

Oglesby Employee Handbook 2009-10

S M T W T F S	Oglesby ISD 2009-2010	S M T W T F S
<p style="text-align: center;">August</p> <p style="text-align: right;">1</p> <p>2 3 4 5 6 7 8</p> <p>9 10 11 15</p> <p>16 22</p> <p>23 [24 25 26 27 28 29</p>	<p style="text-align: center;">2009-2010</p> <p>Staff Development Days Aug. 12 & 13</p> <p>Comp. Days Aug. 14 & 17</p> <p>1st Day of School for Students August 24</p> <p>Student Holidays</p> <p>Labor Day Sept. 7</p> <p>Thanksgiving Nov. 25-27</p> <p>Christmas Dec. 21 - Jan. 1</p> <p>Spring Break March 15-19</p> <p>Easter Apr 5</p>	<p style="text-align: center;">January</p> <p style="text-align: right;">2</p> <p>3 4 5 6 7 8 9</p> <p>10 11 12 13 16</p> <p>17 [18 19 20 21 22 23</p> <p>24 25 26 27 28 29 30</p>
<p style="text-align: center;">September</p> <p>30 31 1 2 3 4 5</p> <p>6 8 9 10 11 12</p> <p>13 14 15 16 17 18 19</p> <p>20 21 22 23 24 25 26</p> <p>27 28 29 30</p>		<p style="text-align: center;">February</p> <p>31 1 2 3 4 5 6</p> <p>7 8 9 10 11 12 13</p> <p>14 16 17 18 19 20</p> <p>21 22 23 24 25 26] 27</p> <p>28</p>
<p style="text-align: center;">October</p> <p style="text-align: right;">1 2] 3</p> <p>4 [5 6 7 8 9 10</p> <p>11 13 14 15 16 17</p> <p>18 19 20 21 22 23 24</p> <p>25 26 27 28 29 30 </p>		<p style="text-align: center;">March</p> <p>[1 2 3 4 5 6</p> <p>7 8 9 10 11 13</p> <p>14 20</p> <p>21 22 23 24 25 26 27</p> <p>28 29 30 31</p>
<p style="text-align: center;">November</p> <p>1 2 3 4 5 6 7</p> <p>8 9 10 11 12 13] 14</p> <p>15 [16 17 18 19 20 21</p> <p>22 23 24 28</p>	<p>Bad Weather Days April 2 & May 24</p> <p>Early Release Days 12/18, 1/14, 3/12, 4/1, 5/21, 5/27</p> <p>Waiver Days August 18, 19, 20, & 21 October 12 & February 15</p>	<p style="text-align: center;">April</p> <p style="text-align: right;">3</p> <p>4 6 7 8 9 10</p> <p>11 12 13 14 15 16] 17</p> <p>18 [19 20 21 22 23 24</p> <p>25 26 27 28 29 30</p>
<p style="text-align: center;">December</p> <p>29 30 1 2 3 4 5</p> <p>6 7 8 9 10 11 12</p> <p>13 14 15 16 17 19</p> <p>20 26</p> <p>27 </p> <p style="text-align: center;">TAKS Test</p> <p>Oct 20, 21, 22, & 23- Exit Retest</p> <p>Mar 1,3, 4, & 5- Exit Retest</p> <p>Mar 3-Gr 3, 5, 8, 9 Reading; Gr 4, 7 Writing; Gr 10, Exit ELA</p> <p>Apr 6-Gr 5 & 8 Math</p> <p>Apr 27-Gr 3, 4, 6, 7, & 10 Math</p> <p>Apr 28-Gr 4, 6, 7 Reading, Exit Math</p> <p>Apr 28-Gr 3, 5, 8 Reading Retest</p> <p>Apr 29-Gr 5, 8, 10, Exit Science; Gr 9 Math</p> <p>Apr 30-Gr 8, 10, Exit Social Studies</p> <p>May 18-Gr 5 & 8 Math Retest</p>	<p>Graduation May 28</p> <p>First Semester</p> <p>1st 8/24-10/2 29 days</p> <p>2nd 10/5-11/13 29 days</p> <p>3rd 11/16-1/14 31 days</p> <p style="text-align: right;">89 days</p> <p>Second Semester</p> <p>4th 1/18-2/26 29 days</p> <p>5th 3/1-4/16 28 days</p> <p>6th 4/19-5/27 28 days</p> <p style="text-align: right;">85 days</p>	<p style="text-align: center;">May</p> <p style="text-align: right;">1</p> <p>2 3 4 5 6 7 8</p> <p>9 10 11 12 13 14 15</p> <p>16 17 18 19 20 </p> <p>23 25 26 29</p>
<p>Legend</p> <p> Student Holiday</p> <p> Bad Weather</p> <p>[] Begin/End Six Weeks</p> <p> Staff Development & Waiver Day</p> <p> Early Release</p> <p> Staff Work Day</p>		

Oglesby Employee Handbook 2009-10

Table of contents

Introduction	5
District information	6
Vision	6
Purpose	6
Mission statement.....	6
Dedication	6
District goals and objectives	6
Board of trustees.....	6
Administration.....	7
Helpful contacts.....	7
School directory	8
Employment.....	9
Equal employment opportunity	9
Job vacancy announcements	9
Employment after retirement	9
Contract and noncontract employment	10
Searches and alcohol and drug testing	11
First aid and CPR certification	12
Reassignments and transfers	12
Workload and work schedules	12
Notification of parents regarding qualifications.....	13
Outside employment and tutoring	13
Performance evaluation.....	13
Employee involvement.....	14
Staff development	14
Compensation and benefits.....	15
Salaries, wages, and stipends	15
Paychecks	15
Automatic payroll deposit	16
Payroll deductions	16
Overtime compensation.....	16
Travel expense reimbursement.....	17
Health, dental, and life insurance	17
Supplemental insurance benefits	18
Cafeteria plan benefits (Section 125)	18
Workers' compensation insurance	18
Unemployment compensation insurance	18
Teacher retirement.....	19
Other benefit programs.....	19
Leaves and absences	19

Oglesby Employee Handbook 2009-10

Personal leave.....	20
Sick leave	20
Local leave	21
Temporary disability	21
Family and medical leave.....	22
Workers' compensation benefits	23
Assault leave	23
Jury duty	24
Other court appearances	24
Military leave	24
Employee relations and communications .	25
Employee recognition and appreciation	25
District communications	25
Complaints and grievances	25
Employee conduct and welfare	28
Standards of conduct	28
Code of Ethics.....	29
Dress and grooming	31
Recording grades	33
Grading/Progress Reports to Parents	33
Report cards	33
Three-week failure reports	34
Class Sponsors	34
Hall duty.....	34
Evaluation	34
Work attendance	34
Class attendance.....	35
Copying.....	35
Films, TVs, and Videos	35
Recess and lunchroom supervision.....	35
Telephone.....	35
Building use by teachers and students	35
Harassment	36
Harassment of students.....	38
Drug-abuse prevention	39
Reporting suspected child abuse	43
Fraud and financial impropriety	44
Conflict of interest.....	45
Gifts and favors	45
Associations and political activities	45
Safety.....	46
Tobacco used.....	46
Employee arrests and convictions	46
Possession of firearms and weapons	47
Visitors in the workplace.....	47

Oglesby Employee Handbook 2009-10

Copyrighted materials	47
Computer use and data management.....	48
Asbestos management plan	48
Pest control treatment.....	48
General procedures	49
Bad weather closing	49
Emergencies	49
Purchasing procedures.....	49
Name and address changes.....	50
Personnel records	50
Building use.....	50
Termination of employment.....	50
Resignations	50
Dismissal or nonrenewal of contract employees	51
Dismissal of noncontract employees.....	51
Exit interviews and procedures	52
Reports to State Board for Educator Certification	52
Student issues.....	53
Equal educational opportunities	53
Student records	53
Parent and student complaints.....	53
Administering medication to students.....	54
Dietary supplements.....	54
Psychotropic drugs	54
Student discipline	55
Student attendance.....	55
Hazing	55
Employee handbook receipt	56

Oglesby Employee Handbook 2009-10

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. Suggestions for additions and improvements to this handbook are welcome and may be sent to the principal.

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. Policy manuals are located in the superintendent's office and are available for employee review during normal working hours.

Oglesby Employee Handbook 2009-10

District information

The Oglesby Independent School District community is a partnership committed to creating the best learning environment.

Vision Statement of Oglesby Independent School District

"The children of Oglesby Independent School District will become responsible, respectful members of society. The children will be assisted by dedicated teachers, parents, and community members who will provide an academically challenging learning environment which is safe, orderly, and nurturing so they may reach their full potential."

PURPOSE

Our purpose is to develop students who

- *strive for individual excellence
- *demonstrate respect for the rights of others
- *are valuable, healthy members of society
- *are life-long learners

MISSION STATEMENT

The Oglesby Independent School District will:

Enable students to become responsible and productive lifelong learners.

Create and promote an atmosphere of excitement and curiosity about learning for all students through inspiration, exploration, and connection.

Recognize the importance of high self-esteem and pride in a job well done.

Produce problem solvers who can deal effectively in the real world.

Enable students to communicate skillfully and responsibly.

DEDICATION

This partnership includes students, parents, and all school-related personnel. We share with our community the responsibility for the education of all students so that they will be prepared to live and work in a rapidly changing world.

District goals and objectives

Policies AB, AF

Board of trustees

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

Oglesby Employee Handbook

2009-10

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, as well as maintaining 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 3 year terms. Trustees serve without compensation, must be registered voters, and must reside in the district.

Current board members include:

Mike Walter, President
Anthony Ross, Vice President
Laura Wright, Secretary
Mark Luckie
Rebecca Schultz
Randy McClinton
Mike Gomez

The board usually meets the 3rd Thursday of each month at 6:30 pm. In the event that large attendance is anticipated, the board may meet in the school library. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted in the window of the superintendent's office at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a 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 to consult with attorneys regarding pending litigation.

Administration

Edna Davis, Superintendent
Kendall Smith, Principal

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.

Superintendent's Office: 456-2271

Oglesby Employee Handbook 2009-10

	<u>FAX</u>	456-2522
Principal's Office:		456-2271
	<u>FAX</u>	456-2916
Speech Therapist		456-2271 or 840-2888
Librarian		456-2271
Counselor's Office		456-2271
Nurse		456-2271
Diagnostician		456-2271 or 840-2888

School Directory

ADMINISTRATION

Edna Davis, Superintendent

Kendall Smith, Principal

COUNSELOR

Tammy Carty

ELEMENTARY SCHOOL FACULTY

Dorothy Bishop.....	Third Grade
Carol Cole.....	Fifth Grade
Kristen Hamilton.....	First Grade
Heather Kercheval.....	Pre-Kindergarten
Lillian Mayer.....	Fourth Grade
Frances Sheffield.....	Kindergarten
Elaine White.....	Second Grade
Melissa Wells.....	Instructional Aide

JR HIGH / HIGH SCHOOL

Lowery Bartow.....	Mathematics/Coach
Tammy Carty.....	Special Programs/Reading
Jan Hall.....	Consumer Economics/Spanish/English/Reading
Sheila Hoehn.....	Technology/Business
Richard Jackson.....	Athletic Director/Head Coach/SocialStudies/Health
Wyatt Keeney.....	Science
Toni Kocian.....	English/Journalism
Charles Raley.....	Agriculture/Special Education
Sheila Schroeder.....	Special Education/Math/Art
Sherry Standridge.....	Instructional Aide
Craig Tredway.....	Social Studies/Coach

Oglesby Employee Handbook 2009-10

Employment

Equal employment opportunity

Policy DAA

The Oglesby ISD does not discriminate against any employee or applicant for employment because of race, color, religion, sex, 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.

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, the district's Web site, and on the Region XII Web site.

Employment after retirement

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

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

Oglesby Employee Handbook

2009-10

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

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

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

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

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

Contract and noncontract employment

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

State law requires the district to employ all full-time professional employees in positions requiring a certificate from State Board 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 in public schools 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.

Oglesby Employee Handbook

2009-10

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-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.

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

Searches and alcohol and drug testing

Policy DHE

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

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

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

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

Oglesby Employee Handbook 2009-10

First aid and CPR certification

Policy DBA

Head coaches and chief sponsors of an extracurricular athletic activity (including cheerleading) that is sponsored or sanctioned by the district or University Interscholastic League (UIL) must maintain and submit to the district proof of current certification in first aid and cardiopulmonary resuscitation (CPR). It is recommended that all staff be certified in first aid and cardiopulmonary resuscitation (CPR). Certification must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification.

Reassignments and transfers

Policy DK

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

Workload and work schedules

Policy DL

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

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

Paraprofessional and auxiliary employees. Support employees are employed at will and will be notified of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees are not exempt from

Oglesby Employee Handbook

2009-10

overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor.

Notification of parents regarding qualifications

Policy DK, EHBD

In schools receiving Title I funds, the district is required by the No Child Left Behind Act (NCLB) to notify parents at the beginning of each school year that they may request information regarding 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 days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notification under NCLB is sent. Inappropriately certified or uncertified teachers include individuals serving with an emergency permit (including individuals waiting to take the EXCET exam) or individuals who do not hold any certificate or permit. No later than the 30th instructional day after the date of assignment the superintendent or designee will send a written notice to parents. Information relating to teacher certification will be made available to the public upon request.

Employees who have questions about their certification status can call the State Board for Educator Certification (SBEC) or visit their website, www.sbec.state.tx.us.

Outside employment and tutoring

Policy DBF

Employees who wish to accept outside employment or engage in other activities for profit must submit a written request to their supervisor. Approval for outside employment will be determined by the superintendent and based on whether outside employment interferes with the duties of the regular assignment. Teachers are not allowed to privately tutor their students for pay, except during the summer months.

Performance evaluation

Policy DN, DNA, DNB

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

Oglesby Employee Handbook

2009-10

Employee involvement

Policy BQA, BQB

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

Staff development

Policy DMA

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

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

Oglesby Employee Handbook 2009-10

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 hourly wages or salary and receive compensatory time or overtime pay for each overtime hour worked beyond 40 in a workweek. (See *Overtime*, page 16.)

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 the superintendent for more information about the district's pay schedules or their own pay.

Paychecks

All professional and salaried employees are paid monthly. Paychecks will be electronically deposited directly into a designated account on file for all district employees with written authorization. With automatic payroll deposit, an employee's pay is immediately available on the pay date. A payroll statement will be distributed to the employee on the day that is scheduled for monthly pay date. During summer break, payroll statements will be mailed if not picked up by 1:00 pm on the designated dates in June and July.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated.

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

Tuesday, August 25, 2009

Friday, September 25, 2009

Friday, October 23, 2009

Tuesday November 24, 2009

Friday, December 18, 2009

Monday, January 25, 2010

Thursday, February 25, 2010

Thursday, March 25, 2010

Friday, April 23, 2010

Tuesday, May 25, 2010

Thursday, June 24, 2010

Thursday, July 22, 2010

Oglesby Employee Handbook

2009-10

Payroll deductions

Policy CFEA

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

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, 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 weekly 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 work week begins at 12:00am Saturday and ends at 11:59 pm Friday.

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

- Employees can accumulate up to 60 hours of compensatory time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval as workload permits.
- An employee may be required to use comp 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.

Oglesby Employee Handbook

2009-10

Travel expense reimbursement

Policy DEE

Before any travel expenses are incurred by an employee, the employee's principal and superintendent must give approval. For approved travel, employees will be reimbursed for mileage (only if using personal vehicle) and other travel expenditures according to the current rate schedule established by the district. Every attempt should be made to utilize school vehicles before personal travel is incurred. Employees must submit receipts to be reimbursed for any expenses.

Health, dental, and life insurance

Policy CRD

TRS-ActiveCare 1, 2, or 3 (Blue Cross, Blue Shield)

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

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

Scott & White First Care

Group health insurance coverage is available to full-time employees. The district's contribution to employee insurance premiums is determined annually by the board of trustees. Detailed descriptions of insurance coverage, prices, and eligibility requirements are provided to all employees.

The health insurance plan year is from September 1 through August 31. New employees must complete enrollment forms within the first 30 days of employment. Current employees can make changes in their insurance coverage annually. Employees should contact the superintendent for more information.

Oglesby Employee Handbook

2009-10

Supplemental insurance benefits

Policy CRG

At their own expense, employees may enroll in supplemental insurance programs. Premiums for these programs can be paid by payroll deduction. Employees should contact the superintendent for more information.

Cafeteria plan benefits (Section 125)

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

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

Workers' compensation insurance

Policy CRE

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from Texas Association of School Boards, effective April 18, 2005. 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 principal or superintendent. 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 23 or chapter 408 of local policy (www.oglesbyisd.net) for information on use of paid leave for such absences.

Unemployment compensation insurance

Policy CRF

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

Oglesby Employee Handbook

2009-10

Teacher retirement

Policy DEG

All personnel employed on a regular basis for at least one-half of the normal work schedule 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 as soon as possible. Information on the application procedures for TRS benefits are 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). See page 9 for information on restrictions of employment of retirees in Texas public schools.

Other benefit programs

Policy DEB

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 superintendent for counseling about leave options, continuation of benefits, and communicating with the district.

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

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate leave request form. Any employee who is absent more than 3 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.

Oglesby Employee Handbook

2009-10

Personal and local sick leave is earned on an annual basis. Leave is available for the employee's use as deemed necessary. Leave will not be approved for more days than the employee has accumulated in prior years plus those to be earned during the current year. If an employee leaves the district before the end of the work year, the cost of any unearned leave days taken shall be deducted from the employee's final paycheck.

Personal leave

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

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

Discretionary. Leave that is taken at an employee's discretion and that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a notice of the request 10 business days in advance of the anticipated absence to his or her principal or supervisor. Discretionary personal leave will be granted on a first-come, first-served basis. 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 superintendent.

Sick leave

Previously accumulated state sick leave is available for use and may be transferred to other school districts in Texas. Sick leave can be used only in 5 day increments except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

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

Sick leave may be used for the following reasons only:

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

Oglesby Employee Handbook 2009-10

Local leave

All employees shall earn two workdays of local leave per school year, at the same rate as personal leave. Local leave shall be noncumulative and shall be taken with no loss of pay. Local leave shall be used according to the terms and conditions of state personal leave. Available leave shall be used in the following order, as applicable:

1. Accrued compensatory time.
2. Local leave.
3. State Sick leave accumulated prior to the 1995-1996 school year.
4. State personal leave.

Leave used will be recorded in ½ day increments. Employees shall be charged leave even if a substitute is not employed. Any leave taken for which leave balances are insufficient shall result in deduction from the employee's paycheck commensurate with the amount of leave taken.

USE OF LEAVE

After using all accumulated sick leave, state personal leave days and local personal business days, the teacher will be charged at a rate of \$55.00 per day for the next three days absent. At the end of this time, the teacher will have a reduction in salary which is the same as the teacher's daily pay rate.

SIGN-IN SHEET

Employees that are absent must sign their leave sheet, kept in the principal's office, when they return, verifying the time missed and stating whether it was personal leave, local leave, sick leave or school business. All school business absences must be signed by the principal or superintendent.

Temporary disability

Certified employees. Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. A full-time educator may request to be placed on temporary disability leave or be placed on leave. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

Employees must request approval for temporary disability leave. The leave request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of

Oglesby Employee Handbook

2009-10

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

Family and medical leave

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

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

A husband and wife who are both employed by the district are subject to limits in the amount of leave that they can take to care for a parent with a serious health condition or for the birth, adoption, or foster placement of a child.

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

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

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

Oglesby Employee Handbook

2009-10

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

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

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

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

Workers' compensation benefits

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

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

Assault leave

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

Oglesby Employee Handbook

2009-10

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.

Jury duty

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

Other court appearances

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

Military leave

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

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

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

Oglesby Employee Handbook 2009-10

to exceed 24 months. Employees should contact the superintendent for details on eligibility, requirements, and limitations.

Employee relations and communications

Employee recognition and appreciation

Policy DJ

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings, in the district newsletter, and through special events and activities. Recognition and appreciation activities also include teacher-of-the-year, luncheons, etc.

District communications

Throughout the school year, the principal/superintendent office 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.

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 process that all employees must follow. 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:

DGBA (Local)

UNITED STATES CONSTITUTION

The District shall take no action abridging the freedom of speech or the right of the people to petition the Board for redress of grievances. U.S. Const. Amend. I, XIV

The Board may confine its meetings to specified subject matter and may hold nonpublic sessions to transact business. But when the Board sits in public meetings to

Oglesby Employee Handbook 2009-10

conduct public business and hear the views of citizens, it may not discriminate between speakers on the basis of the content of their speech or the message it conveys. Rosenberger v. Rector & Visitors of Univ. of Virginia, 515 U.S. 819, 828 (1995); City of Madison v. Wis. Emp. Rel. Comm'n, 429 U.S. 167, 174 (1976); Pickering v. Bd. of Educ., 391 U.S. 563, 568 (1968) [See DG]

TEXAS CONSTITUTION

Employees shall have the right, in a peaceable manner, to assemble together for their common good and to apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address, or remonstrance. Tex. Const. Art. I, Sec. 27

There is no requirement that the Board negotiate or even respond to complaints. However, the Board must stop, look, and listen and must consider the petition, address, or remonstrance. Professional Association of College Educators v. El Paso County Community [College] District, 678 S.W.2d 94 (Tex. App.-El Paso 1984, writ ref'd n.r.e.)

FEDERAL LAWS SECTION 504

A district that receives federal financial assistance, directly or indirectly, and that employs 15 or more persons shall adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973. 34 CFR 104.7(b), 104.11

AMERICANS WITH DISABILITIES ACT

A district that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by the Code of Federal Regulations, Title 28, Part 35 (Americans with Disabilities Act regulations). 28 CFR 35.107, 35.140

TITLE IX

A district that receives federal financial assistance, directly or indirectly, shall adopt and publish grievance procedures providing for prompt and equitable resolution of employee complaints alleging any action prohibited by Title IX of the Education Amendments of 1972. 34 CFR 106.8(b); North Haven Board of Education v. Bell, 456 U.S. 512 (1982)

GRIEVANCES CONCERNING WAGES, HOURS, CONDITIONS OF WORK

The prohibition against collective bargaining and strikes [see DGA] does not impair the right of employees to present grievances concerning their wages, hours of

Oglesby Employee Handbook 2009-10

employment, or conditions of work, either individually or through a representative that does not claim the right to strike. Gov't Code 617.005

The term "conditions of work" should be construed broadly to include any area of wages, hours or conditions of employment, and any other matter that is appropriate for communications from employees to employer concerning an aspect of their relationship. Atty. Gen. Op. JM-177 (1984); Corpus Christi Fed. of Teachers v. Corpus Christi ISD, 572 S.W.2d 663 (Tex. 1978)

GROUP GRIEVANCES

The statute protects grievances presented individually or individual grievances presented collectively. Lubbock Prof'l Firefighters v. City of Lubbock, 742 S.W.2d 413 (Tex. App.-Amarillo, writ ref'd n.r.e. 1987)

REPRESENTATIVE

The District cannot deny an employee's representative, including an attorney, the right to represent the employee at any stage of the grievance procedure, so long as the employee designates the representative and the representative does not claim the right to strike. Lubbock Prof'l Firefighters v. City of Lubbock, 742 S.W.2d 413 (Tex. App.-Amarillo, writ ref'd n.r.e. 1987); Sayre v. Mullins, 681 S.W.2d 25 (Tex. 1984)

RESPONSE TO GRIEVANCE

The District should meet with employees or their designated representatives at reasonable times and places to hear grievances concerning wages, hours of work, and conditions of work. The right to present grievances is satisfied if employees have access to those in a position of authority to air their grievances. However, that authority is under no legal compulsion to take action to rectify the matter. Atty. Gen. Op. H-422 (1974); Corpus Christi ISD v. Padilla, 709 S.W.2d 700 (Tex. App.-Corpus Christi, 1986, no writ)

GRIEVANCES CONCERNING FINALITY OF GRADES

An examination or course grade issued by a classroom teacher is final and may not be changed unless the grade is arbitrary, erroneous, or not consistent with the District's grading policy applicable to the grade, as determined by the Board. The Board's determination is not subject to appeal.

Education Code 28.0212

OPEN MEETINGS ACT

The Board is not required to conduct an open meeting to hear a complaint or charge against an employee. However, the Board may not conduct a closed meeting if the

Oglesby Employee Handbook

2009-10

employee who is the subject of the hearing requests a public hearing. Gov't Code 551.074 [See BEC]

CLOSED MEETING

The Board may conduct a closed meeting on an employee complaint to the extent required or provided by law. [See BEC]

DISRUPTION

It is a criminal offense for a person, with intent to prevent or disrupt a lawful meeting, to substantially obstruct or interfere with the ordinary conduct of a meeting by physical action or verbal utterance and thereby curtail the exercise of others' First Amendment rights. Penal Code 42.05; Morehead v. State, 807 S.W. 2d 577 (Tex. Cr. App. 1991)

RECORD OF PRESENTATION

An appeal of the Board's decision to the Commissioner of Education shall be decided based on a review of the record developed at the District level. "Record" includes, at a minimum, an audible electronic recording or written transcript of all oral testimony or argument. Education Code 7.057(c), (f)

WHISTLEBLOWER COMPLAINTS

Before bringing suit, an employee who seeks relief under Government Code Chapter 554 (whistleblowers) must initiate action under the District's grievance or appeal procedures relating to suspension or termination of employment or adverse personnel action. Gov't Code 554.005 [See DG]

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.

Oglesby Employee Handbook

2009-10

- 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 51 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

Oglesby Employee Handbook

2009-10

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

Oglesby Employee Handbook

2009-10

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.

Dress and Grooming

The District's dress code is established to encourage personal grooming and hygiene habits among students, prevent disruption, and minimize safety hazards. Personal appearance is very important since it represents individuals to their students, to their colleagues, and to the general public. Faculty and staff are expected to abide by the dress and grooming policy established by the Board of Trustees at all school related functions on/off school property. For these reasons, all employees must use discretion and dress appropriately and professionally at all times when representing the school district.

General Dress and Grooming Code

- Garments or body adornments which bear advertisements for alcohol, tobacco, drugs or contain any statement or picture which could be considered lewd, suggestive, vulgar, or gang related are not acceptable for school dress.
- No shirts, jackets, or coats longer than thigh length (no longer than fingertips) will be allowed.
- All pants, shorts, skirts, dresses, and shirts must be hemmed.
- Undergarments must be covered.
- Tattoos must be covered.
- Sunglasses, caps, hats, visors, and scarves may not be worn inside the building.
- Hair styles must be neat and in good taste. Disruptions or disturbances brought about by hairstyles which are bizarre or unusual will not be permitted.

Oglesby Employee Handbook

2009-10

- Excessively tight or baggy clothing will not be allowed. Suspenders must be worn on both shoulders, shirts must be buttoned unless being worn as a jacket or a cover over another shirt, and pants may not sag.
- No pocket chains are allowed.
- Shoes must be worn at all times. Shower slides, flip-flops, and house shoes are not acceptable footwear. Leather sandals will be permitted as long as they are considered “dressy.” Administrators will decide on an individual basis whether or not sandals are acceptable.
- Pajama bottoms are prohibited.
- Shorts are not acceptable wear in the classroom and are only permitted for on the field, on the court, and outdoor instruction.
- T-shirts are not acceptable, except on game days when Oglesby ISD Spirit Shirts may be worn.
- Dress pants/slacks will be worn for all official and/or formal activities.
- Professional dress will be worn on Monday and jeans are not acceptable on this day.

Females

- Dress jeans, pantsuits, slacks, capris, or other coordinated pant outfits may be worn.
- Hemlines on all garments (shorts, dresses, and skirts) must be no shorter than 3 ¼” (length of a credit card) above the kneecap
- See-through tops, tubes, halters, sun dresses, spaghetti straps, tank tops, excessively tight garments, or low cut tops that reveal cleavage are not acceptable for school. Sleeveless shirts must have a collar or be high necked with no visible cleavage. Sleeveless dresses are permitted. The shoulders of sleeveless dresses and shirts must be at least three fingers wide.
- Bare midriffs are not permitted. When arms are fully extended above the head, no skin shall be visible at the waistline.
- Women must wear brassieres.
- Pierced earrings may be worn in the ears only. All other visible body piercing is prohibited and Band-Aids may not be worn to cover them.
- Hair may not be in rollers or covered with a hat or scarf.
- Gothic makeup shall not be worn.

Males

- Hair must be blocked or tapered in the back. It is not to extend over the bottom of the collar or fall over the eyes. Hair must be clean and neatly groomed at all times. Ponytails or tails are not allowed.
- Males must be clean-shaven. Beards or mustaches of any sort will neatly groom. Sideburns may not extend below the earlobe.
- Muscle shirts or tank tops are not appropriate school dress.
- Earrings, wooden ear studs, straws, or body piercing jewelry of any type will not be permitted. Band-Aids may not be worn to cover them.
- Men may not wear makeup or fingernail polish.

Oglesby Employee Handbook

2009-10

Note: Inappropriate dress or grooming will not be allowed. Faculty and staff are expected to use the grooming and dress code as a guide. The principal shall have full authority to enforce this code and to make determinations regarding the acceptability of dress and grooming on a case-by-case basis. Faculty and staff found in violation of this may be required to correct the violation in order to remain at school. Failure to comply immediately with the dress and grooming code could result in disciplinary action. If a faculty or staff member must leave the campus in order to correct a dress code violation, the leave time will be considered an absence until he/she returns to work. The Dress and Grooming Code applies to regular campus attendance as well as any other school or athletic activity at home or away.

RECORDING GRADES

High school grades must be recorded on grade sheets in the principal's office during the week that follows six-week or semester tests. At the end of the second semester, all grades, including high school and elementary, should be recorded on the permanent records in the principal's office. The grades will be recorded by the counselor whenever possible.

GRADING/PROGRESS REPORTS TO PARENTS: MAKE-UP WORK EIAB(LOCAL) – DATE ISSUED: 12/02/2002

Students shall be expected to make up assignments and tests after absences. Students shall receive a zero for any assignment or test not made up within the allotted time.

Students shall be permitted to take tests administered in any class missed because of absence.

For any class missed, the teacher may assign the student make-up work based on the instructional objectives for the subject; or course and the needs of the individual student in mastering the essential knowledge and skills; or in meeting subject or course requirements.

A student shall be responsible for obtaining and completing the make-up work in a satisfactory manner and within the time specified by the teacher.

Teachers may assign a late penalty to any project turned in after the due date in accordance with previously established guidelines approved by the principal and disseminated to students.

The grade for make-up work after an unexcused absence shall be no higher than 70.

The District shall not impose a grade penalty for make-up work after an absence because of suspension.

REPORT CARDS

Oglesby Employee Handbook

2009-10

Report cards are to be distributed to the students on designated days, usually the first Wednesday or Thursday that school is in session following the end of the prior six week grading period. This varies some depending on the school calendar.

3RD WEEK FAILURE SLIPS

All three-week failure slips should be turned in to the principal's office by the designated day. They will be mailed the following day.

CLASS SPONSORS

Teachers will sponsor a class as assigned and are responsible for all student behavior and activities. Teachers and aides will work the Fall Carnival and his/her fair share (at least two) of football and basketball games (including basketball tournaments) and other duties as assigned by the superintendent. Completing these assigned duties will determine November incentive pay to employees.

HALL DUTY

It is the duty of every monitor hallways and doorways before and after school and help with hall supervision between classes. All teachers are responsible for monitoring all student behaviors.

EVALUATION

All teachers will be evaluated for contract renewals and personal improvement. The Professional Development and Appraisal System (PDAS) will be used for teacher appraisal as part of the evaluation and consideration for contract renewal.

WORK ATTENDANCE

Teachers are required to be on campus from 7:45 am to 3:45 pm on school days and as deemed necessary by the principal and/or superintendent on staff development days. Unforeseen circumstances arise and should be reported as soon as possible. The following is a guide.

- | | |
|------------------|---|
| Late | If unforeseen circumstances intervene, the staff member shall call the principal's office as soon as possible. 254-456-2271 |
| Illness | If personal or a family illness arises, the staff member shall call the principal or the principal's secretary no later than 6:30 am of the day (or the evening prior) if an absence is expected. |
| Emergency | If personal or a family emergency arises, the staff member shall call the principal or the principal's secretary no later than 6:30 am of the day (or the evening prior) if an absence is expected. |

Oglesby Employee Handbook 2009-10

CLASS ATTENDANCE

Teachers should be at the classroom doors when students arrive for class and, except for extreme emergency, should remain in the class until the bell rings to dismiss students. If a teacher must leave the class, he or she should ask another teacher, aide, or administrator to cover the class until he or she is able to return. Students should never be left without adult supervision.

COPYING

Copying is the responsibility of the teacher. Do not leave the copy machine jammed. Please notify someone if you cannot correct the problem. Make sure you are not violating copyright law since this places you as well as Oglesby ISD in a liability situation. No students are to use the copy machine.

FILMS, TVs, VIDEOS

All films, T.V. programs and videos shown during regular school hours must have some educational value for the students; otherwise you may be violating copyright laws which place you as well as Oglesby ISD in a liability situation.

RECESS AND LUNCHROOM SUPERVISION

Recess and lunch periods should be supervised at all times by the staff member assigned to that duty. The staff member should be alert to dangerous activities and should stop those activities immediately.

TELEPHONE

The school telephone is to be used for school business. There should never be a long distance call charged to the school for a personal call which is not directly related to school activities. Parent-teacher conferences should be set up over the phone, but not conducted on the telephone. Calls should be as brief as possible.

BUILDING USE BY TEACHERS AND STUDENTS

If students are allowed to enter school buildings after school hours, the staff member who allows them to enter must be with them. When the students leave the building, it is the staff member's duty to see that lights, air conditioners and heaters are turned off and doors locked.

Oglesby Employee Handbook 2009-10

Harassment

Policies DH, DIA

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

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

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

DIA (Local policy)

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

HARASSMENT OF EMPLOYEES

The District has an affirmative duty, under Title VII, to maintain a working environment free of harassment on the basis of sex, race, color, religion, and national origin. 42 U.S.C. 2000e, et seq.; 29 CFR 1606.8(a), 1604.11

OFFICIAL OPPRESSION

A public official commits a Class A misdemeanor if, while acting in his or her official or employment capacity, the official intentionally subjects another to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, submission to which is made a term or condition of a person's exercise or enjoyment of any right, privilege, power, or immunity, either explicitly or implicitly. Penal Code 39.03(a)

DEFINITION

Oglesby Employee Handbook 2009-10

Title VII does not prohibit all verbal and physical harassment in the workplace. For example, harassment between men and women is not automatically unlawful sexual harassment merely because the words used have sexual content or connotations. Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)

HOSTILE ENVIRONMENT

Verbal or physical conduct based on a person's sex, race, color, religion, or national origin constitutes unlawful harassment when the conduct:

Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;

Has the purpose or effect of unreasonably interfering with an individual's work performance; or

Otherwise adversely affects an individual's employment opportunities.

Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986); 29 CFR 1604.11, 1606.8

QUID PRO QUO

Conduct of a sexual nature also constitutes harassment when:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or

Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual.

29 CFR 1604.11(a)

Same-sex sexual harassment constitutes sexual harassment. Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)

HARASSMENT POLICY

The District should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate penalties, informing employees of their right to raise and how to raise the issue of harassment under Title VII, and developing methods to sensitize all concerned. 29 CFR 1604.11(f)

CORRECTIVE ACTION

The District is responsible for acts of unlawful harassment by fellow employees and by nonemployees if the District, its agents, or its supervisory employees knew or should have known of the conduct, unless the District takes immediate and appropriate corrective action. 29 CFR 1604.11(d), (e), 1606.8(d), (e)

When no tangible employment action is taken, the District may raise the following affirmative defense:

Oglesby Employee Handbook 2009-10

*That the District exercised reasonable care to prevent and promptly correct any harassing behavior; and
That the employee unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer or to avoid harm otherwise. Burlington Industries, Inc. v. Ellerth, 524 U.S. 742 (1998); Faragher v. City of Boca Raton, 524 U.S. 775, (1998)*

Harassment of students

Policies DH, FFG, FFH

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. 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*, page 43 for additional information.

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

FFH (Local policy)

The District may develop and implement a sexual harassment policy to be included in the District improvement plan. Education Code 37.083 [See BQA]

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 HARASSMENT

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

Oglesby Employee Handbook 2009-10

the comments target differences in gender. Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999)

EMPLOYEE- STUDENT SEXUAL HARASSMENT

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 HARASSMENT

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)

Drug-abuse prevention

Policies DH, DI

Oglesby ISD is committed to maintaining a drug-free environment and will not tolerate the use of illegal drugs in the workplace. 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:

*DH (Local policy) and DI (Exhibit) information on alcohol and drug abuse
PUBLIC SERVANTS*

All District employees are "public servants" and therefore subject to Title VIII of the Penal Code, regarding offenses against public administration, including bribery and corrupt influence (Chapter 36), perjury and other falsification (Chapter 37), obstructing governmental operation (Chapter 38), and abuse of office (Chapter 39). Penal Code 1.07(41), Title VIII [See DBD and BBFA]

DRUG ABUSE PREVENTION

*In compliance with Workers' Compensation Commission rules, the District shall provide a written copy of the local drug abuse policy to each employee:
On or before the first day of employment; or
Within 30 days after the date the local policy is adopted by the Board.
28 TAC 169.1(b)*

Oglesby Employee Handbook 2009-10

TOBACCO USE PROHIBITED

The Board shall prohibit smoking or using tobacco products at a school-related or school-sanctioned activity on or off school property.

ENFORCEMENT

The Board shall ensure that District personnel enforce the policies on school property. Education Code 38.006(1)(3) [See also FNCD and GKA]

DIETARY SUPPLEMENTS

Except as provided at Education Code 38.011(b), the District employee may not:
Knowingly sell, market, or distribute a dietary supplement that contains performance-enhancing compounds to a primary or secondary education student with whom the employee has contact as part of the employee's duties; or
Knowingly endorse or suggest the ingestion, intranasal application, or inhalation of a dietary supplement that contains performance-enhancing compounds by a primary or secondary student with whom the employee has contact as part of the employee's duties.

An employee who violates items 1 or 2, above, commits a Class C misdemeanor offense.

Education Code 38.011

IMMUNITY FROM INDIVIDUAL LIABILITY

The statutory immunity detailed below is in addition to and does not preempt the common law doctrine of official and governmental immunity. Education Code 22.051(b)

'PROFESSIONAL EMPLOYEES'

A professional employee of the District is not personally liable for any act that is incident to or within the scope of the duties of the employee's position of employment and that involve the exercise of judgment or discretion, except in circumstances where, in disciplining a student, the employee uses excessive force or his or her negligence results in bodily injury to the student.

"Professional employee of the District" includes the Superintendent; a principal; teacher, including a substitute teacher or a teacher employed by a company that contracts with the District to provide the teacher's services to the District; a supervisor; social worker; counselor; nurse; teacher's aide; a student in an education preparation program participating in a field experience or internship; a DPS-certified school bus

Oglesby Employee Handbook 2009-10

driver, and any other person whose employment requires certification and the exercise of discretion.

MOTOR VEHICLE EXCEPTION

Education Code Section 22.0511 does not apply to the operation, use, or maintenance of any motor vehicle.

Education Code 22.0511(a)-(b), 22.051; Hopkins v. Spring ISD, 756 S.W.2d 617 (Tex. 1987); Barr v. Bernhard, 562 S.W.2d 844 (Tex. 1978)

'INDIVIDUALS'

In addition to the immunity described above [at PROFESSIONAL EMPLOYEES], and under other provisions of state law, an individual is entitled to any immunity and any other protections afforded under the Paul D. Coverdell Teacher Protection Act of 2001 (20 U.S.C. Section 6731 et seq.), as amended. [See TEACHERS, below] Nothing in Education Code 22.0511(c) shall be construed to limit or abridge any immunity or protection afforded an individual under state law. Education Code 22.0511(c)

'TEACHERS' (THE PAUL T. COVERDELL TEACHER PROTECTION ACT OF 2001)

Except as provided in 20 U.S.C. Section 6736(b), no "teacher" in a school shall be liable for harm caused by an act or omission of the teacher on behalf of the school if: The teacher was acting within the scope of the teacher's employment or responsibilities to a school or governmental entity;

The actions of the teacher were carried out in conformity with federal, state, and local laws (including rules and regulations) in furtherance of efforts to control, discipline, expel, or suspend a student or maintain order or control in the classroom or school; If appropriate or required, the teacher was properly licensed, certified, or authorized by the appropriate authorities for the activities or practice involved in the state in which the harm occurred, where the activities were or practice was undertaken within the scope of the teacher's responsibilities;

The harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the teacher; and

The harm was not caused by the teacher operating a motor vehicle, vessel, aircraft, or other vehicle for which the state requires the operator or the owner of the vehicle, craft, or vessel to:

Possess an operator's license; or

Maintain insurance.

"Teacher" means:

Oglesby Employee Handbook 2009-10

*A teacher, instructor, principal, or administrator;
Another educational professional who works in a school;
An individual member of a school board (as distinct from the Board); or
A professional or nonprofessional employee who works in a school, and:
In the employee's job, maintains discipline or ensures safety; or
In an emergency, is called on to maintain discipline or ensure safety.
20 U.S.C. Section 6733, 6736(a)*

REPORT OF DRUG OFFENSES

A teacher, administrator, or other District employee is not liable in civil damages for reporting to a school administrator or governmental authority, in the exercise of professional judgment within the scope of the teacher's, administrator's, or employee's duties, a student whom the teacher suspects of using, passing, or selling, on school property any of the following substances:

Marijuana or a controlled substance, as defined by the Texas Controlled Substances Act.

A dangerous drug, as defined by the Texas Dangerous Drug Act.

An abusable glue or aerosol paint, as defined by Health and Safety Code Chapter 485, or a volatile chemical, if the substance is used or sold for the purpose of inhaling its fumes or vapors.

An alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code. Education Code 37.016

REPORT TO LOCAL LAW ENFORCEMENT

A principal or person designated by the principal is not liable in civil damages for making a good faith report, as required by law [see GRA], to the District's police department, if one exists, and to the police department of the municipality in which the school is located or, if the school is not in a municipality, to the sheriff of the county in which the school is located, when the principal has reasonable grounds to believe that any of the following activities occur in school, on school property, or at a school-sponsored or school-related activity on or off school property, without regard to whether the activity is investigated by school security officers:

Conduct that may constitute an offense listed in Section 508.149, Government Code; deadly conduct, as described by Penal Code 22.05; or a terroristic threat, as described by Penal Code 22.07.

The use, sale, or possession of a controlled substance, drug paraphernalia, or marijuana, as defined by Chapter 481, Health and Safety Code.

The possession of any of the weapons or devices listed in Penal Code 46.01(1)-(14) or (16) [see FNCG].

Conduct that may constitute a criminal offense under Penal Code 71.02, Engaging in Organized Criminal Activity.

Conduct that may constitute a criminal offense for which a student may be expelled under Section 37.007(a), (d), or (e).

Oglesby Employee Handbook 2009-10

Education Code 37.015

REPORT TO SBEC OF EDUCATOR MISCONDUCT

The Superintendent shall promptly notify in writing the State Board for Educator Certification (SBEC) by filing a report with SBEC not later than the seventh day after the Superintendent first learns about a criminal record or an alleged incident of misconduct, as described at DF, involving a certified educator. Education Code 21.006; 19 TAC 249.14

DRUG-FREE SCHOOLS REQUIREMENTS

The District prohibits the unlawful distribution, possession, or use of illegal drugs, inhalants, and alcohol on school premises or as part of any of the District's activities.

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.

[This notice complies with 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)]

Reporting suspected child abuse

Policy DG, DH, FFG, GRA

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. Reports to Child Protective Services can be made to

Oglesby Employee Handbook

2009-10

the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person to make the report.

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

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

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

Fraud and financial impropriety

Policy DG, CAA

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

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other district assets, including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district

Oglesby Employee Handbook

2009-10

- Destroying, removing, or inappropriately using records, furniture, fixtures, or equipment
- Failing to provide financial records required by state or local entities
- Failure to disclose conflicts of interest as required by policy
- Any other dishonest act regarding the finances of the district

Conflict of interest

Policy BBFA, DBD

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

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

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

Gifts and favors

Policy DBD

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

Associations and political activities

Policy DGA

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

An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employ-

Oglesby Employee Handbook

2009-10

ers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

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 superintendent.

Tobacco use

Policies DH, GKA, FNCD

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

Employee arrests and convictions

Policy DH

An employee who is arrested for any felony or any offense involving moral turpitude must report the arrest to the principal or immediate supervisor within three calendar days of the arrest. An employee who is convicted of or receives deferred adjudication for such an offense must also report that event to the principal or immediate supervisor within three days of the event. Moral turpitude includes, but is not limited to, the following:

Oglesby Employee Handbook

2009-10

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

Any employee who has ever been arrested for a felony or offense involving moral turpitude shall report the incident(s) to the principal or superintendent immediately.

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 Coryell County Department of Public Safety immediately (254-865-7201 or call 911).

Visitors in the workplace

Policy GKC

All visitors are expected to enter any district facility through the main entrance, sign in or report to the building's main office, and be issued a visitor's pass. 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 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 backups of computer programs and data must be made within the provisions of the purchase agreement.

Oglesby Employee Handbook

2009-10

Computer use and data management

Policy CQ

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

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

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

Employees and students who are authorized to use the systems are required to abide by the provisions of the district's communications systems policy and administrative procedures. 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 principal.

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 superintendent'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 principal and/or

Oglesby Employee Handbook 2009-10

superintendent's office. Pest control information sheets are available from campus principals or facility managers upon request.

General procedures

Bad weather closing

Policy CKC

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

If Oglesby school classes start later or are canceled due to weather conditions, this information will be communicated as early as possible, usually by 7:00 a.m. over the following stations:

Radio:

KWTX-AM/FM	Waco
KNFO-FM	95.7 Waco
KRYL-FM	98.3 Gatesville

Television:

KWTX	Channel 10 – Waco
KCEN	Channel 6 – Waco
KXXV	Channel 25 – Waco

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 principal on an official district purchase order (PO) form with the appropriate approval signatures. No purchases,

Oglesby Employee Handbook

2009-10

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 principal 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 superintendent's office 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 superintendent.

Certified faculty members must notify the State Board for Educator Certification office if there are any changes or corrections to their name and home address. Certified faculty members may update a change in personal information via the SBEC website, www.sbec.state.tx.us

Personnel records

Policy GBA

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

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

The choice to not allow public access to this information may be done at anytime by submitting a written request to the superintendent. 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 after hours

Policy GKD

The principal is responsible for scheduling the use of facilities after school hours. Contact the superintendent to request to use school facilities and to obtain information on the fees charged.

Termination of employment

Oglesby Employee Handbook 2009-10

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

The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in Reports to the State Board for Educator Certification, on page 42.

Noncontract employees. Noncontract employees may resign their positions at any time. A written notice of resignation should be submitted to the superintendent 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 that are provided to employees or in the policy manuals located in the superintendent's office.

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

Oglesby Employee Handbook

2009-10

termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and grievances*, page 25.)

Exit interviews and procedures

Policy DC

Exit interviews will be scheduled for all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience.

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

Reports to 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
- 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:

Oglesby Employee Handbook 2009-10

- 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 Oglesby 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 the basis of race, color, religion, sex, or national origin should be directed to the superintendent or principal.

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 of a minor or of a student who is a dependent for tax purposes
The student (if 18 or older or attending an institution of postsecondary education)
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 han-

Oglesby Employee Handbook

2009-10

ding 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 with a scheduled appointment. Parents and students with complaints that cannot be resolved 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 medication to students. A student who must take prescription 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

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

Oglesby Employee Handbook

2009-10

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.

