

**Conroe Independent School District**

# **Employee Handbook**



**2014-2015**

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# Employee Handbook Receipt 2014-2015

Name (*print*) \_\_\_\_\_

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

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

The Conroe ISD Employee Handbook can be accessed online at [www.conroeisd.net](http://www.conroeisd.net) under the "Employees" link. However, employees may request a personal copy.

Key policies and administrative procedures can be accessed online at [www.conroeisd.net](http://www.conroeisd.net), where they can also be printed. The list of policies can also be found in the appendix of this handbook.

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

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

I agree to comply with the District's policies and procedures, including those related to harassment of employees and students and reporting known or suspected student neglect and abuse. If requested to do so, I will cooperate with any District investigation of a possible violation of District policies or procedures by providing complete and truthful information in an oral and/ or written statement. I understand that failure to do so may subject me to discipline or termination from employment.

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



\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

**Please electronically sign and date this form as part of the Safe Schools training, or sign a paper copy of the form, and return it to your supervisor to be forwarded to the Human Resources Department.**

# Introduction

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

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 can be accessed through the CISD homepage at [www.conroeisd.net](http://www.conroeisd.net) or in the CISD Legal Office in the Dr. Deane L. Sadler Administration/ Technology Building during normal working hours.

## District Information

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### Conroe ISD Vision Statement

Policy AE

#### *A Vision for CISD*

CISD is a learning community united in its commitment to ensuring all students graduate with confidence and competence. The schools and communities work together to provide performance standards which can be applied to the real world. This is achieved through the implementation of **quality** in instruction, operations, and leadership.

### District Goals

Policies AF, AB

- Goal 1.0** CISD will maintain rigorous standards of achievement to prepare all students for graduation and post secondary success.
- Goal 2.0** CISD will maintain efficient and effective fiscal management of resources and operations to maximize learning for all students.
- Goal 3.0** CISD will employ, develop, and retain highly qualified staff to maximize learning for all students through collaborative partnerships and unity of purpose.
- Goal 4.0** CISD will work jointly with parents and the community to maximize learning for all students through collaborative partnerships and unity of purpose.
- Goal 5.0** CISD will strive to ensure a safe and orderly environment conducive to learning for all students and staff.
- Goal 6.0** CISD will provide technology infrastructure, tools, and solutions to meet the administrative requirements of the District and to maximize learning for all students.
- Goal 7.0** CISD will promote and enhance two-way communication among our staff and our community to maximize the success of all students.

## Board of Trustees

Policies BA, BB series, BD series, and BE series

Texas law grants the Board of Trustees the power to govern and oversee the management of the District's schools. The Board is the policy-making body within the District and has overall responsibility for the curriculum, school taxes, annual budget, employment of the Superintendent and other professional staff, and facilities. The Board has complete and final control over school matters within limits established by state and federal laws and regulations. The Board of Trustees is elected by the citizens of the District to represent the community's commitment to a strong educational program for the District's children. Board members are elected biannually and serve four-year terms. Board members serve without compensation, must be qualified voters, and must reside in the District.

The Board usually meets on the third Tuesday of each month at 6:00 p.m. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the District website and at the Dr. Deane L. Sadler Administration/ Technology Building at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a 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 sessions may occur for such things as discussing prospective gifts or donations, real-property acquisition, certain personnel matters including employee complaints, security matters, student discipline, or consulting with attorneys regarding pending litigation.

## Employment

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### Equal Employment Opportunity

Policies DAA, DIA

Conroe ISD does not discriminate against any employee or applicant for employment because of race, color, religion, gender, national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Additionally, the District does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities. Employees with questions or concerns relating to discrimination for any of the reasons listed above should contact the CISD Legal Office.

### Job Vacancy Announcements

Policy DC

To the extent possible, announcements of job vacancies by position and location are posted a minimum of ten (10) days at the Human Resources Department at the Dr. Deane L. Sadler Administration/ Technology Building and on the CISD homepage at [www.conroeisd.net](http://www.conroeisd.net).

### Employment After Retirement

Policy DC

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed in limited circumstances on a full- or part-time basis without affecting their benefits, according to TRS rules and state law. Detailed



information about employment after retirement is available in the TRS publication *Employment After Retirement*. Employees can contact TRS for additional information by calling 800-223-8778 or 512-542-6400. Information is also available on the TRS website ([www.trs.state.tx.us](http://www.trs.state.tx.us)).

## Contract and Noncontract Employment

Policy DC series

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

**Probationary Contracts.** Nurses and full-time professional employees new to the District and employed in positions requiring SBEC certification must receive a probationary contract during their first year of employment. Former employees who are hired after a two-year lapse in District employment or employees who move to a position requiring a new class of certification may also be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed as a teacher in public education for at least five of the eight years preceding employment with the District may not exceed one school year. For those with less experience, the probationary period will be three school years (i.e., three one-year contracts) with an optional fourth school year if the Board determines it is doubtful whether a term or continuing contract should be given.

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

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

**Paraprofessional, Auxiliary, and Substitute Employees.** All paraprofessional, auxiliary, and substitute 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. Not accepting substitute assignments in Aesop online or by phone is considered a voluntary quit until the substitute accepts another substitute assignment.

## Certification and Licenses

Policies DBA, DF

Professional employees whose positions require SBEC certification or professional license are responsible for taking actions to ensure their credentials do not lapse. It is imperative that teachers hold a valid teaching certificate at all times and that instructional aides have a current educational aide certificate. Employees will be notified via Conroe ISD email when their

certificate will be expiring. Upon notification, employees must renew immediately. Employees must submit documentation that they have passed the required certification exam and/ or obtained or renewed their credentials in a timely manner to Claire Amos in the Human Resources Department. Questions about certificate renewal should be directed to [www.tea.state.tx.us](http://www.tea.state.tx.us) or 512-936-8400.

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

## Searches and Alcohol and Drug Testing

Policy CQ, DHE

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

### Employees Required to Have a Commercial Driver's License.

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

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

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

## Health Safety Training

Policies DBA, DMA

Certain employees who are involved in physical activities for students must maintain and submit to the District proof of

current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), and concussion and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to a Department Head, Program Director, or designee during the onset of activities for the students at the beginning of each school year.

## Reassignments and Transfers

Policy DK

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

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

## Workload and Work Schedules

Policies DEA, DK, DL

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

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

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

supervisor. Employees are required to use District time clocks or time sheets to record time worked.

## Notification to Parents Regarding Qualifications

Policies DK, DBA

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

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

## Outside Employment and Tutoring

Policy DBD

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

## Performance Evaluation

Policy DN series

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. 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 have electronic access to their evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

**Second Appraisals.** When a teacher requests a second appraisal, the District will average the first and second appraisal together to determine the teacher's PDAS score for that school year. The first appraiser will deliver the summative to the teacher. If possible, the second appraiser will be present for the summative conference with the teacher.

## Employee Involvement

Policies BQA, BQB

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

## Staff Development

Policy DMA

Staff development activities are organized to meet the needs of employees and the District. Staff development for instructional personnel is predominantly campus-based, related to achieving campus performance objectives, addressed in the campus improvement plan, and approved by a campus-level advisory committee. Staff development for noninstructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development. Individuals holding renewable SBEC certificates are responsible for obtaining the required training hours and maintaining appropriate documentation.

## Compensation and Benefits

### Salaries, Wages, and Stipends

Policies DEA, DEAA, DEAB

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

Employees may access their work schedule, salary, and payroll checks in Employee Access Center. 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.

### Transcripts and Service Records

Employees have 60 calendar days from the date of hire to furnish the Human Resources Department with official college transcript(s) for professional positions, or a copy of the high school diploma for other positions where required. In addition, employees have 60 calendar days from the date of hire to furnish official service record(s) from school district(s) where the employee has worked previously (if applicable). If transcripts and/or service records are not provided to the Human Resources Department within 60 calendar days from the date of hire, no changes will be made to an employee's salary/wages for the remainder of the employee's check cycle in the current school year. If service records are provided after the 60 calendar day period, changes in salary/wages will not be made until the following school year. Employees with additional creditable years of service will be paid according to the following school year's pay plan, but adjustments in salary/wages will not be applied retroactively.

### Paychecks

All employees are paid on the 1st and 15th of each month. If a pay date falls on a weekend or holiday, the employee will be paid on the previous work day. All District employees are required to authorize the District to initiate credit entries directly to their financial institution account(s) for making payroll deposits in accordance with standardized employee practices. The authorization will also permit the District to make debit entries

and adjustments for credit entries made in error to employee-designated accounts.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated. Every effort will be made to ensure that the employee's pay, leave, and other information on each paycheck are correct. It is the employee's responsibility to review their payroll statement each pay day for accuracy, including but not limited to compensation, leave, federal withholding status, and deductions. All employees can access their pay information, which includes itemized statements of wages, using the Employee Access Center. Paychecks or direct deposit vouchers will not be released to any person other than the District employee named on the check without the employee's written authorization.

Employees who leave CISD will be paid their final check in accordance with the District pay schedule, unless doing so will result in overpayment. The final pay statement will be mailed to the address listed on the employment separation form, which should be completed in advance to allow time for processing.

### Address/Name Changes

It is the employee's responsibility to notify the Human Resources Department of address or name changes. Address changes can be made by the employee by accessing the Employee Access Center on the District's website. Forms for name changes can be obtained on the District's website.

### Automatic Payroll Deposit

The District established a direct deposit pay system to improve its payroll delivery service and increase efficiency. All District employees are required to authorize the District to initiate credit entries directly to their financial institution account(s) for making payroll deposit. This structure helps the District pay its employees faster and more accurately. Direct deposit forms may be found online, or you may contact the Payroll Department for more information about the automatic payroll deposit service.

Employee pay information is available online by logging on to the Employee Access Center on the CISD website. A printed voucher will not be provided.

Employees are responsible for notifying the payroll Department, in writing, at least 10 business days before a regular scheduled payday of any changes in the employee's banking status. If the change constitutes the closing of a currently designated account, an alternate account must be specified. If funds cannot be deposited in an account and are returned by the bank for any reason, a replacement check will not be issued until the funds are credited back to the District's bank account. Additionally, a \$20.00 replacement fee may be applied. The replacement check will be issued after the funds have been returned, and the employee will pick up their check in the Finance Office and should bring a valid replacement direct deposit form.

### Payroll Deductions

Policy CFEA

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

- Teacher Retirement System of Texas (TRS);
- Federal income tax required for all full-time employees;
- Medicare tax (*applicable only to employees hired in this district after March 31, 1986*).



Other payroll deductions employees may elect include deductions for the employee's share of premiums for medical, dental, life, vision insurance, and annuities. Employees also may request payroll deduction for payment of membership dues to professional organizations, United Way contributions, CISD Education Foundation, and payments to the Smart Financial Credit Union. Salary deductions are automatically made for unauthorized or unpaid leave.

## Overtime Compensation

Policy DEA

The District compensates overtime for non-exempt employees in accordance with federal wage and hour laws. Only non-exempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Non-exempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor.

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

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

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

## Travel Expense Reimbursement

Policy DEE

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

## Medical, Dental, and Life Insurance

Policy CRD

Group health insurance coverage is available to full-time employees. The District's contribution to employee medical insurance premiums is determined annually by the Board of Trustees. Detailed descriptions of insurance coverage, prices, and eligibility requirements are provided to all employees in a separate packet of information and online at [www.conroeisd.net](http://www.conroeisd.net).

The health insurance plan year is from September 1 through August 31. New employees must complete online enrollment within the first 31 days of employment. Current employees can make changes in their insurance coverage only during the Annual Enrollment period. Employees should contact the Benefits Office in the Human Resources Department for more information.

## Supplemental Insurance Benefits

Policy GRD

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 Benefits Office in the Human Resources Department 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 pre-tax basis (i.e., medical, dental, vision, cancer, critical illness, and hospital indemnity). 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.

## Guidelines for Change of Election

Any premiums deducted on a pre-tax basis from the employee's paycheck will be "locked in" for the duration of the plan year, which begins September 1 and ends August 31. New enrollments may only be requested during the annual enrollment period in July.

The only exceptions will be those situations involving a family status change or other qualified event, as identified by IRS Section 125 regulations and listed below\*:

- Change in employee's legal marital status;
- Change in the number of employee's dependents (birth, adoption, death);
- Change in employment status of employee, spouse, or dependent affecting eligibility;
- Employee's dependent satisfies or ceases to satisfy eligibility requirements;
- Change in coverage under other employer's plan (e.g., open enrollment of spouse's employer);
- Loss of coverage under group health plan of governmental or educational institution;
- HIPAA special enrollment rights;
- COBRA qualifying events;
- Judgment, decree, or order; or
- Medicare or Medicaid eligibility.

\* Please note that this is an outline only and does not indicate special facts and circumstances for various events and benefits.

A change of election must be related to the reason for the change. The employee must request a change of election within 31 calendar days of the date of the qualifying event; for changes related to Medicaid and CHIP eligibility, the notification period is 60 days. Changes requested after this time frame will not be permitted until the next annual enrollment period.

Verifiable documentation of the qualifying event must be provided by the employee to the CISD Benefits Office in order for a request to be processed. For the loss or gain of employment by a spouse or dependent child, verification must be furnished in the form of a letter on company letterhead from the dependent's employer and must include the following information:

- The effective date of employment or the date employment terminated;
- The effective date of insurance coverage or the date coverage terminated / will terminate;



- A signature from an official of the company or the benefits counselor.

Premiums deducted on a post-tax basis may be canceled at any time. An approved change of election will be effective the first day of the month on, or following, the date all required documents are submitted; exceptions may apply based on the qualifying event. Employees must contact the Benefits Office for assistance with a change of election.

## 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. 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 employee's immediate supervisor. 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.

The Conroe ISD has elected to use the Political Subdivision Workers' Compensation Alliance (the Alliance) to manage the health care and treatment you may receive if you are injured at work. The Alliance includes a list of health care providers who are trained in treating work related injuries and getting people back to work safely.

If you are injured at work, tell your supervisor immediately. For emergencies, you may go to the nearest emergency room. Otherwise, you must choose a treating doctor from the list on the following website: [www.pswca.org](http://www.pswca.org). You may contact the Human Resources Department with any questions about how to obtain treatment. You may also contact your adjuster at the TASB Risk Management Fund (the Fund) for any questions about treatment for a work related injury. The Fund is the District's workers' compensation coverage provider. You may contact your adjuster at the Fund at 800-482-7276.

## Unemployment Compensation Insurance

Policy CRF

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

## Teacher Retirement

Policy DEG

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). 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. To earn a year of TRS membership credit, an employee must work in a TRS-eligible position or receive paid leave from a TRS-eligible position for at least 90 days during the school year. If an employee will not meet the 90 day requirement and has worked in excess of five days in a work week, it is the employee's responsibility to ensure the additional day(s) have been reported. Members should

carefully review years of service reported when TRS provides them 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.

Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web ([www.trs.state.tx.us](http://www.trs.state.tx.us)). Additional inquiries should be addressed to:

**Teacher Retirement System of Texas**

1000 Red River Street, Austin, TX 78701-2698

## Leaves and Absences

Policies DEC, DECA, DECB

The District offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than five (5) days should call the Human Resources Department for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the District.

**Medical Certification.** Any employee who is absent more than five (5) consecutive work days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and in the case of personal illness—the employee's fitness to return to work.

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

**Continuation of Health Insurance.** 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.

## Use of Leave

State and local personal leave is earned on a number of days worked basis. If an employee separates from employment with the District before his or her last duty day of the year, or begins employment after the first duty day, state personal leave will be prorated based on the actual time employed. When an employee separates from employment before the last duty day of the school year, the employee's final paycheck will be reduced by the amount of state personal leave the employee used beyond his or her pro rata entitlement for the school year. Off-duty days are not paid leave. Therefore, any off-duty days taken before the end of the work year are not considered when calculating wages earned.

Employees are required to report all absences through the automated substitute system in the Human Resources Department. Leave is posted based on information provided through this system. Leave will not be changed at a later date if incorrect information was submitted, except under special circumstances. Therefore, it is imperative that the absence is carefully selected and employees review the order of usage as outlined below. The initial submission of the leave type determines how leave is applied based on the balance in leave banks. If an employee takes leave in excess of the amount earned, the employee's pay will be deducted for the time missed based on their pay rate. An employee who has available state and/or local leave may not elect to be docked in lieu of using paid leave.

### Order of Usage

- Leave entered as state personal;
- If no state personal available, rolls to state sick leave;
- If no state sick leave available, rolls to local sick leave;
- If no local sick leave available, rolls to local personal leave;
- If no local personal leave available, rolls to off-duty or vacation leave;
- If no off-duty or vacation leave available, rolls to extended leave;
- If no extended leave available, rolls to dock.

### Personal Leave

Employees may earn up to five (5) days of paid personal leave per year, depending on start date and percentage worked. Employees hired to work less than 100% of the day but at least 50% shall be granted state personal leave in proportion to the percentage of time they are employed. Personal leave is available for use at the beginning of the year. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. Personal leave may be used for two general purposes: nondiscretionary and discretionary.

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

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

Discretionary leave may not be taken on the following key days:

- The day before a school holiday;
- The day after a school holiday;
- Days scheduled for end-of-semester or end-of-year exams;
- Days scheduled for state assessments;
- Professional or staff development days; or
- Times determined by the principal or supervisor.

### State Sick Leave

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

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

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

### Local Leave

Full-time employees (100%) receive two local personal leave days annually. Employees hired to work less than 100% of the day but at least 50% shall be granted local personal leave in proportion to the percentage of time they are employed. Local personal leave days do not carry over from one school year to the next. Employees are paid on the August 15 paycheck for any unused local personal leave days at the substitute pay rate. Local leave may also be used by employees who are called to active military service.

### Sick Leave Pool

Policy DEC (Local)

Employees may donate local or state personal leave days to another employee when the employee in need has exhausted all of his or her accumulated sick leave and is still unable to return to work or when an ill member of the immediate family requires the employee's presence at home. The following procedures apply to the creation and administration of campus and District based sick leave pools:

- Requests for the establishment of a campus sick leave pool are available only to employees who are currently on an approved medical leave. Requests must be submitted in writing to the campus principal. The request must include the catastrophic condition for which the leave is being requested and the date the employee is expected to return to work.
- The campus principal will consult the District's Human Resources Department to verify that the request complies with District policies and procedures.
- If the District's Human Resources Department approves the request, a campus pool will be created by the campus principal.
- A District pool will be created only after the campus leave pool has been exhausted, a written request on behalf of the employee has been received in the District's Human Resources Department, the catastrophic condition still exists, and the employee is unable to return to work.
- Any unused donated days will be returned to the donor.
- Only current employees may make donations to a sick leave pool. Days donated and not used by the recipient prior to a donor's separation from employment for any reason (retirement, termination, resignation) are removed from the pool and cannot be used by the recipient after the donor's last day of employment.

### Local Extended Sick Leave

If all eligible leave is exhausted, the full-time employee may be eligible for extended illness benefits under the conditions that follow. The District provides an extended illness benefit program through local funds. Should the employee's child (or qualifying family member) become ill and require the employee's presence, extended illness benefits may begin the first day after the exhaustion of all eligible leave. To be eligible, an employee must have worked for the District for at least 12 consecutive months prior to the need for the leave.

An employee must verify [form DEC(L)(E)3] the illness of self or

a family member when the illness lasts at least five consecutive days. The District provides for extended benefits for the employee's (for self or family member) care when all eligible leave has been exhausted and the illness is for five consecutive work days.

The employee may be granted up to 30 days at half dock of the employee's regular daily rate of pay only once each school year, defined as July 1 through June 30. However, if an employee does not return from local extended sick leave for at least five days during the school year in which the leave began, the employee must return during the next school year in order to be eligible for another 30-day extended sick leave.

Employees hired to work less than 100 percent of the day but at least 50 percent shall be granted extended sick leave in proportion to the percentage of time they are employed.

Forms for leaves of absence may be downloaded and printed from the CISD website under the Human Resources Department section. Once completed, applications for leaves of absence should be submitted to the Human Resources Department. The leave of absence should be submitted prior to the employee's absence, and the local extended sick leave paid benefit cannot be applied retroactively.

## Unpaid Medical Leave

A full-time employee who has worked for the District for less than 12 consecutive months preceding the need for leave, in a full-time capacity, shall be granted in a school year a maximum of 30 workdays of unpaid leave to be used for the employee's personal illness or injury, including pregnancy-related illness or injury, for absences related to the illness, injury, or disability of a member of the employee's immediate family, or for the birth or adoption of a child.

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

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

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

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

**Military Family Leave Entitlements.** An eligible employee whose spouse, son, daughter, or parent is on covered active duty or called to covered active duty status may use his or her 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A

covered servicemember is (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illnesses.\*

\* *The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".*

**Benefits and Protections.** During FML, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FML, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FML cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

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

\* *Special hours of service eligibility requirements apply to airline flight crew employees.*

**Definition of Serious Health Condition.** A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

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

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.

**Employee Responsibilities.** Employees must provide 30 days advance notice of the need to take FML, when the need is foreseeable. When 30 days notice is not possible, the employee must contact the Human Resources Department 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;
- Certification of the need for family military leave;
- Employees requiring family and medical leave should contact the Human Resources Department for details on eligibility, requirements, and limitations.

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

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

## Temporary Disability Leave

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

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

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

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

position at the original campus at the beginning of the following school year.

## Expiration of Leave

After an employee has exhausted all available leave, the District will provide the employee, at the last known home address, written notice that his or her leave has expired. The employee has five (5) workdays from receipt of such notice to inform the District in writing that he or she is ready, willing, and able to return to work. Receipt is presumed three calendar days after the date the notice was mailed.

The employee must provide medical clearance that he or she is physically able to perform the essential functions of his or her position, with reasonable accommodations if necessary. A contract employee who does not report and document his or her availability and fitness to return to work within the time specified in this policy shall resign or shall be subject to termination of employment by the District. All other employees who do not report and document their availability and fitness to return to work within the time specified in this policy shall be subject to termination of his or her position with the District effective with the expiration of the five-workday period. An employee must return to work for at least 30 consecutive days in order to be considered as having returned to work.

## 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 (7) calendar days. Weekly income benefits are paid at 70% of the employee's average weekly wage, up to the maximum state average weekly wage.

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

## Assault Leave

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

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

## Bereavement Leave

An employee may use accrued state and local personal leave benefits for death in the immediate family. Leave in excess of five (5) days for each occurrence must be approved by the campus principal or supervisor as necessary.

## 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 paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding, regardless of whether or not the matter is related to school business, and will not be required to use paid leave. 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, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave for authorized training or duty orders. Paid military leave is limited to 15 days each fiscal year. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

**Reemployment after Military Leave.** Employees who leave the District to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the District will be reemployed provided they can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment within the period of time specified by law to the Human Resources Department. In most cases, the length of federal military service cannot exceed five (5) years.

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

## Adoption Leave

An employee who adopts a child may request a maximum of 30 days of local extended sick leave after exhausting all state and local leave days. The leave may be granted for 30 days at one-half dock of the daily rate of pay. The following provisions apply:

- Documentation of the adoption having occurred must be presented to the Superintendent or designee, with the request for leave after the request has been approved by the supervisory or campus principal;
- After the extended leave is exhausted, the employee shall be docked a full day's pay for each day of absence. Spouses employed by the District may not take adoption leave at the same time.

## School Business Leave

Policy DEC

School business leave with full pay may be granted to employees by the Superintendent or designee for short periods of time for the purpose of attending professional meetings or other school-related responsibilities. School business leave shall be granted only for school-related purposes. Such leaves are limited by the budgetary allotment and in most cases must be planned during the spring prior to budget preparation. There are two categories of school leave:

- Leave where individuals pay all or part of their own expenses;
- Leave where individuals attend meetings at District expense as an official representative of the school system.

## Off-duty/Vacation Days

Employees who work a 217-, 220-, or 226-day work schedule are entitled to off-duty days each year. Off-duty days are not paid leave; they are non-work days. The total number of off-duty days may vary from year to year depending on the school calendar. Off-duty days may be taken at any time during the calendar year, but prior approval is required by the employee's supervisor. Off-duty days must be used by August 31st each year.

Auxiliary employees who work a 261-day work schedule are entitled to up to 10 paid vacation days each year. Vacation days must be approved in advance by the employee's supervisor, and the days must be taken by the end of the employee's annual work schedule. Refer to the CISD work schedule for start and end dates for employee groups.

## Commonly Asked Questions

**I am a new employee and have no accumulated personal leave. What if I, or a family member, become ill this year?**

*On the day you started to work for the District, five state personal days were credited to you. If you, or a member of your family, become ill tomorrow and you need all five days, they are available. The five days are referred to as your current personal leave days. Should you leave the District prior to the fulfillment of your commitment to the District and you have used your five personal days, proportionate deductions will be taken from your final paycheck based on TEA regulations.*

**I work 60% of the day for the District, how many days do I earn per year? Also, how does this relate to credit for years of experience?**

*Personnel employed less than 100% of the day, but at least 50% of the day, earn state personal leave at the rate of one half day for each eighteen days of employment. If an individual is employed 60% of the day for the District, that individual will earn 60% of the days that a 100% employee would earn (or 3 state personal days and 1.5 local personal days). To receive a year of service, the employee has to work any part of 90 days within a scheduled academic year.*

**Who pays for the substitute when I take a sick day or discretionary day?**

*Conroe ISD pays for the substitute of a District employee when leave is taken. The state does not reimburse the District for any leave. There is not a specific allotment in the Foundation School Program dedicated to the state minimum personal leave program. Substitute pay comes from the basic state allotments to the District.*

**I am a teacher. I just transferred to this District from another Texas district where I had eight days of accumulated sick leave. Will those days transfer into Conroe ISD as state sick leave?**

*Yes, for all District employees, state sick leave accumulated prior to May 30, 1995 is considered earned prior to the implementation of the new mandate regarding five days per year as state personal leave. The days must be documented on your service record, which is sent from your*



former district. You are encouraged to contact the Human Resources Department and check your service record if you have a question. Out-of-state or local leave granted by other districts is not accepted in CISD.

**What restrictions govern the use of my two local personal days?**

Use of local personal days comes under the same restrictions as use of state personal leave.

**Who is eligible for the local extended sick leave benefit?**

Full-time employees who have worked for the District for at least 12 consecutive months prior to the need for the leave.

**I have been approved for extended sick leave, and I do not have any other type of leave days available. Because extended leave is paid at one-half dock, does that mean I will receive one-half of my normal check amount while I am on leave?**

No. The number of absences included in the pay period will affect your check. You may view the dates for absences included in a pay period on the Payroll Department website. (The form is entitled: Payroll Due Dates). If you want to determine how your actual paycheck will be affected, divide your total annual salary by the number of days in your work schedule to determine your daily rate.

Note: This paid leave benefit is not available to all employees. To be eligible for the paid leave benefit, a full-time employee must have worked for the school district for at least 12 months prior to the need for leave.

**If I have a child the last day of May, will I be entitled to 30 working days at half dock of my daily rate of pay the following August and September when school starts?**

No. Having a baby is treated as a pregnancy-related disability. A specific number of days is allowed following either normal or Cesarean delivery for the mother to recover prior to returning to work.

**I am six months pregnant. I am due to deliver late in December. I have ten days of leave. If I deliver December 15 and use five days of my leave and then after the holiday break, I use the other five days, do I get the 30 days at one-half dock? If so, I would not be returning to work until February of the following year. Is this correct?**

No. CISD policy specifies the mother must return to work no later than six calendar weeks from the date of delivery (42 days); however, in the case of Cesarean delivery, eight calendar weeks (56 days) are allowed from the date of delivery. During this time eligible leave is used. If the employee exhausts her leave prior to the time allowed, and is employed 100% of the day, she may request extended sick leave benefits for a maximum of 30 days. Should the time required for the teacher extend beyond the exhaustion of all paid leave, the teacher will be docked full pay for days missed. An employee who is employed less than 100% of the day but at least 50% is eligible, under the same criteria, with the exception that the extended illness days are equivalent to the percentage of time they are employed.

**I had a normal delivery, and I had 10 days of accumulated state leave when my baby was born. Am I entitled to 30 additional days off work at one-half dock?**

No. If you have a normal delivery, the amount of leave allowed is six calendar weeks from the date of delivery (30 days). If you have 10 state personal leave days at the time of delivery, you are only entitled to 20 days extended sick leave at the one-half dock rate. If you remain off work after the six calendar weeks for a normal delivery, you will be docked full pay for each day absent. You may be entitled to additional days off under the Family and Medical Leave Act (FMLA), but it is unpaid leave (see the Family and Medical Leave portion of this handbook for more information).

**Under extended illness benefits, does five consecutive days of illness mean five consecutive calendar or work days?**

It means five consecutive employee work days.

**I have applied for local extended sick leave but must begin my leave prior to the date noted on the approval form. What happens under these circumstances?**

Your approved leave, as far as payroll records are concerned, begins on the day indicated on your absence from duty form which is forwarded to the Payroll Department by your supervisor. Certainly, you would want to advise your supervisor of a change in the dates. You are required to submit an updated medical report if it is necessary to start the leave earlier than expected. The term "payroll records" in this instance means your compensation as well as number of days leave used/remaining.

**I have not worked for the District for at least 12 months, but I need to take a medical leave. For what type of leave am I eligible?**

If you are not eligible for Extended Sick Leave or Family/Medical Leave, you should apply for the Unpaid Medical Leave. Under this leave, you are eligible for up to 30 days of leave without pay.

**When can I use my state/local leave?**

Your leave days are advanced to you, so you are eligible to use the state/local leave immediately upon your start date. You can check your available leave balances by logging on to Employee Access Center. Should you choose to leave your position in CISD, please note that you may be required to pay the District for any leave days you have used but have not yet earned.

## Employee Relations and Communications

### Employee Recognition and Appreciation

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the District. Employees are recognized at Board meetings, in newsletters, and through special events and activities. Service pins are given to employees in five-year increments after five years of employment with the District.

### District Communications

Throughout the school year, the Communications Department 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 grievance process. Employees are encouraged to discuss their concerns or complaints with their supervisors or an appropriate administrator at any time.

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

**Informal Process.** The Board encourages employees to discuss their concerns and complaints through informal conferences with their supervisor, principal, or other appropriate administrator. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

**Direct Communication with Board Members.** Employees shall not be prohibited from communicating with a member of the



Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.

**Formal Process.** If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form. Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time. The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

**Notice to Employees.** The District shall inform employees of this policy.

**Freedom from Retaliation.** Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.

**Whistleblower Complaints.** Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. [See DG]

**Complaints Against Supervisors.** Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaints alleging a violation of law by the Superintendent may be made directly to the Board or designee.

**Complaints.** In this policy, the terms “complaint” and “grievance” shall have the same meaning. This policy shall apply to all employee complaints, except as provided below. This policy shall not apply to:

- Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability); [See DIA]
- Complaints alleging certain forms of harassment, including harassment by a supervisor and violations of Title VII; [See DIA]
- Complaints concerning retaliation relating to discrimination and harassment; [See DIA]
- Complaints concerning instructional materials; [See EFA]
- Complaints concerning a commissioned peace officer who is an employee of the District; [See CKE]
- Complaints arising from the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code; [See DFBB]
- Complaints arising from the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term; [See DFAA, DFBA, or DFCA, respectively]
- Complaints regarding the use or disclosure of protected health information under the Health Insurance Portability and Accountability Act, in accordance with CRD(LOCAL).

**Filing.** Complaint forms and appeal notices may be filed by hand-delivery, fax, or U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Fax filings

shall be timely filed if they are received on or before the deadline, as indicated by the date/time shown on the fax copy. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

**Response.** At Levels One and Two, “response” shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail to the employee’s mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

**Days.** “Days” shall mean District business days, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is “day zero.” The following business day is “day one.”

**Representative.** “Representative” shall mean any person who, or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process. The employee may designate a representative through written notice to the District at any level of this process. If the employee designates a representative with fewer than three days notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District’s counsel. The District may be represented by counsel at any level of the process.

**Consolidating Complaints.** Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint. When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.

**Untimely Filings.** All time limits shall be strictly followed unless modified by mutual written consent. If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within 10 days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

**Costs Incurred.** Each party shall pay its own costs incurred in the course of the complaint.

**Complaint Form.** Complaints under this policy shall be submitted in writing on a form provided by the District. Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know documents existed before the Level One conference. A complaint form that is incomplete in any material aspect may be dismissed but may be re-filed with all the required information if the re-filing is within the designated time for filing a complaint.

## Level One

Complaint forms must be filed:

- Within 15 days of the date the employee first knew, or with

reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and

- With the District Legal Department.

If the complaint is not filed with the District's Legal Department, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the Legal Department.

The appropriate administrator shall be appointed to serve as the Level One hearing officer. The hearing officer shall investigate as necessary and hold a conference with the employee within 10 days after receipt of the written complaint. The hearing officer may set reasonable time limits for the conference.

The hearing officer shall provide the employee a written response within 10 days following the conference. In reaching a decision, the hearing officer may consider information provided at the Level One conference and any other relevant documents or information the hearing officer believes will help resolve the complaint.

## Level Two

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may request to appeal the Level One decision. Requests to appeal under this policy shall be submitted in writing on a form provided by the District. The appeal form must be filed with the District's Legal Department within 10 days of the date of written Level One response or, if no response was received, within 10 days of the Level One response deadline. After receiving notice of the appeal, the Level One hearing officer shall prepare and forward a record of the Level One complaint to the Legal Department. The employee may request a copy of the Level One record.

The Level One record shall include:

- The original complaint form and any attachments;
- All other documents submitted by the employee at Level One;
- The written response issued at Level One and any attachments; and
- All other documents relied upon by the Level One hearing officer in reaching the Level One decision.

The Level Two hearing officer shall hold a conference within 10 days after the appeal notice is filed. The conference shall be limited to the issues presented by the employee at Level One and identified in the Level Two appeal notice. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Level Two hearing officer may set reasonable time limits for the conference.

The Level Two hearing officer shall provide the employee a written response within 10 days following the conference. In reaching a decision, the hearing officer may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the hearing officer believes will help resolve the complaint. Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

## Level Three

If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may appeal the decision to the Board. The appeal notice must be filed with the District's Legal Department, in writing, on the District's appeal notice form, within 10 days of the date of the written

Level Two response or, if no response was received, within 10 days of the Level Two response deadline.

The Legal Department shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board. The Legal Department shall provide the Board the record of the Level Two complaint. The employee may request a copy of the Level Two record.

The Level Two record shall include:

- The Level One record;
- The written response issued at Level Two and any attachments; and
- All other documents relied upon by the hearing officer in reaching the Level Two decision.

If at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the employee and administration to make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the employee or the employee's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

# Employee Conduct and Welfare

## Standards of Conduct

Policy DH

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

- Recognize and respect the rights of students, parents, other employees, and members of the community;
- Maintain confidentiality in all matters relating to students and coworkers;
- Report to work according to the assigned schedule;
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action;

- Know and comply with department and District policies and procedures;
- Express concerns, complaints, or criticism through appropriate channels;
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately; and
- 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 after the Superintendent first learns of the incident. The *Educators' Code of Ethics*, adopted by the State Board for Educator Certification, to which all District employees must adhere, is reprinted below:

## Texas Educators' Code of Ethics

### Purpose and Scope

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. (19 TAC 247.1(b))

### Enforceable Standards

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

- Standard 1.1** The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.
- Standard 1.2** The educator shall not 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 of students, or other persons or organizations in recognition or appreciation of service.

- Standard 1.6** The educator shall not falsify records, or direct or coerce others to do so.
- Standard 1.7** The educator shall comply with state regulations, written local school board policies, and other state and federal laws.
- Standard 1.8** The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.
- Standard 1.9** The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.
- Standard 1.10** The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.
- Standard 1.11** The educator shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.
- Standard 1.12** The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.
- Standard 1.13** The educator shall not consume alcoholic beverages on school property or during school activities when students are present.

#### 2. Ethical Conduct toward Professional Colleagues

- Standard 2.1** The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
- Standard 2.2** The educator shall not harm others by knowingly making false statements about a colleague or the school system.
- Standard 2.3** The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.
- Standard 2.4** The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.
- Standard 2.5** The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.
- Standard 2.6** The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
- Standard 2.7** The educator shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation or proceeding under this chapter.

#### 3. Ethical Conduct toward Students

- Standard 3.1** The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.
- Standard 3.2** The educator shall not intentionally,



knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.

- Standard 3.3** The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.
- Standard 3.4** The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.
- Standard 3.5** The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.
- Standard 3.6** The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.
- Standard 3.7** The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.
- Standard 3.8** The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.
- Standard 3.9** The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:
- (i) the nature, purpose, timing, and amount of the communication;
  - (ii) the subject matter of the communication;
  - (iii) whether the communication was made openly or the educator attempted to conceal the communication;
  - (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
  - (v) whether the communication was sexually explicit; and
  - (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

## District Investigations

Policy DH

When the District investigates a complaint of misconduct,

including but not limited to complaints of student abuse or any type of sexual harassment, it expects and requires the cooperation of all employees including the complainant, witnesses, and the accused. During an investigation, the District may interview employees privately and take oral and/or written statements from them. Any employee who fails to cooperate with such an investigation or to provide complete and truthful information may be subject to disciplinary action up to and including termination from employment.

## Fraud and Ethics Violations

In order to improve CISD and to demonstrate a commitment to high ethical standards, the District has selected EthicsPoint, a third-party confidential hotline provider, to provide employees with a simple, risk-free way to anonymously and confidentially report activities that may involve criminal, unethical, or otherwise inappropriate behavior in violation of public law and/or Conroe ISD policies. Employees can file a report on-line at [www.ethicspoint.com](http://www.ethicspoint.com), through a link under "Employees" on the CISD web page, or by dialing toll-free 1-866-294-9305. If you choose to remain anonymous, the hotline provider will not request identifying information, and their phone and computer systems do not collect that type of information. The District guarantees that reports submitted via the hotline will be handled promptly and discreetly. No *retaliatory* action will be taken against anyone for reporting or inquiring in good faith, or for seeking guidance on how to deal with potential or suspected wrongdoing.

## Discrimination, Harassment, and Retaliation

Policies DH, DIA

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

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

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

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

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

**Harassment.** Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's

race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

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

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

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

- Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
- The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

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

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

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

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

**Prohibited Conduct.** In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

**Reporting Procedures.** An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal. Alternatively, the employee may report the alleged acts to one of the District officials below.

**Definition of District Officials.** For the purposes of this policy, District officials are the Title IX Coordinator, the ADA/Section 504 Coordinator, and the Superintendent.

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

Name: Carrie Galatas  
Position: General Counsel  
Address: 3205 W. Davis, Conroe, TX 77304  
Telephone: (936) 709-7700

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

Name: Teresa Canon  
Department: Special Education  
Address: 3205 W. Davis, Conroe, TX 77304  
Telephone: (936) 709-7670

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

**Alternative Reporting Procedures.** An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/ Section 504 Coordinator, may be directed to the Superintendent. A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

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

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

**Investigation of the Report.** The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form. Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending. If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal or supervisor shall be involved in or informed of the investigation. The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

**Concluding the Investigation.** Absent extenuating circumstances, the investigation should be completed within 10

District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation. The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

**District Action.** If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct. The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

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

**Appeal.** A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level. The complainant may have a right to file a complaint with appropriate state or federal agencies.

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

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

## Harassment of Students

Policies DF, DH, FFG, FPH

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and District employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate District official. All allegations of prohibited harassment of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. The District's policy that includes definitions and procedures for reporting and investigating harassment of students is reprinted below:

**Statement of Nondiscrimination.** The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, gender, national origin, disability, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy.

**Discrimination.** Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, gender, national origin, disability, or on any other basis prohibited by law, that adversely affects the student.

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

- Affects a student's ability to participate in or benefit from an

- educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
- Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
- Otherwise adversely affects the student's educational opportunities.

Prohibited harassment includes dating violence as defined by this policy.

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

**Sexual Harassment by an Employee.** Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances, requests for sexual favors, sexually motivated physical, verbal, or nonverbal conduct, or other conduct or communication of a sexual nature when:

- A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
- The conduct is so severe, persistent, or pervasive that it:
  - Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
  - Creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual.

**Sexual Harassment by Others.** Sexual harassment of a student, including harassment committed by another student, unwelcome sexual advances, requests for sexual favors, or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

- Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
- Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
- Otherwise adversely affects the student's educational opportunities.

*Examples: Examples of sexual harassment of a student may include sexual advances, touching intimate body parts or coercing physical contact that is sexual in nature, jokes or conversations of a sexual nature, and other sexually motivated conduct, communications, or contact.*

Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.

**Dating Violence.** Dating violence occurs when one partner in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner. Examples of dating violence against a student may include physical or sexual



assaults, name-calling, put-downs, threats to hurt the student or the student's family members or members of the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, attempts to isolate the student from friends and family, stalking, or encouraging others to engage in these behaviors. For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

- Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
- Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
- Otherwise adversely affects the student's educational opportunities.

**Retaliation.** The District prohibits retaliation against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation. A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding discrimination or harassment, including dating violence, is subject to appropriate discipline.

*Examples: Examples of retaliation include threats, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances, such as negative comments that are justified by a student's performance in the classroom.*

**Prohibited Conduct.** In this policy, the term "prohibited conduct" includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

**Reporting Procedures.** Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, counselor, principal, or other District employee. Alternatively, a student may report prohibited conduct directly to one of the District officials below:

**Definition of District Officials.** For the purposes of this policy, District officials are the Title IX Coordinator, the Section 504 Coordinator, and the Superintendent.

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

Name: Carrie Galatas  
Position: General Counsel  
Address: 3205 W. Davis, Conroe, TX 77304  
Telephone: (936) 709-7700

**Section 504 Coordinator.** Reports of discrimination based on disability may be directed to the Section 504 Coordinator. The District designates the following employee to coordinate its efforts to comply with Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Teresa Canon  
Department: Special Education  
Address: 3205 W. Davis, Conroe, TX 77304  
Telephone: (936) 709-7670

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

**Alternative Reporting Procedures.** A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or Section 504 coordinator, may be directed to the Superintendent. A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

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

**Notice of Report.** Any District employee who receives notice that a student has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

**Notice to Parents.** The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.

**Investigation of the Report.** The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form. Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending. If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal shall be involved in or informed of the investigation. The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

**Concluding the Investigation.** Absent extenuating circumstances, the investigation should be completed within 10 District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation. The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

**District Action.** If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct. The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

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

**Appeal.** A student who is dissatisfied with the outcome of the investigation may appeal through FNG (LOCAL), beginning at the appropriate level. A student shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

**Records Retention.** Retention of records shall be in accordance with FB(LOCAL) and CPC(LOCAL).

**Access to Policy.** Information regarding this policy shall be distributed annually to District employees and included in the student handbook. Copies of the policy shall be readily available at each campus and the District's administrative offices. Policies DF, DH, FFG, FFH

## Sexual Abuse and Maltreatment of Children

The District has established a plan for addressing sexual abuse and other maltreatment of children. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or otherwise maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS). Employees are required to follow the procedures described below in *Reporting Suspected Child Abuse*.

## Reporting Suspected Child Abuse

Policies DF, DG, DH, FFG, GRA

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the facility) within 48 hours of the event that led to the suspicion. Abuse is defined by SBEC and includes the following acts or omissions:

- Mental or emotional injury to a student or minor that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
- Causing or permitting a student or minor to be in a situation in which the student or minor sustains a mental or emotional injury that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
- Physical injury that results in substantial harm to a student or minor, or the genuine threat of substantial harm from physical injury to the student or minor, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline; or
- Sexual conduct harmful to a student's or minor's mental, emotional, or physical welfare.

Reports to Child Protective Services can be made to local offices or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

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 as a Class A 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 Texas Educators' Code of Ethics.

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

## Alcohol- and Drug-Abuse Prevention

Policies DH, DI

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

**Tobacco Use.** Employees shall not use tobacco products on District premises, in District vehicles, nor in the presence of students at school or school-related activities. [See DH and GKA]

**Alcohol and Drugs.** Employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:

- Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate;
- Alcohol or any alcoholic beverage;
- Any abusable glue, aerosol paint, or any other chemical substance for inhalation; or
- Any other intoxicant, or mood-changing, mind altering, or behavior-altering drugs.

An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

**Exception.** An employee who uses a drug authorized by a licensed physician through a prescription specifically for that employee's use shall not be considered to have violated this policy. **Notice** See DI (Exhibit) below.

## Drug-Free Workplace Requirements

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace. 41 U.S.C. 702(a)(1)(A); 28 TAC 169.2 The District shall establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the District's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance abuse programs, and the

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

Compliance with these requirements and prohibitions is mandatory and is a condition of employment. As a further condition of employment, an employee shall notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Within 10 days of receiving such notice from the employee or any other source—the District shall notify the granting agency of the conviction. 41 U.S.C. 702(a)(1)(D), (E) Within 30 calendar days of receiving notice from an employee of a conviction for any drug statute violation occurring in the workplace, the District shall either (1) take appropriate personnel action against the employee, up to and including termination of employment, or (2) require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. 41 U.S.C. 703

## Mandatory Training

A requirement of employment is to participate in computerized staff development training in Sexual Harassment and Bloodborne Pathogens. The training can be completed on a computer either at work or from home at the following website: <http://conroe.tx.safeschools.com>. Employees are required to complete Bloodborne Pathogens training and the Sexual Harassment training in alternate years.

## Fraud and Financial Impropriety

Policy CAA

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

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

## Conflict of Interest

Policy 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; and
- Non-school employment.

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, Board President, or designee.

## 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. Gifts with a value of \$50.00 or more per student are presumed to be inappropriate. The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks, electronic textbooks, instructional materials, or technological equipment may result in prosecution of a Class B misdemeanor offense. This does not include staff development, teacher training, or instructional materials, such as maps or worksheets, that convey information to students or contribute to the learning process.

## Associations and Political Activities

Policy DGA

The District does not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization. An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work. Use of District resources, including work time, for political activities is prohibited.

## Charitable Contributions

Policy DG

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

## Safety

Policy CK series

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; and
- Operate only equipment or machines for which they have training and authorization.

This information can be found in the CISD Crisis Management Plan; a copy is located at each campus/department.

## Safe Operation of District Vehicles

All District vehicles will be operated in the safest manner possible. The following guidelines will apply:

- When driving, employees must be physically and mentally capable of operating any vehicle safely. No employee should operate a District vehicle after having consumed alcoholic beverages or having taken medication that may cause drowsiness;
- Drivers will obey all traffic laws and observe legal speed limits at all times;
- Any traffic citations will be the responsibility of the driver and shall be reported to their immediate supervisor as soon as possible;
- Employees will be responsible for maintaining in good mechanical operating condition any vehicles assigned to them. Necessary repairs may be requested on a transportation department work order;
- Employees will comply with all federal, state, and local laws and regulations regarding the use of mobile technology devices, including cellular telephones;
- Use of cellular telephones while driving is discouraged; and
- Employees will not send or read text messages or emails, dial cell phones, or view any type of electronic devices including GPS type systems and computers while driving.

## Asbestos Management Plan

Policy CKA

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

## Integrated Pest Management

Policies CLB, DI

Conroe Independent School District believes that structural and landscape pests, along with pesticides, can pose a risk to people, property, and the environment. It is the directive of the District to incorporate integrated pest management (IPM) procedures for the control of structural and landscape pests and pesticide applications.

**Definition of Pests.** Pests are populations of living organisms (animals, plants, or microorganisms) that interfere with the use of District buildings and grounds for school purposes. Strategies for managing pest populations will be determined by the pest species and/or whether that pest species or the population of that species poses a threat to people, property, or the environment.

**Pest Management.** Pests will be managed to:

- Reduce any potential health hazard and to protect against a threat to public safety;
- To enhance the quality of life for students, staff, and others;

- To prevent loss or damage to District property; and
- To prevent the spread of pests to the community.

**Integrated Pest Management (IPM) Procedures.** IPM procedures will determine when to control pests and whether to use mechanical, physical, cultural, chemical, or biological means, or any combination of these. IPM practitioners depend on current, comprehensive information of the pest and its environment and the best pest control method available to present the least possible hazard to people, property, and the environment.

The choice of using a pesticide will be made after a review of all other available options and a determination that these options are not acceptable. Staffing and costs will not be adequate reasons for use of chemical control. Non-chemical methods will be implemented whenever possible to control the pests. IPM principles will be employed to manage pest populations. The full range of alternatives, including no action, will be considered.

When it is determined that a pesticide must be used to meet the management goals, the least hazardous material will be used. All applications of pesticides will be applied in accordance with the Federal Insecticides, Fungicide, and Rodenticide Act (7 USC 136 et seq.) and District policies and procedures, Environmental Protection Agency regulations in Chapter 40 Code of Federal Regulations, Occupational Safety and Health Administration regulations, and state and local regulations.

All records of pesticide use and treatment will be maintained in accordance with the Structural Pest Control Board (SPCB). All other records required by regulatory agencies will be maintained as required by the appropriate agency. All pest surveillance date information will be maintained to verify the need for treatment.

The District will notify the school, staff, and students of pesticide treatment. The District will provide parents, who wish to be informed in advance of pesticide application, with notification and supply them with information as needed. All notification will be done in accordance with SPCB regulations.

Currently in Texas, pesticides are classified in order of least toxic to most toxic: green, yellow, or red. It is the District's position that pesticide purchases will be limited to the amount authorized for use during one year or less (the District will regularly purchase only chemicals that are on the green or yellow list). All chemicals on the red list will be purchased when needed and in the amount needed. All pesticides will be stored and disposed of in accordance with EPA registered label directions and state regulations. Pesticides must be stored on an appropriate, secure site not accessible to students or unauthorized personnel.

All pesticide applications will be applied by licensed applicators, educated and trained in the principles and practices of IPM. All applications comply with product labels, District policies, and procedures.

All District employees are responsible for complying with the District's IPM policy and should assist in its implementation by following these rules:

- All snack foods must be stored in storage containers. Metal or glass jar containers are best;
- No foods, such as cakes, cookies, or pies should be left out in break rooms or classrooms overnight; and
- Do not apply any insecticides on school grounds including, but not limited to: roach and ant sprays, wasp sprays, or roach bait stations, etc.

**Pest Control Treatment.** Notices of planned pest control treatment will be posted in a District building 48 hours before the treatment begins. Notices are generally posted on main entrances and in administrative offices, workrooms, and cafeterias. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notices will be notified by telephone, written, or electric means. Employees are prohibited from applying any pesticide without appropriate training and prior approval of the integrated pest management coordinator (IPM). Any application of pesticide or herbicide must be done in a manner prescribed by law and the District's integrated pest management program. Pest control information sheets are available from the IPM coordinator in the CISD Maintenance Department.

## **Bloodborne Pathogens/ Exposure Control Plan**

In accordance with Health and Safety Code, Chapter 81, Subchapter H, and analogous to OSHA Bloodborne Pathogens Standard, the following exposure control plan exists:

**Exposure Determination.** The Texas Department of Health Bloodborne Pathogens Exposure Control Plan requires employers to perform an exposure determination for employees who have occupational exposure to blood or other potentially infectious materials. The exposure determination is made without regard to the use of personal protective equipment. This exposure determination is required to list all job classifications in which employees have occupational exposure, regardless of frequency. The following job classifications apply:

- Nurse – RN or LVN; or
- Clinic Assistant.

The job descriptions for the above employees encompass the potential occupational exposure risks to bloodborne pathogens.

**Implementation Schedule and Methodology.** The department's plan outlines a schedule and method of implementation for the various elements of the exposure control plan.

**Compliance Methods.** Universal precautions are observed to prevent contact with blood or other potentially infectious materials. All blood or other potentially infectious materials are considered infectious regardless of the perceived status of the source individual. Engineering and work practice controls are used to eliminate or minimize exposure to employees. Where occupational exposure remains after institution of these controls, personal protective equipment is used.

Supervisors and workers examine and maintain engineering and work practice controls within the work center on a regular schedule.

Hand washing facilities are also available to the employees who incur exposure to blood or other potentially infectious materials. The department's plan requires that these facilities be readily accessible after incurring exposure. If hand washing facilities are not feasible, the employer is required to provide either an antiseptic cleanser in conjunction with a clean cloth/paper towels, antiseptic towelettes or waterless disinfectant. If these alternatives are used, then the hands are to be washed with soap and water as soon as feasible. After removal of personal protective gloves, employees wash hands and any other potentially contaminated skin area immediately or as soon as feasible with soap and water. If employees incur exposure to their skin or mucous membranes, then those areas are washed

with soap and water or flushed with water as appropriate as soon as feasible following contact.

**Needles.** Contaminated needles and other contaminated sharps are not bent, recapped, removed, sheared, or purposely broken. The department's plan allows an exception to this if no alternative is feasible, and the action is required by a specific medical procedure. If such action is required, then the recapping or removal of the needle must be done by the use of a device or a one-handed technique.

### **Contaminated Sharps Discarding and Containment.**

Contaminated sharps are discarded immediately or as soon as feasible in containers that are closable, puncture resistant, leak-proof on sides and bottom, and biohazard labeled or color-coded.

During use, containers for contaminated sharps are easily accessible to personnel, located as close as is feasible to the immediate area where sharps are being used or can be reasonably anticipated to be found (e.g., laundries), maintained upright throughout use, are not allowed to overfill, and replaced routinely.

**Work Area Restrictions.** In work areas where there is a reasonable likelihood of exposure to blood or other potentially infectious materials, employees are not to eat, drink, apply cosmetics or lip balm, smoke, or handle contact lenses. Food and beverages are not to be kept in refrigerators, freezers, shelves, cabinets, or on counter/bench tops where blood or other potentially infectious materials are present. All procedures are conducted in a manner to minimize splashing, spraying, splattering, and generation of droplets of blood or other potentially infectious materials.

**Contaminated Equipment.** Equipment which may become contaminated with blood or other potentially infectious materials is examined prior to servicing or shipping and decontaminated as necessary, unless the decontamination of the equipment is not feasible. Employers place a biohazard label on all portions of contaminated equipment that remain to inform employees, service representatives, and/or the manufacturer, as appropriate.

**Personal Protective Equipment.** All personal protective equipment used is provided without cost to employees. Personal protective equipment is chosen based on the anticipated exposure to blood or other potentially infectious materials. All garments which are penetrated by blood are removed immediately or as soon as feasible and placed in the appropriate container. Gloves are worn where it is reasonably anticipated that employees will have hand contact with blood, other potentially infectious materials, non-intact skin, and mucous membranes. Latex sensitive employees are provided with suitable alternative personal protective equipment. Disposable gloves are not to be washed or decontaminated for reuse and are to be replaced as soon as practical when they become contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised.

**Housekeeping.** Employees shall ensure that the worksite is maintained in a clean and sanitary condition. The employer shall determine and implement an appropriate written schedule for cleaning and method of decontamination based upon the location within the facility, the type of surface to be cleaned, type of soil present, and tasks or procedures being performed in the area. All contaminated work surfaces are decontaminated after completion of procedures immediately or as soon as feasible after any spill of blood or other potentially infectious materials

and at the end of the work shift. Protective coverings (e.g., plastic wrap, aluminum foil, etc.) used to cover equipment and environmental surfaces are removed and replaced as soon as feasible when they become contaminated or at the end of the work shift. All bins, pails, cans, and similar receptacles are inspected and decontaminated on a regularly scheduled basis. Any broken glassware which may be contaminated is not picked up directly with the hands.

**Regulated Waste Disposal.** All contaminated sharps are discarded as soon as feasible in sharps containers located as close to the point of use as feasible in each work area. Regulated waste other than sharps is placed in appropriate containers that are closable, leak resistant, labeled with a biohazard label or color coded, and closed prior to removal. If outside contamination of the regulated waste container occurs, it is placed in a second container that is also closable, leak proof, labeled with a biohazard label or color-coded, and closed prior to removal. All regulated waste is properly disposed of in accordance with federal, state, county, and local requirements.

**Laundry Procedures.** Although soiled linen may be contaminated with pathogenic microorganisms, the risk of disease transmission is negligible if it is handled, transported, and laundered in a manner that avoids transfer of microorganisms to patients, personnel, and environments. Rather than rigid rules and regulations, hygienic and common sense storage and processing of clean and soiled linen is recommended. The methods for handling, transporting, and laundering of soiled linen are determined by the agencies' written policy and any applicable regulations.

**Hepatitis B Vaccine.** All employees who have been identified as having occupational exposure to blood or other potentially infectious materials involving use of sharps are offered the Hepatitis B vaccine, at no cost to the employee, under the supervision of a licensed physician or licensed healthcare professional. The vaccine is offered after bloodborne pathogens training and within 10 working days of their initial assignment to work unless the employee has previously received the complete Hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or that the vaccine is contraindicated for medical reasons. Employees who decline the Hepatitis B vaccine sign a declination statement. Employees who initially decline the vaccine but who later elect to receive it may then have the vaccine provided at no cost.

**Post Exposure Evaluation and Follow Up.** When the employee incurs an exposure incident, the employee reports to the Director of Health Services. All employees who incur an exposure incident are offered a confidential medical evaluation and follow up as follows:

- Documentation of the route(s) of exposure and the circumstances related to the incident;
- Identification and documentation of the source individual, unless employer can establish that identification is infeasible or prohibited by state or local law. After obtaining consent, unless law allows testing without consent, the blood of the source individual should be tested for HIV / HBV infectivity, unless the employer can establish that testing of the source is infeasible or prohibited by state or local law;
- The results of testing of the source individual are made available to the exposed employee with the employee informed about the applicable laws and regulations concerning disclosure of the identity and infectivity of the source individual;
- The employee is offered the option of having his/her blood

collected for testing of the employee's HIV / HBV serological status. The blood sample is preserved for at least 90 days to allow employee to decide if the blood should be tested for HIV serological status. If the employee decides prior to that time that testing will be conducted, then testing is done as soon as feasible;

- The employee is offered post exposure prophylaxis in accordance with the current recommendations of the U.S. Public Health Service; and
- The employee is given appropriate counseling concerning infection status, results and interpretations of tests, and precautions to take during the period after the exposure incident. The employee is informed about what potential illnesses can develop and to seek early medical evaluation and subsequent treatment. The department head is designated to assure that the policy outlined here is effectively carried out and maintains records related to this policy.

**Interaction with Healthcare Professionals.** A written opinion is obtained from the healthcare professional who evaluates employees of this facility or organization after an exposure incident. In order for the healthcare professional to adequately evaluate the employee, the healthcare professional is provided with:

- A copy of the CISD exposure control plan;
- A description of the exposed employee's duties as they relate to the exposure incident;
- Documentation of the route(s) of exposure and circumstances under which the exposure occurred;
- Results of the source individual's blood tests (if available); and
- Medical records relevant to the appropriate treatment of the employee.

Written opinions are obtained from the healthcare professional in the following instances:

- When the employee is sent to obtain the Hepatitis B vaccine; or
- Whenever the employee is sent to a healthcare professional following an exposure incident.

Healthcare professionals are instructed to limit their written opinions to:

- Whether the Hepatitis B vaccine is indicated;
- Whether the employee has received the vaccine;
- The evaluation following an exposure incident;
- Whether the employee has been informed of the results of the evaluation;
- Whether the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment (all other findings or diagnoses shall remain confidential and shall not be included in the written report); and,
- Whether the healthcare professional's written opinion is provided to the employee within 15 days of completion of the evaluation.

**Use of Biohazard Labels.** Training for all employees is conducted prior to initial assignment to tasks where occupational exposure may occur. All employees also receive annual refresher training. This training is to be conducted within one year of the employee's previous training. Training for employees is conducted by a person knowledgeable in the subject matter and includes an explanation of the following:

- Chapter 96. Bloodborne Pathogen Control;
- OSHA Bloodborne Pathogen Final Rule;
- Epidemiology and symptomatology of bloodborne diseases;



- Modes of transmission of bloodborne pathogens;
- CISD's exposure control plan (i.e., points of the plan, lines of responsibility, how the plan will be implemented, where to access plan, etc.);
- Procedures which might cause exposure to blood or other potentially infectious materials at this facility;
- Control methods which are used at the facility to control exposure to blood or other potentially infectious materials;
- Personal protective equipment available at this facility (types, use, location, etc.);
- Hepatitis B vaccine program at the facility;
- Procedures to follow in an emergency involving blood or other potentially infectious materials;
- Procedures to follow if an exposure incident occurs, to include U.S. Public Health Service Post Exposure Prophylaxis Guidelines;
- Post exposure evaluation and follow up; and
- An opportunity to ask questions with the individual conducting the training.

**Recordkeeping.** According to OSHA's Bloodborne Pathogens Standard, medical records are maintained by Human Resources.

## Pre-Employment Drug Testing

Policies DHE(L), DF

Employees whose position requires the transportation of students are required to pass a pre-employment alcohol and controlled substances test, as well as be subject to random drug testing during the school year. This testing provision applies to bus drivers, police officers, and athletic coaches who may transport students. Employees who test positive in a random alcohol or controlled substances test are subject to any appropriate discipline from suspension without pay during the period of removal from safety sensitive functions, up to and including termination of employment.

## Tobacco Use

Policies DH, FNCD, GKA

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

## Employee Arrests and Convictions

Policy DH

An employee must notify the Director of Human Resources in writing within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, and any of the other offenses listed below:

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

Moral turpitude includes, but is not limited to, the following:

- Dishonesty;
- Fraud;
- Deceit;

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

Employees who have engaged in conduct that is defined as a felony offense in Title 5, Penal Code or that is considered a crime of moral turpitude, regardless of the level of the offense, that results in an arrest, indictment, conviction, no contest plea, or other adjudication are subject to disciplinary action, including termination from employment. If an educator is arrested or criminally charged, the Superintendent is also required to report the educator's criminal history to the Division of Investigations at TEA.

## Criminal History Background Checks

Policy DBAA

Employees may be subject to a review of their criminal history record information at any time during employment. National criminal history checks based on an individual's fingerprints, photo, and other identification will be conducted on certain employees and entered into the Texas Department of Public Safety (DPS) Clearinghouse. This database provides the District and SBEC with access to an employee's current national criminal history and updates to the employee's subsequent criminal history. The District obtains criminal history record information on persons it intends to employ. Employees are required to disclose a prior record when requested to do so at the time of employment. Failure to do so could result in termination of employment. A review committee assesses the records of employees found to have criminal records that may bar them from continued employment in the District.

## Possession of Firearms and Weapons

Policies FNCG, GKA

Employees, visitors, and students are prohibited from bringing firearms, illegal 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 CISD Police Department immediately.

## Visitors in the Workplace

Policy GKC

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

## Copyrighted Materials

Policy CY

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

Electronic media, including motion pictures and other audiovisual works, are to be used in the classroom for instructional purposes only. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

## **Electronic Media, Communications Systems, and Technology Resources**

### **Acceptable Use Guidelines**

The Conroe Independent School District makes a variety of communications and information technologies available to students and District employees. These technologies, when properly used, promote educational excellence in the District by facilitating resource sharing, innovation, and communication. Illegal, unethical, or inappropriate use of these technologies can have dramatic consequences, harming the District, its students, and its employees. These Acceptable Use Guidelines are intended to minimize the likelihood of such harm by educating Conroe ISD students and employees and setting standards which will serve to protect students and staff. Any attempt to violate the provisions of these guidelines may result in revocation of the user's access to the Network/Internet, regardless of the success or failure of the attempt. In addition, disciplinary action consistent with the District's employment policy and/or appropriate legal action, which may include restitution, may be taken. District administrators will make the final determination as to what constitutes inappropriate use. The System Administrator or other administrator may deny, revoke, or suspend Network/Internet/resource access as necessary, pending the outcome of an investigation. The expectations of the District are that all network and technology resource users will comply with all policies, procedures, and guidelines outlined below:

### **Overview**

The District expects that teachers will blend thoughtful use of the Internet and technology resources throughout the curriculum and will provide guidance and instruction to students in its use at all times that students utilize the Internet. The District also expects the prudent exercise of good judgment by administration, support staff, and teachers while using the District's technology resources, including the Internet and associated email, as tools in the day-to-day administration of their employment with the Conroe ISD and in the classroom environment. The District's technology resources, including its networks, e-mail accounts, devices connected to its networks, and all District-owned devices used on or off school property are primarily for administrative and instructional purposes. Limited personal use of the resources is permitted with the exception of cell phones, which are for business use only, if the use:

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

### **Internet Filter**

CISD uses a web filter to manage access to various inappropriate locations. However, even with a filter, there may still be sites accessible via the Internet that contain material that is illegal, defamatory, inaccurate, or controversial. Although the District will attempt to limit access to objectionable material by using software, controlling all materials on the Internet is impossible. Employees are expected to monitor student Internet use and to report inappropriate Internet sites not filtered to administration.

### **Email**

Email is a District service provided by public funds. Email is for instructional and administrative use. Sending jokes, chain letters, etc. via email is considered an inappropriate use of District equipment. Electronic mail transmissions and other use of the electronic communications system by employees shall not be considered confidential and are archived as records for an indefinite period of time. Email may be monitored at any time by designated District staff to ensure appropriate use. This monitoring may include activity logging, virus scanning, and content scanning.

Any memo correspondence sent via email must follow the same District guidelines as is used for other correspondence distribution.

Records retention guidelines apply to email correspondence and must be followed. Email is viewed as a public document and can become part of a legal process. Care should be given to the tone of the email. Also, grammar and spelling should be checked before an email is sent. Be mindful of the unique forwarding properties associated with email.

### **Electronic Storage**

The District has provided technology users with access to network storage locations for files (U: drive and/or FirstClass). The storage area provides a place where school-related items can be stored from year to year.

To enforce the Acceptable Use Guidelines and to maintain the integrity of the District's technology resources, shared network space and any District storage space will be monitored by District staff. Inappropriate files such as games, music, inappropriate images, movies, videos, and files that consume storage space will be deleted. External electronic storage devices are subject to monitoring if used or purchased with District resources.

### **Network Behavior**

Network/Internet users are responsible for their actions in accessing available resources. The following standards will apply to all users of the Network/Internet:

- The user in whose name a system account is issued will be responsible at all times for its proper use. Users may not use another person's account;
- The system may not be used for illegal purposes, in support of illegal activities, or for any other activity prohibited by District policy;
- Users may not redistribute copyrighted programs or data without the written permission of the copyright holder or designee. Such permission must be specified in the document or must be obtained directly from the copyright holder or designee in accordance with applicable copyright laws, District policy, and administrative regulations; and
- Computers are joined to either a student or employee domain for management and inventory. Computers should not be removed from these domains.

### **Inappropriate Use**

Inappropriate use includes, but is not limited to, those uses that violate the law, that are specifically named as violations below, that violate the rules of network etiquette, or that hamper the integrity or security of this or any networks connected to the District's network.

### **Inappropriate Language**

Using obscene, profane, lewd, vulgar, rude, inflammatory,

threatening, or disrespectful language in emails distributed through District email is prohibited. Sending messages that could cause danger or disruption, personal attacks, including prejudicial or discriminatory attacks, are prohibited.

## Commercial Use

Use for commercial, income-generating or "for-profit" activities, product advertisement, or political lobbying is prohibited. Sending unsolicited junk mail or chain letters is prohibited. Use of the District's resources for promoting activities or events for individuals or organizations not directly affiliated with or sanctioned by the District is prohibited.

## Vandalism/Mischief

- Vandalism and mischief are prohibited. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Network/Internet, or any networks that are connected to the Network/Internet. This includes, but is not limited to, the creation or propagation of computer viruses, spyware, and malware. Any interference with the work of other users, with or without malicious intent, is construed as mischief and is strictly prohibited;
- Deleting, examining, copying, or modifying files and/or data belonging to other users, without their permission, is prohibited;
- Forgery of electronic mail messages is prohibited. Reading, deleting, copying, or modifying the electronic mail of other users without their permission is prohibited, unless permitted by District policy or authorized by the Superintendent or his designee;
- Deliberate attempts to exceed, evade, or change resource quotas are prohibited. The deliberate causing of network congestion through mass consumption of system resources is prohibited; and
- Unauthorized disclosure, use, and dissemination of personal information regarding students and employees are prohibited.

## Security

If a user identifies or has knowledge of a security problem on the Network/Internet, such as filtering software not working, the user should immediately notify the campus/department administrator or the System Administrator. The security problem should not be shared with others. Attempting to bypass security and filtering software is prohibited.

Attempts to log on to the Network/Internet impersonating a system administrator or CISD employee may result in revocation of the user's access to the Network/Internet.

## Transmitting/ Storing/ Accessing Confidential Information

Teachers, staff, and students may not redistribute or forward confidential information (i.e. educational records, directory information, personnel records, etc.) without proper authorization. Confidential information should never be accessed, transmitted, redistributed, or forwarded to outside individuals who are not expressly authorized to receive the information. Revealing such personal information as home addresses or phone numbers of users or others is prohibited. In order to reduce the loss of confidential information due to theft or misplacement, student/staff confidential information should not be stored on portable devices such as memory sticks or on hard drives or home machines. This information should be stored on the U: drive. Extreme caution should be used if data is stored on cloud storage (Google docs, drop box, etc.). Cloud based storage should not be used for any data that is considered confidential.

This storage is not provided by the District and is subject to the Acceptable Use Guidelines of the particular site being used.

## Modification of Computer

Modifying or changing computer settings and/or internal or external configurations without appropriate permission is prohibited.

## Campus, District, or Organizational Websites

Web pages hosted on the CISD web server or embedded on other websites (wix., etc.) and hyperlinks from these pages must not contain information that is in violation of (or promotes the violation of) any District policy or regulation, nor any local, state, or federal regulation or law.

Web pages that contain time-sensitive information, such as calendars, school events, staff information, etc., must be updated on a scheduled basis. Web pages must be checked periodically to make sure that links are current and operable.

## External Links

Extreme caution should be used when adding a link to an external web page. In all cases where an external link (link to a site external to CISD domain) is used, special precautions should be made to ensure the appropriateness and the trustworthiness of the site. It is the responsibility of the person who authorized the links to check them frequently and to verify the site.

## Cell Phones and Smart Phones

All cell phones and other smart phone devices issued to employees by the District are intended to be used for District business only. District cell phones may not be used to call directory assistance unless it is an emergency situation. District cell phones may not be taken out of the United States unless permission is granted by the Superintendent or his designee. All data generated, received, or stored on District owned equipment, including text messages, is the property of the District and generally is considered public information that is subject to public inspection.

## Electronic Media

(See also Board Policy DH)

The following terms used in this section are defined as follows:

- **Electronic media** includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Instagram, MySpace, Twitter, LinkedIn). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications;
- **Communicate** means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a communication; however, the employee may be subject to District regulations on personal electronic communications. See Personal Use of Electronic Media, above. Unsolicited contact from a student through electronic means is not a communication; and
- **Certified or licensed employee** means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to



communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

## Use of Electronic/ Social Media with Students

The District realizes that part of 21st century learning is adapting to the changing methods of communication. The importance of teachers, students, and parents engaging, collaborating, learning, and sharing in these digital environments is part of 21st century learning. In an effort to maximize the effectiveness of these tools, while at the same time maintaining a high level of professional expectations, CISD has set forth the following procedures for employee usage of online social media:

- Personal online social media may not be associated with professional online social media;
- All communication via various media by staff with parents and students will be professional and of the appropriate nature, purpose, timing, and amount;
- The employee does not have a right to privacy with respect to communication with students and parents; and
- The employee continues to be subject to applicable state and federal laws, local policies, administrative guidelines, and the Code of Ethics and Standard Practices for Texas Educators, including compliance with Family Educational Rights and Privacy Act, copyright laws, open records requests, etc.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization.

Upon written request from a parent or student, the employee shall discontinue communicating with a student by e-mail, text messaging, instant messaging, or any other form of one-to-one communication.

Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any currently enrolled students.

## Team or Club Social Networking Sites

Employees who maintain a social networking site for the sole purpose of communicating with students and parents such as a team or club site must:

- Have written principal approval;
- Have parent permission annually from each student invited to the site kept on file in accordance with record retention policies;
- Keep the site private and accessible to only the students and parents who are involved in the team or club;
- Delete the membership of the site at the end of each school year;
- Ensure that all posts are made publicly – no private messaging;
- Ensure that all members of the social site have the same access to view communications; and
- Give full access to campus administration personnel charged with monitoring activity on the site.

## Text Messaging

Communication with students through the use of text messaging is only permitted between staff members who have extracurricular responsibilities and the students for which that employee is responsible. Written permission must be obtained from each student's parent with whom the employee will be communicating by text messaging. All communication with students, including text messaging, must:

- Be professional and appropriate; and
- Be limited to matters and times within the scope of the employee's professional responsibilities.

## Personal Use of Electronic and Social Media

Employees in a public school system are responsible for modeling and teaching high standards of decency and civic values. District employees must model the character they are expected to teach, both on and off the worksite. This applies to material which is posted on personal websites and other Internet sites, such as MySpace, Instagram, or Facebook. As role models for the District's students, employees are responsible for their public conduct, even when they are not acting as District employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for Web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content. Employees who maintain social networking sites for their private use should not share that site with students.

If an employee posts messages or pictures which diminish the employee's professionalism or discredits the employee's capacity to maintain the respect of students and parents, the employee's ability to effectively perform his or her job will be impaired. This type of material includes, but is not limited to, text or pictures involving hate speech, nudity, obscenity, vulgarity, conduct illegal for a minor, or sexually explicit content. If an employee's use of electronic media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

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

- The employee may not set up or update the employee's personal social network page(s) using the District's computers, network, or equipment;
- The employee shall not use the District's logo or other copyrighted material of the District without express, written consent;
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purposes of communicating with students;
- The employee may not post student names, photographs, or videos in which students appear on personal online social media;
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas

Educators, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:

- Confidentiality of student records; [See Policy FL]
- Confidentiality of health or personal information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law; [See Policy DH (EXHIBIT)]
- Confidentiality of District records, including educator evaluations and private e-mail addresses; [See Policy GBA]
- Copyright law; [See Policy CY] and
- Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH (EXHIBIT)]

## General Procedures

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### Bad Weather Closing

The District may close schools because of bad weather or emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of the District's facilities. When it becomes necessary to open late, to release students early, or to cancel school, District officials will post a notice on the District's Web site, as well as the District's Facebook and Twitter accounts, and notify the following radio and television stations:

#### *Television:*

2 (NBC) 11 (CBS) 13 (ABC) 26 (FOX) 51 (KNWS) 39 (CW)

#### *Radio:*

KTRH (740 AM) KJOJ (880 AM) KSBJ (89.3 FM)  
KKHH (95.7 FM) KILT (100.3 FM) KVST (99.7 FM)

#### *Web addresses:*

<http://www.school-closings.net/houston/state.asp> or  
[www.conroeisd.net](http://www.conroeisd.net)

### Inclement Weather Day – 2014-2015 Plans for Employees

**First Inclement Weather Day.** For employees with work schedules of 180, 181, 182, 183, 190, and 193 (non-exempt) days, the first make-up day will be February 16, 2015. For employees with work schedules of 187, 193 (exempt), 197, 199, 201, 202, 203, 217, 220, and 226 days, the first make-up day will be May 30, 2015. For employees on a 261-day work schedule, the make-up day will be the next scheduled holiday.

**Second Inclement Weather Day.** For employees with work schedules of 180, 181, 182, and 193 (non-exempt) days, the second make-up day will be June 5, 2015. For employees with work schedules of 183, 187, 190, 218, 220, and 226 days, the second make-up day will be on June 6, 2015. For employees with work schedules of 193 (exempt), 197, 199, 201, 202, and 203 days, the second make-up day will take place by extending their work schedule by one day. For employees with work schedules of 261 days, the second make-up day will be on the next scheduled holiday.

### Emergencies

Policies CKC, CKD

All employees should be familiar with the safety procedures for responding to a medical emergency and the evacuation

diagrams posted in their work areas. Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Each campus is equipped with an automatic external defibrillator. Fire extinguishers are located throughout all District buildings. Employees should know the location of these devices and procedures for their use.

### Purchasing Procedures

Policy CH

All requests for purchases must be submitted to the Finance Department using the District's MIS requisition with the appropriate approval. No purchases, charges, or commitments to buy goods or services for the District can be made without a PO number. The District will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the District's business office. Contact the Finance Department for additional information on purchasing procedures.

### Name and Address Changes

It is important that employment records be kept up to date. Employees must notify the Human Resources Department if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be obtained from the Human Resources Department or online at the District's website. Names cannot be changed without a corrected Social Security card.

### Personnel Records

Policy DBA, 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, including personal cell phone number;
- Emergency contact information;
- Information that reveals whether they have family members; and
- Personal email address.

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

### Building Use

Policies DGA, GKD

Employees who wish to use District facilities after school hours must follow established procedures. The campus principal is responsible for scheduling the use of facilities after school hours. Contact the campus principal to request to use school facilities and to obtain information on the fees charged.

## Termination of Employment

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### 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 at least 45 days before the first day of

instruction of the following school year. A written notice of resignation should be submitted through Employee Access Center. Contract employees may resign at any other time only with the approval of the Superintendent or the Board of Trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

The 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 Texas Education Agency.

**Noncontract Employees.** Noncontract employees may resign their position at any time.

Upon termination of employment with the District, an employee's e-mail account will be disabled immediately after the last day worked and will be deleted completely 15 days after the last day worked.

## Dismissal or Nonrenewal of Contract Employees

Policies DFAA, DFAB, DFBA, DFBB, DFCA, DFD, DFF, DFFA, DFFB, DFFC

Employees on probationary, term, and continuing contracts can be dismissed during the school year according to the procedures outlined in District policies. Employees on probationary or term contracts can be nonrenewed at the end of the contract term. The Board shall give the employee notice of its decision to terminate the employment not later than the tenth day before the last day of instruction required under the contract. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The timelines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee.

Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee's certification is revoked for misconduct. Information on the timelines and procedures can be found in the DF series policies that are in the policy manuals located at the CISD Legal Department, any principal's office, or on the CISD homepage.

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

## Exit Interviews and Procedures

Policies DC and CY

If possible, exit interviews will be scheduled for all employees leaving the District. All District keys, books, property, including intellectual property, and equipment must be returned upon separation from employment.

Depending on the circumstances of an employee's separation

from employment, the employee may be designated as ineligible for rehire.

## Reports to Texas Education Agency

Policy DF

The dismissal of a certified employee must be reported to the Division of Investigations at TEA whenever the termination is based on a determination that the employee was involved in any of the following:

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

The Superintendent is also required to notify TEA when a certified employee resigns and there is reasonable evidence that would support a recommendation to terminate employment because of the conduct listed above. The reporting requirements above are in addition to the Superintendent's ongoing duty to notify TEA when a certified employee has a reported criminal history. "Reported criminal history" means any formal criminal justice system charges and dispositions, including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction.

## Reports Concerning Court-Ordered Withholding

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

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

## Student Issues

### Equal Educational Opportunities

Policies FB, FFH

The CISD does not discriminate on the basis of race, color, religion, national origin, gender, 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 against students based on sex, including sexual harassment, should be directed to the District Title IX Coordinator. Questions or concerns about discrimination on the basis of a disability should be directed to



the District ADA/Section 504 Coordinator. All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

## Student Records

Policy FL

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

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

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

## Parent and Student Complaints

Policy FNG

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

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

## Administering Medication to Students

Policy FFAC

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

## Dietary Supplements

Policies DH, FFAC

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

endorse or suggest the ingestion, intranasal application, or inhalation of a performance-enhancing dietary supplement to any student.

## Psychotropic Drugs

Policy FFAC

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

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

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

## Student Conduct and Discipline

Policies in the FN series and FO series

Students are expected to follow the classroom rules, campus rules, and rules listed in the Student Handbook and Student Code of Conduct. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management strategies that have been adopted by the District. Please refer to the Student Handbook, located on the District website, for specific guidelines regarding the Student Code of Conduct and appropriate disciplinary measures. Employees that have concerns about a particular student's conduct should contact the classroom teacher or campus principal.

## Student Attendance

Policy FEB

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

## Bullying

Policy FFI

All employees are required to report student complaints of bullying to the campus principal. The District's policy includes definitions and procedures for reporting and investigating bullying of students and can be found on the District's homepage.

## Hazing

Policy FNCC

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

## Health Insurance Portability and Accountability Act of 1996

# Notice of Privacy Practices

This notice describes how medical information about you may be used and disclosed and how you can get access to this information. Please review it carefully.

This notice is effective April 14, 2002, and is required to be provided to you by the Plan (Conroe ISD) under a Federal law known as the Health Insurance Portability and Accountability Act of 1996 (HIPAA). HIPAA requires that the Plan take reasonable steps to ensure the privacy of your "Protected Health Information."

The term "Protected Health Information" (PHI) means all individually identifiable health information transmitted or maintained by the Plan, regardless of form (*oral, written, or electronic*).



### Use and disclosure of PHI under the plan

The Plan is permitted to use PHI without your consent or authorization to carry out treatment, payment and health care operations. The Plan is also permitted to disclose PHI to the Plan Sponsor, Conroe ISD, for purposes related to treatment, payment and health care operations. The Plan sponsor has amended its plan documents to protect your PHI as required under HIPAA.

The following categories describe the different ways that the Plan may use and disclose PHI. For each category, there are some examples provided. However, not every permitted use of disclosure in a category is listed.

- **Treatment** The Plan may use or disclose PHI for purposes of treatment. Treatment is the provision, coordination or management of health care and related services. It also includes consultations and referrals between one or more of your providers. *For example, your primary care physician would be permitted to send a copy of your medical records to a specialist who needs the information to treat your condition.*
- **Payment** The Plan may use or disclose PHI for purposes of payment under the Plan. Payment includes actions to make coverage determinations and payment (*including billing, claim management, subrogation, plan reimbursement, review for medical necessity and appropriateness of care and utilization review and preauthorization*). *For example, the Plan would be permitted to tell your physician whether you are eligible for coverage or what percentage of your medical bill would be paid by the Plan.*
- **Health Care Operations** The Plan is permitted to use or disclose PHI for purposes of its health care operations. Health care operations include those types of functions that are necessary for the Plan to operate as a health plan, including such things as conducting quality assessment and improvement activities, reviewing health plan performance, activities relating to the creation, renewal, or replacement of health insurance contracts. It also includes disease management, case management, arranging for medical review, legal services, and auditing functions, business management, and general administrative activities. *For example, the Plan may use information about your claims to refer you to a disease management program, project future benefit costs, or audit the accuracy of its claims processing functions.*
- **Individuals Involved in Your Care or Payment for Your Care** The Plan may use or disclose your PHI to your family members, other relatives and your close personal friends if (1) the information is directly relevant to the family's or friend's involvement with your care or payment for that care; and (2) you have either agreed to the disclosure or have been given an opportunity to object and have not objected to the disclosure.
- **As Required by Law** The Plan will disclose PHI about you when required to do so under federal, state, or local law.
- **To Avert a Serious Threat to Health or Safety** The Plan may use or disclose PHI when necessary to prevent a serious threat to the health and safety of the public or another person. Any disclosure, however, would only be made to an individual or agency able to help prevent the threat.
- **Research** The Plan may use or disclose PHI for research, subject to certain conditions.
- **Worker's Compensation** The Plan may use or disclose PHI when necessary to comply with worker's compensation or similar programs.

- **Public Health Risks** The Plan may use or disclose PHI when necessary for public health activities. These activities generally include the following:
  - To prevent or control disease, injury, or disability
  - To report child abuse or neglect
  - To report product recalls
  - To notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition; and
  - To notify the appropriate government authority when authorized by law to report information about abuse, neglect, or domestic violence, if there exists a reasonable belief that you may be a victim of abuse, neglect, or domestic violence. In such a case, the Plan will promptly inform you that such a disclosure has been or will be made unless that notice would cause risk of serious harm.
- **Health Oversight Activities** The Plan may disclose your PHI to a public health oversight agency for oversight activities authorized by law. This includes uses or disclosures in civil, administrative or criminal investigations, inspections, licensure or disciplinary actions (*for example, to investigate complaints against providers*), and other activities necessary for appropriate of government benefit programs (*for example, to investigate Medicare or Medicaid fraud*).
- **Lawsuits and Disputes** The Plan may disclose your PHI for law enforcement purposes, including for the purpose of identifying or locating a suspect, fugitive, material witness, or missing person. Also, when disclosing information about an individual who is or is suspected to be a victim of a crime, but only if the individual agrees to the disclosure or the covered entity is unable to obtain the individual's agreement because of emergency circumstances. Furthermore, the law enforcement official must represent that the information is not intended to be used against the individual, the immediate law enforcement activity would be material and adversely affected by waiting to obtain the individual's agreement, and disclosure is in the best interest of the individual as determined by the exercise of the Plan's best judgment.
- **Coroners, Medical Examiners, and Funeral Directors** The Plan may use or disclose PHI when required to be given to a coroner or medical examiner for the purpose of identifying a deceased person, determining a cause of death, or other duties authorized by law. Also, disclosure is permitted to funeral directors, consistent with applicable law, as necessary to carry out their duties with respect to the decedent.

### Rights to individuals

You have the following rights regarding your PHI under the Plan.

- Right to Inspect and Copy PHI.
- You have a right to inspect and obtain a copy of your PHI contained in a "designated record set" for as long as the Plan maintains the PHI. The "designated record set" includes enrollment, payment, billing, claims adjudication, and case or medical management record systems maintained by or for the Plan, or other information used by the Plan to make decisions about an individual. Information used for quality control or peer review analysis and not used to make decisions about individuals is not in the designated record set.

The Plan will provide the requested information within 30 days if the information is maintained on site or within 60 days if the information is maintained offsite. A single 30-day extension is

allowed if the Plan is unable to comply with the deadline.

To inspect and copy PHI in your designated record set, you or your personal representative will be required to complete a form as provided by the Plan. Requests for access to PHI should be made to the following individual:

Privacy Officer, Carrie Galatas

Conroe ISD • 3205 W. Davis St. • Conroe, TX 77304 • (936) 756-7751

If you request a copy of the information, the Plan may charge a fee for the costs of copying, mailing, or other supplies associated with your request.

If access is denied, you or your personal representative will be provided with a written denial describing the bases for the denial, instructions on how you may exercise review rights, and a description of how you may complain to the Secretary of the U.S. Department of Health and Human Services.

#### • **Right to Amend PHI**

You have the right to request the Plan to amend your PHI or a record about you in designated record set for as long as the PHI is maintained in the designated record set. Please note, however, that the Plan cannot amend any PHI that (1) was not created by the Plan (2) is not part of the PHI kept by the Plan, (3) is not part of the PHI which you would be permitted to inspect and copy, or (4) if the information is otherwise accurate and complete.

If the request is denied in whole or part, the Plan must provide you with a written denial that explains the basis for the denial. You or your personal representative may then submit a written statement disagreeing with the denial and have that statement included with any future disclosures of your PHI.

Requests for amendment of PHI in a designated record set should be made to the following individual:

Privacy Officer, Carrie Galatas

Conroe ISD • 3205 W. Davis St. • Conroe, TX 77304 • (936) 756-7751

You or your personal representative will be required to complete a form to request amendment of the PHI in your designated record set.

#### • **Right to Request Restrictions on PHI Uses and Disclosures**

You may request the Plan to restrict uses and disclosures of your PHI to carry out treatment, payment, or health care operations, or to restrict uses and disclosures to family members, relatives, friends, or other persons identified by you who are involved in your care or payment for your care. However, the Plan is not required to agree to your request.

The Plan will accommodate reasonable requests to receive communications of PHI by alternative means or at alternative locations.

You or your personal representative will be required to complete a form to request restrictions on uses and disclosures of your PHI.

Such requests should be made to the following individual:

Privacy Officer, Carrie Galatas

Conroe ISD • 3205 W. Davis St. • Conroe, TX 77304 • (936) 756-7751

#### • **The Right to Receive an Accounting of PHI Disclosures**

At your request, the Plan will provide you with an accounting of disclosures by the Plan or your PHI during the six years prior to the date of your request. However, such accounting need not include PHI disclosures made: (1) to carry out treatment, payment or health care operations; (2) to individuals about their own PHI; or (3) prior to April 14, 2003.

If the accounting cannot be provided within 60 days, an additional 30 days is allowed if the individual is given a written statement of the reasons for the delay and the date by which the accounting will be provided.

If you request more than one accounting within a 12-month period, the Plan will charge a reasonable, cost-based fee for each subsequent accounting.

#### • **The Right to Receive an Accounting of PHI Disclosures**

To obtain a paper copy of this notice, contact the following:

Privacy Officer, Carrie Galatas

Conroe ISD • 3205 W. Davis St. • Conroe, TX 77304 • (936) 756-7751

#### • **A Note About Personal Representatives**

You may exercise your rights through a personal representative. Your personal representative will be required to produce evidence of his/her authority to act on your behalf before that person will be given access to your PHI or allowed to take any action for you. Proof of such authority may be demonstrated by:

- A power of attorney for health care purposes, notarized by a notary public;
- A court order or appointment of the person as the conservator or guardian of the individual; or
- An individual who is the parent of a minor child.

The Plan retains discretion to deny access of PHI to a personal representative for protective purposes. This also applies to personal representatives of minors.

### **The Plan's duties**

The Plan is required by law to maintain the privacy of PHI and to provide participants with notice of its legal duties and privacy practices.

The Plan reserves the right to change its privacy practices and apply the change to any PHI received or maintained by the Plan prior to the date of the policy change. If the privacy practice is changed, a revised version of this notice will be provided to all participants and former participants for whom the Plan still maintains PHI. A revised version of this notice will be distributed within 60 days of the effective date of such change to any privacy practice stated in this notice.

#### • **Minimum Necessary Standard**

When using or disclosing PHI or when requesting PHI from another covered entity, the Plan will make reasonable efforts not to use, disclose, or request more than the minimum amount of PHI necessary to accomplish the intended purposes of the use, disclosure, or request, taking into consideration practical and technological limitations.

However, the minimum necessary standard will not apply in the following situations:

- Disclosures to or requests by a health care provider for treatment;
- Uses or disclosures made to the individual;
- Disclosure made to the Secretary of the U.S. Department of Health and Human Services;
- Uses or disclosures that are required by law; and
- Uses or disclosures that are required for the Plan's compliance with legal regulations.

The notice does not apply to information that has been de-identified. De-identified information is information that does not identify an individual and for which there is no reasonable basis to believe that the information can be used to identify the individual.

In addition, the Plan may use or disclose "summary health information", which is information that is de-identified and that summarizes the claims history, claims expenses or type of claims experienced by individuals who have received benefits under the Plan.

### **Your right to file a complaint with the Plan or the HHS secretary**

If you believe that your privacy rights have been violated, you may complain to the Plan in care of the following individual:

Privacy Officer, Carrie Galatas

Conroe ISD • 3205 W. Davis St. • Conroe, TX 77304 • (936) 756-7751

You may also file a complaint with:

Secretary of the U.S. Department of Health and Human Services  
Hubert H. Humphrey Building  
200 Independence Boulevard S. W., Washington, D.C. 20201

The Plan will not retaliate against you for filing a complaint.

### **Whom to contact at the Plan for more information**

If you have any questions regarding this notice or the subjects addressed in it, you may contact the following individual:

Privacy Officer, Carrie Galatas

Conroe ISD • 3205 W. Davis St. • Conroe, TX 77304 • (936) 756-7751



## Women's Health and Cancer Rights Notice



On October 21, 1998, a federal law, the Women's Health and Cancer Rights Act, became effective. This law requires group health plans that provide coverage for mastectomies to also cover reconstructive surgery and prostheses following mastectomies. We are pleased to inform you that Conroe ISD sponsored medical programs already provide the benefit mandated by this law.

As the Act requires, we are providing this letter to inform you about the law's provisions. The law mandates that a medical program enrollee receiving benefits for a medically necessary mastectomy who elects breast reconstruction after the mastectomy, will also receive coverage for:

- reconstruction of the breast on which the mastectomy has been performed
- surgery and reconstruction of the other breast
- prostheses
- treatment of physical complications of all stages of mastectomy, including lymphedemas

This coverage will be provided in consultation with the attending physician and the patient, and will be subject to the same annual deductibles and coinsurance provisions that apply for the mastectomy.

As noted, Conroe ISD medical plan already includes this coverage. *However, the law requires that each medical program enrollee be notified of this coverage.*

If you have any questions about our coverage of mastectomies and reconstructive surgery, please contact Aetna.

## Introduction

You are receiving this notice because you recently gained coverage under a group health plan (the Plan). This notice has important information about your right to COBRA continuation coverage, which is a temporary extension of coverage under the Plan. **This notice explains COBRA continuation coverage, when it may become available to you and your family, and what you need to do to protect your right to get it.** When you become eligible for COBRA, you may also become eligible for other coverage options that may cost less than COBRA continuation coverage.

The right to COBRA continuation coverage was created by a federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to you and other members of your family when group health coverage would otherwise end. For more information about your rights and obligations under the Plan and under federal law, you should review the Plan's Summary Plan Description or contact the Plan Administrator.

**You may have other options available to you when you lose group health coverage.** For example, you may be eligible to buy an individual plan through the Health Insurance Marketplace. By enrolling in coverage through the Marketplace, you may qualify for lower costs on your monthly premiums and lower out-of-pocket costs. Additionally, you may qualify for a 30-day special enrollment period for another group health plan for which you are eligible (such as a spouse's plan), even if that plan generally doesn't accept late enrollees.

## What is COBRA continuation coverage?

COBRA continuation coverage is a continuation of Plan coverage when it would otherwise end because of a life event. This is also called a "qualifying event." Specific qualifying events are listed later in this notice. After a qualifying event, COBRA continuation coverage must be offered to each person who is a "qualified beneficiary." You, your spouse, and your dependent children could become qualified beneficiaries if coverage under the Plan is lost because of the qualifying event. Under the Plan, qualified beneficiaries who elect COBRA continuation coverage must pay for COBRA continuation coverage.

If you're an employee, you'll become a qualified beneficiary if you lose your coverage under the Plan because of the following qualifying events:

- Your hours of employment are reduced, or
- Your employment ends for any reason other than your gross misconduct.

If you're the spouse of an employee, you'll become a qualified beneficiary if you lose your coverage under the Plan because of the following qualifying events:

- Your spouse dies;
- Your spouse's hours of employment are reduced;
- Your spouse's employment ends for any reason other than his or her gross misconduct;
- Your spouse becomes entitled to Medicare benefits (under Part A, Part B, or both); or
- You become divorced or legally separated

## Continuation Coverage Rights Under COBRA

from your spouse.

Your dependent children will become qualified beneficiaries if they lose coverage under the Plan because of the following qualifying events:

- The parent-employee dies;
- The parent-employee's hours of employment are reduced;
- The parent-employee's employment ends for any reason other than his or her gross misconduct;
- The parent-employee becomes entitled to Medicare benefits (Part A, Part B, or both);
- The parents become divorced or legally separated; or
- The child stops being eligible for coverage under the Plan as a "dependent child."

## When is COBRA continuation coverage available?

The Plan will offer COBRA continuation coverage to qualified beneficiaries only after the Plan Administrator has been notified that a qualifying event has occurred. The employer must notify the Plan Administrator of the following qualifying events:

- The end of employment or reduction of hours of employment;
- Death of the employee; or
- The employee's becoming entitled to Medicare benefits (under Part A, Part B, or both).

**For all other qualifying events (divorce or legal separation of the employee and spouse or a dependent child's losing eligibility for coverage as a dependent child), you must notify the Plan Administrator within 60 days after the qualifying event occurs. You must provide this notice to: Conroe ISD Benefits Office.**

## How is COBRA continuation coverage provided?

Once the Plan Administrator receives notice that a qualifying event has occurred, COBRA continuation coverage will be offered to each of the qualified beneficiaries. Each qualified beneficiary will have an independent right to elect COBRA continuation coverage. Covered employees may elect COBRA continuation coverage on behalf of their spouses, and parents may elect COBRA continuation coverage on behalf of their children.

COBRA continuation coverage is a temporary continuation of coverage that generally lasts for 18 months due to employment termination or reduction of hours of work. Certain qualifying events, or a second qualifying event during the initial period of coverage, may permit a beneficiary to receive a maximum of 36 months of coverage.

There are also ways in which this 18-month period of COBRA continuation coverage can be extended:

### *Disability extension of 18-month period of COBRA continuation coverage*

If you or anyone in your family covered under the Plan is determined by Social Security to be disabled and you notify the Plan Administrator

in a timely fashion, you and your entire family may be entitled to get up to an additional 11 months of COBRA continuation coverage, for a maximum of 29 months. The disability would have to have started at some time before the 60th day of COBRA continuation coverage and must last at least until the end of the 18-month period of COBRA continuation coverage.

### *Second qualifying event extension of 18-month period of continuation coverage*

If your family experiences another qualifying event during the 18 months of COBRA continuation coverage, the spouse and dependent children in your family can get up to 18 additional months of COBRA continuation coverage, for a maximum of 36 months, if the Plan is properly notified about the second qualifying event. This extension may be available to the spouse and any dependent children getting COBRA continuation coverage if the employee or former employee dies; becomes entitled to Medicare benefits (under Part A, Part B, or both); gets divorced or legally separated; or if the dependent child stops being eligible under the Plan as a dependent child. This extension is only available if the second qualifying event would have caused the spouse or dependent child to lose coverage under the Plan had the first qualifying event not occurred.

## Are there other coverage options besides COBRA Continuation Coverage?

Yes. Instead of enrolling in COBRA continuation coverage, there may be other coverage options for you and your family through the Health Insurance Marketplace, Medicaid, or other group health plan coverage options (such as a spouse's plan) through what is called a "special enrollment period." Some of these options may cost less than COBRA continuation coverage. You can learn more about many of these options at [www.healthcare.gov](http://www.healthcare.gov).

## If you have questions...

Questions concerning your Plan or your COBRA continuation coverage rights should be addressed to the contact or contacts identified below. For more information about your rights under the Employee Retirement Income Security Act (ERISA), including COBRA, the Patient Protection and Affordable Care Act, and other laws affecting group health plans, contact the nearest Regional or District Office of the U.S. Department of Labor's Employee Benefits Security Administration (EBSA) in your area or visit [www.dol.gov/ebsa](http://www.dol.gov/ebsa). (Addresses and phone numbers of Regional and District EBSA Offices are available through EBSA's website.) For more information about the Marketplace, visit [www.HealthCare.gov](http://www.HealthCare.gov).

## Keep your Plan informed of address changes

To protect your family's rights, let the Plan Administrator know about any changes in the addresses of family members. You should also keep a copy, for your records, of any notices you send to the Plan Administrator.

## Plan contact information

If you have questions about COBRA continuation coverage, please contact the Conroe ISD Benefits Office at (936) 709-7859.

# EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

## Basic Leave Entitlement

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

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

## Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

**\*The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

## Benefits and Protections

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

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

## Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months\*, and if at least 50 employees are employed by the employer within 75 miles.

**\*Special hours of service eligibility requirements apply to airline flight crew employees.**

## Definition of Serious Health Condition

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

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

a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

## Use of Leave

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

## Substitution of Paid Leave for Unpaid Leave

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

## Employee Responsibilities

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

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

## Employer Responsibilities

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

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

## Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

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

## Enforcement

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

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

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



For additional information:  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)

U.S. Department of Labor | Wage and Hour Division



WHD Publication 1420 · Revised February 2013



# Policy codes

## District Goals and Planning

- AE .....District educational philosophy and mission statement
- BQ series .....District- and campus-level planning

## Instruction and Students

- EFA .....Handling complaints regarding instructional materials
- EFE .....Adherence to copyright requirements
- EIA .....Grading standards and grade reporting
- EIE .....Promoting and retaining students
- FB .....Protection of students from unlawful discrimination
- FFAC .....Providing medical treatment or medication to students
- FFAD .....Excluding students with communicable diseases
- FFG .....Mandated reporting of child abuse and neglect
- FFH .....Freedom from harassment
- FL .....Safeguarding privacy of student records
- FNAA .....Distribution of non-school literature
- FNAB .....Use of school facilities for non-school purposes
- FNC .....Student conduct
- FNG .....Handling student/ parent complaints; parents' rights
- FO series .....Student discipline
- GRA .....Interaction of police and child protective services with students on campus

## Personnel

- CAA .....Financial ethics
- CE .....Budget development process and calendar
- CH .....Authority to purchase on behalf of the District
- CK .....Employee safety practices
- CQ .....District computers and electronic communications
- CRD .....Health and life insurance
- DAA .....Protection of employees from unlawful discrimination
- DBD .....Conflict of interest
- DC series .....Employment practices
- DEA .....Salaries, wages, and stipends
- DBAA .....Criminal history and credit reports
- DEAA .....Incentives and Stipends
- DEC .....Employee leaves and absences
- DEE .....Requirements for expense reimbursement
- DFAC .....Return to probationary status
- DFB series .....Termination of term contracts
- DFD .....Hearings before hearing examiner
- DFF .....Reduction in force
- DFE .....Resignations
- DG .....Employee rights and privileges
- DGBA .....Process for employee complaints and grievances
- DH .....Employee standards of conduct
- DHE .....Alcohol/ drug screening and other searches of employees
- DI .....Drug-free workplace
- DIA .....Employee welfare: freedom from harassment
- DK .....Assignment to positions; transfers
- DMD .....Attendance at professional meetings on school time
- DN series .....Employee evaluation/ appraisal
- GBA .....Confidentiality of personnel records
- GKD .....Non-school use of school facilities; distribution of non-school literature

**Human Resources Department • 3205 West Davis • Conroe, TX 77304**



**CONROE**  
INDEPENDENT SCHOOL DISTRICT  
*Committed to Excellence*

The Conroe Independent School District (District) as an equal opportunity educational provider and employer does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in educational programs or activities that it operates or in employment matters. The District is required by Title VI and Title VII of the Civil Rights Act of 1964, as amended, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, as amended, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, as well as Board policy not to discriminate in such a manner.

For information about **Title IX rights** or **Section 504/ADA rights**, contact the Title IX Coordinator or the Section 504/ADA coordinator at 3205 W. Davis, Conroe, TX 77304; (936) 709-7752.