross in front of bus.
c. Routes will be designed so that the maximum time a student is on a bus route is 90 minutes.
d. Seating capacity of the buses will be adjusted by the age level of the students. Calculations will consider elementary students to sit three to a seat and middle/high school students to sit two to a seat.
e. Students are expected to follow the student code of conduct while on the bus. All misconduct will be reported by the driver to the dispatcher the day

of the incident. Transportation will then notify a campus administrator as follows: If misconduct occurs on a morning route, the school will be notified before 1:00 pm. If the misconduct is on an afternoon route, the contact will occur before noon the next day.

f. Information concerning bus stops and pickup/drop off times are made available to parents through the district's website. Parents may also contact the school or the transportation department.

g. Students will be delivered each morning to the appropriate campus early enough before school starts to allow them time to eat breakfast.

7.25 Video Recorded by District Cameras (Access of)

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

These administrative Guidelines are to assist District employees in connection with video recorded by District cameras and/or District employees. For purposes of these Guidelines, distinction is made between three different categories of video:

Category 1: Video recorded by District cameras installed in the common areas of District buildings and video recorded by cameras installed on buses ("**Security Videos**");

Category 2: Video recorded by District cameras installed in classrooms **("Classroom Video")**;

Category 3: Video recorded by District employees if the recording is to be used only for: (i) a purpose related to a co-curricular or extracurricular activity, (ii) a purpose related to regular classroom instruction or (iii) media coverage of the school.

Specifically, these Guidelines will address the first two categories, but not the third category. In summary, video falling within the first category will be treated as a law enforcement unit record (i.e. *not* the educational record of any student) and video falling within the second category will be analyzed (as necessary) on a case-by-case basis to determine whether or not it is the educational record of any student.

APPLICABLE BOARD POLICY

MISD Board Policy FO (Local) relates to student discipline and provides in pertinent part (regarding video):

Video and Audio Monitoring:
Video and audio monitoring equipment shall be used for safety purposes to monitor student behavior on District property.

The District shall post signs notifying students and parents about the District's use of video and audio recording equipment. Students shall not be notified when the

equipment is turned on.

Use of Recordings
The principal shall review recordings as needed, and evidence of student misconduct shall be documented. A student found to be in violation of the District's Student Code of Conduct shall be subject to appropriate discipline.

Access to Recordings
Recordings shall remain in the custody of the campus principal and shall be maintained as required by law. A parent or student who wishes to view a recording in response to disciplinary action taken against the student may request such access under the procedures set out by law. [See FL (LEGAL)]

HANDLING REQUESTS TO VIEW VIDEO

Accordingly, pursuant to Board Policy FO (Local), these Guidelines are intended to address the manner in which requests to view stored electronic images of students are to be made and how such requests are to be processed and handled.

Category 1: Video recorded by District cameras installed in the common areas of District buildings and video recorded by cameras installed on buses ("**Security Videos**")

Nationwide, schools are increasingly using security cameras as a tool to monitor and improve student safety. As part of the District's ongoing efforts to provide a safe and secure environment for students, the District has installed cameras to record Security Videos on buses and in a number of locations in the common areas of District buildings including, but not limited to, hallways and cafeterias. Under Texas law, Security Videos are to be used only for purposes of safety, including the maintenance of order and discipline in common areas of the schools or on school buses.[4]

Under the provisions of the Family Educational Rights and Privacy Act (FERPA) *20 U.S.C. 1232g*, images of students captured on videos that are maintained by the school's law enforcement unit are not considered "education records". Accordingly, these videos may be shared with parents of students whose images are on the video and with outside law enforcement authorities, as appropriate.

The District designates the certified peace officers of the Marshall ISD Police Department and the Administrators listed below to serve as the District's "law enforcement unit" in order to maintain Security Videos and determine the appropriate circumstances in which the District will disclose recorded images.

[4] Note that before an employee of the District may record video images of a student under other circumstances, parental consent may be required under §26.009 of the Texas Education Code.

Administrators designated as part of the District's law enforcement unit are as follows:

1. **Superintendent**
2. **Assistant Superintendent of Auxiliary Services**
3. **Executive Director of Human Resources & Student Services**
4. **Director of Student Services**
5. **Principals**
6. **Assistant Principals**
7. **Director of Transportation**
8. **Director of Special Education**

Accordingly, any member of the District's law enforcement unit is authorized to allow access to and viewing of Security Videos which contain stored electronic images of students. Quite simply, Security Videos are *not* the educational record of any student and are *not* subject to the requirements of FERPA regarding "education records". As a practical matter, this means that an administrator who is a member of the District's law enforcement unit may, if he or she chooses to do so, share a Security Video with the parent (or any person standing in loco parentis) of a student.

Any request made by a person other than the parent (or person standing in loco parentis) to view or obtain a copy of a particular Security Video shall be treated and handled as a public information request, and such request should be promptly forwarded to the District's Public Information Officer.

Category 2: Video recorded by District cameras installed in classrooms ("Classroom Video")

For a number of reasons, the District has installed cameras in certain classrooms at certain campuses including, but not limited to, ISS rooms and classrooms at the MISD Alternative Campus. Video captured by these cameras (Classroom Video) is *not* to be treated as Security Video. Instead, Classroom Video is to be analyzed as set forth in these Guidelines. In summary, if a request to view Classroom Video is received, a determination must be made as to whether or not the person is authorized under FERPA to view the Classroom Video. Furthermore, absent a request, before an administrator (authorized under these Guidelines – see below) may show the Classroom Video to a parent (or a person standing in loco parentis), the administrator must determine that the Classroom Video is the "education record" of the child of the particular parent. For a detailed explanation, see the Frequently Asked Questions section below.

Administrators authorized to allow access to and viewing of Classroom Video:

1. **Superintendent**
2. **Assistant Superintendent of Auxiliary Services**
3. **Executive Director of Human Resources & Student Services**

4. **Director of Student Services**
5. **Principals**
6. **Assistant Principals**
7. **Director of Transportation**
8. **Director of Special Education**

Attached to these Guidelines is a form to be provided to individuals who make a request to view Classroom Video. Upon receipt of a properly completed request form, administrators authorized under these Guidelines may allow access to and viewing of Classroom Video as provided by applicable law and these Guidelines.

FREQUENTLY ASKED QUESTIONS

In order to assist the above referenced administrators who are authorized pursuant to these Guidelines to allow access and viewing of videos, the following FAQ is provided.

1. Who may make a valid request to view stored electronic images of a student?

That depends.

If, under the provisions of the Family Educational Rights and Privacy Act (FERPA) *20 U.S.C. 1232g*[5]**, the images are the "education record" of a student then, generally speaking, a parent can do so. More specifically, access to the education records of a student who is, or has been, in attendance at a school in the District shall be granted to the parent of the student who is a minor or who is a dependent for tax purposes. *34 CFR 99.10, 99.31(a)(8)* The District shall presume that a parent has authority to inspect and review the student's records unless it has been provided with evidence that there is a court order, state statute, or legally binding document that specifically revokes these rights.**

On the other hand, if the images are records of a "law enforcement unit", then any person may make a valid request to view the images.

2. Are stored electronic images of a student always "education records" subject to FERPA? No.

"Law Enforcement Unit Records" are not considered "education records". Accordingly, if the stored electronic images of a student are created and maintained by a "law enforcement unit" then the videos are not "education records" subject to FERPA.

MISD has designated certain individuals (see section above-Category 1-Security Videos) as members of its law enforcement unit. Under FERPA, investigative reports and other

[5] MISD Board Policy FL (LEGAL) provides an overview and summary of the provisions of FERPA and its implementing regulations (found at Title 34 CFR part 99).

records created and maintained by these "law enforcement units" are not considered "education records" subject to FERPA. Accordingly, MISD may disclose information from Law Enforcement Unit Records to anyone, including outside law enforcement authorities, without parental consent. See 34 CFR § 99.8. **Security Videos (as defined above in these Guidelines) are specifically included in the category of Law Enforcement Unit Records; thus, Security Videos are not "education records".**

3. What if the stored electronic images of students are not "Law Enforcement Unit Records" (i.e. what if the stored electronic images are Classroom Video)?

Then the images *might* be "education records" subject to FERPA.

The determination of whether particular images contained in Classroom Video are in fact the "education records" of a particular student turns on what the video depicts.[4] The following information is provided to assist in analyzing Classroom Videos.

The Texas Attorney General (referring to an opinion of Family Policy Compliance Office (FPCO), has issued Open Records Decisions explaining how the determination is to be made: the images of students identified in a videotape are only education records of the students who are the "focus" of the videotape or "directly involved in the incident".

For example, in Tex. Att'y Gen. OR2006-00484 (2006) a parent made a request to the Edgewood Independent School District for a specific videotape of a lunch room altercation involving his son. Edgewood ISD then asked the Attorney General whether the requested video (a copy of which was submitted to the Attorney General on a compact disc) was required to be disclosed. The Attorney General concluded that Edgewood ISD had to release the requested video with the following analysis and explanation:

> The submitted information is a compact disc of the requested videotape. You explain that this disc contains the "video" for the first lunch period from four different cameras that are located within the cafeteria, some of which recorded the altercation at issue and some of which did not pick it up. Thus, the disc contains images of those involved in an altercation and those who were not involved. You state that FERPA applies to all of the student images. However, the Family Policy Compliance Office of the Department of Education ("DOE") has determined that videotapes of this type do not constitute the education records of students who did not participate in the altercation. Thus, FERPA does not apply to the images of the students who did not participate in the altercation. The DOE has, however, determined that the images of the students involved in the altercation do constitute the education records of those students. Thus, FERPA does apply to the students involved in the altercation. Further, DOE has determined that the students involved in the altercation are directly related to each other because of the altercation.

> In this instance, the son of the requestor was involved in the altercation at issue and thus his image and those of the other participants in the altercation are considered their education records that are directly related to each other. We note that FERPA grants the parents of a student a right of access to the educational records of that student. *See* 20 U.S.C. § 1232g (a) (1) (A). Thus, since the other students involved in the altercation are directly related to the requestor's son, the requestor has a right of access to the entire compact disc. Accordingly, the district must release the submitted compact disc to the requestor. (Footnote omitted).

Under the analysis of OR2006-00484, the video would be an education record of any students who were fighting, but not an education record of "background" students who were not fighting.

Under the rulings and holdings *prior to 2006* and following the line of reasoning of OR2006-00484, upon receipt of a parent request to view the video, the school district would only have to redact (blur) the image of the other students who were shown in the video to be fighting, but not the images of any students who were merely in the "background". Likewise, the parents of any students who are shown in the video to be fighting would have a right of access to the video as an "education record", (subject to redaction (blurring) of the other students shown in the video to be fighting) but the parents of students who were merely in the "background" would not.

However, and very interestingly, as shown in OR2006-00484, the Attorney General takes a dramatically different approach and states that "DOE has determined that the students involved in the altercation are directly related to each other because of the altercation." Accordingly, the video is directly related to all of the students who were fighting, so it could be disclosed to any parent *of a student who was "involved in the altercation"* without redaction (blurring) and without obtaining the consent of the other parents. It is extremely important to note and remember that that position deviates drastically from the way other student records are treated under FERPA[6].

The result in OR2006-00484 is not an isolated one. In Tex. Att'y Gen. OR2006-05688 (2006) Wylie Independent School District, received a request for a copy of a video of a specified accident. In responding to Wylie ISD's request for a ruling the Attorney General stated:

> The submitted information is a compact disc of the requested videotape. You explain that this disc is a video of the requestor's daughter's accident and contains identifiable images of other students who were present in the hallway and on the stairs at the time of the accident. You argue that FERPA

[6] For example, it clearly would not be permissible under FERPA to show a parent someone else's grades in an old-fashioned grade book.

> applies to all of the student images. However, the Family Policy Compliance Office of the Department of Education has determined that with regard to a video of a specified incident containing images of multiple students, the video is only a part of the education records of students directly involved in the incident. In this instance, the daughter of the requestor was directly involved in the accident at issue and thus the video is considered her education record. However, because none of the other students in the video were directly involved in the accident, we determine that the video is not directly related to any of these other students and thus is not their education records. ...Thus, the requestor has a right of access to the entire compact disc. Accordingly, the district must release the submitted compact disc to the requestor. (Footnote omitted).

And in Tex. Att'y Gen. OR2006-07701(2006), Wylie Independent School District received five requests to view the tapes of A & B lunch on Thursday, May 4, 2006. In responding to Wylie ISD's request for a ruling the Attorney General stated:

> The submitted information is a DVD of the requested videotape. You explain that this disc contains the surveillance recordings "from about 11:15 AM to 12:56 PM on May 4, 2006" from two different cameras that are located within the cafeteria. Thus, the disc contains images of those involved in an altercation and those who were not involved. You state that FERPA applies to all of the student images. However, the Family Policy Compliance Office of the Department of Education ("DOE") has determined that videotapes of this type do not constitute the education records of students who did not participate in the altercation. Thus, FERPA does not apply to the images of the students who did not participate in the altercation. The DOE has, however, determined that the images of the students involved in the altercation do constitute the education records of those students. Thus, FERPA does apply to the students involved in the altercation. Further, DOE has determined that the students involved in the altercation are directly related to each other because of the altercation.
>
> In this instance, the requestors are students and the parents of students who were involved in the altercation at issue. Thus the students' images and those of the other participants to the altercation are considered their education records that are directly related to each other. We note that FERPA grants both a student and the parents of a student a right of access to the educational records of that student. *See* 20 U.S.C. § 1232g (a) (1) (A). Thus, since the other students involved in the altercation are directly related to the requestors or the requestors' children, the requestors have a right of access to the entire DVD. Accordingly, the district must release the submitted DVD to the requestors.

NOTE: Clearly all three of the videos addressed by the Texas Attorney General, if

taken by Marshall ISD cameras, would be *Security Videos* under these Guidelines, and not subject to FERPA. The excerpts from the three Open Record Decisions are included to demonstrate the analysis to be used when responding to a request to view *Classroom Video*.

While the above situations present fairly straightforward factual scenarios, there are virtually unlimited number of fact patterns that could arise and be captured on Classroom Video, many of which could present much more complicated issues in the event a request is received to access and view the Classroom Video.

For example, a classroom camera initially shows a class with students all in their seats working. Then two students, X and Y, sitting next to each other, appear to be exchanging words and relatively quickly get out of their seats and begin pushing, shoving and scuffling with each other. As the altercation continues, other students are watching X and Y fight. As the video continues, another student, W, who had been a mere "bystander," appears to step forward to intervene in the fight between X and Y; however, before W can reach either X or Y, a fourth student Z grabs W by the arm and W and Y begin fighting, as the fight between X and Y continues. As school employees arrive on the scene and begin to try to break up the two fights, a fifth student, V, strikes one of the school employees.

Is the Classroom Video, in its entirety, the "educational record" of each of the five different students, and thus, subject to being accessed and viewed by the parents of each of the five different students or does FPCO's and the Texas Attorney General's analysis compel a different answer?[7]

Since it is not possible to detail all the factual patterns that could arise, in the event an administrator authorized by these Guidelines has questions or is not certain of who should be permitted to access and view a particular video, the matter should be referred to the Superintendent.

7.26 Withdrawal Procedures for Students 19+ Years Old

Reference or Contact: **Assistant Superintendent for Auxiliary Services**

Marshall ISD emphasizes the importance of student attendance for academic success. Students, under the age of 19, and/or parents who violate the state laws regarding compulsory attendance are subject to parent contributing to non-attendance court

[7] While the three Open Record Decisions discussed in these Guidelines might appear to suggest that the simple course is to ask the Texas Attorney General for a decision that is not a viable solution. Family Policy Compliance Office has informed the Texas Attorney General that FERPA does not permit state and local educational authorities to disclose to the Attorney General, without parental consent, un-redacted, personally identifiable information contained in education records for the purposes of review by the Attorney General in the open records ruling process under the Act. See letter of July 25, 2006 from FPCO to the Texas Attorney General's Office; a copy of this letter may be found on the Department of Education website: https://studentprivacy.ed.gov/sites/default/files/resource_document/file/txoag072506.doc. In pertinent part the letter states: "For these reasons, FERPA does not permit an educational agency or institution in Texas to disclose, without parental consent, education records to the OAG for the purpose of determining whether it has complied with PIA or whether it has redacted more than is necessary under FERPA."

proceedings and withdrawal under certain circumstances. However, students who are 19+ years old are considered "voluntarily enrolled" and are therefore subject to withdrawal.

A person who voluntarily enrolls in school or voluntarily attends school after the person's 19th birthday shall attend school each school day for the entire period the program of instruction is offered. A school district may revoke for the remainder of the school year the enrollment of a person who has more than five absences in a semester that are not excused under Section 25.087. A person whose enrollment is revoked under this subsection may be considered an unauthorized person on school districts grounds for purposes of Section 37.107. **A student who is removed from school under this provision will be considered a dropout for accountability purposes unless the student returns to school during the school-start window the following fall. See the *Secondary School Completion and Dropouts in Texas Public Schools* annual publication for the current definition of *dropout*.**

Specifically, Marshall ISD uses the official ADA period of the campus to determine an absence. On most occasions, this would be second period (second instructional hour). As Marshall ISD is committed to the success of their students, before a student is withdrawn under this policy, students (and parents) are notified via mail and phone regarding a student's absences. The students will also be counseled and given a letter to sign stating she/he understand that they will be withdrawn unless they improve their attendance. Such notification of special education students also require that the campus diagnostician be notified. It is the purpose of the school to encourage and provide an education for every student. Though the law allows a withdrawal after five days, final withdrawal of a student will not occur until ten days absent. This is contingent on the school notifying the student and parent at least five absences before withdrawal. After notification, the school will continue to monitor and provide council at least once before a withdrawal is enforced.

Special Education Students

The law states that students identified as special education are allowed to receive services through age 21. If we withdraw them for attendance purposes, the campus must send home the **Ready, Willing and Able** letter to inform the students that we are ready to educate them if they choose to return to school. The text of the letter follows:

- *I am writing to inform you that the special education staff at Marshall Independent School District is ready, willing, and able to provide a Free and Appropriate Public Education (FAPE) and special education services to you within the school setting should you decide to re-enroll in Marshall ISD. On this day, **insert date**, you were withdrawn from school at Marshall ISD due to **insert reason for W/D**. Marshall ISD will continue to be ready, willing, and able to provide you with a FAPE and special education services within the school setting upon enrollment.*

*The campus diagnosticians must be notified immediately when a special education student is withdrawn for attendance purposes.

Process

1. Identify students aged 19+ with five unexcused absences.
2. Pull them in and explain the truancy law as stated on this guideline. Have them sign a letter acknowledging they understand that five more unexcused absences may result in withdrawal from school.
3. Monitor and counsel with them when they hit 7/8 unexcused absences.
4. If they accumulate five more unexcused absences form the time they signed the letter you may choose to withdraw the student.