

## Introduction

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

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of district policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. District policies can be accessed on line at [www.bastrop.isd.tenet.edu](http://www.bastrop.isd.tenet.edu) and are available for employee review during normal business hours.

## Employee Handbook Receipt 2009-2010 School Year

Name: \_\_\_\_\_

Campus/Department: \_\_\_\_\_

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

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

I understand that I may access the employee handbook in electronic format on the Bastrop ISD web site ([www.bastrop.isd.tenet.edu](http://www.bastrop.isd.tenet.edu)) by selecting Human Resources under the menu, and employee handbook on the subsequent screen.

Please indicate your choice by checking the appropriate box below:

- I choose to receive the employee handbook in electronic format and accept responsibility for accessing according to the instructions provided.
- I choose to receive a hard copy of the employee handbook.

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

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

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

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Initial

**NOTE:** Bastrop ISD's employment policies are available on-line at [www.bastrop.isd.tenet.edu](http://www.bastrop.isd.tenet.edu).

A paper copy is also available in your department or campus principal's office.

**Please acknowledge your understanding of this statement by initialing in the space provided.**

# District information

## Description of the district

The Bastrop Independent School District is located approximately 30 miles southeast of Austin in the picturesque Lost Pines of Central Texas. The district boundary covers an area of 450 square miles and includes the communities of Bastrop, Cedar Creek, Red Rock, Rockne, Paige, and vast rural areas of Bastrop County.

## School Facilities

- Bastrop High School – 321-1151 / 800-226-1002
- Bastrop High School – West Campus –332-0679 / 800-226-1002
- Genesis – 321-2593 / 800-723-5581
- Bastrop Middle School – 321-3911 / 800-723-5603
- Cedar Creek Middle School – 332-2626 / 888-457-2111
- Bastrop Intermediate School – 321-6023 / 800-723-5604
- Cedar Creek Intermediate School – 308-0702 / 866-308-0702
- Mina Elementary School – 321-2565 / 800-723-5606
- Red Rock Elementary School – 332-2670 / 800-811-8221
- Emile Elementary School – 321-4451 / 800-245-8804
- Cedar Creek Elementary School – 332-0699 / 800-304-3045
- Bluebonnet Elementary School – 308-1325 / 888-308-1306
- Lost Pines Elementary School – 321-2086 / 866-321-2086
- Gateway Alternative School – 321-2339 / 800-819-0057
- Bastrop County JJAEP – 332-2305

## BISD Staff

Teachers.....	604
Professional Support.....	115
Educational Aides/Clerical.....	218
Auxiliary Staff.....	179
Campus Administrators.....	30
Central Administrators.....	16

## Student Enrollment (PEIMS as of 10/31/08)

Bastrop High School.....	2341
Bastrop Middle School.....	647
Bastrop Intermediate School.....	664
Cedar Creek Intermediate.....	673
Cedar Creek Middle School.....	625

Cedar Creek Elementary School.....	723
Bluebonnet Elementary School.....	622
Emile Elementary School.....	495
Lost Pines Elementary School.....	714
Red Rock Elementary School.....	544
Mina Elementary School.....	591
Gateway Alternative School.....	43
Genesis High School.....	87
Total.....	8769

### **Ethnic Composition**

Anglo.....	45.75%
African-American.....	8.8%
Hispanic.....	44.25%
Native American.....	.61%
Other.....	.61%

### **Extracurricular Activities**

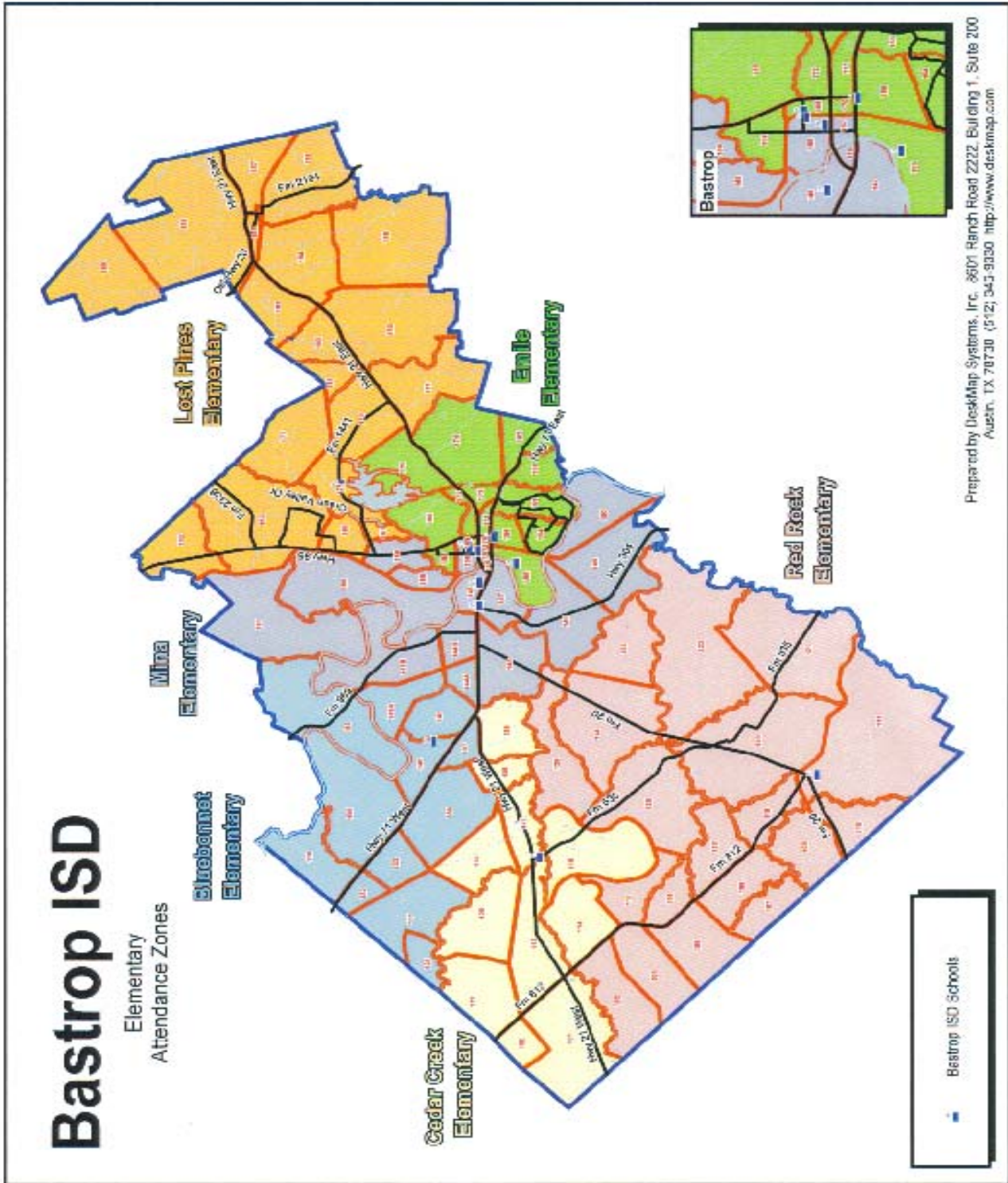
Bastrop ISD offers participation opportunities in a wide variety of clubs and organizations, including Honey Bears Drill Team, Student Council, National Honor Society, drama, chorus, band, Naval Junior ROTC, F.F.A., HERO, Business Professionals of America, Bears Against Drugs (BAD), Fellowship of Christian Athletes, PALs (Peer Assistance and Leadership), and Key Club.

Sports offerings include volleyball, football, cross-country, basketball, softball, soccer, track, power lifting and tennis.

### **Accreditation**

All grades and all schools are fully accredited by the Texas Education Agency.

District map



# District Goals and Objectives

*Policy AE*

## Mission Statement

The mission of the Bastrop Independent School District is to ensure that all students participate in meaningful learning experiences that incorporate and develop the 21<sup>st</sup> century knowledge and skills required to be successful in post-secondary education, the regional and national workforce, and the global community.

Critical Thinking & Problem Solving  
Collaboration Across Networks & Leading by Influence  
Agility & Adaptability  
Initiative & Entrepreneurialism  
Effective Oral & Written Communication  
Accessing & Analyzing Information  
Curiosity & Imagination

## Vision Statement

In Bastrop ISD, our schools are committed to pursuing excellence in a positive, nurturing, and safe culture that embraces diversity while fostering curiosity and imagination. Our community recognizes the role that our students play in a global society and provides resources for them to succeed. Our parents appreciate the opportunities provided to their children and actively support the learning process through high expectations and being involved in the educational process. Our teachers and staff are passionate, highly trained, and promote depth of understanding through risk-taking and problem solving. They provide accessible, engaging learning experiences where individual potential is realized. Our students are critical thinkers who eagerly integrate 21<sup>st</sup> century skills through global collaboration, technological immersion, and community involvement. They learn in classrooms that are open, exciting, innovative, and fluid, and are prepared for today and the future in a rapidly changing world.

## Goals for Bastrop ISD

1. Bastrop ISD integrates 21<sup>st</sup> century skills in all aspects of teaching and learning in dynamic, collaborative, innovative environments.
2. Bastrop ISD provides ongoing support and continuous professional development for all staff with a focus on 21<sup>st</sup> century skills development.
3. Bastrop ISD continuously ensures and monitors academic, fiscal, and performance accountability for all employees and students.
4. Bastrop ISD continuously seeks avenues to increase and effectively utilize parent and community partnerships by creating/fostering a culture that is conducive to the teaching and learning process for the 21<sup>st</sup> century.

## Board of trustees

*Policies BA, BB, BD, and BE Series*

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

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

Current board members include:

**President**-John Eaton

**Vice-President**-Johnny Sanders

**Secretary**-Sophia Williams

**Trustee**-Jim Mills

**Trustee**-Glenn Peterson

**Trustee**-Ty McDonald

**Trustee**-James Allen

The board usually meets on the third Tuesday of the month at 6:00 p.m. In the event that large attendance is anticipated, the board may meet at Bastrop High School Commons. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted at the Bastrop ISD Service Center at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice.

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

## Board meeting schedule for 2009-2010

- Tuesday, August 18, 2009      BISD Board of Trustees Meeting  
in Service Center Board Room      6:00 p.m.
- Tuesday, September 15, 2009      BISD Board of Trustees Meeting  
in Service Center Board Room      6:00 p.m..
- Tuesday, October 20, 2009      BISD Board of Trustees Meeting  
in Service Center Board Room      6:00 p.m..
- Tuesday, November 17, 2009      BISD Board of Trustees Meeting  
in Service Center Board Room      6:00 p.m.
- Tuesday, December 15, 2009      BISD Board of Trustees Meeting  
in Service Center Board Room      6:00 p.m.
- Tuesday, January 19, 2010      BISD Board of Trustees Meeting  
in Service Center Board Room      6:00 p.m.
- Tuesday, February 16, 2010      BISD Board of Trustees Meeting  
in Service Center Board Room      6:00 p.m.
- ***Tuesday, March 9, 2010\*\*  
(tentative)***      ***BISD Board of Trustees Meeting  
in Service Center Board Room***      ***6:00 p.m.***
- Tuesday, April 20, 2010      BISD Board of Trustees Meeting  
in Service Center Board Room      6:00 p.m.
- Tuesday, May 18, 2010      BISD Board of Trustees Meeting  
in Service Center Board Room      6:00 p.m.
- Tuesday, June 15, 2010      BISD Board of Trustees Meeting  
in Service Center Board Room      6:00 p.m.
- Tuesday, July 20, 2010      BISD Board of Trustees Meeting  
in Service Center Board Room      6:00 p.m.

***\*\* Indicates meetings that will not be held on 3<sup>rd</sup> Tuesday of the month.***

## Character Education

An educational goal of the Bastrop Independent School District is to prepare students to become productive members of a democratic society. We believe that our democracy is based on the assumption that the following character traits are accepted values, and that all individuals can demonstrate personal and social accountability. Therefore the following character traits, according to legal board policy EHBK(Legal), will be modeled by district personnel, and integrated into the curriculum across all grade levels and subjects. Further, BISD will encourage participation of families, businesses, and churches in this effort. (Adopted by BISD Board of Trustees, August 16, 2005)

<b>SEPTEMBER</b>	<u>Honesty:</u> Through a variety of activities, students will demonstrate trustworthiness, fairness and straightforwardness of conduct in their own character development and interpersonal relationships.
<b>OCTOBER</b>	<u>Responsibility:</u> Students will exhibit moral, legal, and mental accountability for their choices, regardless of pressures to do otherwise.
<b>NOVEMBER</b>	<u>Compassion:</u> Students will demonstrate empathy and respect for others in school, life, and career settings, accepting the right of all people to be treated with courtesy and dignity.
<b>DECEMBER</b>	<u>Perseverance:</u> Students will acknowledge the importance of persistence while encountering negative influences, forms of opposition, or discouragement.
<b>JANUARY</b>	<u>Loyalty:</u> Students will recognize the need to establish personal and career relationships and select causes based on positive ethical principles for which they can remain true.
<b>FEBRUARY</b>	<u>Justice:</u> Students will exhibit fair and equitable behavior which is consistent with the laws and principles that govern a democratic society.
<b>MARCH</b>	<u>Self-Reliance:</u> Students will believe in their own self-worth and learn to rely on their strengths. Students will also demonstrate knowledge of their skills, abilities, and impression on others.
<b>APRIL</b>	<u>Self-Discipline:</u> Through activities, students will demonstrate positive patterns of behavior and the strength of mental and moral courage to accomplish tasks, manage time, and relate effectively with others.
<b>MAY</b>	<u>Integrity:</u> Students will understand the importance of adherence to a code of conduct necessary for successful performances in the workplace and in their personal lives.

# School calendar



### Days of Instruction

1st Semester	80 days
2nd Semester	95 days
Total Student Days	175 days
Staff Development/Preparation	12 days
Total Student/Staff Days	187 days

### Students

Start Date	August 24
End Date	June 3

### Grading Periods

<i>Secondary Schools</i>		<i>grades 7- 12</i>
1st Semester	[ Six weeks ]	29 days
		24 days
		27 days
2nd Semester	[ Six weeks ]	30 days
		33 days
		32 days

### Elementary/Intermediate

<i>grades PK - 6</i>	
1st Semester	{ Nine Weeks }
	38 days
	42 days
2nd Semester	{ Nine Weeks }
	45 days
	50 days

### Staff

New Teachers Report	August 10
All Staff Report	August 17
End Date	June 4

### Staff Development/Preparation Days

Aug. 17-21; Oct. 12; Jan. 4; Jan. 5,  
Feb. 12; March 22; May 3; June 4

### Staff and/or Student Holidays:

September 7  
Oct. 12 (Students only)  
November 25 - 27

Dec. 21 - Jan. 1

Jan. 4-5 (Students only)

Jan. 18

Feb. 12 (Students only)

February 15 \*\*

March 15 - 19

March 22 \*\* (Students only)

April 2

May 3 (Students only)

May 31

June 4 (Students only)

### \*\* Bad Weather Days:

February 15

March 22

2009

August				
M	TU	W	TH	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
[ 24	25	26	27	28
31				

September				
M	TU	W	TH	F
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30		

October				
M	TU	W	TH	F
[ 5	6	7	8	9
12	13	14	15	16
{ 19	20	21	22	23
26	27	28	29	30

November				
M	TU	W	TH	F
2	3	4	5	6
[ 9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30				

December				
M	TU	W	TH	F
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30	31	

January				
M	TU	W	TH	F
4	5	[ 6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

2010

February				
M	TU	W	TH	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
[ 22	23	24	25	26

March				
M	TU	W	TH	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	{ 23	24	25	26
29	30	31		

April				
M	TU	W	TH	F
5	6	7	8	9
12	13	14	15	16
[ 19	20	21	22	23
26	27	28	29	30

May				
M	TU	W	TH	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

June				
M	TU	W	TH	F
1	2	3	4	5
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30		

July				
M	TU	W	TH	F
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

Legend	
New Teacher Staff Development	Early release - PK-4 elementary students only
Staff and Student Holidays	Late start - high school students only
Staff Development/Preparation; Student Holiday	[ ] 6 Weeks Grade Reporting (grades 7 - 12)
** Bad Weather Days	{ } 9 Weeks Grade Reporting ( grades PK - 6)
	Graduation - June 4, 2010

NOTE FOR STUDENTS: If bad weather days are needed, February 15 will be the first used.  
NOTE FOR TEACHERS: If a bad weather day is needed on March 22, the Staff Dev. Day will be Mon., June 7.

Early release date for PK-4 elementary students: October 22; classes end at 12:15 p.m.  
Late start dates for high school students only: Sept. 14, Oct. 26, Nov. 9, Dec. 7, Jan. 25, April 5;  
classes begin at 10:15 a.m.

approved by the Board of Trustees on March 10, 2009

## Helpful contacts

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

### Administration and Support Staff

Interim Superintendent	Roderick Emanuel
Assistant Superintendent	
Curriculum and Instruction	Betty Richardson
Human Resources	Barry Edwards
Chief Financial Officer	Sandra Callahan
Chief Operations Officer	Henry Gideon
Executive Director of Community Services	Donald Williams
Executive Director of Special Education	Sherri Gilmore
Executive Director of Curriculum, Instruction, Assessment	Jennifer Womack
Directors	
Curriculum	Tessie Young
CTE	<i>Vacant</i>
Human Resources	<i>Vacant</i>
Special Education	Nanci Stobaugh
Athletics	Gerald Perry
Food Services	Al Gaines
Maintenance	Thomas Dowdy
Informational Technology Services	Brian Doyle
Community Education	Kathleen Bethke
21 <sup>st</sup> Century Education	<i>Vacant</i>
Coordinators	
Partners in Education/Foundations	Allison Murray
PEIMS	Monica Kadura
Student Services	Robert Washington
Instructional Technology	<i>Vacant</i>
Curriculum Specialist	Linda Autrey
	Kelly Doyle
	Talitha Gaylor
	Susan Gill
	Jenae Hill
	Melissa Lautenschlager
	Elva Conrardy
	Peggy Reimers
	Marla Stewart
	Dawn Streuer
	Shirley Thornton
	Pat Tips
	Renee Wenske

John Korb  
Dee Dee Woehl  
Mark Collins

**Managers**

Custodial Services  
Benefits and Leave  
Purchasing  
Human Resource  
Accountant  
Staff Accountant  
Certification Officer  
Emergency Management Coordinator/Safety Officer  
IT Systems Administrator  
IT Systems Administrator  
IT Systems Administrator  
Communications Specialist  
Community Education Specialist

Alfred Carter  
Donna Smith  
Carol Barron  
Patricia Krenek  
Theresa Fierro  
Shelia Muehr  
Marsha Goertz  
Shevis Moore  
Glenn Foor  
Randy Sharp  
Andrew Ferranti  
Lauri Anzaldua  
Sarah Belcher

**Support Staff Continued**

Superintendent's Secretary  
Administrative Assistants  
    Budget and Finance  
    Curriculum  
    Operations  
    Community Services  
Executive Director Secretaries  
    Curriculum and Instruction  
    Technology  
Administrative Secretaries  
    Curriculum and Instruction  
    Community Programs  
    21<sup>st</sup> Century Programs  
Receptionist  
Child Nutrition Specialist  
Human Resource Specialist  
Human Resource Specialist  
Human Resource Specialist  
Payroll Specialist  
Payroll Specialist  
Business Specialist  
Business Specialist  
Business Specialist  
PEIMS Specialist  
Network Services Technician

Nancy Barrientos  
  
Linda Voight  
Donna Fiebrich  
Linda Olivarez  
Blanche Underwood  
  
*Vacant*  
Crissy Johns  
  
Pamela Lira  
Deborah Dinscore  
*Vacant*  
Barbara Coy  
Rosie Pacheco  
Paula Myers  
Andrea Perez  
Diana Greene  
Sindee Glenn  
Amanda Rodriguez  
Rachel Juarez  
Melinda Klaus  
Cynthia Cox  
Diane Magnuson  
*Vacant*

Database Technician  
Computer Technician  
Computer Technician  
Computer Technician  
Migrant Coordinator  
Afterschool Coordinator  
21<sup>st</sup> Century Academic Liaison  
Parent Liaison

*Vacant*  
Theresa Bradshaw  
Stephen McQueen  
Tina Roberts  
Richard Salazar  
Claudia Munoz  
Graciela Rothhauser  
*Vacant*  
Reina Gallegos

## Campus Administration

### Bastrop High School

Principal  
Associate Principal  
Assistant Principal  
Assistant Principal  
Assistant Principal  
Assistant Principal  
Assistant Principal  
Assistant Principal

Dr. Celina Thomas-Estrada  
Martin Conrardy  
Mark Willoughby  
Beau Sanchez  
James Matthews  
Terrell King  
Paula Vinklarek  
Ed Sanders

### Bastrop Middle School

Principal  
Assistant Principal  
Dean of Instruction

*Vacant*  
Natalie Bennight  
Liz Wysocki

### Bastrop Intermediate School

Principal  
Assistant Principal

Merv Doherty  
LaShun Gaines

### Cedar Creek Middle School

Principal  
Assistant Principal  
Dean of Instruction

Jim Hallamek  
Sherri Schwab  
Mary Hernandez

### Cedar Creek Intermediate School

Principal  
Assistant Principal

Shawn Adams  
Melinda Soliz

### Cedar Creek Elementary

Principal  
Assistant Principal

Jinger Myers  
Lacey Padgett

### Emile Elementary

Principal Assistant Principal	<i>Vacant</i> Delores Moore
Red Rock Elementary Principal Assistant Principal	Bruce Nelson Melinda Howell
Mina Elementary Principal Assistant Principal	Kelly McBride Michele Stahl
Bluebonnet Elementary Principal Assistant Principal	Richard Batlle Sherrell Moore
Lost Pines Elementary Principal Assistant Principal	Denise Rogers Alisa Niemeyer
Gateway Alternative School Principal	Beth Murray
Genesis High School Principal	Michael Granando

# Employment

## Equal employment opportunity

*Policies DAA, DIA*

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

Employees with questions or concerns relating to discrimination on any of the bases listed above should contact the Superintendent.

## Job vacancy announcements

*Policy DC*

Announcements of job vacancies by position and location are distributed on a regular basis and posted at the central administration building, campus offices, and on the district's Web site.

## Employment after retirement

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

## Contract and noncontract employment

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

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

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

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

**Term and continuing contracts.** Full-time professionals employed in positions requiring certification and nurses will be employed by term contracts after they have successfully completed the probationary period. Campus principals and central office administrators are employed under one or two-year term contracts. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract and employment policies.

**Noncertified professional and administrative employees.** Some employees in professional and administrative positions that do not require SBEC certification (such as noninstructional administrators) are employed by a one-year contract that is not subject to the procedures for nonrenewal or termination under the Texas Education Code. Those that are not employed under a contract have employment that is not for any specified term and may be terminated at any time by either the employee or the district.

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

## Searches and alcohol and drug testing

### *Policy DHE*

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

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

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted if reasonable suspicion exists, at random, when an employee returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following accidents. Return-to-duty and follow-up testing will be conducted if an

employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs. Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact the Assistant Superintendent of Human Resources.

## Health Safety Training

*Policies DBA, DMA*

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

## Reassignments and transfers

*Policy DK*

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

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by June 25, 2009. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Department of Human Resources and must be approved by the receiving supervisor.

## Workload and work schedules

*Policies DEA, DL*

**Professional employees.** Professional and administrative employees are exempt from overtime pay and are employed on a 10-, 11-, or 12-month basis, according to the work schedules set by

the district. A school calendar is adopted each year designating the work schedule for teachers and all school holidays. Notice of work schedules including required days of service and scheduled holidays will be distributed each school year.

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

**Paraprofessional and auxiliary employees.** Support employees are employed at will and will be notified of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees are not exempt from overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor.

## Notification of parents regarding qualifications

*Policies DK, DBA*

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

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

## Outside employment and tutoring

*Policy DBD*

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

## **Performance evaluation**

*Policies DN, DNA, DNB*

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

## **Employee involvement**

*Policies BQA, BQB*

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

## **Staff development**

*Policy DMA*

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

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

# Compensation and benefits

## Salaries, wages, and stipends

### *Policy DEA*

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

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

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

## Paychecks

All employees are paid twice a month. Paychecks are given on the 15<sup>th</sup> and next to the last business day of the month. If these days fall on a weekend or a holiday, the paychecks are given on the last workday preceding. This schedule may vary during holiday periods. For employees who do not have direct deposit, paychecks are delivered to each campus during the school year. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization. During summer breaks, paychecks are mailed to the employee's home address.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated. Employees who have direct deposit may access this information through the Employee Resource Management Assistant (ERMA) or may request a payroll statement from the payroll department.

The schedule of pay dates for the 2009-2010 school year are below:

July 15, 2009	July 29, 2009
August 14, 2009	August 28, 2009
September 15, 2009	September 29, 2009
October 15, 2009	October 29, 2009
November 13, 2009	November 24, 2009
December 15, 2009	December 18, 2009
January 15, 2010	January 28, 2010
February 12, 2010	February 25, 2010
March 12, 2010	March 30, 2010
April 15, 2010	April 29, 2010
May 14, 2010	May 27, 2010
June 15, 2010	June 29, 2010

## Automatic payroll deposit

The district offers employees automatic payroll deposit. Employees can have their paychecks electronically deposited into an account at any banking institution within the United States. A notification period of eighteen days is necessary to activate this service. The employee should contact his or her banking institution to determine when funds are actually made available by the institution. Contact the payroll department for more information about the automatic payroll deposit service.

## Payroll deductions

### *Policy CFEA*

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

- Teacher Retirement System of Texas
- Federal income tax
- Medicare tax (applicable only to employees hired after March 31, 1986).

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

## **Overtime compensation**

### *Policy DEA*

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

Overtime is legally defined as all hours worked in excess of 40 hours in a work week and is not measured by the day or by the employee's regular work schedule. Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours. For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Sunday and ends at midnight Saturday.

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

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

## **Travel expense reimbursement**

### *Policy DEE*

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

## Health insurance

### *Policy CRD*

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

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are regularly scheduled to work at least 10 hours per week

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) and employees who are not contributing TRS members who are regularly scheduled to work less than 10 hours per week are not eligible to participate in TRS-ActiveCare.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each spring. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact the Benefits Manager for more information.

## Supplemental insurance benefits

### *Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs for life, disability, vision, dental, cancer, hospital indemnity, intensive care, accidental, and sickness insurance. Premiums for these programs can be paid by payroll deduction. Employees should contact the Benefits Manager for more information. Contact with these individuals is scheduled in a group setting and notification is given by a district employee.

## Cafeteria plan benefits (Section 125)

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

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

## **Workers' compensation insurance**

### *Policy CRE*

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from Texas Association of School Boards (TASB). Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to the Benefits Manager. The forms to be used are located on each campus. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' compensation benefits*, page 31 for information on use of paid leave for such absences.

## **Unemployment compensation insurance**

### *Policy CRF*

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

## **Teacher retirement**

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

Employees who plan to retire under TRS should notify TRS and the Department of Human Resources as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web ([www.trs.state.tx.us](http://www.trs.state.tx.us)). See page 15 for information on restrictions of employment of retirees in Texas public schools.

## Other benefit programs

### TUITION-FREE ATTENDANCE

Children of nonresident full-time employees may attend District schools tuition-free.

### INSURANCE/ DEFERRED COMPENSATION

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

## Leaves and absences

### *Policy DEC*

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who have personal needs that will require long leaves of absence should call the Benefits Manager for counseling about leave options, continuation of benefits, and communicating with the district.

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

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate leave request form. Any employee who is absent more than three days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee's fitness to return to work.

Personal and local sick leave is earned on a daily or hourly basis. Leave is available for the employee's use at the beginning of the work year. If an employee leaves the district before the end of the work year, the cost of any unearned leave days taken shall be deducted from the employee's final paycheck.

### Personal leave

State law entitles all employees to five days of paid personal leave per year. Personal leave is earned at a rate of one-half workday for each 18 workdays of employment. A day of earned personal leave is equivalent to an assigned workday. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. There are two types of personal leave: nondiscretionary and discretionary.

**Nondiscretionary.** Leave that is 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 allows very little, if any, advance planning. Nondiscretionary leave will be granted to employees in the same manner as state sick leave.

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

## Sick leave

Previously accumulated state sick leave is available for use and may be transferred to other school districts in Texas. State sick leave can be used only in half-day increments for professionals and hourly increments for auxiliary and paraprofessionals, except when coordinated with family 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

All full-time employees, shall earn an additional five equivalent workdays of local sick leave per school year at a rate of one-half workday for each 18 workdays per year.

All part-time employees, shall earn up to five equivalent workdays of additional local sick leave per school year on a prorated basis. Local sick leave shall be cumulative and shall be taken with no loss of pay. Local sick leave shall be used under the terms and conditions applicable to state sick leave accumulated prior to the 1995-96 school year, except as otherwise provided by this policy. The Superintendent or designee shall have the authority to make exceptions to provisions governing the use of local sick leave.

Upon termination of employment with the District, the unused local sick leave balance shall be reduced to zero. An employee shall not be entitled to be reimbursed for unused local sick leave upon resignation, nonrenewal or termination of employment.

## Extended Sick Leave

An employee who has exhausted personal leave and sick leave shall be permitted up to 15 days of noncumulative extended local sick leave to be used only for the employee's

extended personal illness or disability, including pregnancy-related disability, or a death in the immediate family. The substitute's maximum rate of pay shall be deducted from a professional employee's paycheck for each day of extended sick leave used, whether or not a substitute is employed. Minimum wage shall be deducted from hourly employee's paycheck for each day of extended sick leave used, whether or not a substitute is employed.

At the end of the above mentioned 15-day period, an employee's total daily rate will be deducted from their paycheck.

## Catastrophic Leave

The District shall provide catastrophic leave for all employees eligible for TRS membership in the event of a catastrophic personal illness or disability or a catastrophic personal illness or disability of an immediate family member as defined for purposes of this provision. For catastrophic leave purposes, catastrophic illness or disability shall be limited to an illness or disability described in the current Federal Register of Diagnosis Related Groups (DRGs) that rates an outlier threshold of 30 or greater and results in total disability from work. Such a condition may qualify only if treatment is under the supervision of a licensed physician or doctor of osteopathy who certifies the level of disability versus total disability. The physician's certification must include the recommended period of convalescence and/or rehabilitation. Only medical personnel shall determine whether a condition qualifies as catastrophic. Catastrophic leave generally shall not cover normal pregnancy, routine illness, minor surgery, or minor injuries. For purposes of catastrophic leave only, immediate family member shall mean son, step-son, daughter, step-daughter, child for whom the employee is legal guardian, or spouse. Catastrophic leave days shall be available only after the employee has exhausted all state and local leave, any accumulated compensatory time, extended leave, and vacation days, if applicable. The total number of days available to an employee for personal illness or disability that qualifies under this provision shall be up to 60 days. The total number of days available for an employee's immediate family member shall be up to 30 days. The following limitations and conditions shall apply to catastrophic leave days:

1. Catastrophic leave days shall be granted only for absences on working days; not for holidays, vacation days, or non-paid days.
2. An employee using catastrophic leave days shall not receive more than one hundred percent of his or her pre-illness or pre-disability earnings.
3. An employee must have a period of 5 years between approval for catastrophic leave.
4. An employee must work at least one day in the school year to qualify for catastrophic leave for that year.

## Family and medical leave (FMLA)-general provisions

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

**Basic Leave Entitlement.** FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

**Military Family Leave Entitlements.** Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

**Benefits and Protections.** During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

**Eligibility Requirements.** Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

**Definition of Serious Health Condition.** A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**Use of Leave.** An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

**Substitution of Paid Leave for Unpaid Leave.** Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

**Employee Responsibilities.** Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

**Employer Responsibilities.** Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

**Unlawful Acts by Employers.** FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right protected under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

**Enforcement.** An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

*FMLA section 109 (29 U.S.C. § 2619) required FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300 (a) may require additional disclosures.*

For additional information:  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[www.wagehour.dol.gov](http://www.wagehour.dol.gov)

## Local FMLA provisions

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

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

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

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

**District contact.** Employees that require FMLA leave or have questions should contact the Benefits Manager for details on eligibility, requirements, and limitations.

## Temporary disability leave

**Certified employees.** Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. Temporary disability leave must be taken as a continuous block of time. It

may not be taken intermittently or on a reduced schedule. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days. If disability leave is not approved, the employee must return to work or be subject to termination procedures.

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

When an employee is ready to return to work, the Assistant Superintendent of Human Resources should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties. Professional employees returning from leave will be reinstated to the school to which they were previously assigned as soon as an appropriate position is available. If a position is not available before the end of the school year, professional employees will be reinstated at the beginning of the following school year.

## **Workers' compensation benefits**

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

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

## **Assault leave**

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

An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries he or she sustained. At the

request of an employee, the district will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

## Bereavement leave

Use of state leave and/or state sick leave for death in the immediate family shall not exceed five workdays per occurrence, subject to the approval of the district. If all other leave for bereavement has been exhausted, local sick leave may be used for bereavement purposes with the approval of the Superintendent or designee.

## Jury duty

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees must present documentation of the service and shall be allowed to retain any compensation they receive.

## Other court appearances

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

## Military leave

**Paid leave for military service.** Any employee who is a member of the Texas National Guard, Texas State Guard, or reserve component of the United States Armed Forces will be granted a paid leave of absence without loss of any accumulated leave for authorized training or duty orders. Paid military leave will not exceed 15 days each federal fiscal year (Oct. 1-Sept.30). In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

**Reemployment after military leave.** Employees who leave the district to enter into the United States uniformed services or who are ordered to active state military duty (Texas National Guard or Texas State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed in the position they would have held if employment had not been interrupted or reassigned to an equivalent or similar position provided they can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment to the Assistant Superintendent of Human Resources.

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

## **Employee relations and communications**

### **District communications**

Throughout the school year, the Department of Communications/Community Services publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements. They include the following:

- The Bastrop Advertiser
- The School Report
- City/School Calendar
- Board Briefs
- Staff Update
- The Communicator
- Just the Facts
- Web Site ([www.bastrop.isd.tenet.edu](http://www.bastrop.isd.tenet.edu))

# Complaints and grievances

## *Policy DGBA*

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

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

### General Provisions

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

Employees are entitled to representation at every level of the complaint process. All references to days are working days, meaning those days that District administrative offices are scheduled to be open. 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 work day as "day one."

Neither the District nor any District employee may unlawfully retaliate against any employee for exercising his or her right to complaint under this policy. Time is of the essence in resolving employee complaints and all lines shall be strictly enforced. Extensions shall be permitted only by written agreement of the administration and the employee.

### Content of Written Grievance

All employee complaints must be submitted on a form approved by the District and must include all of the information listed below. A complaint that is incomplete in any material respect shall be dismissed, but may be re-filed with all the required information provided the re-filing is timely and within the designated period for filing a complaint.

- 1) A detailed statement of the decision or action that is occasion of the complaint. The statement must include a factual description of all the circumstances and a statement of how the employee has been harmed by that decision or action. The employee has the burden to prove the allegations of the complaint and to demonstrate the harm.
- 2) The date of the decision or action that is the subject of the complaint.
- 3) The specific remedy the employee is seeking.

- 4) The specific policy or policies, constitutional or provisions, or administrative regulations alleged to be violated or misapplied or the specific type of discrimination alleged to have been committed.
- 5) A description, including dates, of any efforts to resolve the problem informally, including to whom the employee spoke their responses.
- 6) Date of filing.
- 7) Signatures of employee and representative, if any.
- 8) The name, address, and telephone number of employee's representative. This information may be added to the grievance record whenever the employee chooses to have representation.
- 9) All documents related to the complaint.
- 10) A summary of the documents and other information supporting the requested relief or demonstrating that the complaint is valid.

### Level One

All grievances must be filed:

- 1) Within 10 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the grievance; and
- 2) With the lowest level administrator, usually the immediate supervisor, who has the authority to remedy the alleged problem.

If the complaint is filed with the wrong administrator, both the administrator and the employee must initial the date and the time that the complaint was received. The administrator shall forward the complaint immediately to the appropriate administrator.

The administrator shall schedule a conference that must be held with the employee within ten days. At that conference, the employee and the administrator shall discuss the complaint and attempt to resolve the matter informally, if possible.

The administrator shall deliver a written decision to the employee no later than ten days after the date of the conference. The decision must summarize the matters presented at the Level One conference and state the reasons for the decision.

### Level Two

If the employee is not satisfied with the decision from Level One, he or she must file a written appeal of that decision with the Assistant Superintendent of Human Resources within five days after receiving the decision. The Level Two conference will be held by one of the following central office administrators, Assistant Superintendent of Human Resources, Assistant Superintendent for Curriculum and Instruction or the Chief Operations Officer. The appeal must state why the employee disagrees with the Level One decision, provide any additional information that is relevant to the matter, and if the employee disagrees with the summary of the conference, the employee's summary of the Level One conference. The appeal must also include a copy of the Level One decision, the original complaint, including all attachments and documents.

The central office administrator shall schedule a conference to be held with the employee within five days. At the central office administrator's discretion, he or she may accept and consider

additional information relevant to the original complaint that was not available at Level One, but the employee may not raise new or additional issues at Level Two.

The central office administrator shall deliver a written decision to the employee no later than ten days after the date of the Level Two conference. The decision must summarize the matters presented at the Level Two conference and state the reasons for the decision.

### Level Three

If the employee is not satisfied with the decision from Level Two, he or she must file a written appeal of that decision with the Superintendent within five days after receiving the decision. The appeal must state with particularity the basis for the employee's disagreement with the Level Two decision and must also include a copy of the decisions at Level One and Level Two and the complaint, including all attachments and documents.

Within three days of receipt, the Superintendent shall either appoint a disinterested panel of three members of the hearing council to hear the complaint at Level Three or choose to conduct the Level Three presentation personally. The Superintendent or the panel will schedule the Level Three presentation, which must be held no later than 20 days after the appeal is received. At the Level Three presentation, the employee and the central office administrator who delivered the Level Two decision shall be allotted a reasonable time to present position statements to the Superintendent or the panel. The substance of the presentation shall be limited to matters previously raised at Levels One and Two. Level Three presentation shall be tape recorded. If a panel hears the Level Three presentation, it must propose a decision for the Superintendent that:

- 1) Reverses the Level Two decision;
- 2) Sustains the Level Two decision;
- 3) Modifies the Level Two decision; or
- 4) Remands the Level Two decision with instructions for further proceedings.

The decision must explain the basis for the decision. If the Superintendent hears the Level Three presentation he or she must prepare a decision, subject to the same requirements. The written Level Three decision shall be delivered to the employee by hand or by certified mail within ten days of the Level Three conference and shall inform the employee that he or she may appeal the decision by filing a written notice of appeal to the Board secretary, in care of the Superintendent, within ten days after receipt of the Level Three decision.

### Effect of the Level Three Decision

The Superintendent's decision at Level Three shall be binding precedent for the District for similar controversies, unless modified by the Board on appeal.

### Level Four

The written notice of appeal to the Board secretary must state with particularity the basis for the employee's disagreement with the Level Three decision and must also include a copy of the

decisions at Level One, Level Two, and Level Three; a copy of the Level Three presentation recording; and the original complaint, including one copy, without duplication, of all attachments and documents admitted as part of the grievance record.

The Superintendent shall inform the employee of the date and time of the Board meeting at which the employee's complaint shall be an agenda item for presentation to the Board. The Board may hear the complaint in open or closed meeting, but shall hear it in open meeting if the employee makes a request to that effect. However, if the employee's complaint is against another District employee, the option to request an open meeting lies with the employee being complained about.

Each part shall be allotted ten minutes to argue its position to the Board according to the procedures established by the Board for the presentation.

The Board may affirm, reverse, or modify the Level Three decision by a specific vote but is not required to act on the complaint. The Board's failure to act upholds the decision at Level Three. Any decision shall be announced to the employee at the meeting. If the Board declines to act on the matter, the Superintendent shall notify the employee by certified mail of the effect of the inaction and that the matter is now final.

# Employee conduct and welfare

## Standards of conduct

### *Policy DH*

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

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

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day the superintendent first learns of the incident. See *Reports to the State Board for Educator Certification*, page 60 for additional information.

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

### **Code of Ethics and Standard Practices for Texas Educators**

#### **Statement of Purpose**

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

## **Professional Standards**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### 3. Ethical Conduct toward Students

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

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

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

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

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

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

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

### Harassment, Discrimination, and Retaliation

*Policies DH, DIA*

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

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

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

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

Employees shall not tolerate harassment of others and shall make reports as required at REPORTING PROCEDURES, on the next page.

STATEMENT OF  
NONDISCRIMINATION

The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy.

DISCRIMINATION

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.

HARRASSMENT

Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee's performance, environment or employment opportunities.

EXAMPLES

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, gender identity, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other stereotypes; or other types of aggressive conduct such as theft or damage to property.

SEXUAL  
HARRASSMENT

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has

the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

**EXAMPLES**

Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, communication, or contact.

**RETALIATION**

The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding harassment or discrimination is subject to appropriate discipline.

**EXAMPLES**

Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.

**PROHIBITED PROCEDURES**

In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct. An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.

Alternatively, the employee may report the alleged acts to one of the District officials below.

**DEFINITION OF DISTRICT OFFICIALS**

For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.

**TITLE IX COORDINATOR**

Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Roderick Emanuel  
Position: Interim Superintendent  
Address: 906 Farm Street, Bastrop, TX 78602  
Telephone: (512) 321-2292

ADA/SECTION 504  
COORDINATOR

Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973:

Name: Roderick Emanuel  
Position: Interim Superintendent  
Address: 906 Farm Street, Bastrop, TX 78602  
Telephone: (512) 321-2292

SUPERINTENDENT

The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.

ALTERNATIVE  
REPORTING  
PROCEDURES

An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

TIMELY REPORTING

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

NOTICE OF REPORT

Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

INVESTIGATION OF  
THE REPORT

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

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District

official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

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

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

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

#### CONCLUDING THE INVESTIGATION

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

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

#### DISTRICT ACTION

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

The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

#### CONFIDENTIALITY

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

#### APPEAL

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

The complainant may have a right to file a complaint with appropriate state or federal agencies.

**RECORDS RETENTION** Copies of reports alleging prohibited conduct, investigation reports, and related records shall be maintained by the District for a period of at least three years. [See CPC]

**ACCESS TO POLICY** This policy shall be distributed annually to District employees. Copies of the policy shall be readily available at each campus and the District administrative offices.

## Harassment of students

*Policies DF, DH, FFG, FFH*

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. All allegations of prohibited harassment or abuse of a student will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting suspected child abuse*, pg. 51 for additional information.

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

**DEFINITION** "Abuse" has the meaning assigned by Family Code 261.001 and includes any sexual conduct involving an educator and a student or minor.

"Solicitation of a romantic relationship" means deliberate or repeated acts that can be reasonably interpreted as soliciting a relationship characterized by an ardent emotional attachment or pattern of exclusivity. Acts that constitute the solicitation of a romantic relationship include:

1. Behavior, gestures, expressions, communications, or a pattern of communication with a student that is unrelated to the educator's job duties and that may reasonably be interpreted as encouraging the student to form an ardent or exclusive emotional attachment to the educator, including statements of love, affection, or attraction. When evaluating whether communications constitute the solicitation of a romantic relationship, the following may be considered:

- a. The nature of the communications;

- b. The timing of the communications;
  - c. The extent of the communications;
  - d. Whether the communications were made openly or secretly;
  - e. The extent to which the educator attempted to conceal the communications;
  - f. If the educator claims to be counseling a student, TEA staff may consider whether the educator’s job duties included counseling, whether the educator reported the subject of the counseling to the student’s guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate law enforcement agencies; and
  - g. Any other communications tending to show that the educator solicited a romantic relationship with a student.
2. Making inappropriate comments about a student’s body.
  3. Making sexually demeaning comments to a student.
  4. Making comments about a student’s potential sexual performance.
  5. Requesting details of a student’s sexual history.
  6. Requesting a date.
  7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.
  8. Inappropriate hugging, kissing, or excessive touching.
  9. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.
  10. Any other acts tending to show that the educator solicited a romantic relationship with the student, including providing the student with drugs or alcohol.

The District may develop and implement a sexual harassment policy to be included in the District improvement plan. The District shall adopt and implement a dating violence policy to be

included in the District improvement plan. *Education Code 37.083, 37.0831*[See BQ]

Sexual abuse of a student by an employee, when there is a connection between the physical sexual activity and the employee's duties and obligations as a District employee, violates a student's constitutional right to bodily integrity. Sexual abuse may include fondling, sexual assault, or sexual intercourse. *U.S. Const. Amend. 14; Doe v. Taylor ISD, 15 F.3d 443 (5th Cir. 1994)*

Sexual harassment of students may constitute discrimination on the basis of sex in violation of Title IX. *20 U.S.C. 1681; 34 CFR 106.11; Franklin v. Gwinnett County Schools, 503 U.S. 60 (1992)* [See FB regarding Title IX]

DEFINITION OF  
SEXUAL  
HARRASSMENT

Sexual harassment of students is conduct that is so severe, pervasive, and objectively offensive that it can be said to deprive the victim of access to the educational opportunities or benefits provided by the school. Sexual harassment does not include simple acts of teasing and name-calling among school children, however, even when the comments target differences in gender. *Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999)*

EMPLOYEE-STUDENT  
SEXUAL  
HARRASSMENT

A District official who has authority to address alleged harassment by employees on the District's behalf shall take corrective measures to address the harassment or abuse. *Gebser v. Lago Vista ISD, 118 S.Ct. 1989 524 U.S. 274 (1998); Doe v. Taylor ISD, 15 F.3d 443 (5th Cir. 1994)*

STUDENT-STUDENT  
SEXUAL  
HARRASSMENT

The District must reasonably respond to known student-on-student harassment where the harasser is under the District's disciplinary authority. *Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999)*

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

## Alcohol- and drug-abuse prevention

*Policies DH, DI*

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

## Alcohol and drugs

A copy of this policy, the purpose of which is to eliminate drug abuse from the workplace, shall be provided each employee at the beginning of each year or upon employment. Employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:

- 1) Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
- 2) Alcohol or any alcoholic beverage.
- 3) Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
- 4) Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs. An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

### Exception

An employee who uses a drug authorized by a licensed physician through a prescription specifically for that employee's use shall not be considered to have violated this policy.

### Notice

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

## Drug-Free workplace requirements

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, illicit drug, and alcohol, as those terms are defined in state and federal law, in the workplace, on school premises, or as part of any of the District's activities. 41 U.S.C. 702(a)(1)(A); 28 TAC 169.2

Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the District, and referral to appropriate law enforcement officials for prosecution. Information on available rehabilitation or employee assistance programs and contacts shall be posted throughout the workplace. 41 U.S.C. 702(a)(1)(A); 28 TAC 169.2

Compliance with these requirements and prohibitions is mandatory and is a condition of employment. As a further condition of employment, an employee shall notify the Superintendent of any criminal drug statute conviction the employee incurs for a violation in a workplace no later than five days after such conviction. 41 U.S.C.702(a)(1)(D)

Within 30 calendar days of the Superintendent's receiving notice from any source of a conviction for any drug statute violation occurring in the workplace, the Superintendent or designee shall either (1) take appropriate personnel action against the employee, up to and including termination of employment or (2) require the employee to participate satisfactorily in a drug and alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. The cost of any such program shall be borne by the employee. 41 U.S.C. 702(a)(1)(B), 703 (This notice complies with notice requirements imposed by the federal Drug-Free Workplace Act [20 U.S.C. 3471, 1221e-3(a)(1) and 34 CFR 85.630]; notice requirements imposed by the federal Drug-Free Schools and Communities Act Amendments of 1989 [20 U.S.C. 3224a and 34 CFR 86.201]; and notice requirements imposed by the Texas Workers' Compensation Commission rules at 28 TAC 169.2)

(EXHIBIT) DI

DRUG-FREE WORKPLACE REQUIREMENTS

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

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

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

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

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

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

## **Reporting suspected child abuse**

*Policies, DF, DG, DH, FFG, GRA*

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

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

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

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

## **Fraud and financial impropriety**

*Policy CAA*

All employees should act with integrity and diligence in duties involving the district's financial resources. The district prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety includes, but is not limited to, the following:

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document

- Misappropriation of funds, securities, supplies, or other district assets, including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district
- Destroying, removing, or inappropriately using records, furniture, fixtures, or equipment
- Failing to provide financial records required by state or local entities
- Failure to disclose conflicts of interest as required by policy
- Any other dishonest act regarding the finances of the district

## **Conflict of interest**

*Policies BBFA, DBD*

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

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

## **Gifts and favors**

*Policy DBD*

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

## **Associations and political activities**

*Policy DGA*

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

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

## **Safety**

### *Policy CK*

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

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

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

## **Tobacco use**

### *Policies DH, GKA, FNCD*

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

## **Criminal history background checks**

### *Policy DBAA*

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

## **Employee arrests and convictions**

### *Policy DH*

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

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

Moral turpitude includes the following:

- Dishonesty
- Fraud
- Deceit
- Theft
- Misrepresentation
- Deliberate violence
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor
- Drug- or alcohol-related offenses
- Acts constituting abuse or neglect under the Texas Family Code

## **Possession of firearms and weapons**

*Policies FNCG, GKA*

Employees, visitors, and students are prohibited from bringing firearms, knives, clubs or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisors or call the Superintendent immediately.

## **Visitors in the workplace**

*Policy GKC*

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

## **Copyrighted materials**

*Policy EFE*

Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Rented videotapes are to be

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

## **Computer use and data management**

### *Policy CQ*

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

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

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

Employees who are authorized to use the systems are required to abide by the provisions of the district's communications systems policy and administrative procedures. Failure to do so can result in suspension or termination of privileges and may lead to disciplinary action. Employees with questions about computer use and data management can contact the Curriculum and Instruction Department.

## **Asbestos management plan**

### *Policy CKA*

The district is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan for each piece of district property. A copy of the district's management plan is kept in the Principal's or Supervisor's office and is available for inspection during normal business hours.

## **Pest control treatment**

### *Policy DI, CLB*

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

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

## **Dress and grooming**

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

### **Violations**

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, and guidelines may result in disciplinary action, including termination of employment. [See DCD and DF series]

# General procedures

## Bad weather closing

The district may close schools because of bad weather or emergency conditions. When such conditions exist, the superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late or to release students early, the following radio and television stations will be notified by school officials:

KEYI FM 103.5  
512-474-9233  
512-397-1400 Fax

MAJIC 95 FM  
512-329-6293  
512-329-6257 Fax

KLBJ AM590/FM93.7  
512-832-4027  
512-832-1579 Fax

KXAN CH. 36  
512-476-2863  
512-469-0630 Fax

KEYE CH. 42  
1-800-563-9742  
512-490-2111 Fax

KVUE CH. 24  
512-459-9442  
512-533-2233 Fax

FOX 7 News  
512-472-0988  
512-495-4060 Fax

News 8  
512-531-8800  
512-531-1234 Fax

County Sheriff  
303-1080

DPS & Road Info.  
800-452-9292

## Emergencies

*Policy CKC*

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

## Purchasing procedures

*Policy CH*

All requests for purchases must be submitted to the business office on an official district purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact the Chief Financial Officer for additional information on purchasing procedures.

## Name and address changes

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

## Personnel records

*Policy GBA*

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

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

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

## Building use

*Policies DGA, GKD*

The Chief Operations Officer is responsible for scheduling the use of facilities after school hours. Contact the Operations Department to request to use school facilities and to obtain information on the fees charged.

## Identification Badges

Identification badges will be processed for all employees free of charge for the first one. In the event the badge is lost or stolen, report it to the Human Resource Department as soon as possible. There will also be a fee to cover the cost of any consecutive badges made.

# Termination of employment

## Resignations

*Policy DFE*

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

The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in Reports to the State Board for Educator Certification, on page 60.

**Noncontract employees.** Noncontract employees may resign their positions at any time. A written notice of resignation should be submitted to the Assistant Superintendent of Human Resources at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

## Dismissal or nonrenewal of contract employees

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

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

provided when a written notice is given to an employee. Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or whose certification is revoked for misconduct. Information on the time lines and procedures can be found in the DF series policies located online at [www.bastrop.isd.tenet.edu](http://www.bastrop.isd.tenet.edu) or in the office of each campus/department.

## **Dismissal of noncontract employees**

### *Policy DCD*

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, religion, sex, national origin, disability, military status, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and grievances*, page 34.)

## **Exit interviews and procedures**

### *Policy DC*

All employees leaving the district will have the option of scheduling an exit interview or completing the paperwork required online. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience.

All district keys, books, laptops, badges, property, and equipment must be returned upon separation from employment.

## **Reports to State Board for Educator Certification**

### *Policy DF*

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

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

## Reports concerning court-ordered withholding

The district is required to report the termination of employees that are under court order or writ of withholding for child support or spousal maintenance to the court and the individual receiving the support (Texas Family Code §8.210, 158.211). Notice of the following must be sent to the court and support recipient:

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

## Student issues

### Equal educational opportunities

#### *Policy FB*

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

Questions or concerns about discrimination of students on any of the bases listed above should be directed to:

Roderick Emanuel  
Superintendent  
906 Farm Street  
Bastrop, Texas 78602  
Phone: 512-321-2292  
[remanuel@bastrop.isd.tenet.edu](mailto:remanuel@bastrop.isd.tenet.edu)

### Student records

#### *Policy FL*

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

- Parents married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights

- The student (if 18 or older or emancipated by a court)
- School officials with legitimate educational interests

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

## **Parent and student complaints**

### *Policy FNG*

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

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

## **Administering medication to students**

### *Policy FFAC*

Only designated employees can administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. A student who must take medication during the school day must bring a written request from his or her parent and the medicine, in its original, properly labeled container. Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

## **Dietary supplements**

### *Policy DH, FFAC*

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

## **Psychotropic drugs**

### *Policy FFAC*

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

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

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

## **Student discipline**

*Policies in the FN series and FO series*

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

## **Student attendance**

*Policy FDD*

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

## **Hazing**

*Policy FNCC, FO*

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

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