

NORTHSIDE INDEPENDENT SCHOOL DISTRICT



EXCELLENCE

PROFESSIONAL EMPLOYEES HANDBOOK

2004-2005



Division of Human Resources

5617 Grissom Road • San Antonio, TX 78238-2220

(210) 397-8600 • www.nisd.net



One of Northside School District's main priorities is to provide learning environments that are safe and orderly. This is a challenge that the Northside schools cannot do by themselves. Help must come from parents, students, staff and community members. That is why we have **Safeline (397-SAFE)**. Safeline is a 24-hour phone line where anyone may anonymously leave information that will help keep schools safe. Please discuss with your child why it is important to share information that will help keep schools safe.

NORTHSIDE MISSION STATEMENT

The Northside Independent School District is committed to the belief that children come first. The mission of the district is to encourage each student to strive for personal excellence and to ensure all students learn to function, contribute, and compete as responsible individuals in an ever-changing world.



NI SD Beliefs

- The well-being and education of children are vital to the future of our society.
- Everyone shares in the responsibility for the education of children.
- Every individual has a contribution to make to society and has a responsibility to do so.
- The quality of our schools directly affects the quality of our community.
- All people can learn.
- Challenge, effort, self-discipline and opportunity to learn are necessary for students to reach their potential.
- Learning is a life-long process.
- People are our most important resource.
- Each individual has worth and deserves respect.
- The family unit provides the foundation for all learning.
- Parents have the responsibility and the right to be meaningfully involved with their child's education.
- The diversity of our cultural heritage enriches life.
- Individuals are responsible for their actions.
- A basic role of an educational system is the intellectual growth and development of the student.
- An educated population is necessary to sustain a democratic society.
- Learning is accomplished through challenging learning experiences provided by superior educators in partnership with parents and the community in a climate of cooperation and mutual respect.

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I. District Information

INTRODUCTION

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are, have been summarized.

This handbook is neither a contract nor a substitute for the official district policy manual. It is not 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. District policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. Policy manuals are available for employee review on-line at the District's website: www.nisd.net. If requested, Human Resources will provide employees with copies of specific policies. The following pages include information about the Northside ISD, including its Board of Trustees and Administrative Staff; the District Administrative Organizational Chart; Map of the District; List of Schools, addresses and phone numbers; and the 2004-2005 Calendar. A copy of the District's Mission Statement, including its Beliefs and Goals, is found on the back cover of this Handbook.

Suggestions for additions and improvements to this handbook are welcome and may be sent to the Human Resources Department.

DISTRICT INFORMATION

Fifteen new schools have been built in the last twelve years to meet the need for additional classrooms for Northside children. In 2001, Northside voters approved \$495 million for the construction of seven schools, renovations and additions to existing campuses and multi-media computer workstations in every classroom in the District. Again in 2004, voters overwhelmingly approved another Bond Issue, this time for \$439 million to build 11 more schools and make numerous District-wide renovations and improvements.

Located within the boundaries of the District are such giant economic generators as the South Texas Medical Center (home to dozens of hospitals and other Medical facilities); USAA, an insurance and financial services company; Southwest Research Institute; Sea World; Six Flags Fiesta

Texas; The University of Texas at San Antonio, Northwest Vista College; and Texas Research Park (home to QVC Network, Inc., Citicorp and The American Funds, among others); Humana Corp., and others. Lackland Air Force Base and the U.S. Army's Camp Bullis are adjacent to NISD.

NISD is frequently cited as San Antonio's "destination district" because so many people choose Northside Schools for their children. Almost 50% of all the residential growth (new homes) in Bexar County is in Northside ISD. Northside is the 6th largest school system in Texas with a projected 73,963 students expected in 2004-2005.

NISD is also one of the largest employers in Bexar County with a workforce of over 10,000 employees—all focused on one thing: Northside student achievement.

NISD BASIC FACTS

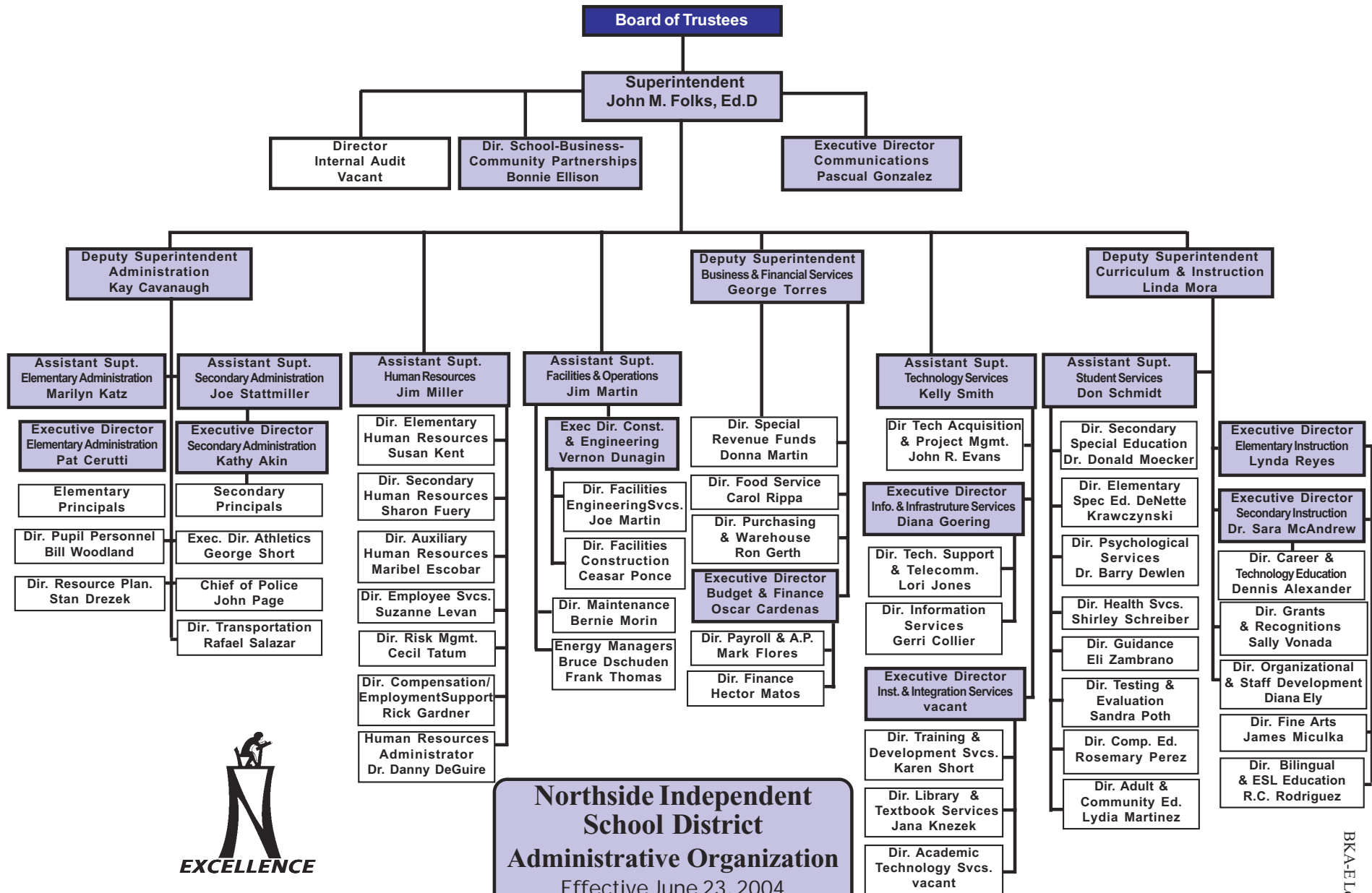
Northside ISD is a Texas Education Agency "Recognized" School District in Texas. Five schools have been named National Blue Ribbon Schools and eleven have been named Texas Blue Ribbon Schools.

- Northside participates in over 1500 Partnerships and has mentor programs on 58 campuses. 7,000 volunteers donated over 200,000 hours to improving the instructional program.
- Northside's special education program enjoys a reputation as one of the finest in the country, having been cited as a national exemplary program.
- Each year, the Northside Education Foundation funds hundreds of mini-grants for innovative teaching ideas.

The Northside Independent School District is an Equal Opportunity Employer valuing cultural diversity among its students, staff, and community.



Northside Independent School District
Administrative Organization
 Effective June 23, 2004
Shaded box denotes Superintendent's Cabinet



BKA-E Local

NORTHSIDE INDEPENDENT SCHOOL DISTRICT

397-8500

BOARD OF TRUSTEES

Robert Blount, Jr.	President
Randall H. Fields	Vice President
George Lynn Britton, Jr.	Secretary
M'Lissa M. Chumbley.	Trustee
Harold (Butch) Galm	Trustee
Annie L. Holmes	Trustee
Katie N. Reed	Trustee

Northside Trustees meet monthly in regular meetings on the fourth Tuesday of the month. They may also meet on the second Tuesday of the month in workshops or retreats or to handle routine business.

ADMINISTRATIVE STAFF

SUPERINTENDENT

John M. Folks, Ed.D.

DEPUTY SUPERINTENDENT FOR ADMINISTRATION

Kay Cavanaugh

DEPUTY SUPERINTENDENT FOR CURRICULUM AND INSTRUCTION

Linda Mora

ASSISTANT SUPERINTENDENT FOR HUMAN RESOURCES

Jim Miller

HUMAN RESOURCES STAFF: 397-8600



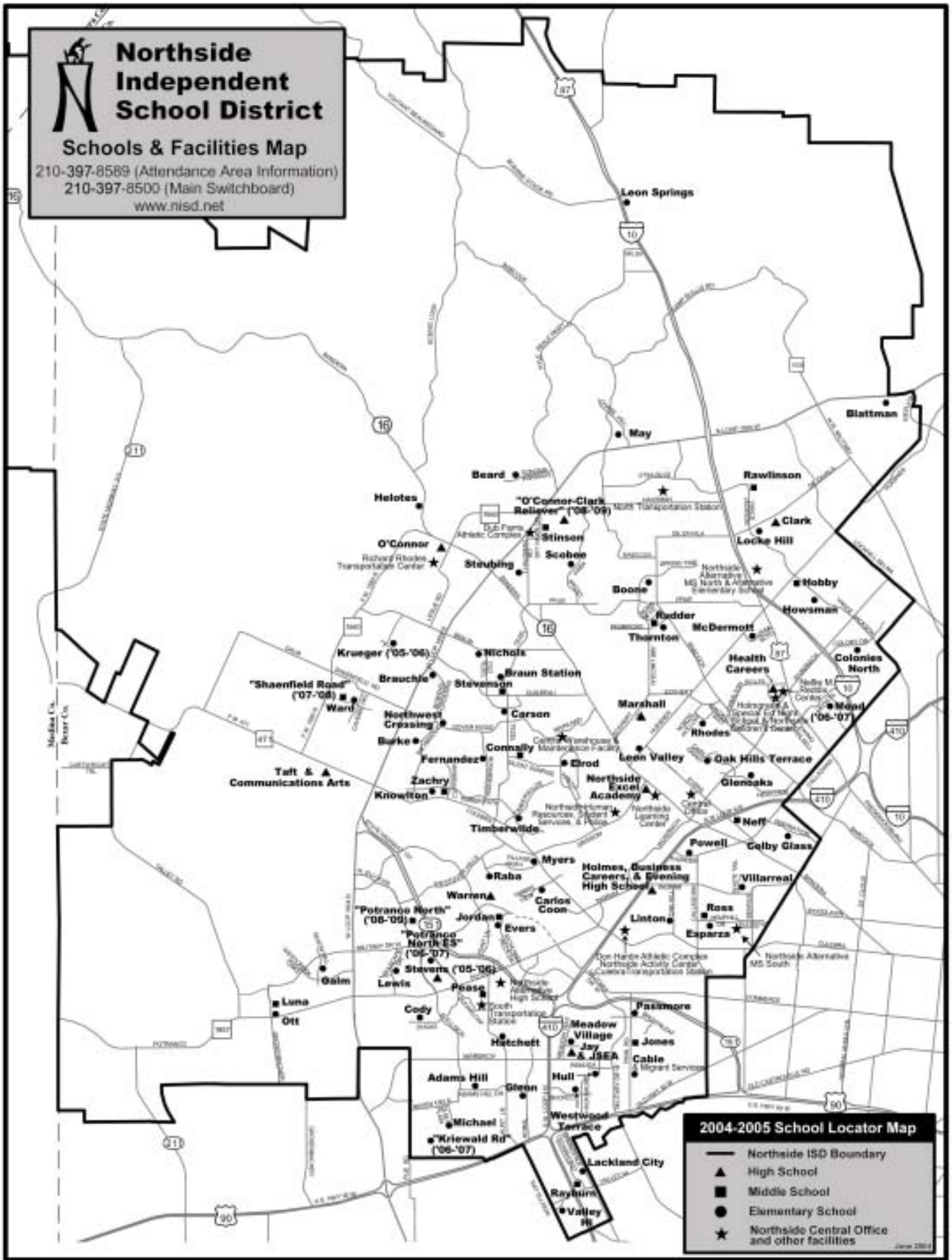
Northside Independent School District

Schools & Facilities Map

210-397-8589 (Attendance Area Information)

210-397-8500 (Main Switchboard)

www.nisd.net



Campus Directory



NORTHSIDE INDEPENDENT SCHOOL DISTRICT SWITCHBOARD • 397-8500 • www.nisd.net

HIGH SCHOOLS

Business Careers 6500 Ingram Rd.	706-7070 78238
Clark 5150 De Zavala Rd.	397-5150 78249
Communications Arts 11600 FM 471 W.	688-6043 78253
Health Careers 4646 Hamilton Wolfe	397-5400 78229
Holmes 6500 Ingram Rd.	706-7000 78238
Jay 7611 Marbach Rd.	678-2700 78227
Marshall 8000 Lobo Lane	397-7100 78240
O'Connor 12221 Leslie Rd. (Helotes)	397-4800 78023
Taft 11600 FM 471W	397-6000 78253
Warren 9411 Military Drive West	397-4200 78251

MIDDLE SCHOOLS

Connally 8661 Silent Sunrise	397-1000 78251
Hobby 11843 Vance Jackson	690-6300 78230
Jones 1256 Pinn Rd.	678-2100 78227
Jordan 1725 Richland Hills	523-4850 78251
Luna 200 N. Groesenbacher	397-5300 78253
Neff 5227 Evers Rd.	523-4550 78238
Pease 201 Hunt Lane	678-2950 78245
Rawlinson 14100 Vance Jackson	397-4900 78249
Rayburn 1400 Cedarhurst	678-2150 78227
Ross 3630 Callaghan Rd.	431-6350 78228
Rudder 6558 Horn Blvd.	561-5000 78240
Stevenson 8403 Tezel Rd.	397-7300 78250
Stinson 13200 Skyhawk	397-3600 78249
Zachry 9410 Timber Path	397-7400 78250

ELEMENTARY SCHOOLS

Adams Hill 9627 Adams Hill Dr.	678-2930 78245
Beard 8725 Sonoma Parkway, Helotes	397-6600 78023
Blattman 3300 N. Loop 1604 W Shavano Park	397-4600 78231
Boone 6614 Springtime Dr.	397-1450 78249
Brauchle 8555 Bowens Crossing	706-7440 78250
Braun Station 8631 Tezel Rd.	397-1550 78250
Burke 10111 Terra Oak	257-1300 78250
Cable 1706 Pinn Rd.	678-2870 78227
Carson 8151 Old Tezel	397-1100 78250
Cody 10403 Dugas Drive	678-2790 78245
Colonies North 9915 Northampton	561-5230 78230
Carlos Coon 3110 Timber View	706-7280 78251
Elrod 8885 Heath Circle Dr.	397-1800 78250
Esparza 5700 Hemphill Rd.	431-5835 78228
Evers 1715 Richland Hills	706-7555 78251
Fernandez 6845 Ridgebrook	397-1900 78250
Galm 1454 Saxon Hill Dr.	397-1150 78253
Glass 519 Clearview Dr.	431-5810 78228
Glenn 2385 Horal	678-2885 78227
Glenoaks 5103 Newcome Dr.	617-5445 78229
Hatchett 10700 Ingram Rd.	397-6850 78245
Helotes 13878 Riggs Rd., Helotes	397-3800 78023
Howsman 11431 Vance Jackson	561-5040 78230
Hull 7320 Remuda Dr.	678-2910 78227
Knowlton 9500 Timber Path	706-7525 78250

Lackland City 101 Dumont	678-2940 78227
Leon Springs 23881 IH-10 W	397-4400 78257
Leon Valley 7111 Huebner Rd.	397-4400 78240
Lewis 1000 Seascape	397-2650 78251
Linton 2103 Oakhill Dr.	706-7180 78238
Locke Hill 5050 De Zavala Rd.	397-1600 78249
May 15707 Chase Hill Blvd.	397-2000 78256
McDermott 5111 USAA Blvd.	561-5105 78240
Meadow Village 1406 Meadow Way	678-2840 78227
Michael 3155 Quiet Plains	645-3900 78245
Myers 3031 Village Parkway	706-6650 78251
Nichols 9560 Braun	397-4050 78254
Northwest Crossing 10255 Dover Ridge	397-0600 78250
Oak Hills Terrace 5710 Cary Grant	397-0550 78240
Ott 100 N. Groesenbacher	397-5550 78253
Passmore 570 Pinn Rd.	678-2800 78227
Powell 6003 Thunder Drive	706-7355 78238
Raba 9740 Misty Rock	397-1350 78251
Rhodes 5714 N. Knoll	397-4000 78240
Scobee 11223 Cedar Park Dr.	397-0700 78249
Steubing 11655 Braefield	397-4350 78249
Thornton 6450 Pembroke	561-5120 78240
Timberwilde 8838 Timberwilde	397-0400 78250
Valley Hi 8503 Ray Ellison Dr.	678-2920 78227
Villarreal 2902 White Tail Dr.	431-5800 78228
Ward 8400 Cavern Hill	397-6800 78254
Westwood Terrace 7615 Bronco Lane	678-2785 78227

SPECIAL SCHOOLS

Holmgreen Jr./Sr. 8580 Ewing Halsell	617-5460 78229
John Jay Science and Engineering Academy 7611 Marbach	678-2145 78227
Mi Casa 8530 Ewing Halsell	699-0162 78229
Nellie Reddix Center 4711 Sid Katz, Bldg. C Northside Habilitation Program Northside Vocational Transition Prog.	78229 615-2414 615-2401
Northside Alternative Elementary School 11937 I.H. 10 West	692-6143 78230
Northside Alternative High School 144 Hunt Lane	397-7080 78245
Northside Alternative Middle School South 5223 Blessing Street North 11937 I.H. 10 West	431-6900 78228 397-2070 78230
Northside Children's Center 8530 Ewing Halsell	692-6100 78229
Northside Evening High School (after 5 p.m.) 6500 Ingram Rd.	706-7060 78238
Northside Excel Academy 6632 Bandera, Bldg. C	522-8120 78238
Southwest Mental Health Center 8535 Tom Slick	616-0300 78229
Special Education Night School 6500 Ingram Rd.	617-5488 78238
GOALS @ Holmgreen Jr./Sr. HS 8580 Ewing Halsell	617-5497 78229

*All Northside schools are changing to a 397 prefix by December 2004. Please refer to www.nisd.net to see newest numbers.

NORTHSIDE INDEPENDENT SCHOOL DISTRICT POLICE DEPARTMENT - 397-5600

REV. 06-04

Northside Independent School District 2004-2005 Calendar

5900 Evers Road
San Antonio, Texas 78238

Internet: www.nisd.net Email: info@nisd.net

FIRST DAY OF SCHOOL: August 16, 2004 LAST DAY OF SCHOOL: May 26, 2005

FIRST SEMESTER: 83 days SECOND SEMESTER: 94 days

Legend

Student Holiday/Staff Development	○
Student Holiday/Staff Work Day	◕
Teacher & Student Holiday	■
Student Holiday/Half Staff Dev/Half Work Day	●
Begin Semester	┌
End Semester	└
End Six Weeks	┌
End Nine Weeks	└
Bad Weather Makeup Day	*
April 22, 2005 (1st choice); May 27 (2nd choice)	
Elem. & Middle School Early Release Day:...	•

Graduations 2005

As of press time, the 2005 graduation schedule had not been finalized. It is expected that the high school graduations will again be held at the Alamodome. Contact your student's high school for additional information.

Student Holidays

Sept 6	Labor Day
Oct. 11	Columbus Day
Nov. 22-23	Student Holiday/Staff Dev.
Nov. 24-26	Thanksgiving Break
Dec. 20-31	Winter Break
	Student Holiday, Staff Workday
Jan. 17	Martin Luther King, Jr. Day
Feb. 21	Staff Dev./Work Day, President's Day
March 14-18	Spring Break
March 25	Easter Break
April 22	Battle of Flowers/Bad Weather Makeup Day
May 30	Memorial Day

State Testing information

For state testing information, consult the 2004-05 mail-out calendar located on the website (www.nisd.net) and on school campuses.

August

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September

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12	13	14	15	16	17	18
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26	27	28	29	30		

October

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31						

November

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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December

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12	13	14	15	16	17	18
19	20	21	22	23	24	
	27	28	29	30	31	

January

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23	24	25	26	27	28	29
30	31					

February

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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

March

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20	21	22	23	24	25	26
27	28	29	30	31		

April

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30	31					

May

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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June

S	M	T	W	T	F	S
			1	2	3	4
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Grading Periods. Schools use 6 or 9-week grading periods. Report Cards will be sent on the last day of the next week following the end of the period.

Approved: 02-25-03
Revised 05-01-03

II. Employment

A. EQUAL OPPORTUNITY EMPLOYMENT

The District shall not refuse to hire or discharge any individual, or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment because of the individual's race, color, religion, sex, or national origin. The District shall not limit, segregate, or classify its employees or applicants for employment in any way that would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect the status as an employee because of the individual's race, color, religion, sex, or national origin.

The District shall not discriminate in employment, as set out above, because an individual is age 40 or above.

As an exception to the policy stated above, the Board may employ an individual on the basis of the individual's religion, sex, national origin, or age in those certain instances where religion, sex, national origin, or age is a bona fide occupational qualification reasonably necessary to the normal operation of the District. (DAA-Legal)

The District shall not discriminate, as set out above, against a qualified individual with a disability because of the individual's disability in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment. Discrimination includes not making reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability, unless the District can demonstrate that the accommodation would impose an undue hardship on the operation of the District. *Americans with Disabilities Act (ADA) 42 U.S.C. 12112(a), (b); 29 CFR Part 1630; Labor Code 21.051*

The person designated to ensure equal opportunity employment and to investigate any complaints in this regard is the Assistant Superintendent for Human Resources, 397-8600.

B. VACANCY ANNOUNCEMENTS AND PROMOTIONS

All job announcements are posted outside the Human Resources Office at 5617 Grissom Road. They are also posted on the internet at www.nisd.net/hr and on the HR Job Line at 706-8798. Job Announcements for vacancies for administrative, supervisory, counseling, and other professional support positions are sent to the principals and department directors for posting. Each announcement includes minimum requirements, duties, and deadlines for submitting applications/letters of interest.

Near the middle of each school year, an announcement is made inviting persons interested in administrative or other professional support positions to place on file a current resume and letter in which they list by job title and level the positions for which they wish to be considered. Positions at special campuses or new facilities may be announced through a special posting.

Although a deadline for submitting this letter of interest is posted, such letters can be submitted anytime during the year to the Office of the Deputy Superintendent for Administration, or to the Applicant Processing Center in Human Resources and to the appropriate department director in which the posted vacancy resides.

Those who meet the minimum qualifications of certification and experience are placed in the applicant pool from which candidates for the specific vacancies are selected. Letters and resumes are maintained through the following school year.

Promotions to supervisory and administrative positions are made from qualified applicants. District staff members are generally given first consideration for promotions.

C. CONTRACT EMPLOYMENT

State law requires the district to employ all full-time professional employees in positions requiring a certificate from SBEC and nurses under probationary, term or continuing contracts.

Employees in all other positions may be 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.

1a. Probationary Contracts:

Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive probationary contracts during their first year of employment if they have not been previously employed by the district. The probationary period for those who have been employed in public schools for at least five of the eight years preceding employment with the district may not exceed one full school year. For those with less experience, the probationary period will be three full school years with an optional fourth full school year if the district has doubts about whether a term contract should be given.

1b. Probationary (Termination at the end of the contract period):

Probationary contracts may be terminated at the end of the contract period based on the Board's judgment that such action will serve the best interests of the district. Employees are entitled to a notice of intent to nonrenew the contract. The Board's decision is final and cannot be appealed. (This notice must be given at least 45 days before the last day of instruction. T.E.C. 21.103)

1c. Probationary (Termination):

Persons employed under a probationary contract may be discharged at any time for "good cause" as determined by the Board of Trustees. "Good cause" is defined as "the failure to meet the accepted standards of conduct for the profession as generally recognized and applied in similarly situated school districts in this state".

In lieu of termination, the district may suspend an employee without pay for good cause for a period not to extend beyond the end of the current school year. (T.E.C. 21.104)

When an employee's contract is proposed for termination prior to the end of the school year, the employee is entitled to a hearing before an independent hearing examiner (T.E.C. 21.251).

2a. Term and Continuing Contracts:

Central office administrators, campus principals and other specified administrative staff are employed under term contracts. An administrator

who successfully completes his/her probationary period may be placed on a two-year term contract. An administrator who is promoted or is moved to a different position will be placed on a one-year term contract. The administrator may be placed on a one-year term contract for one additional year. Upon successful completion of this second year, the administrator may be placed on a two-year contract.

An administrator new to the school district will be placed on a probationary contract during the first year of employment in accordance with State law. During the second year, the administrator will be placed on a one-year term contract. The administrator will then be eligible for a two-year term contract upon successful completion of the second year.

The terms and conditions of employment are detailed in the contract and employment policies. (See Board Policies, **Section D – Personnel**)

2b. Continuing Contracts (termination or suspension)

Persons employed under a continuing contract may be terminated at the end of the school year due to a necessary reduction in personnel. These reductions must be in accordance with Board Policy DFF (Local.)

Termination can also be based on the Board's determination of "good cause" ("failure to meet the accepted standards of conduct for the profession as generally recognized and applied in similarly situated school districts in Texas.")

In lieu of discharge, the District may, for good cause, suspend the employee without pay. The suspension may not extend beyond the end of the school year.

Before a teacher employed under a continuing contract can be terminated for any of the reasons listed above, the Board of Trustees must notify in writing the person of the proposed action and the grounds for the action. If the employee desires to protest the proposed action, the teacher must notify the Superintendent or his designee in writing not later than the **tenth** day after the date the teacher receives the notification.

If the teacher notifies the District of the intent to protest the proposed action, the teacher is entitled to an independent hearing, as described in 3 of this section. If the teacher does not request a hearing within the specified time, the Board of Trustees shall take the appropriate action and notify the teacher in writing of the action not later than the 30th day after the date the Board sent the notice of the proposed action. (T.E.C. 21.154, 21.156, 21.157-21.159, 21.106)

2c. Term Contracts (nonrenewal)

Not later than the 45th day before the last day of instruction in a school year, the Board of Trustees shall notify in writing each certified person whose term contract is about to expire and inform them if it proposes not to renew the contract. The most recent evaluations shall be used in order to make this determination. Additionally, the reasons for non-renewal are listed in Board Policy (DFBB).

Failure to give notice of proposed nonrenewal within the time specified constitutes an election to employ the person in the same professional capacity for the following year. Under term contract law, an independent hearing examiner is not REQUIRED if the employee wishes to contest the nonrenewal. If an employee desires a hearing after receiving notice of proposed nonrenewal, the employee shall notify the Board or its designee in writing **not later than the 15th day** after the date the employee receives notice of the proposed action. The Board will then have 15 days to hold a hearing unless both parties agree in writing to a different date. The hearing must be closed unless the employee requests an open hearing. At the hearing, the employee may have a representative of choice, hear evidence supporting the reason for nonrenewal, cross-examine adverse witnesses, and present evidence.

Within fifteen days following the conclusion of the hearing, the Board shall notify the teacher of its decision. An appeal of the Board's decision to the Commissioner of Education may be made, but the Commissioner's judgement will not be substituted for that of the Board unless the Commissioner determines that the Board's decision was arbitrary, capricious, unlawful, or not supported by substantial evidence. (T.E.C. 21.203, 21.206, 21.207, 21.209, 21.303, 21.106)

2d. Term Contracts (termination or suspension)

The Board of Trustees may terminate a term contract and discharge an employee at any time for:

- (1) "good cause" as determined by the Board; or
- (2) a financial exigency that requires a reduction in personnel.

For "good cause," as determined by the Board, the Board of Trustees may suspend a teacher without pay for a period not to extend beyond the end of the school year:

- (1) pending discharge of the teacher; or
- (2) in lieu of terminating the teacher.

A teacher who is not discharged after being suspended without pay pending discharge is entitled to back pay for the period of suspension. (Board Policy DFBA)

2e. Term Contracts for Non-Certified Employees

Non-certified administrators and other non-certified professionals may be employed by term contracts. If so employed, they will be subject to general and civil law requirements only, and are **not protected by the procedural requirements of Chapter 21 of the Texas Education Code** described in Sections 2b and 2c above, unless specified by the Board of Trustees.

3. Hearings Before an Independent Hearing Examiner

If the employee requests it, a hearing before an independent hearing examiner **MUST** be held for the following: 1) termination of continuing contracts at any time, 2) termination of probationary or term contracts before the end of the contract period, and 3) suspension of any contract without pay. A hearing before an independent hearing examiner is not required to terminate employment at the **END** of a probationary contract or for the nonrenewal of a term contract. (See Board Policy DFD.) A teacher must file a written request for a hearing with the Commissioner of Education not later than the 15th day after the date the teacher receives written notice of the proposed action. The teacher must provide the District with a copy of the request.

Hearing examiners will be lawyers who are certified by the commissioner through a training process initiated in November, 1995. Certain restrictions apply to the criteria applied when selecting hearing officers for training.

The commissioner will assign a hearing officer according to "the next person named on the list who resides within reasonable proximity" to the District where the hearing request originated. The employee and the District can agree to a lawyer who is a non-certified hearing examiner.

The rules governing the proceedings of the Independent Hearing are lengthy but anyone who plans to request an independent hearing should become familiar with these rules. They can be found in T.E.C. 21.255 and 21.256. Generally they include the provision that the hearing be conducted in the same manner as a trial without a jury in a district court in this state, including the right for either party to call witnesses on their behalf, to take 10 depositions, and to cross examine adverse witnesses.

D. EVALUATION AND ASSESSMENT

All Northside professional employees are evaluated at least annually and in accordance with state laws and local policy. In June, 1997, the Board of Trustees adopted the following guidelines for the evaluation of teachers.

All classroom teachers will be appraised with either the **Professional Development and Appraisal System (PDAS)** or the **Alternate Teacher Appraisal Record (ATAR)**. All requirements indicated by the PDAS will be followed unless otherwise specified in Board Policy (See **Appendix "E"**). Appraisal records and other documentation developed as part of the PDAS or the ATAR may be used for staff development purposes and/or employment decisions.

The frequency of observations required under PDAS requirements varies according to the experience level, contract status, and previous evaluations of the individual teacher. These requirements are also detailed in **Appendix “E”**.

The entire policy (found in **Appendix “E”**) also details regulations regarding choice of observers, scoring procedures, types of observations (formative vs. summative), the three year cycle for observations, the appraisal calendar, qualifications of appraisers, time waivers, “wave off” procedures, conferences, the teacher “self-report,” and grievance procedures. Copies of the **Scoring Criteria Guide** which sites examples of each rating in each domain are available from the principal. Teachers can also consult with their principals for additional information regarding the appraisal process and regulations.

Evaluation procedures for other professional employees are established and can be explained in detail by the principal or immediate supervisor.

E. STAFF DEVELOPMENT

Northside is committed to support and inspire teachers who impact students. That is why quality professional/staff development is a priority of our district.

The State Board for Educator Certification (SBEC) rules require that all classroom teachers who obtained a teacher certificate on or after Sept. 1, 1999 complete at least 150 clock hours of continuing education (CPE) during each five-year period. The guidelines encourage teachers to complete a minimum of 30 clock hours of CPE each year of the renewal period. Northside has been approved as a provider of these staff development hours. If you complete the Northside professional development requirements of 12 hours of Teacher Choice and 18 hours of campus or district-led staff development, you will meet the state guideline of 30 hours per year.

Staff Development Days fall into four categories: District-Led Staff Development, Campus-Led Staff Development, Teacher Choice Days, and Elementary/Middle School Early Release Days. District and Campus-Led Staff Development Days are scheduled for the week of August 9 – 13, 2004, Nov. 22-23, 2004 and Feb. 21, 1004 (1/2 day). The remainder of the time on those days is designated for teacher workdays.

Campus-Led Staff Development

Campus-Led staff development must be predominantly campus-based, aligned with identified student needs, related to achieving campus performance objectives as outlined in the School Improvement Plan, and developed and approved by the School Advisory Team (SAT).

The campus staff development activities may be conducted using study teams, individual research, peer coaching, workshops, seminars, conferences, on-line learning, or other reasonable methods that have the potential to improve student achievement.

Teacher Choice Days

Teachers are responsible for participating in 2 days of staff development of their choice, with approval of the principal. This time requirement can be met by a series of sessions outside of normal duty time including school-based retreats. A teacher’s completion of the staff development requirement must be related to Domain VI on the Professional Development and Appraisal System.

Criteria for “Teacher Choice” staff development activities:

- Must be completed between May 1, 2004 and May 2, 2005; and
- Focus on classroom instruction and management and be applicable to the teacher’s current instructional assignment, the campus improvement plan, District’s Academic Standards and Instructional Goals, and/or the most recent appraisal on the PDAS; and
- Have prior approval by the principal.

Note: University courses taken for degree or certification purposes

may not be used for “Teacher Choice” credit. Additionally, courses in which teachers are paid a stipend to attend **cannot** be counted as Teacher Choice credit.

Choices Available to Teachers for fulfilling the Teacher Choice professional development hours include staff development activities conducted on **non-contract** time by:

- The District
- The teacher’s campus
- Other Northside campuses (requires approval of both principals)
- Other agencies (e.g. Regional Service Centers, other school districts, professional associations). Prior approval by the teacher’s principal is required.

SPECIAL STUDIES: Individuals, teams, grade levels, or departments may submit proposals for study, research or other types of professional development. Upon completion of the proposed study, credit may be given toward the teacher choice professional development hours. Proposals are subject to prior approval of the principal and Director of Organizational and Staff Development.

Early Release Days – Elementary and Middle Level Only –

The following dates have been designated as Early Release days for all elementary and middle school campuses:

Friday, September 13	Friday, February 18
Friday, October 8	Friday, April 8
Friday, November 5	Thursday, May 26

Early release days are a privilege and are intended for students to be released early so that campus staff are provided time for staff development activities. Those activities may include: an opportunity to plan together, enhance existing skills, share effective strategies, reflect on curricular and instructional issues, analyze student achievement results, reflect on students needs and means of increasing student strengths, conduct parent-teacher conferences, develop meaningful programs for students, appropriately implement site-based decision making, and conduct action research.

All teachers receive catalogs of professional development opportunities offered by the District. The most current catalog can also be accessed on-line at www.nisd.net/sdevww/.

F. NORTHSIDE ACTIVITY CENTER

The Organizational and Staff Development (OSD) Team includes professional and support staff that are committed to the principles of Quality Service, Continuous Improvement, and Teamwork. The goal of the OSD team is to develop and implement a high quality, coordinated staff development system to meet the mission and goals of Northside ISD. The team is available to help individuals, campuses, or departments in identifying needs and planning their own staff development programs.

Facilities

The Organizational and Staff Development department is located at the **Northside Activity Center (NAC)** – 7001 Culebra. We coordinate all NAC events and provide support for those events as needed. There is a fully equipped **Resource Room** for teachers and other staff. There is also a **Professional Resource Library** with current educational books and tapes available for check out.

The Northside Activity Center will continue to be renovated during the 2004-05 school year to expand the facility’s capacity for meeting space. The facility is projected to be open for meetings and events by Spring, 2005.

Northside Activity Center

The Northside Activity Center is located at Loop 410 and Culebra. This multifaceted resource center has become the “home base” for professional

development in the District. The facility includes offices for staff development specialists, meeting/training rooms, a resource room for developing instructional or training materials, a professional resource library and an office for the Northside PTA council.

Meeting/Training Rooms – can be reserved for school related activities. Reservations are most easily made and confirmed by using the District email system. Send requests to: Martha.Valdez@nisd.net.

Resource Room – includes a large variety of resources to support teachers, other Northside employees, and Parent Volunteers as they make materials for the classroom or training sessions. Consumable supplies can be purchased at cost and may be paid for by cash, check, or charged to a campus or department account. Individuals wishing to charge supplies need to obtain prior permission from their principal or director and must provide the account number at the time charges are made.

Resource Room Services:

- Poster Making Machine, Bookbinding Machine, Button Maker
- Laminators and Paper Cutters
- Pencils, Erasers, Markers, Colored Bags, Colored Butcher Paper
- Colored File and Pocket Folders, Assorted Classroom Supplies
- Resource Room Equipment Training for Parent Volunteers, HS Early Childhood Development Classes, Make and Take Sessions
- Internet Access Computers

Northside Professional Library - serves and supports the staff of NISD with professional resources. The library makes available information on trends, developments, techniques, and research in all areas of education. Staff, administrators, and campus study groups may find the Northside Professional Library a helpful first source when seeking professional resources, doing research, planning staff development activities, or taking classes.

Resources and services available:

- Phone and email reference service
- Over 6,000 books, videotapes, audiocassettes, and kits
- 23 periodical subscriptions
- Online databases
 - EBSCO ERIC and Professional Development Collections
 - WilsonWeb Education Full Text and Book Review Digest
 - ERIC Document Reproduction Service
- Specialized collections of supplemental materials for curricular use in the areas of literacy, guidance, art, music, foreign language, and social studies
- Bibliographies of subject area holdings available on request
- Access to USDLC professional development programs

Library materials may be checked out to any Northside employee at no charge. Materials may also be requested by phone or email and sent/returned by NISD pony. For further information or to request materials, contact the Professional Resource Librarian: 706-7505 or DeniseWilkinson@nisd.net

Northside Activity Center Hours

Office	8:00 a.m. – 4:45 p.m.	Monday – Friday
Resource Room	7:30 a.m. – 4:45 p.m.	Monday – Friday
	7:30 a.m. to 6:00 p.m.	Wednesdays (during school year)
	8:00 a.m.-1:00 p.m.	1st Saturday of the month (during school year)
Professional Library	8:00 a.m. – 4:45 p.m.	Monday – Friday

****Note:** Any changes in hours for summer will be posted in the OSD Summer Staff Development Catalog, on our web page at www.nisd.net/sdevvw/ and in the building.

G. STAFF DEVELOPMENT FOR TEACHERS OF GIFTED AND TALENTED PROGRAMS

The Texas Education Agency requires teachers who provide instruction and services which are part of the program for gifted students to have a minimum of 30 hours of professional development that includes **nature and needs** of gifted students, assessing student needs, and instruction for gifted students. These teachers include kindergarten, PEP/PROMISE, TIPS, Independent Study Mentorship (ISM), Honors, and Advanced Placement. The thirty (30) hour requirement must be completed prior to placement in the position, OR no later than the first semester after being appointed. They must also complete six hours annually of professional development in gifted education (during the May to May timeframe.)

Administrators and counselors who have authority for program decisions must have a minimum of six hours of professional development that includes nature and needs of gifted students and program options.

H. REQUEST FOR TRANSFERS

Teachers who scored at least proficient in every domain of the PDAS or ATAR evaluation instrument for the current school year and who are on a continuing contract, a two year term contract, or eligible for a two-year term contract in the fall of the next year, may request a transfer by submitting “Teacher’s Request for Transfer form (PER 034) to the Human Resources Department. Probationary contract teachers who are certified in Special Education or Bilingual Education (proficiency required), as well as teachers who will complete certification prior to June 1st, not currently teaching in that area, are eligible to apply for a transfer to teach in that assignment.

A list of eligible teachers requesting a transfer will be sent to each campus the **last week of March**. Principals are requested to grant interviews to only those teachers whose names appear on the transfer list. This list will be updated at two week intervals through the end of April. Teachers whose names appear on the approved list may attend the District Transfer Fair and submit resumes to principals for consideration. Each year a notice is sent to all principals and directors specifying the last day for completing transfers. Typically this date for completion is the end of the **third week of June**.

Principals who select a teacher from the transfer list are to submit the recommendation immediately, using the electronic form in LOTUS NOTES. The appropriate Human Resources Director will notify the employee of the recommendation and complete all applicable paperwork as well as update the status on the transfer list.

NOTE: If there is no known vacancy at the level or position requested, the principal does not need to grant an interview.

I. RESIGNATIONS

State Law and local policy require that all resignations be submitted no later than forty-five (45) calendar days prior to the first day of instruction of the following year.

Contract employees may not resign during the school year, after active duty has begun, without the consent of the Superintendent. The employee shall give **at least 30 days notice** and shall include in the letter a statement of the reasons for resigning. At the employee’s request, the resignation may become effective prior to the end of the 30 day period **if a suitable replacement** is obtained.

When employees resign their positions, they are required to provide written notification **both** to their immediate supervisors and the Human Resources Department. If possible, the Resignation and Exit forms available from Human Resources should also be completed.

Each employee must complete the checkout procedures designated by his/her supervisor. All employees must return computer passwords, keys,

or equipment assigned to them; teachers must submit grades, grade books, textbook records, and other documents as required by the principal. An employee who fails to submit such items in a timely manner must schedule a conference with Human Resources to provide, or assist with providing, the required information, documents, and articles, and to obtain the final paycheck for the school year.

Exit interviews may be scheduled for all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. **Arrangements for continuation of insurance must be made in a timely manner.** Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience. (*Policy DC*)

J. RETIREMENT

An employee who is considering retirement should request an estimate of retirement benefits by completing a Request of Estimate of Retirement Benefits (TRS 18) at least four to six months prior to the date of retirement. An employee who is eligible for full service retirement will find an estimate of his/her retirement options on the back of the TRS annual statement of account.

Application Process

Upon receipt of the Request of Estimate of Retirement Benefits, the Teacher Retirement System will forward a packet containing all the necessary forms for the employee to complete. These include:

- Application for Service Retirement (TRS 30)
- Direct Bank Deposit (TRS 278)
- Withholding Preference (TRS 228A)
- Notice of Final Deposit Before Retirement (TRS 7)
- TRS Care Information

The employee may complete the forms or may seek assistance from the Teacher Retirement System (800-223-8778 or 512-542-6400) or the Human Resources Office of the District. When assistance is given by the District's Human Resources Office, copies are made and placed in the personnel file. It is also the responsibility of the employee to send a copy of the birth certificate to the Teacher Retirement System. The employee's Social Security Number should be written on the copy of the birth certificate for TRS purposes. The Notice of Final Deposit Before Retirement (TRS 7) is the only form which the District is required to complete. (**Also refer to the Rehire-Option Program in Section IV.**)

K. EMPLOYMENT AFTER RETIREMENT

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed in certain positions or on a part-time basis without affecting their benefits. The amount of time a retiree may be employed without losing benefits is governed by TRS rules and state law. Employees may contact TRS for additional information by calling 1-800-223-8778 or logging on to www.trs.state.tx.us.

L. REQUIREMENTS FOR EMPLOYEE NOTIFICATION

The District provides every professional employee a copy of this handbook. Each teacher and campus administrator should also receive a copy of the Student-Parent Handbook for their school which details the Code of Student Conduct and other school policies and procedures. Sections 37.001 through 37.019 of the *Texas Education Code*, which address student discipline are provided in **Appendix G** in the back of this handbook.

The Board Policies are available on the internet at www.nisd.net and

copies of specific Board Policies may be requested from Human Resources as needed. **All employees are required to acknowledge receipt of this Handbook by signing the Acknowledgment of Receipt of Handbook form provided.**

M. NAME AND ADDRESS CHANGES

It is important that employment records be kept up to date. Employees must notify the Human Resources office if there are any changes or corrections to their name, home address, home telephone number, marital status, emergency contact, or beneficiary.

Effective December 2, 2002, every educator certificate holder or applicant must maintain a current mailing address with the State Board for Educator Certification (SBEC). The address must be able to receive mail delivered by the United States Postal Service. Failure to maintain a current mailing address with SBEC may result in the following:

- failure to receive important information or notice of a proceeding regarding an individual's certification or application status, including renewal requirements for a Standard Educator Certificate;
- failure to receive a certificate; or
- certificate sanction or denial.

A certificate holder or applicant may update his or her mailing address through SBEC Online for Educators at <http://www.sbec.state.tx.us/sbeconline/appedu.htm>.

N. CERTIFICATION REQUIREMENTS

If you hold a **"lifetime" teacher's certificate** or if you received one before September 1, 1999, your certificate will not have to be renewed every five years so long as it is not revoked. However, all teaching certificates earned after September 1, 1999 will be issued as "standard" teaching certificates and will be subject to new requirements for renewal. Therefore, it is possible for the same individual to hold both kinds of certificates.

Standard certificate holders must meet the following requirements:

- Complete 150 continuing professional education (CPE) clock hours of training every five years starting the first day of the month after your next birthday
- Complete a minimum of 20 clock hours each year
- 80% of the CPE hours must be directly related to the certificate being renewed.
- Teachers are expected to maintain their own records of completion of CPE hours and be prepared to make them available when SBEC procedures require them.
- Northside I.S.D. has been certified as an approved provider of CPE clock hours. All staff development offerings including those listed in the NISD Staff Development Catalog, may be used for satisfying certification requirements.
- Counselors, librarians and other professional certificates require **200 CPE clock hours** during each of the five year renewal periods.

Additional information regarding the new certification requirements is available from the Human Resources Certification Officer (397-8615), the State Board for Educator Certification (1-888-863-5880), or the various professional organizations.

O. REPORTS TO THE STATE BOARD FOR EDUCATOR CERTIFICATION (*Policy DF*)

The Superintendent shall notify in writing the State Board for Educator Certification (SBEC) within seven calendar days of the date the Superin-

tendent first obtains or has knowledge of information indicating any of the following circumstances:

1. That an applicant for or a holder of an educator certificate has a reported criminal history;
2. That a certified educator was terminated from employment based on a determination that he or she committed any of the following acts:
 - a. Any form of sexual or physical abuse of a minor or other illegal conduct with a minor.
 - b. The possession, transfer, sale, or distribution of a controlled substance.
 - c. The illegal transfer, appropriation, or expenditure of school property or funds.
 - d. An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to be employed in a position requiring such a certificate or permit or to receive additional compensation associated with a position.
 - e. Commission of a crime, any part of which occurred on school property or at a school-sponsored event.

Resignation

The Superintendent shall notify the SBEC in writing within seven calendar days that a certificate holder resigned and reasonable evidence supported a recommendation by the Superintendent to terminate a certificate holder because he or she committed one of the acts specified in a-e, above.

Before an employee's resignation is accepted in such a circumstance, the Superintendent shall inform the employee in writing that a report will be made to the State Board for Educator Certification that may result in sanctions against the employee's certificate. The Superintendent shall notify the District's Board before filing a report of a resignation with SBEC.

Abandonment of Contract

SBEC shall not pursue sanctions against an educator alleged to have abandoned his or her contract unless the District's Board:

1. Renders a finding that good cause did not exist for the educator to resign his or her position later than the 45th day before the first day of instruction; and
2. Submits a written complaint to SBEC within 30 calendar days after the educator separates from employment.

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P. PERSONNEL RECORDS

A personnel folder is kept on file in the Division of Human Resources for all personnel. This file contains certificates, service records, transcripts, and sick leave information. Also included in the personnel folder are teacher evaluation forms. Upon request, employees, may view the contents of their file in the presence of a personnel administrator. Employees who have a change in name, address, or phone must forward this information to the Division of Human Resources as soon as possible. Access to personnel files is restricted to designated personnel.

The principal of each campus may maintain a folder on each staff member as a means of assessing the level of instruction, assisting in the improvement of teaching methods, and evaluating performance.

Most district records, including personnel records, are public information and must be released upon written request under the Texas Open Records Act. Some personal information may be withheld. Employees may choose not to allow public access to or have the following information included in a staff directory by submitting a written request to Human Resources not later than 14 days after employment with the district. Employees also may request open access to this information be closed at any time:

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

Q. PROFESSIONAL STAFFING AT TITLE I SCHOOLS

The No Child Left Behind Act of 2001 (NCLB) currently requires that all teachers teaching in core academic subjects areas on Title I campuses be "highly qualified." To be considered "highly qualified" under NCLB, a teacher must have:

- At least a Bachelor's degree and
- Demonstrate competency in the core academic subject area(s) assigned and
- Full state certification*

*Full state certification is achieved in one of the following ways:

- **Elementary teachers** (Texas university/college graduates) who have successfully completed all ExCET or TExES tests are considered "highly qualified."
- **Secondary Teachers** who have successfully completed applicable ExCET or TExES tests or have an academic major **OR** graduate degree for the subject area(s) assigned (i.e. 24 semester hours, with 12 of the hours being upper division courses) are "highly qualified."

In addition, **teachers certified in another state** are "highly qualified" if they hold a valid out-of-state teaching certificate. And **teachers enrolled in an SBEC approved alternative certification program or post-baccalaureate program** are "highly qualified," if the teacher has successfully completed the following TOPT and/or TExES exams:

1. For math, science, special education: passing of the subject area TExES exam(s)
2. For bilingual education:
 - a. passing of the EC-41 Bil and/or 4-8/Bil TExES exam(s) and/or
 - b. passing of the TOPT exam

III. Compensation

A. SALARY AND PAYROLL

Payment of salary – Professional personnel are contracted for a period of 187 days or more if required. Northside’s standard paycheck practice is to pay on a 12-month installment cycle. The 10-month pay cycle is no longer a pay option. Those teachers currently on a 10-month pay cycle will remain on that cycle until a new form is completed by the teacher to change to 12 months.

Personnel will be paid the afternoon of the last working day of every month. If a teacher, who has officially resigned, desires the balance of his contract with the June paycheck, he must file a request (form available in Payroll) with the Director of Finance in the Business Office before June 2nd.

New employees and those returning from a leave of absence at the beginning of the school year may request that their salary be paid in thirteen (13) month installments so that they may receive a check at the end of August.

Salary schedule – All professional employees may obtain a copy of the Northside Independent School District salary schedule adopted for the current school year from the building principal or the Human Resources website at www.nisd.net/hr.

Professional employees will receive a salary notice early in the fall. Employees should review their notices carefully and report any concerns to Human Resources immediately.

Sign-in and weekly absentee reports are due in the Payroll Office each Friday. Every effort should be made to make necessary payroll changes before the monthly cut-off date.

During the summer months, pay vouchers will be mailed to the address indicated on the pay vouchers unless proper notification to hold the check is given to the Payroll Office.

Contract employees who perform extracurricular or supplemental duties may be paid a **stipend** in addition to their salary. Stipends of less than \$500 will be paid in one sum in the April paycheck. Stipends of \$500 or more are prorated and included in their monthly paychecks.

TEACHER SUPPLEMENTAL PAY FOR SUBSTITUTING: A teacher who, during his/her conference period, substitutes for another teacher when a substitute teacher is not available will be compensated.

- If, at the request of an administrator, a teacher provides coverage for a 30-minute to 60-minute period of time, he/she will be paid for one hour.
- If the time period worked is for 61 minutes to 120 minutes, the teacher will be paid for 2 hours of supplemental pay.
- Each hour worked will be paid at the rate of \$17.00 per hour.

B. AUTOMATIC DEPOSIT

Any professional employee who uses the service of a bank is entitled to have his monthly payroll check placed in a direct bank deposit by Northside Independent School District. This service is effective the second month after the request is received.

NOTE: Employees resigning or retiring will **not** have their final check transmitted to the bank.

C. PAYROLL DEDUCTIONS

Employees should review their payroll deductions on a monthly basis to ensure that the correct types and amounts are being deducted. If an employee has enrolled in a health plan, term insurance, etc., the deductions should appear on the check stub. Payroll deductions for the Teacher Retirement System of Texas (TRS), federal income tax, and Medicare tax are required for all employees who work at least half-time. If there are discrepancies noted or questions about deductions, contact the Payroll Office at 397-8671.

D. PAYCHECK STUB

Employee paycheck stubs provide helpful information to the employee and make the employees’ paycheck easier to read and understand. (See **Appendix “I”** for sample paycheck and explanation.)

E. CAREER LADDER AND TIRP

Northside teachers who were placed on the State Career Ladder will continue to receive their Level II or Level III stipends, as long as they continue to teach in the District. Teachers who transferred into Northside and were placed on Teacher Incentive Reward Program (TIRP) will continue to receive this stipend subject to Board approval.

PLEASE NOTE that when a teacher leaves Northside, the rights to the TIRP are forfeited, except in the case of an approved leave of absence. New teachers transferring into Northside directly from another district will not be eligible for participation in TIRP.

F. SUBSTITUTE TEACHING CREDIT

Teachers who have performed substitute teaching duties in the past will be eligible to count the experience for salary increment purposes **if** the following three conditions are met: (1) they must have held a valid teaching certificate at the time the duties were performed; (2) the school(s) must have been accredited, and; (3) the number of days worked in each year must meet the minimum requirements (either 85 or 90, depending on the years in which the substitute duties were performed.)

It is the **teacher’s responsibility** to provide proof of eligibility for creditable years of experience. Contact Human Resources at 397-8777 for more information.

G. TRAVEL EXPENSE REIMBURSEMENT

All personnel requesting reimbursement for professional trips must complete a “Travel Advance Request/Travel Expense Report” form (BUS060).

Local Travel: An employee who routinely travels within the District and its immediate environs while performing duties related to his or her job will use the documented travel will be reimbursed at the established mileage rate if the employee’s immediate supervisor and the Superinten-

dent or designee approves the travel. Standard monthly travel allowances may be provided for certain employee groups in lieu of mileage reimbursement for local travel.

Other Travel: An employee who is approved to travel outside the District on official school business shall be reimbursed for reasonable travel expenditures according to approved procedures and subject to IRS regulations.

Mileage: The established rate for mileage reimbursement shall be the rate established by the state for state employees. As of 09/01/03, the established rate is \$0.35 subject to change by Board of Trustees.

Per Diem for Meals: Meals which are not included in the registration fee for conferences or other events shall be reimbursed at the rate established by the state for state employees. As of 09/01/03, the per diem rate(s) are as follows:

Breakfast	–	\$ 6.00
Lunch	–	\$9.00
Dinner	–	\$15.00
Full day	–	\$30.00

Advance Payment: Procedures shall be established to permit transportation by common carrier, conference fees, and lodging to be paid directly by the District in those instances where this is desirable, and to provide the employee a cash advance for up to 85 percent of anticipated out-of-pocket expenditures which would be eligible for reimbursement.

Reconciliation: An employee who travels on authorized school business shall submit receipts and completed requests for reimbursement or payment for excess cash advances as soon as possible upon return to the District, but in any case, within ten working days after completing the travel.

No receipts are required for meals reimbursed at the per diem rate. To receive reimbursement for transportation, lodging, and other authorized travel expenses, an employee must present itemized receipts for the actual amounts spent.

Undocumented advances must be reimbursed to the District or be subject to federal income tax by the employee.

Additional information regarding district-supported travel is available from your supervisor or from the Accounts Payable Office (397-8527).

H. OVERTIME COMPENSATION FOR “NON-EXEMPT” EMPLOYEES

Federal Regulations as defined in the Fair Labor Standards Act (FLSA) require that employees be identified as either exempt or nonexempt from the requirements governing overtime pay. Teachers, administrators, supervisors and other professional personnel are considered exempt from overtime regulations. Most classified staff, including paraprofessionals, and all hourly employees are covered by the FLSA rules governing overtime.

Overtime is legally defined as all hours worked in excess of 40 hours weekly and is not measured by the day or the employee’s regular work schedule. Non-exempt employees must work more than 40 hours per week to earn overtime compensation as approved by the supervisor. The District’s standard work week begins on Saturday at 12:01 a.m. and ends on Friday at midnight.

Overtime compensation must be paid the non-exempt employees at one and a half times the regular rate and may be taken in the form of either salary or comp-time. The District’s standard method of payment is comp-time. Under certain conditions, the Superintendent or designee may approve payment in the form of cash. Non-exempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor (i.e., principal, department director).

I. NEW HIRE GENERAL PAY INCREASE NOTIFICATION

Beginning 1998-99, the Education Commissioner’s Rules on Credited Years of Service require that an employee work a minimum of 90 days in order to earn a year of service. Additionally, in Northside, to be eligible for the annual general pay increase an employee must have worked a minimum of **“90 actual working days”** within an assigned work calendar. Note that each year, the general pay increase is subject to Board approval. Therefore, an employee must begin work at least 90 days prior to the end of the designated work calendar to receive the general increase. For example, employees on a 183 work calendar must be in employment by January 11, 2005, to be eligible.

J. CRITICAL SHORTAGE TEACHING AREAS

Northside supports many opportunities for employees to move into teaching fields considered by the District as areas of “critical shortage” for staffing purposes. These teaching areas may vary from year to year but typically include bilingual education, special education, secondary mathematics, secondary composite science, and computer technology. Employees are urged to take advantage of the opportunities and support provided by the District. Among the opportunities are the Pathways Programs available to both professional and classified staff. Additional information is available from Human Resources on the Pathways Program. Many of the area colleges and universities offer alternative certification programs that are available to persons with bachelors degrees who want to become certified to teach in the State of Texas. The colleges can be contacted directly for additional information. Additional certification may also be obtained through the successful completion of additional ExCET tests. For additional information or assistance, contact either Rose Reynolds, Certification Officer at 397-8615, or the State Board for Educator Certification (SBEC) at 1-888-863-5880.

Additional information on certification/education opportunities is also available on the Human Resources web site at www.nisd.net/hr.

IV. Employee Benefits

A. INTRODUCTION

With the valued assistance of representatives from almost every campus and department in the District, we have designed a comprehensive range of benefits. Benefit choices are provided to assist employees with health care and wellness, retirement and wealth accumulation, leave and income replacement, and family friendly work-life balance.

B. ELIGIBILITY AND ENROLLMENT

Benefits are available to all employees who work half-time or more and their eligible dependents. Eligible dependents include:

- Spouse
- Unmarried natural, adopted, foster, or stepchild younger than 25 years of age whom are in a regular parent-child relationship with the employee
- Unmarried natural, adopted, foster, or stepchild who is mentally retarded or physically incapacitated to such an extent as to be dependent on the employee for care and support regardless of age
- Any other individuals who are required to be covered under applicable law.

All benefit enrollments and benefit changes are made on-line at www.enrollment.com. Elections made during the enrollment period are fixed and cannot be changed throughout the year except within 30 days of a qualifying family status change (such as divorce, birth, death).

1. New Hires

Employees are eligible to enroll in benefit programs within the first 30 days following the start of employment at NISD. Coverage will begin on the first day of employment for employees and enrolled eligible dependents. A multiple deduction out of one paycheck may be necessary since benefits are paid a month in advance.

2. Annual Enrollment

The enrollment period for benefit programs will be held in October of each year for an effective date of January 1st the following year. Changes made during open enrollment will remain in effect through December 31 of each year unless there is a qualifying family status change, such as a marriage, divorce, birth or adoption of a child, or a loss or gain of coverage from another group plan. Changes requested due to one of these special events must be made in the first 30 days following the event and will be effective on the date of the qualifying event. This may result in a multiple deduction in a subsequent paycheck.

Auxiliary personnel who are off for the summer must make arrangements for and pay their portion of the premiums for the non-working months. Should one cancel coverage in the summer, one must reapply in August.

3. Extension of Health Insurance Coverage During Leave of Absence

Northside policy allows an employee who takes an extended leave of absence to continue his/her health insurance coverage throughout the dura-

tion of the approved leave. The District will continue to provide the NISD contribution to health coverage for employees on approved Family Medical Leave Act and those on a paid leave. The employee must pay their share of the premium directly to the Payroll Office. Employees who are on an approved unpaid leave of absence may continue health benefits by paying the employee and District share of the premium directly to the Payroll Office. Failure to pay monthly premiums will result in benefit coverage termination.

4. Extension of Health Insurance Coverage After Leaving the District

The Consolidated Omnibus Budget Reconciliation Act (COBRA) allows employees to continue District health coverages for generally up to 18 months following separation from the District. Please refer to **Appendix A** for complete details. The COBRA program for NISD is administered by Select Benefit Services (SBS) at 210-659-8100.

C. THE COST OF BENEFITS

A variety of benefit programs are available to NISD employees. The District shares in the cost of some programs and others require the employee to pay the full premium. The District's contribution to employees' medical insurance premium is determined annually by the Board of Trustees. The District does not contribute to any supplemental insurance benefits.

Currently Northside ISD pays approximately 70% of the total health insurance premium. Northside also provides basic life insurance for all employees based on their chosen health plan, an employee assistance program, a local supplement and a variety of generous paid leave programs described in the Leave of Absence section of this handbook.

D. TAX SAVINGS

Some benefits such as dental coverage, vision coverage, supplemental life insurance, and a portion of the health premium are paid by the employee. The District makes available a Cafeteria Plan, in accordance with Section 125 of the Internal Revenue Code, for employees to pay for these deductions, as well as any employee-paid portions of NISD medical coverage, with tax-free dollars. Employees who want to take advantage of these tax savings should enroll in Premium Tax Sheltering during open enrollment or within the first 30 days of employment. Additional tax savings may be possible by participating in the cafeteria plan's Health Care Reimbursement or Dependent Care Accounts. (See Section H).

E. HEALTH CARE AND WELLNESS BENEFITS

Medical

Northside ISD offers employees four health plan options. Employees may choose from the Hospital Indemnity (Core) coverage, the Low Option PPO, the High Option PPO, or the HMO. All employees who work half-time or more must participate in a District health plan. The first two options are available to employees at no cost. If an employee does not elect a plan within the enrollment period, the employee will be enrolled in the Low Option PPO.

Detailed descriptions of insurance coverage, prices, and eligibility requirements are available on the NISD Intranet website: <http://intranet/humanresources/benefits/index.htm> under "Summary Plan Descriptions" and the Internet at <http://www.nisd.net/hrl/benefits> under Health Care and Wellness. Upon request, printed copies will be provided to the Employee Benefit office at 397-8620.

- **Low Option PPO (Default Coverage)**

This plan is a Preferred Provider Organization (PPO) plan which allows a person to choose care inside or outside the Preferred provider network. In-network features of the plan include primary care physician visits with a \$25 co-payment and hospitalization coverage at 80% after a \$500 annual deductible. Out-of-network coverage requires satisfaction of the \$500 deductible and coverage available at 60%. There is a \$5000 annual prescription drug benefit.

- **Hospital Indemnity (Core Coverage)**

This is a Hospital Indemnity Plan (HI) that provides a limited benefit for each day of inpatient hospitalization and an \$80,000 employee life insurance policy. **This coverage is primarily for employees who have other health coverage. This plan is a NOT a major medical plan.** The plan pays \$200 per day for each day of inpatient hospitalization in a network hospital or \$100 per day for each day of inpatient hospitalization in a non-network hospital. Discount dental and vision coverage is also provided.

- **High Option PPO**

This plan is a Preferred Provider Organization (PPO) plan which allows a person to choose care inside or outside the Preferred provider network. In-network features of the plan include primary care physician visits with a \$15 co-payment and hospitalization coverage at 80% after a \$300 annual deductible. Out-of-network coverage requires satisfaction of the \$300 deductible and provides coverage at 60%. Prescription drug coverage is available through a network of retail pharmacies for up to a 30 day supply with the following co-payments: \$10 generic, \$20 brand formulary, and \$35 non-formulary. Mail order services are available for up to a 90 day supply with the following co-payments: \$20 generic, \$40 brand formulary, and \$70 non-formulary.

- **HMO**

This plan is a Health Maintenance Organization (HMO) plan which is a fully managed plan. Participants in this plan must use medical doctors and facilities within the health plan's network. Primary care physician office visits require a \$15 co-payment. The employee must choose a primary care physician and be referred by that primary care physician to access any of the ancillary services. Hospitalizations are covered 100%. Prescription drug coverage is available through a network of retail pharmacies for up to a 30 day supply with the following co-payments: \$10 generic, \$20 brand formulary, and \$35 non-formulary. Mail order services are available for up to a 90 day supply with the following co-payments: \$20 generic, \$40 brand formulary, and \$70 non-formulary.

Retiree Medical

Employees who retire with an unreduced retirement benefit from TRS and NISD may elect to continue NISD medical coverage through automatic bank draft. Retired participants are eligible for the same medical options as active employees although the retiree will be responsible for the paying the entire premium. The District does not contribute to retiree medical coverage. Northside ISD reserves the right to cease to offer retiree medical benefits at any time. Retirees electing NISD Retiree Medical may consider waiving TRS Care coverage to retain the ability to pick up TRS benefits in the future.

Dental

Dental health is an important part of total health and wellness. Discount dental care benefits are available through all District employee health plans. In addition, several dental insurance options are available. Each plan covers a wide range of services and dentists. Employees pay monthly premiums for most plans. Specific information about each of these plans is available from the Benefits Office.

Vision

A discount vision program is provided at no additional charge to all employees as a component of the Humana Health Plan. In addition, employees may purchase vision coverage through Cole Managed Vision. The plan provides coverage for eye exams, frames, lenses, and contacts. Specific coverage limitations may be obtained from Cole Vision or the Benefits Office.

Cancer and Critical Illness

The Northside Humana Low Option PPO, High Option PPO, and HMO all provide comprehensive coverage for medical expenses incurred as a result of cancer or critical illness. However, the diagnosis and treatment of one of these diseases can present financial hardship for employees and their families. For this reason, Northside makes available supplemental Cancer and Critical Illness coverage through UNUM Provident.

Health Insurance Portability Accountability Act (HIPAA)

In accordance with the Health Insurance Portability Accountability Act (HIPAA) passed by Congress and signed by President Clinton on August 21, 1996, you are being notified of your rights under the law. The rules of the Act address "pre-existing conditions" that apply to new enrollees in a health insurance plan. If an individual has not had a break in insurance coverage for more than 63 days, Group Health Plans are required to credit periods of previous coverage toward a pre-existing condition. For example, an employee previously covered by another company for six months would receive credit of six months towards this year's pre-existing waiting period.

If an employee terminates employment with the District, he/she will be issued a Certificate of Credible Coverage which will indicate the type of coverage held by the employee with the beginning and ending dates of the coverage. You are encouraged to keep this certificate as you may be asked to furnish it to your new employer if you become eligible under a group health plan that excludes coverage for certain medical conditions that you might have before you enroll. This certificate is available for dependents covered under your plan if requested in writing from Human Resources following departure from the District.

HIPAA also imposes certain privacy obligations upon Northside ISD's health care plans, pursuant to federal regulations that were effective April 14, 2003. Northside ISD has always been committed to respecting the privacy of employee health plan-related information. **Appendix J** contains Northside's Comprehensive Notice of Privacy Policy and Procedures for our health benefit programs. In addition, many of the insurance companies that provide benefits under these plans will provide their HIPAA Privacy and Policy Procedures to employees. The notice requires no action. It is simply to provide employees with information about how NISD health plans and their Business Associates (vendors who assist the plans with various functions) will safeguard any private health plan information. If you have any questions, please call Employee Benefits at 397-8620.

Wellness – Northside Engaged in Wellness (NEW)

Wellness representatives from each campus and worksite form the NISD Wellness Committee. They serve as wellness advocates by promoting and facilitating District-wide wellness initiatives. The program is designed to promote healthy behaviors and lifestyles.

F. RETIREMENT AND WEALTH ACCUMULATION

Teacher Retirement System (TRS)

It is required by law that every individual employed one half time or more in a public school in Texas be a member of the Teacher Retirement System. In September, 2003 the Texas Legislature passed H.B. 3459 which imposed a 90-day waiting period for new public school system employees to participate. All new NISD employees subject to the waiting period will be enrolled in a IRS Section 3121 457 FICA Alternative plan. The plan is administered by First Financial Administrators at no cost to the employee. A deduction equal to 7.5% of salary for the first 90 days will be invested through an arrangement with ING. At the conclusion of the 90 day waiting period, contributions to this plan will be stopped and TRS contributions will begin at the rate of 6.4% of salary. There is an additional contribution active employees must make to the TRSCare insurance for retirees. If an employee would like to purchase withdrawn credits or special service credits from TRS, payroll deduction is available. Employees who are considering retirement should complete and submit to TRS a Form TRS18, available on the TRS website or from Employee Benefits, at least 90 days in advance of the desired date. Questions regarding the Texas Teacher Retirement System should be directed to 1-800-223-8778. TRS information is also available on the web at www.trs.state.tx.us. Additional information about the Section 3121 457 FICA Alternative plan is available from First Financial Administrators at 1-800-523-8422.

Tax Sheltered Annuities [403(b)]

A tax sheltered annuity such as a 403(b) or 403(b)(7) is an Internal Revenue Code defined method of allowing employees of public schools and certain charitable, educational, and religious organizations to accumulate funds for retirement on a tax deferred basis.

Insurance companies may enter into contract agreement with the District to enable teachers and other professional personnel and permanent employees to purchase tax sheltered annuities. Annuities may be purchased at any time during the year. However, an employee may make only one (1) change during the calendar year. Call our third party administrator, National Plan Administrators (NPA) at 1-800-880-2776 for a list of approved TSA providers.

Savings Bonds

Employees may purchase U.S. Savings Bonds through payroll deduction. Applications are available in the Payroll Office. The cut-off date for purchase is the Friday closest to the 14th of each month. The payroll deduction can be started any time during the school year.

Rehire Option for Retirees

The District provides a Rehire Option for Retirees, a program for employees in good standing who are eligible for an unreduced retirement benefit from the Teacher Retirement System (TRS). The program enables employees meeting certain criteria to apply for full-time employment with the District in accordance with TRS rules. An employee in good standing is eligible to apply upon retirement from the District and a break of service of at least one month.

The District shall operate the Rehire Option for Retirees under guidelines developed by the Superintendent and approved by the Board. Once adopted those guidelines shall be incorporated into this policy by reference. Substantial changes in the guidelines shall require Board approval.

Limited Buy-Back Program

The District operates a limited leave buy-back program under guidelines developed by the Superintendent and approved by the Board. A complete description of the program is provided in **Appendix B**.

G. LEAVE OF ABSENCE AND INCOME REPLACEMENT

Leave of Absence

Please refer to Section VI, Leave of Absence in this Handbook for complete details about the leave programs available to Northside employees.

Income Replacement

Northside makes available to all half-time or more employees a plan through UNUMProvident that provides income replacement for short and long term disability. An employee may choose a plan level that does not exceed 66 2/3% of his/her salary. There are two plan designs that offer varying levels of coverage. Complete plan details are available in the Employee Benefit Office and at www.nisd.net/hr on the Benefit section of the HR Intranet site.

H. FAMILY FRIENDLY BENEFITS

Work-Life Balance Program: Resources for Everyday Living

Northside, through UNUMProvident, provides a free comprehensive resource for employees and their family members for achieving balance with work and their personal lives. It provides help with workplace stress and family issues such as parenting, education, aging, financial and legal questions, addiction and recovery, and emotional health. Global travel assistance is also provided. It is available 24 hours a day, seven days a week, 365 days a year. The service is completely confidential. Call **1-800-854-1446** for English assistance, **1-877-858-2147** for Spanish assistance, or **1-800-854-1446** for TTY/TDD.

Supplementary Life Insurance

Term life insurance is available through UNUMProvident in amounts up to four (4) times an employee's salary. The maximum amount of coverage may not exceed \$400,000. Employees may enroll within the first 30 days of employment without proving evidence of insurability. Enrollment or increases to coverage after the first 30 days of employment must be requested during the annual open enrollment and may require evidence of insurability. Employees are strongly encouraged to select a beneficiary for the benefits using the on-line enrollment system at www.enrollment.com. Employees who choose to leave employment with NISD are eligible to continue the coverage at the same rate. Consult the Benefits Office or the UNUMProvident Group Life booklet for more details.

Tax Savings for Dependent Care and Health Care Expenses

The Cafeteria Plan, made possible by Section 125 of the Internal Revenue Code, permits Northside employees to obtain tax savings using a Dependent Care or Health Care Reimbursement Account. Contribution amounts should be estimated conservatively since any money not used in the plan year will be forfeited. The deadline to file claims is March 31 of the year immediately following the plan year in which the expense was incurred.

Dependent Care Account

This account provides reimbursement for dependent care expenses while an employee or an employee and his/her spouse works or looks for work. The IRS limits the contribution amounts to \$5000 or \$2500 depending on your IRS tax return filing status. This benefit cannot be used for expenses claimed under the federal child care tax credit on the IRS return. Employees should consult their tax advisor about the benefits of this plan. Plan details are available from Select Benefit Services, NISD's third party administrator, by calling 659-8100. Forms to file a claim are available on-line at www.sbsadmin.com. By IRS tax regulations, elections made during the enrollment period are fixed and cannot be changed throughout the year except within 30 days of a qualifying family status change.

Health Care Account

This account provides reimbursement for out-of-pocket health care expenses for an employee or eligible dependents. The maximum monthly contribution is \$300. This benefit cannot be used for expenses reimbursed by health insurance or those claimed on the employee's federal tax return. The funds may be used for reimbursement of co-payments for doctor visits or prescription drugs, as well as glasses, hearing aids, and certain other expenses not covered by health insurance. Employees should consult their tax advisor about the benefits of this plan. Plan details are available from Select Benefit Services, NISD's third party administrator, by calling 659-8100. Forms to file a claim are available on-line at www.sbsadmin.com. By IRS tax regulations, elections made during the enrollment period are fixed and cannot be changed throughout the year except within 30 days of a qualifying family status change.

I. TEXAS WORKFORCE COMMISSION

The District reports your wages to the Texas Workforce Commission. If you become unemployed, you may be eligible for unemployment benefit payments.

NOTE: Individuals employed by a school district in any capacity are usually not paid benefits for any unemployment during the period between two regular academic years or terms (June and July) if they have been given reasonable assurance of employment for the upcoming school year and have indicated they will be available for employment. Employees may be eligible for unemployment benefits if they had other employment for several quarters concurrent with their Northside employment or during the relevant base period. Benefits paid would be based on the wages from their non-Northside employment. In addition, employees are not paid benefits for unemployment during extended holiday periods (winter and spring breaks).

J. WORKERS' COMPENSATION

Through a self-insured program, Northside provides workers' compensation coverage for its employees. Employees are covered for occupational related injuries and illnesses only. Workers' Compensation pays for medical expenses and loss of wages as related to the injury. Weekly income benefits begin to accrue on the 8th day of disability. Wage replacement (weekly) benefits have a 7-day waiting period. Temporary Income Benefits (TIBs) are not paid until approximately the 13th day of medically supported disability.

Note: Workers' Compensation does not cover property damage suffered by an employee such as broken glasses, broken jewelry, ripped clothing, etc. In addition, accidents involving horseplay or drugs and alcohol are not covered under the Workers' Compensation law.

An employee who sustains an occupational injury must immediately report the incident to their supervisor. The Employer's First Report of Injury form must be completed by the immediate supervisor and forwarded to the Risk Management Office immediately or at the supervisor's earliest opportunity. Failure to timely report an injury may result in loss of benefits or possible fines. Additionally, the employee is required to report any absence due to a work-related injury to the Risk Management Office and to the immediate supervisor or his/her designee. If absent from work due to an occupational injury, the employee obtains a written release from their physician and reports to the Risk Management Office prior to returning to work.

Additional information is available from the District's Risk Management Office (397-8720) and the Texas Workers' Compensation Commission (210) 593-0070.

V. Leaves and Absences

(Please refer to District Policy DEC Legal & Local)

A. INTRODUCTION AND OVERVIEW

Northside offers all of its employees who work half-time or more a wide variety of leaves from duty. Most often, leaves of absence are requested for reasons of **maternity, disability, hardship, parenting, adoption, and professional development**. Absences from duty are also granted for **jury duty** and other **court appearances, funeral attendance, military leave** and **observance of religious holidays**. Each of these types of leave and the provisions pertaining to their use are briefly explained on **page 21, "E. Procedures For Taking Leave."**

B. GRANTING AUTHORITY FOR LEAVES AND ABSENCES

Each of the reasons for taking a leave of absence is governed by one or more sets of laws, rules, and regulations. In general, leaves of absence are granted under either the Family and Medical Leave Act of 1993, State regulations, or Northside policies approved prior to the passage of FMLA and still in effect today. Monthly employees must use leave in either full day or half-day increments.

C. TYPES OF AVAILABLE LEAVE DAYS

There are three types of leave granted to Northside employees: **1.) State Sick Leave** (earned **prior** to May 30, 1995), **2.) Northside Sick Leave**, and **3.) State Personal Leave** (which includes "discretionary" leave.)

- 1.) **State Sick Leave** (Prior to 1995-1996) All days of this type may be used **ONLY** for:
 - illness of the employee,
 - illness of a member of the employee's immediate family,
 - family emergency*, or
 - death in the employee's immediate family.

* "Family emergency" is limited to natural disasters and life-threatening situations involving the employee or a member of the employee's immediate family. (DEC Local)

NOTE: For purposes of state sick leave accrued before May 30, 1995 and local sick leave, the term "immediate family" shall include:

1. Spouse
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee
4. Sibling, step-sibling, sibling-in-law
5. Grandparent and grandchild
6. Any person who may be residing in the employee's household at the time of illness or death

(2.) District Sick Leave Program

Northside provides a sick leave program to supplement the State personal leave program. This leave may be used for the same reasons as the

State Sick Leave program described above.

(3a.) State Personal Leave – In General

In accordance with provisions in Texas Education Code 22.003 and to preserve the employee's leave entitlement while minimizing disruption to the instructional program and the operation of the District, the Board requires that employees differentiate between uses of personal leave as:

1. **NON-DISCRETIONARY** – leave that may be used for the same reasons as for state sick leave accumulated prior to the enactment of SB 1 state personal leave. **In addition, it may be used for other emergencies requiring the immediate attention of the employee.**
2. **DISCRETIONARY** – to be taken at the individual employee's discretion, for which it is possible to set a schedule in advance.

(3b.) State Personal Leave – Use and Recording

For all non-discretionary absences, the absence will be charged in the following order and will be governed by the terms and conditions applicable to state sick leave:

1. Local Sick Leave
2. State Sick Leave (Prior to 1995-1996)
3. State Previous
4. State Current

All discretionary leaves shall be charged to the State Personal Leave.

(3c.) Guidelines for Using State Discretionary Leave

- Employees using discretionary leave are not required to specify the reasons for requesting leave. As long as the request for leave follows the guidelines below, the leave may be used for any personal reasons the employee may have.
- A notice of request for discretionary leave must be submitted to the principal or immediate supervisor as soon as possible, and no later than three days in advance of the scheduled absence.
- Discretionary leave will be granted on a "first-come, first served" basis.
- A maximum of one employee in each category OR four percent (whichever is greater) shall be permitted to be absent at the same time when using discretionary leave. (Absences for Religious holidays are exempt from this provision.)
- Requests for use of discretionary leave may be considered granted unless the principal or immediate supervisor notifies the employee to the contrary within two working days of the scheduled absence.
- **No more than five discretionary days may be taken in any one school year.**
- Discretionary leave may not be taken for more than three consecutive days.*
- Discretionary leave may not be taken on the first or last day of school, or on the days immediately preceding or following a

school holiday. Also, this type of leave shall not be taken on a scheduled staff development day nor on any other day deemed by the principal or immediate supervisor to be critical to the operation of the school or department.*

* Requests for exceptions to these rules for use of discretionary leave must be submitted in writing to the Assistant Superintendent for Human Resources prior to the scheduled absence. The form to be used for this purpose can be requested from Human Resources or from the immediate supervisor. (See Discretionary Leave Exceptions Form, "Appendix C".

D. ACCUMULATION OF LEAVE DAYS

Both state and local leave may accumulate without limit. However, unused state leave is transferable among districts as part of the employee service record; local leave is not transferable.

For most employees state and local leave accumulates at the rate of one-half day for each eighteen days of employment, up to a maximum of five days local sick leave and five days of state personal leave per school year. Personnel employed in excess of 190 days per year shall earn additional local leave according to the following table:

191-199 days	= 0.5 additional day
200-208 days	= 1.0 additional day
209-217 days	= 1.5 additional days
218+ days	= 2.0 additional days

Leave for the current school year is **advanced** and – in most instances – is available for use at the beginning of the year. **NOTE:** If employees use sick leave days that were **advanced** to them but not actually **earned** (as specified in this regulation) the employee may have to pay the District for the use of those days.

(Half-time professional employees accumulate leave at one-half the rate of full-time employees.)

E. PROCEDURES FOR TAKING LEAVE

Employees seeking a leave of absence **must follow the procedures listed below:**

1. Upon determining that a leave of absence is necessary, the employee should request a Leave of Absence Application form from his/her principal, director or supervisor. (A sample of this form can be found in **Appendix D**).
2. Complete the demographic information regarding the employee (top part of the form).
3. Obtain the signature of the principal, director, or supervisor.
4. If the leave is due to a medical reason, obtain a letter from the physician indicating the nature of the condition and the expected prognosis including estimated date of return to work.
5. Schedule an appointment with Employee Benefits at 397-8620
6. Bring the Leave of Absence Application form and any supporting medical documentation if requested to the appointment at Employee Benefits.
7. Complete the Application Process, including, if needed, the **Request for Absence Deduction Relief** form.
8. Upon returning from a Leave of Absence, the employee must report to Human Resources and receive a Return to Work form. If the absence was due to a medical reason, a letter of release from the physician must be obtained prior to reporting back to duty and brought to Human Resources.
9. Employees who take an unpaid leave of absence may continue their insurance benefits at their own expense. Health care benefits for em-

ployees on leave authorized under the Family and Medical Leave Act will be paid by the district as they were when they were working. Otherwise, the district does not make benefit contributions for employees who are not on active payroll status.

F. REASONS FOR LEAVE

For the purpose of this Handbook, the reasons for leave are grouped according to the following classifications: **short-term**, and **long-term**, followed by **Workers' Compensation Leave**, **FMLA** and **Other Provisions** Related to Leaves of Absence.

1. **SHORT-TERM LEAVE** The following leave policies pertain to absences from duty that are typically short term in length (**less than thirty days**). These leave days are reported by the schools/departments using the Weekly Absence From Duty Report and do **not** require District-level approval. Consecutive absences in excess of 10 days should be reported to Benefits Office in order to determine if a Leave of Absence is needed.

- **Jury Duty**

An employee shall be granted leave with pay and without loss of accumulated leave for jury duty. The employee shall be required to present documentation of the service and shall be allowed to retain any compensation for this service.

- **Other Court Appearances**

Unless complying with a valid subpoena, absences for court appearances related to an employee's personal business shall be deducted from the employee's state personal leave or shall be taken as leave without pay.

- **Bereavement (Funeral) Leave**

Approved leave for death in the immediate family shall be limited to no more than five work days for each occurrence, subject to the approval of the District. (Accumulated leave days must be used if available.)

- **Military Leave (Short-Term)**

All employees of the District who are members of the state military forces or of the reserve components of the United States Armed Forces shall be granted a leave of absence from their duties without loss of time, efficiency rating, vacation time, or salary on all days during which they are engaged in authorized training or duty ordered or authorized by proper authority, not to exceed 15 days in a federal fiscal year (Oct. 1 - Sept. 30).

Such employees who are ordered to duty by proper authority shall be restored, when relieved from duty, to the position held by them when ordered to duty.

2. **LONG-TERM LEAVE** Persons who take long term leaves (six weeks or greater) **MAY** have their salary "**TIED OFF**" by the Payroll Office. Final payment for salary earned by the employee will be paid out after the last working day. The Payroll Office should be contacted for additional information regarding exact date of Tie-Off and the amount to be paid out.

Leaves of absence taken for the following reasons are typically greater than thirty days of length and may be up to one calendar year in length. All of these requests for leave must be approved by the Employee Benefits according to the established guidelines detailed below.

- **Maternity**

This leave is granted to an employee for the birth of a child and subsequent care of the newborn. Near the 7th month of pregnancy, the employee should schedule a conference with Employee Benefits to discuss the type and length of leave required and to complete the necessary paperwork.

Use of accumulated leave days, insurance matters, and return to

work policies will be discussed during this conference. Prior to the meeting, the employee must obtain a copy of the physician's statement that includes the expected date of birth.

- **Adoption**

In conjunction with the legal adoption of a child, eligible employees may request up to twelve (12) weeks under the Family Medical Leave Act for the care and bonding of an adopted child. Those not eligible for FMLA, may be granted up to six weeks (**thirty working days**) of leave from the date of placement of the child. The employee shall notify the Office of Employee Benefits by the second work day after the placement of a child through adoption. Upon receipt of the request for adoptive leave, the Office of Employee Benefits shall determine cooperatively with the employee the type(s) of leave to be used.

Adoptive leave may be deducted from local leave and/or state personal leave if it is available. All other days shall be docked at the employee's daily rate of pay. If both adoptive parents are NISD employees, **adoptive leave may be shared** within the same limits.

- **Temporary Disability**

This type of leave refers to "a serious health condition of the **employee** such as an illness, injury, impairment, or physical or mental condition that involves **inpatient care** in a hospital, hospice, or residential medical facility or **continuing treatment** by a health care provider." (Section 102(11) of the FMLA.)

Depending on the nature of the disability, an employee may be granted FMLA (up to twelve weeks), short-term District leave (less than six weeks), a longer term District leave for or up to an entire year as provided by District policy. If the disability leave requested is the result of a job-related injury, the District's Safety Officer must be contacted and all Worker's Compensation forms must be completed. ("**G. Workers' Compensation.**")

For all requests for leave due to disability, a physician's statement must accompany the request for leave, including the nature of the disability and the estimated date of return to work (including any applicable restrictions for carrying out the essential job functions.)

- **Parenting**

An employee who wishes to take leave for the purpose of providing care and nurturing to a newborn child may do so for a period of time not to exceed one employment year. This policy applies equally to adoptive parents.

- **Hardship**

An employee may be granted leave from duty under this provision to provide care for members of the immediate family (defined in State Leave above) who are experiencing serious health related or other problems. This leave may be granted for up to one employment year. The application of this provision to include others beyond the immediate family must be approved by the superintendent of schools.

- **Professional Development**

Any employee not on probationary status may be granted leave (without pay) for the purpose of completing certification or study at an accredited college or university, or for other approved professional development activities. Such leave shall generally be granted for a period of one semester or one school year.

- **Military Leave (Long-Term)**

Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for

period not to exceed 18 months. Employees should check with the Employee Benefits Office for details on eligibility, requirements, and limitations. Any employee, other than a temporary employee, who leaves a position with the District to enter active military service is entitled to be reemployed by the District in the same position held at the time of the induction, enlistment, or order to a position of similar seniority, status, and pay. To be entitled to re-employment, the employee must be discharged, separated, or released from active military service under honorable conditions not later than the fifth anniversary after the date of induction, enlistment, or call to active military service and must be physically and mentally qualified to perform the duties of the position. *Gov't Code 613.001(3), 613.002*

An employee who cannot perform the duties of the position because of a disability sustained during military service is entitled to re-employment in the District in a position that the employee can perform and that has like seniority, status, and pay as the former position or the nearest possible seniority, status, and pay. *Gov't Code 613.003*

To be re-employed, a veteran must apply for re-employment not later than the 90th day after the date the veteran is discharged or released from active military service. Application must be made in writing to the Superintendent and have attached to it evidence of the veteran's discharge, separation, or release from military service under honorable conditions. *Gov't Code 613.004*

A person re-employed after active military service shall not be discharged without cause before the first anniversary of the date of the reemployment. *Gov't Code 613.005*

"Military service" means service as a member of the regular or reserve Armed Forces of the United States, the Texas National Guard, or the Texas State Guard. *Gov't Code 613.001(2)*

G. LEAVE FOR WORKERS' COMPENSATION

Except as noted in Policy DEC, employees are permitted to use accumulated state and local leave to supplement pay while receiving workers' compensation benefits for a job-related injury. **NOTE: an employee who is on leave under the Family and Medical Leave Act and is receiving Workers' Compensation benefits may not use accumulated personal leave.**

As workers' compensation has a seven-day waiting period, sick and vacation pay may be used during this time. Should an employee wish to use accrued leave balance during their waiting period or to supplement future indemnity benefits, they should notify their Department or Campus Payroll Coordinator. This choice and any change of options will apply to future payrolls only and will not be retroactive.

Additional information regarding Leave of Absence procedures is available from the District's Employee Benefits Office (397-8620). Information regarding Workers' Compensation procedures is available from the District's Risk Management Office (397-8720) or by calling the Texas Workers' Compensation Commission at (210) 593-0070.

H. EXTENDED LEAVE

In the event of a catastrophic illness or injury to a regular employee who works one-half time or more or a member of the employee's immediate family as defined in this provision, the District shall provide an extended leave program. The guidelines for the extended leave program shall be developed by the Superintendent and approved by the Board. Substantive changes in those guidelines shall also require Board approval.

For the purpose of the extended leave, the immediate family shall include:

1. Husband/Wife

2. Son/Daughter or other individual for whom the employee *stands in loco parentis*
3. Mother/Father or other person who stands *in loco parentis* to the employee
4. Any other person claimed as a dependent on the employee's most recent tax return.

An employee who has exhausted all leave benefits may be granted up to thirty (30) days of extended leave with pay, less the cost of a substitute whether or not a substitute is hired. An application must be submitted to Human Resources. Employees for whom extended leave has been approved shall be paid not less than one-half of their daily rate during the extended leave.

I. ABSENCE DEDUCTION RELIEF PROGRAM

Absence Deduction Relief may be granted when an employee is absent from work for an extended period of consecutive days, not to exceed thirty (30) days and he/she does not have available sick leave to cover the entire absence. If an employee anticipates being docked or may have been docked for at least three (3) days, he/she may request the Payroll Department to spread the subsequent salary deduction over the remaining pay periods in the salary payout plan. Any subsequent absence would be docked at the daily rate of pay. Salary deductions will not be carried over to the following employment year.

Absence Deduction Relief is intended to be a one-time adjustment during a contract year. However if there are unusual mitigating circumstances, a second salary adjustment may be given consideration if approved by the Superintendent.

A **monthly** employee may request Absence Deduction Relief when absent from duty without sick leave days to cover the absence provided he/she meets the following criteria (Bi-weekly employees are not eligible for this relief):

1. An employee is absent from duty due to an illness or a serious accident of the employee, or an illness, serious accident, or death of a member of the immediate family as defined under the usage of State Sick Leave Prior to 1995.
2. An employee must have exhausted all accumulated/advanced sick leave, vacation time, and accumulated comp time, if applicable.
3. Before an employee may apply for the Absence Deduction Relief, he/she must anticipate being or must have been docked in pay a minimum of three (3) consecutive days.
4. If an employee is planning to apply for Extended Leave Benefits, he/she is not eligible for the Absence Reduction Relief, unless the extended leave is denied.

If the above requirements are met, an employee must initiate and submit the request for Absence Reduction Relief to Mark Flores, Assistant Director of Finance, for approval and subsequent absence deduction adjustment. **Medical documentation to substantiate the request must be submitted with the request.**

J. FAMILY AND MEDICAL LEAVE ACT OF 1993 (FMLA)

The terms and provisions of this Act are complex and are subject to periodic judicial review. A summary of the current interpretation of the Law follows. Additional information can be found in Board Policy DEC (Legal).

The Family and Medical Leave Act of 1993 (FMLA), entitles eligible employees to take up to twelve (12) weeks of unpaid, job-protected leave in a twelve (12) month period for specified family and medical reasons. The twelve (12) month period within which an employee shall be eligible for FMLA is defined as July 1 through June 30. **In order to be eligible for FMLA leave, the employee must have been employed by the District for at least twelve (12) months and for 1,250 hours during the previous**

twelve (12) month period. FMLA leave may be utilized for the following reasons:

- The birth of a child and to care for the newborn child. (**Maternity**)
- The placement of a child with the employee for adoption or foster care (**Adoption**).
- To care for the employee's spouse, child, or parent with a serious medical condition. (**Hardship**)
- A serious health condition of the employee resulting in the inability to perform job functions. (**Temporary Disability**)

NOTE: A "serious health condition" is defined in the statute as an "illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical facility OR continuing treatment by a health care provider." Employees should contact the Benefits Office for a more detailed definition and the limitations of this term as it applies to FMLA.

The right to take FMLA leave applies equally to male and female employees. Thus, a father as well as a mother has the right to take family leave for the birth, placement for adoption, or placement for foster care of a child. If both husband and wife are employed by the District, combined medical and family leave may be limited to twelve (12) weeks as determined by the needs of the District.

An employee must provide at least thirty (30) days' notice before FMLA leave is to begin if the need for leave is foreseeable based on the expected birth, adoption, or planned medical treatment for the employee or a family member. If this is not practicable, notice should be given within one or two business days of when the need for leave becomes known to the employee. Notice may be provided either in person or by telephone, fax machine, or other electronic means, or by letter. If the request for leave is for the employee's serious health condition or that of a spouse, parent or child, the employee shall provide medical certification of the illness or disability. Recertification may be required every thirty (30) days.

An eligible employee other than an instructional employee may take leave intermittently or on a reduced leave schedule when medically necessary to care for a spouse, parent or child or to receive planned medical treatment for himself or herself. An instructional employee is one whose principal function is to teach and instruct students in a class, small groups or an individual setting. This term includes not only teachers, but also athletic coaches, driving instructors and special education assistants such as signers for the hearing impaired. It does not include personnel such as counselors, psychologists, or curriculum specialists. For details regarding **intermittent** leave, contact the Human Resources Office.

At the outset of FMLA, the employee shall be required to use concurrently all available leave under the particular circumstance in the order determined by this policy (See Section C(3b) above). All subsequent leave shall be without pay.

Once the District has acquired knowledge that the leave is being taken for a FMLA reason, the District must notify the employee within two business days that the paid leave is designated and will be counted as FMLA leave. The District is required to maintain coverage under any "group health plan" for the duration of the leave at the level and under the conditions coverage would have been provided if the employee had continued on active duty with the District. If at the expiration of the leave, the employee is able to return to work but chooses not to do so, the District shall require reimbursement of the District's employee benefit contribution during the period in which such leave was taken without pay.

Whenever an employee requests to return to work from a FMLA leave due to the employee's serious health condition, medical certification of the ability to perform the essential job functions is required. An employee who is absent due to a FMLA leave, must be reinstated to a similar or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. A teacher desiring to return to work at or near the conclusion of a semester shall be reinstated according to the provisions of Section 108(d) of the Family Medical Leave Act which states

that a district may require that the employee continue taking leave until the end of the term.

K. TRANSITIONAL DUTY PROGRAM

All employees who suffer a temporary disability due to an occupational related injury are eligible for the **Transitional Duty Program**. The District encourages an early return to work program that focuses on placing employees back to work in their original positions.

Every effort is made to return an injured worker to their original position with accommodations for their limitations. All accommodations shall be in keeping with doctors stated capabilities/ restrictions/limitations. If reasonable accommodations cannot be made for the original position, an injured worker shall be assigned a Transitional Assignment in another position within the department/campus or at another department/campus. Refusal to accept the position offered shall affect an injured workers entitlement to future Temporary Income Benefits.

The Transitional Duty Program is administered by the Risk Management Office. All decisions for employee eligibility, placement, continuation, and / or removal from the program will be made at the discretion of Department/ Campus/Risk Management personnel.

L. ASSAULT LEAVE

In addition to all other days of leave, a District employee who is physically assaulted during the performance of regular duties is entitled to the number of days of leave necessary to recuperate from physical injuries sustained as a result of the assault. At the request of an employee the District must immediately assign the employee to assault leave. Days of assault leave may not be deducted from accrued personal leave. Assault leave may not extend more than two years beyond the date of the assault. Following an investigation of the claim, the District may change the assault leave status and charge the leave against the employee's accrued personal leave or against the employee's pay if insufficient accrued personal leave is available.

Notwithstanding any other law, assault leave benefits due to an employee shall be coordinated with temporary income benefits due from workers' compensation so the employee's total compensation from temporary income benefits and assault leave policy benefits will equal 100 percent of the employee's weekly rate of pay.

Education Code 22.003(b); Acts of the 74th Legislative Session, Senate Bill 1, Sec. 66

M. REASSIGNMENT FOLLOWING LEAVE

In an effort to accommodate its employees' need for a leave of absence, the District enforces the following guidelines regarding the return to work for its employees.

(a.) Less than thirty days

Board Policy states that when it is feasible to do so, employees returning from leaves of any type of thirty (30) working days or less shall be returned to the same position. Unless otherwise prescribed by law or State Board rules, employees returning from leave in excess of thirty (30) days shall be given priority for assignment to a comparable position, as determined by the Superintendent or his/her designee.

(b.) Returning from FMLA Leave

If an employee takes a leave of absence under the Family Medical Leave Act of 1993 (FMLA), his/her position may be held open and filled with a substitute for the twelve (12) weeks of leave that is allowed with the approval of the Human Resources Department. In situations where it is determined that it would be in the best interest of the campus/department to fill the position, the employee returning from a leave of absence will be immediately assigned a similar or

comparable position with comparable pay and benefits. At the beginning of the next school year, the employee returning from the leave of absence would be assigned when possible to the same campus/department as prior to the leave of absence.

(c.) Returning after a Full Year's Absence

If an employee takes a leave of absence for a full year, the employee upon return at the beginning of a school year will be assigned to the same campus/department as prior to the leave of absence IF a position is available for which the employee is qualified. An employee who does not desire to return to the same campus/department may apply for a transfer through the regular transfer procedures. If the employee is not selected by another campus/department, the employee will be returned to the same campus/department as prior to the leave of absence if it is feasible to do so.

(d.) Returning in the Middle of the Year

Employees who return from a leave of absence in the middle of the year will be assigned to the first appropriate opening within their certification for the remainder of that school year. At the beginning of the next school year, the employee would be returned to the same campus/department as prior to the leave of absence, unless both the principal/supervisor at the new assignment and the employee request that the employee be allowed to remain. Such requests must be made by the last day of instruction of the school year.

(e.) Employees Hired to Fill an LOA Vacancy

Employees who are hired to fill the vacancy created by a leave of absence will usually fill that position for the remainder of that school year. If the employee returning from a leave of absence obtains a transfer, the employee filling the vacancy created by the leave of absence may be retained by that campus/department. Employees hired to fill a vacancy created by a leave of absence and whose performance in that position has been satisfactory will be offered another position within the District. It will be incumbent upon the District to find an appropriate placement. Board Policy (DEC Local)

N. REPORTING OF ABSENCES

An employee may be absent for a period of thirty days without being placed on an official leave of absence. **However**, the campus/department must notify Human Resources of an employee's absence after the **tenth** consecutive day to determine whether or not the employee should be placed on an LOA.

If the Employee Benefits Office is not notified of an absence of greater than thirty days, the employee may be placed on **administrative leave** of absence pending an investigation into the reasons for and length of the employee's absences.

O. TERMINATION OF LEAVE

Normally, parenting leave, hardship leave, or professional development leave must terminate at the end of a term or at the end of the school year. All exceptions must be approved in writing by the Superintendent or his/her designee.

P. RETURN TO DUTY

All employees returning from a Leave of Absence + whether from a long-term or a short-term leave – **must** obtain from Human Resources, a Return to Work form that serves as a clearance to return to work. The employee should not report to work without this clearance. When leave is taken for the purposes of maternity, disability, or hardship, return to work must be accompanied by a physician's statement indicating the ability of the employee to resume his/her assigned duties. (The terms and requirements of the **Americans with Disabilities Act (ADA)** will be strictly adhered to in returning an employee to work following leave.)

Q. SANCTIONS FOR ABUSE OF LEAVE

The District offers a generous array of leave policies for its employees as a benefit to them in the best interest of maintaining a positive and healthy work environment. Employees are discouraged from fraudulent use of these leave policies since their doing so will be construed as a violation of District policy that can result in disciplinary action up to and including loss of pay, suspension, demotion, or termination of employment.

Helpful Phone Numbers

Employee Benefits

(in general) 397-8620

Leaves of Absence 397-8620

Payroll –

Elementary and Other

Professional 397-8680

Secondary 397-8677

Insurance Deductions, Annuities 397-8671

Sick Leave Reporting 397-8679

Compensation

VI. Employee Relations

A. EMPLOYEE INVOLVEMENT

Professional employees will be requested to serve on committees at various times for curriculum development and general education improvement during each year.

1. FACULTY MEETINGS

Teachers are required to attend all district-wide faculty meetings and meetings called by the principal of their school. Such meetings are planned to promote educational progress.

2. PARENT-TEACHER ASSOCIATION MEETINGS

Parent-Teacher Association organizations are vitally interested in the welfare of the students in the District. Historically they have served the public schools of America more than any other organization. Parents and teachers are encouraged to participate in the PTA and to work together for the benefit of the children. An organized PTA in every school, working hand in hand with teachers and principals, can help insure proper educational programs in the District.

3. SCHOOL ADVISORY TEAMS

Employees may also be elected to serve on a campus level School Advisory Team (SAT) which makes recommendations regarding the instructional program on that campus.

The School Advisory Team (SAT) is the campus-based committee responsible for implementing **School-Based Decision Making**. The direct and ultimate purpose of SBDM is the improvement of student learning.

The SAT's facilitate the goals of restructuring management in education, involving all the stakeholders in the process, and ensuring that important decisions affecting teaching and learning are made at the point of interaction between teachers and students. The areas of decision making include goal setting, curriculum, finance, personnel management, school organization, and human resource development.

All deliberations and recommendations of the School Advisory Team should focus primarily on teaching and learning.

B. IN-DISTRICT MAIL SERVICE

In-district mail service is provided at no cost to the user. It is referred to as the "Pony" mailing system.

Each school has a different mail schedule. However, the Pony reaches all schools every Monday through Friday during the regular calendar days. Employees should consult with the school secretary concerning the schedule. Mail will reach the Administrative Building on the day of pick-up. Use of the school mail (Pony) is available for school business by every person employed in Northside. Individuals or organizations who are soliciting recognition or advertisements must have prior approval of the Superintendent for use of the Pony.

Please put the person's name and the name of the school on each envelope. Also enter the sender's name and school, to insure return if undelivered.

U.S. Mail should not be put in the school mail.

NO CASH will be sent through the school mail.

Employees not assigned to the Central Administrative Office shall have their incoming school mail addressed to their school or facility and not to the Central Office Address.

C. WORKING WITH THE MEDIA

Positive interaction between the media and the schools is an essential component in promoting support for Northside's schools and employees. News items for, or interviews with, members of the media regarding school activities must have the principal's prior approval.

News affecting more than one campus or news that may not promote the mission and beliefs of the Northside School District should not be released until after clearance is granted by the Communications Department. Call 397- 8550 for additional information.

D. NORTHSIDE COMMUNICATION NETWORK

Northside employees have an internal communications system called the Northside Communication Network to "foster a climate of mutual respect among employees, to efficiently gather information, and to implement problem solving strategies at both campus and district levels."

In order to assist in promoting effective communication, Campus Communication Facilitators are elected on each campus (2 per most campuses, 3 per comprehensive high schools). Each facilitator serves two years on a rotating basis with the hope that schools will always have someone with experience as a facilitator on campus.

Each facilitator must go through specialized training at the beginning of their two-year term to discuss their role and responsibilities as a facilitator. They also receive forms to use to gather information as needed and help facilitate the communication process at their campus. They work closely with the principal to disseminate information regularly to the faculty and serve to get campus staff connected to the appropriate place or person to address specific questions/concerns.

Campus Communication Facilitators meet regularly (at least 4 times per year) with the Superintendent or his designee to discuss current issues and get information directly from "the top." If they have issues that have not been able to be resolved with the principal at the campus level or are related to district policies or procedures, they can bring these concerns forward at this time. These items are then reviewed by the Superintendent or his designee and, when needed, passed along to the appropriate Central Office personnel, particularly if some revisions in current procedures, administrative regulations, or Board policies need to be considered.

E. "THE RESOURCE"

Another component of the Northside Communications Network is "The Resource" (formerly "Personnel File") a newsletter published three times a year (or as needed) by the Human Resources Division. It contains timely information on such topics as benefits, certification requirements, wellness activities, safety issues, leaves of absence procedures, new appointments and other personnel-related items.

F. HUMAN RESOURCE WEBSITES

Launched in December, 2001, and reviewed by over 150,000 visitors in one year, the Human Resources internet web site contains valuable information for every NISD employee. The site includes extensive information on:

- 1) **Employee Benefits:** health and supplementary insurance programs, retirement, employee assistance program, leaves of absence, income replacement, etc.
- 2) **Compensation:** salary schedules, stipends and supplements, work calendars and paydates, calculating pay raises, etc.
- 3) **Substitute Teacher Information:** frequently asked questions, internet resources for substitutes, application procedures, classroom management tips, discipline procedures, etc.
- 4) **Jobs and Job Fairs:** Job postings for all employee vacancies, on-line and downloadable applications, dates and locations of job fairs.
- 5) **Risk Management:** Worker's compensation procedures, health and safety programs, unemployment compensation.
- 6) **H.R. Hot Topics and Resources:** No Child Left Behind Act, teacher education and certification resources, and H.R. Newsletters.

The site is available at www.nisd.net/hr and can be used to find the answers to hundreds of employee questions.

Human Resources also has a website accessible only by NISD employees through the District's **Intranet**. This site contains additional information of importance to district employees on insurance and benefits, employee appraisals, district procedures, and Human Resource publications, including employee handbooks and back copies of Human Resources newsletters.

G. EMPLOYEE RECOGNITION AND APPRECIATION *(Policy DJ)*

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings, in the district newsletter, and through special events and activities. Recognition and appreciation activities also include. VideoLessons, the Teacher of the Year Celebration, and Retirement Ceremony. Many discounts and other purchase incentives are available to NISD employees. For additional information, visit the Partnerships link on the Northside Web at www.nisd.net.

H. DISTRICT DIRECTORY

The District maintains an Employee Directory each year listing all employees by site or department. **Unless the employee instructs the District not to do so, the District is obligated to include in the Directory the employee's home phone and address.** The District Directory is available to employees through the District's INTRANET by connecting through any of the District's networked computers.

I. NOTIFICATION OF PARENTS REGARDING CERTIFICATION STATUS *(Policy DBA, DK)*

Texas law and the No Child Left Behind Act require that parents be notified if their child is assigned for more than 20 consecutive days to a teacher who does not hold an appropriate teaching certificate. Inappropriately certified or noncertified teachers include individuals serving with an emergency permit (including individuals waiting to take the EXCET exam) or individuals who do not hold any certificate or permit. No later than the 20th instructional day after the date of assignment the superintendent or designee will send a written notice to parents. Information relating to teacher certification will be made available to the public upon request.

Northside Independent School District Board Policies

Now Available for Viewing On-line at:
www.nisd.net/general/board

For additional information regarding any policy contained in this Handbook, please visit the Northside Web-site listed above and click on "Board Policy."

VII. Complaints and Grievances

Northside provides for orderly and equitable procedures for resolving employee complaints. The following steps should be followed carefully, with special attention given to the timelines. A copy of the grievance form may be found in Appendix K.

A. PURPOSE

The purpose of Policy DGBA (Local) is to provide employees an orderly process for the prompt and equitable resolution of complaints. The Board intends that, whenever feasible, complaints be resolved at the lowest possible administrative level.

Additionally, since many employee concerns can be more effectively resolved through direct communication with the immediate supervisor or through channels provided for communication with senior staff than by resorting to this official process for presentation of complaints, the Board expects employees to take full advantage of those less formal processes when they are appropriate.

B. OTHER REVIEW PROCESSES

Some topics are governed by other review processes and are not subject to this policy. Employee termination procedures are found in policy series DF and at DCD(LOCAL). An employee's dismissal or nonrenewal may be the subject of a complaint under this policy only if the District does not otherwise provide for a hearing on the matter. For complaints against peace officers, see CKE(LEGAL).

C. NONDISCRIMINATION

The names of District coordinators for compliance with federal nondiscrimination laws are found at DAA(LOCAL). Issues specific to sexual harassment complaints are found at DHC.

D. NOTICE TO EMPLOYEES

The principal of each campus and other supervisory personnel shall ensure that all employees under their supervision are informed of this policy (DGBA Local). Employees shall be provided a copy of the policy at the time of employment and whenever it is revised.

E. DEFINITION

A complaint under this policy shall include grievances concerning an employee's wages, hours, or conditions of work and specific allegations of unlawful discrimination in employment on the basis of sex (including allegations of sexual harassment), race, religion, national origin, age, or disability, or on the basis of the employee's exercise of constitutional rights. [See DHC(LEGAL)] A complaint must specify the individual harm alleged.

F. CONSOLIDATION

When the administrator hearing a complaint determines that two or more individual complaints are sufficiently similar in nature and remedy to permit their resolution through one proceeding, he or she may consolidate the complaints.

G. FREEDOM FROM RETALIATION

Neither the Board nor the administration shall unlawfully retaliate against any employee for bringing a complaint under this policy. [See DG (LEGAL)]

H. "WHISTLEBLOWER" COMPLAINTS

Employees who allege adverse employment action in retaliation for reporting a violation of law to an appropriate authority shall initiate a grievance under this policy within fifteen (15) calendar days after the date the alleged employment action occurred or the employee first knew of the alleged adverse employment action. The complaint shall be filed in accordance with LEVEL THREE below. Time lines for the employee and the District set out in this policy may be shortened to ensure that the Board to make a final decision within sixty days of the initiation of the complaint.

I. GENERAL PROVISIONS

Complaints shall be heard in informal administrative conferences. All complaints arising out of an event or related series of events must be addressed in one complaint. An employee is precluded from bringing separate or serial complaints concerning events about which the employee has previously complained. Costs of any complaint shall be paid by the party incurring them.

In resolving complaints, time is of the essence. All time limits shall be strictly complied with, unless extended by mutual consent. All references are to working days unless otherwise stated.

The appropriate administrator at each level shall respond to the employee within ten working days of a complaint conference. Written complaints shall receive a written response. The employee has five working days after receiving a response to appeal to the next level. The complaint shall be considered concluded if the employee does not appeal within that limit.

Employees shall be entitled to administrative review conferences as outlined in the Level One, Level Two, and Level Three sections below and to an informal presentation of the complaint to the Board as specified in the Level Four section, unless the Board grants a hearing.

If an employee alleges in writing specific facts that, if true, would constitute a violation of the employee's common law, statutory, or constitutional rights, the Superintendent or designee shall investigate the allegations. If the employee does not accept the Superintendent's resolution at Level Three and requests a Board hearing, the Superintendent shall schedule a hearing as specified in the Level Four section below.

J. LEVEL ONE

An employee who has a complaint which he or she is not able to resolve informally shall submit the complaint to the Level One Administrator in writing, on a form provided by the District, within five working days following the informal conference no later than 15 days following the incident/event that precipitated the complaint.

For central staff personnel, the Level One Administrator shall be the department director, or where there is none, the senior staff member to whom the employee reports. When a deputy superintendent hears a com-

plaint at Level One, Level Two of this process is omitted.

For campus personnel, the Level One Administrator normally shall be the principal. However, if during the informal conference the principal determines that the complaint concerns a District policy or practice that should more properly be addressed at the central staff level, he or she may direct the employee to the appropriate department director or other staff member at Level One.

K. LEVEL TWO

If the outcome of the conference at Level One is not acceptable to the employee, he or she may advance the complaint to Level Two, in writing, within five working days after receiving the response.

At Level Two, complaints heard at Level One by central office staff shall be addressed to the appropriate deputy superintendent (or assistant superintendent); those heard by principals shall be addressed to the deputy superintendent for administration, who shall serve as the Level Two Administrator or assign the complaint to another deputy superintendent (or assistant superintendent) who should more logically serve in that role.

The deputy superintendent who serves as Level Two Administrator may either hear the complaint directly or appoint a three-member administrative panel to hear the complaint and recommend a response. The panel shall include any senior staff member who is in a line relationship between the complainant and the deputy superintendent; if no panel is appointed, opportunity shall be provided to such senior staff to have direct input to the deputy superintendent on the matter.

L. LEVEL THREE

If the outcome of the conference at Level Two is not acceptable to the employee, he or she may advance the complaint to the Superintendent at Level Three in writing within five working days after receiving the response.

M. LEVEL FOUR

If the disposition of the complaint by the Superintendent is not acceptable to the employee, he or she may advance the complaint to the Board by submitting a written request to the Superintendent within five working days after receiving the response.

N. PRESENTATION

The Superintendent shall place the matter on the agenda for a future Board meeting and shall inform the employee in writing of the date, time, and place of the meeting. A record of the Level Four proceeding before the Board shall be made by audiotape or certified court reporter. The Board President may set reasonable time limits on complaint presentations.

O. HEARING

Employees who are granted a hearing shall be afforded that hearing in a meeting that includes the hearing as an item on the posted agenda. The hearing before the Board shall be recorded by audiotape. The superintendent or designee shall inform the employee of the date, time, and place of the meeting.

The Superintendent or designee shall provide the Board with copies of the employee's original grievance, all responses, and any written documentation previously submitted by the employee and the administration. The Board is not required to consider documentation not previously submitted or issues not previously presented.

The Board shall hear the grievance and may request a response from the administration. The Board shall then make and communicate its decision orally or in writing at anytime up to and including the next regularly scheduled Board meeting.

P. CLOSED MEETING

If the grievance involves the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the employee bringing the grievance, it may be heard by the Board in closed meeting, unless the employee bringing the grievance requests it to be heard in public. However, if the grievance involves a complaint or charge against another District employee or a Board member, it shall be heard in closed meeting unless an open hearing is requested in writing by the employee or Board member against whom the complaint or charge is brought.

Q. EXCEPTION

However, if the grievance involves a complaint or charge against another District employee or a Board member, it shall be heard in closed meeting unless an open meeting is requested in writing by the employee or Board member against whom the complaint or charge is brought.

VIII. Employee Conduct and Welfare

A. EMPLOYEE STANDARDS OF CONDUCT

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 and property of students and coworkers and maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor as early as possible (preferably in advance) in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, and tardiness may be cause for disciplinary action.
- Know and comply with department and district procedures and policies.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use district time, funds, and property for authorized district business and activities only.

All employees, as public servants, must follow the *Code of Ethics and Standard Practices for Texas Educators*, which is reprinted below:

CODE OF ETHICS AND STANDARD PRACTICES FOR TEXAS EDUCATORS

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

1. Professional Ethical Conduct, Practices, and Performance.

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

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

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

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

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

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

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

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

2. Ethical Conduct Toward Professional Colleagues.

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

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

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

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

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

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

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

3. Ethical Conduct Toward Students.

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

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

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

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

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

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

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

19 TAC 247.2

B. HARASSMENT (DHB LOCAL)

Employees shall not engage in harassment motivated by race, color, religion, national origin, disability, or age and directed toward students or District employees. A substantiated charge of harassment against a student or employee shall result in disciplinary action.

The term “harassment” includes repeated, unwelcome, and offensive slurs, jokes, or other oral, written, graphic, or physical conduct relating to an individual’s race, color, religion, national origin, disability, or age that creates an intimidating, hostile, or offensive educational or work environment. Employees who believe they have been harassed are encouraged to promptly report such incidents to the campus principal or supervisor. If the campus principal or supervisor is the subject of a complaint, the employee shall report the complaint directly to the assistant superintendent for human resources. An employee who suspects or knows that a student is being harassed by a school employee or by another student shall inform his or her principal or immediate supervisor. Any allegations of harassment of students or employees shall be investigated and addressed. Oral complaints shall be reduced to writing to assist in the District’s investigation. To the greatest extent possible, complaints shall be treated as confidential. Limited disclosure may be necessary to complete a thorough investigation.

The District shall not retaliate against an employee who in good faith reports perceived harassment. An employee may appeal the decision of the principal, supervisor, or assistant superintendent for human resources regarding the investigation into the allegations in accordance with DGBA(LOCAL).

C. SEXUAL HARASSMENT/SEXUAL ABUSE

(Refer to Board Policy DHC – on the Northside Website at www.nisd.net)

SEXUAL HARASSMENT OF EMPLOYEES

[Please refer to District Policy DHC (LOCAL)]

Employees shall not engage in conduct constituting sexual harassment. Sexual harassment of a coworker is a form of discrimination and is prohibited by law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, if:

- Submission to such conduct is explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for employment decisions.
- The conduct unreasonably interferes with an individual’s work performance or creates an intimidating, hostile, or otherwise offensive work environment.

Employees who believe that they have been sexually harassed by another employee are encouraged to come forward with complaints. The District will promptly investigate all allegations of sexual harassment and will take prompt appropriate disciplinary action against employees found to have engaged in conduct constituting sexual harassment of other employees. The District’s policy outlining the process of filing complaints of sexual harassment is reprinted below.

Sexual harassment of employees is in violation of federal and state law, and is forbidden in this District. If sexual harassment should occur, some employees may be inhibited from utilizing the normal grievance procedure because of their embarrassment in discussing such matters with a supervisor of the opposite sex. They are encouraged to voice their complaint to the Human Resources Representative. This policy is

adopted to provide an effective way for complaints of sexual harassment to be presented and addressed.

1. EMPLOYEE-TO-EMPLOYEE

Employees shall not engage in conduct constituting sexual harassment of other employees. Employees who believe they have been sexually harassed by other employees are encouraged to come forward with complaints. District officials or their agents shall investigate promptly all allegations of sexual harassment of employees by other employees, and officials shall take prompt and appropriate disciplinary action against employees found to have engaged in conduct constituting sexual harassment of employees.

2. EMPLOYEE-TO-STUDENT

[Please refer to District Policy FNCJ (LEGAL)]

Employees shall not engage in conduct constituting sexual harassment or sexual abuse of students. Sexual harassment includes any welcome or unwelcome sexual advances, requests for sexual favors, and other verbal, written, physical, or visual conduct of a sexual nature. Romantic relationships between District employees and students constitute unprofessional conduct and are strictly prohibited. Other prohibited conduct includes the following:

- Engaging in sexually oriented conversations for the purpose of personal or sexual gratification.
- Telephoning students at home or elsewhere and engaging in inappropriate social relationships.
- Engaging in physical contact that would reasonably be construed as sexual in nature.
- Enticing or threatening students to get them to engage in sexual behavior in exchange for grades or other school-related benefits.

Sexual abuse of a student by an employee violates the student’s constitutional right to bodily integrity. Sexual abuse may include, but is not limited to, fondling, sexual assault, or sexual intercourse.

Employees who suspect a student is being sexually harassed or abused by another employee are obligated to immediately report their concerns to the campus principal, or appropriate supervisor. All allegations of sexual harassment or sexual abuse of a student will be reported to the student’s parents and promptly investigated.

Conduct that may be characterized as known or suspected child abuse also will be reported to the appropriate authorities, as required by law. Employees with questions or concerns relating to the alleged sexual harassment of a student should contact the campus principal, Human Resources Department, or Title IX coordinator.

In considering and investigating allegations that an employee has sexually harassed or sexually abused a student, the investigation shall proceed from the presumption that the employee’s conduct was unwelcome.

NOTE: Employees are encouraged to err on the side of caution in their relationship with students. Impressionable students can easily misunderstand or misinterpret even the most innocent remarks or actions. Allowing students to accompany you to activities that are not clearly school-sanctioned, or engaging in other activities which may compromise your position of authority, may cause students to misinterpret the nature of the relationship.

Filing Complaints

If an employee has a complaint concerning allegations of sexual harassment, the employee should file a complaint detailing such claim with their campus principal or supervisor. In the event that the employee is unable to file the complaint in writing, the Human Resources Department shall arrange for a transcript of the employee’s oral testimony to be prepared. If the campus principal or supervisor is the subject of the complaint, the EE shall report the complaint to the Assistant Superintendent for Human Resources.

Investigating Officer

Upon receipt of a complaint under this policy, the Assistant Superintendent for Human Resources shall appoint one or more administrators to investigate the complaint. At least one of the administrators available for such appointment shall be a bilingual female.

Duties of the Investigating Officer

The investigating officer(s) shall interview the complainant, the alleged offending party, and any witnesses named by the complainant or the charged party, as well as other persons that the investigating officer(s) believe(s) might have relevant information concerning the complaint.

Timeline

The investigating officer(s) shall make every reasonable effort to complete the investigation of a complaint and make findings and recommendations within fifteen (15) working days from the date the complaint is filed.

Action and Appeal Procedure

After completing the investigation, the investigating officer(s) shall make a written report of findings on the charge and, if the findings warrant, make a recommendation as to disciplinary action. Letters of closure shall be provided to the complainant and to the charged party. An employee may appeal the decision of the principal, supervisor, or Assistant Superintendent for Human Resources regarding the investigation into the allegations in accordance with DGBA (Local,) "Employee Complaints/ Grievances."

Retaliation Prohibited

The District shall not retaliate against an employee who in good faith reports perceived harassment

3. FREQUENTLY ASKED QUESTIONS (FAQ'S) REGARDING SEXUAL HARASSMENT

(Complaints and grievances as applied to allegations of sexual harassment.)

What is the District policy concerning sexual harassment?

The District forbids employees from engaging in conduct that constitutes sexual harassment of other employees or of students. The District encourages employees to come forward with allegations of sexual harassment or misconduct in the workplace. Employees who report sexual harassment will not be subjected to adverse treatment for reporting the harassment.

How will the District respond to claims of sexual harassment?

The District will respond promptly to all allegations of sexual harassment. Prompt remedial action, reasonably calculated to end the harassment, will be taken when claims are substantiated.

What laws address sexual harassment?

Title VII is a federal law that prohibits discrimination on the basis of age, race, color, religion, sex, national origin, or disability. The Texas Labor Code, Section 21.051, makes it an unlawful employment practice for an employer to discriminate on the basis of race, color, disability, religion, sex, national origin, or age.

Title IX of the Education Amendments of 1972 is a federal law that prohibits sex discrimination (including sexual harassment) of students.

What do I do if I believe I have been the victim of sexual harassment?

Employees are encouraged to report allegations of sexual harassment as soon as possible. Complaints may be brought to your supervisor, your principal, or Human Resources. If a student is believed to be experiencing sexual harassment by an employee, it should be reported to the campus principal, Human Resources, or Title IX coordinator. You may make your

complaint in writing or orally, and you are encouraged to file your complaint promptly, so that any problems may be resolved at the earliest possible time. Although the District will not reject any such complaint because it is filed too late, employees should understand that the sooner the issue is brought to the District's attention, the sooner it can be resolved.

What will happen once I file a complaint?

Whether you report your problem to the principal, supervisor, or Title IX coordinator the process will be the same. If you have made your complaint orally, the supervisor will reduce it to writing and ask you to verify that it has been transcribed accurately. The supervisor will hold a conference with you as soon as possible, but at the latest, within five days. Following the conference, the supervisor ordinarily will have ten days to offer a response, unless the investigation takes longer to resolve. You will be informed if there is a delay in the response.

What if I'm not happy with my supervisor's response?

The District provides a three-level complaint process. If you are not satisfied with the initial outcome, you may appeal to the Superintendent or the Superintendent's designee. The Superintendent or designee will hold another conference with you and attempt to resolve the situation. If you still feel that the problem has not been solved, you may appeal to the Board of Trustees.

Will my complaint be confidential?

To the greatest extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation.

[See also FNCJ (LOCAL), which contains the complaint procedure for students alleging sexual harassment or sexual abuse by an employee.]

D. STANDARDS FOR EMPLOYEE DRESS AND GROOMING

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

FOR PROFESSIONAL EMPLOYEES:

Northside professional employees shall maintain high standards of professional appearance, thereby reflecting the dignity of the education profession and serving as role models for students. Specific guidelines are as follows:

- Except as noted in these guidelines or otherwise approved by the employee's principal or supervisor, the guidelines for dress and grooming applicable to students apply to professional employees (See **Appendix "E"**).
- Skirt hemlines must be no more than four inches above the top of the kneecap.
- Shorts and other garments resembling shorts are generally not acceptable attire except in the gym and playground, on athletic practice fields, and on marching band practice fields. Knee-length walking shorts may be worn on other occasions only with permission of the principal or supervisor. Gym attire [shorts or warm-ups] is not acceptable dress for teaching in the regular classroom.
- Jeans and capri pants are generally not acceptable professional dress. They may be worn in certain shop and agriculture classes and on spirit days and other occasions with approval of the principal or supervisor. On occasions when jeans and capri pants are permitted in the regular classroom, "dress" jeans and capri pants are the recommended norm.
- Stirrup pants with oversized shirts or sweaters are not appropriate.
- Collarless T-shirts are generally not acceptable except when worn as part of gym attire, worn as school colors on spirit day, or worn with jeans or knee-length shorts on occasions approved by the principal or

supervisor.

- Tennis shoes are generally not acceptable for professional employees except on those occasions when shorts are permitted.

APPLICABILITY TO OTHER ADULTS ON SCHOOL CAMPUSES:

Adult volunteers, substitutes, student teachers, interns, and classified employees (secretaries, clerks, and instructional assistants) are also bound by the dress code for professional employees.

E. OBTAINING PRIOR CONSENT FOR STUDENT SURVEYS

Teachers shall not require students to submit to a survey, analysis, or evaluation that reveals information concerning the following topics without prior consent of the student (if the student is an adult or emancipated minor), or, in the case of an unemancipated minor, without prior consent of the parent or guardian.

Topics covered by this provision are:

1. Political affiliations.
2. Mental and psychological problems potentially embarrassing to the student or his or her family.
3. Sex behavior and attitudes.
4. Illegal, anti-social, self-incriminating, and demeaning behavior.
5. Critical appraisals of other individuals with whom respondents have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers.
7. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program). *20 U.S.C. 1232h(b)*

- ***NO SURVEYS MAY BE ADMINISTERED TO STUDENTS WITHOUT PRIOR REVIEW AND APPROVAL BY THE PRINCIPAL.*** •

F. DRUG-FREE SCHOOLS AND DRUG-FREE WORKPLACE REQUIREMENTS

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, illicit drug, and alcohol, as those terms are defined in state and federal law, in the workplace, on school premises, or as part of any of the District's activities.

Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the District, and referral to appropriate law enforcement officials for prosecution. Information on available rehabilitation or employee 30 assistance programs and contacts shall be posted throughout the workplace.

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

Within 30 calendar days of the Superintendent's receiving notice from any source of a conviction for any drug statute violation occurring in the workplace, the Superintendent or designee shall either (1) take appropriate personnel action against the employee, up to and including termination of employment or referral for prosecution or (2) require the employee to participate satisfactorily in a drug and alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. The cost of any such program shall be borne by the employee.

[This notice complies with notice requirements imposed by the federal Drug-Free Workplace Act [20 U.S.C. 3471, 1221e-3(a) (1) and 34 CFR 85.630]; notice requirements imposed by the federal Drug-Free Schools and Communities Act Amendments of 1989 [20 U.S.C. 3224a and 34 CFR 86.201]; and notice requirements imposed by the Texas Workers' Compensation Commission rules at 28 TAC 169.2]

G. ALCOHOL/DRUG USE AND PREVENTION

Administration

The administration shall make arrangements to cooperate with the local, state, and federal narcotics officers in the detection, prevention, and prosecution of any and all possible violations. The District is required to provide training annually for its employees in the signs and symptoms of alcohol and drug abuse.

At School, School District Facility, or School-Sponsored Event

This policy shall extend to authorized school events held at locations other than the campuses of the District, and students attending such school functions at other locations, and invitees of a student of the school.

Lockers and cars parked on school premises may be inspected by school personnel if there is reasonable cause to believe they contain alcohol, marijuana, hallucinogenic drugs, narcotics, or other illegal drugs, controlled or dangerous substances.

Awareness, Employee

Employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of a controlled substance (including alcohol), as defined in state or federal laws, during work hours while at school or at school-related events outside of usual working hours. An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

Awareness, Student

The Board, in recognizing the use of drugs and alcohol by students, directs the Superintendent to take immediate steps in the educational program so that students are aware of the physical and psychological dangers incurred through the improper use of drugs.

Classified as a Misdemeanor

The possession of any intoxicating beverages for consumption, sale, or distribution while on the grounds or in a building of any school in the District or while entering or inside any enclosure, field, or stadium where an athletic event sponsored or participated in by a school in the District is being held constitutes a Class C misdemeanor. (Education Code 4.22)

The District shall establish a drug-free awareness program to inform employees about:

1. The dangers of drug use and abuse in the work place.
2. The District's policy of maintaining a drug-free environment.
3. Drug counseling, rehabilitation, and employee assistance programs that are available in the community.
4. The penalties that may be imposed on employees for violation of drug use and abuse prohibitions.

H. SEARCHES AND ALCOHOL/DRUG TESTING

Noninvestigatory searches in the workplace, including accessing an employee's desk, file cabinets, or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the district reserves the right to conduct searches when there is reasonable cause to believe a search

will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. The district may search the employee, the employee's personal items, work areas, lockers, and private vehicles parked on District premises or worksites or used in district business.

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

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

All employees 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 Al Rath, Director of Transportation, 691-3800.

I. CHILD ABUSE

State law and Board Policy FFG and FFG (LOCAL) require a non-accusatory report of suspected child abuse.

A person commits a Class B misdemeanor if the person has cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect and knowingly fails to make a report within 48 hours of the event that led to the suspicion of abuse or neglect. (Texas Family Code 261.101)

The legal duty to report lies with each person who has cause to believe that abuse or neglect has occurred. It is the responsibility of the individual, not the school district, to make the report.

A person who has cause to make a report, but knowingly fails to do so, commits a criminal offense. (Texas Family Code, Section 261.109) A person reporting or assisting in the investigation of a report pursuant to the law is immune from liability, civil or criminal, that might otherwise be incurred or imposed. Immunity extends to participation in any judicial proceeding resulting from the report. (Texas Family Code 261.106)

School staff should be alert to signs or symptoms suggesting child abuse (e.g., unexplained bruises, cuts, burns, welts). Students' comments are often the key to discovering suspected neglect or emotional or sexual abuse.

PROCEDURE:

When an employee first suspects abuse, the employee should take the child to the nurse to document suspected abuse. Principal is to be informed of the situation.

The employee must then make a report (oral report) to the Child Protective Services (CPS) Division of the Department of Protective and Regulatory Services (PRS) (formerly Department of Human Services). This must be done as soon as possible, but no later than **48 hours** after suspecting the abuse. The phone number is **53-ABUSE**. The employee and nurse then collaborate to complete and file the written report. This report must be done within five (5) days after oral reporting. The original written report must be

sent to Child Protective Services. A copy of the report shall be kept on campus and one copy forwarded to the Health Services Department.

For reporting **life-threatening emergency situations**, the employee should call the CPS hotline at **1-800-252-5400**. To report **non-emergency** situations of child abuse/neglect PRS has developed a website for school professionals to make a report via the internet. The link to the reporting website is <https://reportabuse.we/>. The login ID is "educator." The password is "report1."

PRS instructs educational professionals **not** to share the login information with the general public in order to maintain the integrity of the school reporting website.

J. EMPLOYEE ARRESTS AND CONVICTIONS (Policy DH)

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

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

ANNUAL CRIMINAL RECORDS CHECKS ARE ALSO RUN ON ALL NORTHSIDE ISD EMPLOYEES AND VOLUNTEERS.

K. CONFLICT OF INTEREST

No employee of the District shall have any interest, financial or otherwise, direct or indirect, or engage in any business transaction or professional activity or incur any obligation of any nature which is in substantial conflict with the proper discharge of duties while employed by the District.

L. OUTSIDE EMPLOYMENT

The job of a teacher is a very demanding, and full-time employees are encouraged to limit any outside employment. If outside employment interferes with the job performance of an employee or if the nature of such employment is deemed by the superintendent to be incompatible with the role of an educator, the employee may be required to choose between the two types of employment. Teachers are not permitted to charge students under their supervision for tutoring services. (*DBF, Local*)

M. SOLICITING AND SELLING

Employees of the District are not permitted to use their position to sell products or services or solicit money from students or their parents for books, services, educational materials, or any other project that results in profit for the employee.

N. ASSOCIATION AND PARTICIPATION RIGHTS (Policy DGA)

Neither the Board nor any administrator shall directly or indirectly coerce any teacher to refrain from participating in political affairs in his community, state, or nation. Neither the Board nor any administrator shall directly or indirectly require or coerce any teacher to join, or refuse to join, any group, club, committee, organization, or association. For the purpose or

rights of association and participation, the term “teacher” shall include all District employees.

O. SMOKING AND TOBACCO USE

District policy prohibits the use of tobacco products anywhere on school property as well as at school sponsored events.

P. ACCOUNTABILITY FOR TEACHER INSTRUCTIONAL RESOURCE MATERIALS

All Teacher Resource Materials are property of the State of Texas or Northside Independent School District and are issued to the schools, program directors, departments, or staff members by the District Textbook Office or other department or school.

Teacher Resource Materials are any materials purchased by the District or provided to the District by publishers or the state for the purpose of helping guide instructional activities. Teacher Resource Materials can be (but are not limited to) books, teacher editions, workbooks, answer keys, audio or visual aids, resource kits, resource binders, manipulatives, instructional games, computer hardware and software, calculators, and/or other equipment.

Employees may not remove Teacher Resource Materials or any parts of the Teacher Resource Materials from their campus when transferring to another campus or leaving the employ of the District. Employees may check out some materials for home use through the Campus Textbook Manager or the campus principal with permission of the campus principal.

Employees are financially accountable for the cost of lost or damaged Teacher Resource Materials or parts thereof to their school, program or department.

Q. EMPLOYEE AGREEMENT FOR THE ACCEPTABLE USE OF THE DISTRICT'S ELECTRONIC COMMUNICATIONS SYSTEM

District employees will be given access to the District's electronic communications system. **The electronic communications system is defined as the District's network, servers, computer workstations, peripherals, applications, databases, library catalog, online resources, Internet access, email, and any other technology designated for use by employees.**

With this educational opportunity comes responsibility. It is important that employees read the Northside ISD Administrative Regulation for Acceptable Use and this agreement form, and then ask any questions if you need help understanding them. Inappropriate system use of the District's electronic communications system will result in the consequences below, including loss of the privilege to use this educational tool.

Please acknowledge receipt and understanding of these items found in Appendix G by completing and returning a copy of the Notice of Acknowledgment and Agreement Form in the back of this handbook.

Please note that Internet access is part of the District's electronic communications systems. The Internet is a network of many types of communication and information networks, which are used frequently in classroom assignments and include access to library materials and purchased online databases. Some material accessible via the Internet may contain content that is illegal, inaccurate, or potentially offensive to employees. It is possible for employees to access (accidentally or otherwise) these areas of content. While the District uses filtering technology and protection mea-

asures to restrict access to such material, it is not possible to absolutely prevent such access. It will be each employee's responsibility to follow the rules for appropriate and acceptable use.

SOME RULES FOR APPROPRIATE USE

- Employees must only open, view, modify, and delete their own computer files, unless they have specific permission from a supervisor to do otherwise.
- Internet use at school must be directly related to school assignments and projects.
- Employees may be assigned an individual account and must use only those accounts and passwords that they have been granted permission by the District to use. All account activity should be for educational purposes only.
- Employees are responsible at all times for their use of the District's electronic communications system and must assume personal responsibility to behave ethically and responsibly, even when technology provides them the freedom to do otherwise.

SOME EXAMPLES OF INAPPROPRIATE USES

- Using the District's electronic communications system for illegal purposes (e.g. gambling, pornography, computer hacking).
- Disabling or attempting to disable any system monitoring or filtering or security measures.
- Sharing your user name and password with others, borrowing someone else's user name, password, or account access.
- Purposefully opening, viewing, using, or deleting files belonging to another system user without permission.
- Electronically posting personal information about yourself or others (i.e., addresses, phone numbers, pictures).
- Downloading or plagiarizing copyrighted information without permission from the copyright holder.
- Intentionally introducing a virus or other malicious programs onto the District's system.
- Electronically posting messages or accessing materials that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- Wasting or abusing school resources through **unauthorized** system use (e.g. playing online games, downloading music, watching video broadcasts, participating in chat rooms, checking personal email, etc).
- Gaining unauthorized access to restricted information or network resources.

CONSEQUENCES FOR INAPPROPRIATE USE

- Suspension of access to the District's electronic communications system;
- Revocation of the District's electronic communications system account(s); and/or
- Other appropriate disciplinary or legal action in accordance with applicable laws.

NOTE: The employee agreement to abide by these guidelines must be renewed each academic year. Also, District Policies and Administrative Regulations are included as an addendum to all handbooks for your review. A detailed description of the District's acceptable use policy is found in **Appendix G.**

R. POSSESSION OF FIREARMS AND WEAPONS

A person commits an offense if the person knowingly, intentionally, or recklessly possesses or goes with a firearm, illegal knife, or prohibited weapon listed in Penal Code 46.05(a) onto the physical premises of a school or educational institution or any grounds or building in which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicle of a school or educational

institution, unless pursuant to written regulations or written authorization of the District. Penal Code 46.03 [See also FNCG]

“Premises,” for purposes of the paragraph above, means a building or a portion of a building. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area. Penal Code 46.035(f)(3)

A person commits a third degree felony if the person, by exhibiting or using or threatening to exhibit or use a firearm, interferes with the normal use of a building or portion of a campus or of a school bus being used to transport children to and from school-sponsored activities. Education Code 37.125

S. VISITORS IN THE WORKPLACE

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 district premises should immediately direct him or her to the building office or contact the administrator in charge.

T. COPYRIGHTED MATERIALS

Employees are expected to comply with the provisions of copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Rented videotapes are to be used in the classroom for educational purposes only. Duplication or back-ups of computer programs and data must be made within the provisions of the purchase agreement. Failure to comply with copyright laws may result in disciplinary action against the employee, up to and including recommendation for termination.

U. CELLULAR PHONES, PAGING DEVICES AND NEXTEL

Personal Cellular Phones and Pagers are allowed on any district property or where a school-sponsored activity takes place as long as they are turned off and out of sight during employee’s work schedule. No personal calls should be made or received during the employee’s work schedule with the exception of limited personal calls which may be made or received during employee’s scheduled breaks and/or lunch period.

Function

The function of all cellular telephones/paging devices and Nextel used by District personnel should be to provide and maintain immediate communication for emergencies and critical situations. They should provide staff and faculty with reliable telecommunication service.

Acquisition of Equipment

The purchase, lease, or rental of cellular telephones/paging devices and Nextel must be on a District purchase order. The Purchasing Department will provide information on vendors and airtime plans available. These services will be provided through the competitive bid process.

Types of Equipment

The District should allow for the use of both portable and vehicle mounted equipment and accessories. Cellular telephone/paging devices and Nextel should be the digital type which allows for a return telephone number to print out on the LCD screens.

Limits of Use

All cellular telephones/paging devices and Nextel are to be used for official District business only. The District recognizes that occasionally a personal call may be a necessity. In this case, the telephone user, not the District, is responsible for the airtime charges incurred for personal telephone calls.

Authorization

All requests for cellular telephones/paging devices and Nextel must be submitted in writing to the appropriate Assistant Superintendent for approval.

This request should include:

- Business case or justification for use of the equipment.
- User location/department.
- Account code to be charged.
- Name of person who will have custodial responsibilities.
- Any special requirements.

Final approval will be made by the appropriate Superintendent or Deputy Superintendent.

After approval has been received, the equipment user must send a purchase order request with a copy of the approval to the Purchasing Department.

Care and Security

The user of the cellular telephone/paging device and Nextel will be responsible for safeguarding the equipment and ensuring its proper business use. (Users of cellular telephones and paging devices must notify the Purchasing Department the next working day of any changes in use, location, conditions, loss, theft, or telephone number change. Users of Nextel must notify their supervisor.)

Replacement Of Cellular Telephone/Paging Devices

- If a cellular telephone/paging device or Nextel is stolen, it is the responsibility of the user to report the theft the next working day after the theft to the Purchasing Department or to the user’s supervisor. In addition, a copy of a police report must be submitted within two weeks of the theft to the Purchasing Department or to the user’s supervisor. With appropriate documentation of the theft, the cellular telephone/paging device or Nextel will be replaced by the district at no charge to the employee.
- If a cellular telephone/paging device or Nextel is accidentally damaged by an employee, the damage must be reported the next working day after the damage occurs to the Purchasing Department or to the user’s supervisor. If it is the first incident of damage, the district will replace or repair the cellular telephone/paging device or Nextel. If it is the second incident of damage, the employee will be required to pay for one-half of the repair/replacement cost of the cellular telephone/paging device or Nextel. For any subsequent incidents, the employee will be required to pay the entire repair/replacement cost of the cellular telephone/paging device or Nextel.
- If a cellular telephone/paging device or Nextel is lost by the employee, the loss must be reported the next working day to the Purchasing Department or to the user’s supervisor. It will be the responsibility of the employee to pay for the replacement of the cellular telephone/paging device or Nextel.

Incident Cycle

When a cellular telephone/paging device or Nextel is issued to an employee, the employee will be subject to the conditions listed above for three calendar years. At the end of three calendar years, the employee will start a new cycle of incidents and consequences. Each three year cycle will remain in effect regardless of the regular district replacement schedule for any/all equipment.

Budget and Accounting

It shall be the responsibility of the department to budget funds for the purchase of all equipment requested. It will also be the responsibility of

the department to secure service and maintenance required on all equipment. This service and maintenance will include any cost for consumable supplies required to operate the equipment. The Purchasing Department will provide the names of vendors to be used for repair services. Funds for the purchase of equipment will be charged to the individual department. Funds for the repair and maintenance will be charged to the individual department 62XX account.

Telephone Air Time Charges

All official District air time charges will be paid by the District.

V. GUIDELINES FOR SELECTION OF SUPPLEMENTAL INSTRUCTIONAL MATERIALS

Teachers must exercise care when selecting supplemental materials for classroom use. **(Refer to your Instructional Handbook for detailed information.)** In particular they should pay close attention to the manner in which the materials treat profanity and sex, violence, religion, human development, and biased materials.

There are additional specific criteria that apply to the use of movies and videotapes in the classroom. R-rated movies are never to be used. PG and PG-13 movies can not be used in the elementary schools. Written consent from the students' parents or guardians must be obtained to view PG or PG-13 movies at the secondary level. The use of any movie during the scheduled school day must be based on educational value and content.

W. INTELLECTUAL PROPERTY RIGHTS (DGC-LOCAL)

Copyrights

The objectives of this policy shall be to preserve for District employees the incentives for creative effort provided by copyright and patent laws of the United States yet to enable the District to carry on its operations effectively and with consistency and efficiency.

Belonging To An Employee

Copyrights to material created by a District employee shall belong to the employee in which either of the following applies:

1. The nature of the material is not such that would normally be usable in school curriculum, activities, or operation.
2. Even though the District may use the material, the material was:
 - a. Developed exclusively on the employee's own time;
 - b. Outside the scope of the employee's work activities for the District; and
 - c. Not a result of work specifically assigned by or undertaken for the District.

Belonging to the District

Copyrights to material created by a District employee shall belong to the District in which both of the following apply:

1. The nature of the material is such that would be usable by the District in its normal operations or in conducting the business or activities of the District; and
2. The material was developed by the employee in the normal course of the employee's work specifically assigned by or undertaken for the District, whether or not done during regular working hours or on the employee's own time.

Release of Copyrights

A District employee may request and obtain from the District a release of copyrights in materials created by the employee, where any one of the

following applies:

1. The copyrightable material is of such a personal nature that copyright ownership by the District would be inappropriate.
2. The copyrightable material is an artistic, literary, music, or other expression of the employee, sufficiently distinctive and sufficiently related to the individual creative talents of the employee that copyright ownership by the District would be inappropriate.
3. The work from which the copyrightable material resulted was undertaken primarily for use of application in the curriculum, activities, or operations of the District, but the copyrightable material was developed or created by the employee or employees in such a form that it has substantial use or application beyond the District use initially contemplated.

A request by a District employee for a release of copyrights shall be directed to the Superintendent, shall be in writing, and shall specify the material for which the release is requested, preferably by submitting a copy of such material with the request. The request shall normally be granted, subject to the following conditions:

1. The District shall retain an irrevocable, royalty free license to use the copyrightable material for its own curriculum, activities, and operations.
2. When the District does make use of the copyrightable material under its license, the only obligation of the District is to take reasonable care to ensure that the proper copyright notice is placed on the first publication by the District of such material.

The District bears no further obligation or responsibility, and accepts no liability for, any subsequent publication of the material, whether or not done by the District, any of its employees or agents, or by others, nor for any act which might be an infringement of the copyright.

Copyrights Retained by District

In those instances when a District employee is specifically assigned to produce material that is expected to be copyrightable and to have significant use beyond the use made by the District itself, copyright ownership shall be in the District. The District and the employee or employees creating such material shall negotiate an agreement to share on an equitable basis income that may be forthcoming because of the use of such material outside the District, taking into consideration the time, effort, and creative contributions of the employee or employees beyond what would be expected in the normal course of work, and the relative contributions of the District, such as expenditures and use of facilities.

X. ACCOUNTING PROCEDURES

All employees receiving money on behalf of the District must adhere strictly to the accounting procedures outlined in the Student Activity Funds Procedures Manual, a summary of which (Quick Reference Guide) is available from school principals. These procedures apply not only to Student Activity Fund sponsors but to all employees receiving money in their capacity as an employee of NISD.

Y. STUDENT ISSUES

In addition to the Standards listed in Principle IV: Ethical Conduct Toward Students, in the Code of Ethics for Texas Educators, the following policies should also be followed by District employees:

1. Student Records (Policy FL)

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records.

The following people are the only people who have general access to a student's records:

- Parents of a minor or of a student who is a dependent for tax purposes
- The student (if 18 or older)
- School officials with legitimate education interests

Materials that are not considered educational records and do not have to be made available to a parent or student include teachers' personal notes on a student that are shared only with a substitute teacher.

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.

2. Parent and Student Complaints (Policy FNG)

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

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

3. Administering Medication to Students (Policy FFAC)

Only designated employees can administer medication to students. A student who must take medicine 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.

4. Student Absences

A student absent from school shall provide a note that describes the reason for absence. The note shall be signed by the student's parent or guardian. If the student is 18 or older or has been declared by a court to be an emancipated minor, the student may sign in place of a parent or guardian.

Teachers and other employees responsible for verifying student attendance are responsible for receiving and maintaining this written documentation.

5. Student Attendance (Policy FDD)

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

6. Dietary Supplements (Policy DH Legal)

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.

7. Hazing (Policy FNCC, FO)

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



WHOA! Wait a second! Have you heard about all the **DISCOUNTS** available to Northside Employees?? Just visit the Partnerships link at the Northside Website:

www.nisd.net/part1ww/

IX. Safety and Health

The Board of Trustees, Superintendent, and administration of the District are committed to providing a safe and healthy work environment for all employees, students, and others who may work in or visit our schools and facilities. All employees are expected to comply with all safety and health requirements, whether established by the District or federal, state, or local law. While the District is not subject to the jurisdiction of OSHA, these regulations shall be used as a resource in establishing safe work procedures and practices. All employers have a nondelegable duty to provide a safe and healthy workplace. It is the position of the District that quality job performance and accident prevention shall co-exist and be merged to create an atmosphere of efficiency, productivity, and safety. The ultimate safety for employees lies with each employee regardless of station, location, or rank. Each employee has an important role to play in the identification of hazards and prevention of unsafe work practices.

Employees with questions or concerns relating to Workers' Compensation benefits or safety program issues are encouraged to contact the Risk Management Office at 397-8720.

A. EMPLOYEE INJURIES

Any accident resulting in injury to an employee while on duty must be immediately reported to the supervisor on duty. All Supervisors with knowledge of an employee injury have the responsibility to report the occurrence to Risk Management in spite of assertions by the injured worker indicating they do not want to file a Workers' Compensation claim.

If the injury warrants medical examination, the employee may go the doctor of his/her choice or the Risk Management Office can assist the employee with a choice of medical referrals as necessary. Injured employees are required to submit a medical update to the Risk Management Office **after each doctor visit** even if no change in condition or limitations has occurred. If an employee is unable to work for seven (7) calendar days due to the injury, Workers' Compensation indemnity benefits will be initiated on or about the 13th day of medically documented disability. Please direct your Workers' Compensation benefit questions to the District Claims Specialist in Risk Management (397-8832).

B. GENERAL SAFETY

All employees are expected to work in a safe and prudent manner abiding by all safety related District policies and procedures. A clean, safe and organized work environment is essential! Using good housekeeping practices reduces the potential for accidents that may result in injury. Good housekeeping also reduces the potential for and may lessen the severity of fires, which may result in injury and/or property damage. Additionally, good housekeeping practices ensure the best use of space and creates a positive and pleasing school and/or departmental environment for students, staff, patrons and employees. Each employee is responsible for the safety and care of the building and environment. The use of tacks, nails or screws on woodwork, walls or doors is not permitted. Slips and falls are the leading cause of injuries. Be sure walkways and corridors are clean and free of obstructions.

Spills should be cleaned up immediately. Always use WET FLOOR SIGNS when mopping or performing wet floor care procedures. Ladder safety is an important method of preventing falls. NEVER stand on chairs or furniture to increase reaching abilities.

Back injuries resulting from improper lifting are another leading

cause of employee injuries. Always practice proper body mechanics when lifting bulky or heavy objects. Break down large or heavy loads when possible. Get assistance with heavy objects. Use a back safety belt only after receiving proper fitting and training.

Lighted candles or open flames will not be used for any purpose in schools or departments (only as related to established and approved curriculum). Pyrotechnics in school buildings or on school grounds is strictly prohibited. The use of decorative lighting such as light strands requires approval from the campus/department Safety Coordinator or Risk Management Safety Specialist (397-8759).

The District requires drivers of District vehicles and drivers of personally owned vehicles (furthering the business of NISD) to practice safe driving techniques to prevent collisions or damage and traffic violations. Driver records will be evaluated under District guidelines to determine an employee's eligibility to drive.

C. COMMUNICABLE DISEASES

Certain infectious diseases are transmitted through contact with the body fluids of an infected person. Persons having contact with liquid secretions such as blood, urine, vomit, feces, saliva, tears or other body fluids should follow these procedures to minimize potential exposure:

1. Disposable gloves and safety glasses should be worn when handling any person, clothing, or equipment with body fluids on them. **NOTE:** Care should be taken to avoid the use of disposable latex gloves if an employee has an allergy or sensitivity to latex. Disposable vinyl or rubber gloves may be a safe alternative to latex gloves.
2. Plastic mouthpiece or other authorized barrier/resuscitation devices shall be used whenever an employee performs CPR or mouth-to-mouth resuscitation.
3. All sharp instruments such as knives, scalpels and needles shall be handled with extraordinary precaution:
 - a. Double gloves should be worn when handling sharp instruments.
 - b. Employees should not place their hands where sharp instruments might be hidden. A visual search of the area should be conducted using a flashlight when necessary.
 - c. Needles should not be recapped, bent, broken, removed from a disposable syringe or in anyway manipulated by hand and should be placed in a puncture safe container when collected for evidence or disposal purposes.
 - d. Sharp instruments should not be passed from one person to another. The passing person should lay the instrument down and it should be picked up by the receiving person.
4. Employees should not smoke, eat, drink, or apply make-up around body fluid spills.
5. Any blood-soaked items should be placed in leak proof bags for evidence or disposal purposes.
6. Any person coming into contact with blood or body fluids should wash their hands thoroughly with soap and hot water.

D. TEXAS HAZARD COMMUNICATION ACT

As required by the Texas Hazard Communication Act (revised 1993) codi-

fied as Chapter 502 of the Texas Health and Safety Code, the District provides employees with specific information and training on the hazards of chemicals, measures to protect themselves from these hazards, including appropriate personal protective equipment.

Each District location has **Material Safety Data Sheets (MSDS)** for chemicals and hazardous materials found at that specific location. The MSDS's are available for the employee's use and review at any time. It is the employee's responsibility to familiarize him/herself with the following related to each chemical and hazardous material:

- How to recognize hazardous substances
- The properties and hazards of each chemical
- Safe handling procedures
- What to do in the event of a spill or accidental release
- How to control exposure to the substance
- First-aid procedures Each District employee working with hazardous chemicals is required to review the chemical label and MSDS before use. Contact your supervisor for access information to your campus/department chemical list and MSDS's.

E. ASBESTOS REGULATIONS

The Asbestos Hazard Emergency Response Act (AHERA) requires that notification of the availability of Asbestos Management Plans be made to all District employees each school year. As required by Environmental Protection Agency regulation 40 CFR Part 763 Subpart E, Northside Independent School District hereby notifies District employees that an Asbestos Management Plan is available for review in the administration office of schools and facilities constructed before October 12, 1988. Periodic inspections of all identified asbestos containing materials are made at least every six months. Certified re-inspections are conducted every three years.

F. PESTICIDES REGULATIONS

In accordance with the Texas Structural Pest Control Act, article 135b-6, Northside Independent School District hereby notifies District employees that pesticides are periodically applied at District facilities. The District has adopted an Integrated Pest Management (IPM) plan and will integrate IPM procedures for the control of structural and landscape pests.

Employees, as building occupants, should be concerned about the safety and effectiveness of the pest control methods used. The most important responsibility of the staff is sanitation. Much of the prevention and reduction of pest infestation at District facilities depends on a clean environment. Employees should immediately report any evidence of pest activity to school administrators or the facility director. Additional information is available through the school principal or facility director, and District IPM Coordinator in the Facilities Department.

Notices of planned pest control treatment will be posted in a District building forty-eight (48) hours before the treatment begins. Notices are generally located in common access areas within the building. Pest control information sheet are available from campus principals or facility directors, or the District IPM Coordinator in the Facilities Department.

G. CLEAN AIR ACT

The Clean Air Act addresses chlorofluorocarbon (CFC) in the atmosphere. It is the policy of the Northside Independent School District to conform to Section 608 of the Clean Air Act amendments of 1990 and the Environmental Protection Agency recovery and recycling regulations. The Clean Air Act addresses Chlorofluorocarbon (CFC) in the atmosphere. The District's technicians shall not knowingly release/vent refrigerants into the atmosphere during the service, repair, maintenance and disposal of air conditioning and refrigeration equipment. Northside requires service technicians to be trained and certified to recover/recycle refrigerants.

H. CAMPUS PROCEDURES

1. **Drills.** Principals shall conduct fire, tornado, or other emergency drills designed to assure the orderly movement of students and personnel to the safest areas available.
2. **Emergency Plans.** Each school shall have effective emergency procedures that can be implemented on short notice and that will ensure optimum safety for students and school personnel.
3. **Evacuation Procedures.** The Superintendent or a designee shall design and implement a system to familiarize employees and students with evacuation procedures and shall ensure that evacuation diagrams are appropriately posted.
4. **Fire Extinguishers.** Fire extinguishers shall be kept in each building and all District employees (instructional, operational, and cafeteria) shall know where to find them and how to use them.
5. **Electrical Heating Appliances in the Classroom.** The City of San Antonio has informed the District that reheating and serving food in the classroom on a regular basis violates City health, safety, and fire regulations. Teachers are discouraged from using microwave ovens, hotplates and other electrical heating appliances in their classrooms, unless carefully supervised and used as a part of an approved curriculum.

I. CRISIS & EMERGENCY RESOURCE MANUAL

District facilities have been supplied with a Crisis & Emergency Resource Manual. The Crisis Manual provides each campus with instructions and resources needed to develop its own unique and appropriate crisis management plan. Guidelines for prudent response in a variety of crisis/emergency situations are included in the manual. District employees required to respond in emergency situations should thoroughly review the crisis manual.

The District has also enacted the Northside **Safeline** a 24-hour anonymous school safety call-in program. Anyone that sees or hears something that could cause someone to get hurt or that may cause property damage is encouraged to call **397-SAFE**.

X. Other Policies/ Procedures

A. BAD WEATHER CLOSING

The Superintendent will be in contact with various radio stations concerning the closing of schools and/or instructions in the event of the closing of schools due to severe weather. These instructions will be given to all personnel by way of the mass media. All District staff is instructed to seek out this information either through the media or from their immediate supervisor.

B. REPORTING EMPLOYEE ABSENCES

1. Overview

Northside uses an electronic means to report absences, arrange for substitutes, and assist in identifying applicable types of leave. *The Substitute Employee Management System (SEMS)* and its companion product, *WebCenter*, from eSchool Solutions, provide the means for doing so. The SEMS system is a telephone-based system; the WebCenter is a computer (internet) based system. All professional and classified staff must use the SEMS/WebCenter system to report absences from duty.

2. Registration

Employees must phone the SEMS system at **522-8987**, and follow the voice prompts to get their Personal Identification Number (PIN). They should **write down this number** in a safe and secure place, where it is easily accessible when calling SEMS or using the WebCenter.

3. Logging on to WebCenter

Employees may use any computer with internet connectivity to report, review, or cancel absences already created. However, the computer must use one of the following browsers for accessing the Internet: *Microsoft Internet Explorer* version 5.0 or later, or *Netscape Communicator* version 6.0 or later. To log on to WebCenter, you will need two numbers-your PIN number, obtained from calling the SEMS system, and your Employee ID number, which is on your paycheck stub and may also be located on the Employees page of the NISD Intranet.

4. Requesting and Pre-assigning Substitutes

When employees create their absences in SEMS system, they have several options regarding use of a substitute: 1) no substitute may be required for the absence; 2) a specific substitute may be requested through the system; and 3) a substitute may be pre-arranged and the name of that substitute entered into the system; or 4) the substitute may be selected randomly based on eligibility criteria.

If a substitute is requested, the SEMS system will search to see if the requested substitute is available and will assign that substitute to the job if he/she is available and approved for working for that job classification, at that location, on that day of the week. In order to pre-assign a substitute to an absence, the employee must have contacted the substitute directly – in person, by phone, or via email – and received assurance from the substitute of their eligibility and availability for the job.

In either case – whether requesting or pre-assigning a substitute – the employee must use the substitute’s EMPLOYEE ID – not their PIN – when entering the information into the SEMS/WebCenter system.

5. Reviewing and Canceling Jobs

Employees may *review* jobs that they have already accepted by either calling the SEMS phone system or through the WebCenter. If they are ever in doubt about the date or reason entered for an absence, they should review the absence. Employees may also *cancel* an absence if they learn after creating an absence that they are not going to be absent from work after all.

6. Supporting Documents for Absences

When an employee is absent for any of the following reasons, the appropriate supporting documentation must be provided to the campus SEMS Operator for submission to the Payroll Office: *Jury Duty* (form provided by court house subsequent to completion of duty); *Approved Court Appearance* (duly authorized subpoena to appear); and *Military Duty* (copy of military orders.) Human Resources may request additional information from the employee or medical provider for other types of absences to assist in identifying applicable types of leave.

7. Lost/forgotten PIN numbers

If you lose or forget your PIN, you may retrieve it by re-registering with the SEMS system, following the same steps you took when registering with the system for the first time. (Note that this will require your entering your social security number again when prompted.) **Please do not contact the Substitute Office to retrieve lost or forgotten PIN numbers.**

Substitute Employee Management System
(SEMS) Phone Number is:
522-8987

C. SUBSTITUTE EMPLOYEES

Teachers should cooperate with Human Resources in the effective use of substitute teachers and paraprofessionals. All campus staff are expected to welcome and support substitute employees. The contributions of substitute teachers to the educational outcomes of the District are significant since, on average, a student will have a substitute teacher in the classroom for the equivalent of one full academic year from the time they enter kindergarten to the time they graduate from high school.

Northside provides both an orientation and required training for inexperienced substitute teachers. These “Guest Teachers” should be given all the resources and encouragement needed for them to carry out their duties.

Teachers and campus administrators are also urged to provide regular feedback to Human Resources regarding substitute performance and may use the Substitute Evaluation forms available on every campus and on the Substitute Teacher website at www.nisd.net/hr/substitutes.

D. RELIGIOUS ACTIVITIES IN THE CLASSROOM

Federal law and School Board Policy (EMI-Local) prohibit teachers and other Employees from advancing or promoting a particular religious belief or viewpoint while on duty in the classroom.

E. PURCHASING PROCEDURES

(Policy CH)

All requests for purchases must be submitted to the Purchasing Department on an official district purchase order (PO) form with the appropriate

approval signatures. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the District business office. Contact the Purchasing Department at 397-8705 for additional information.

F. ALTERNATIVE SETTINGS FOR BEHAVIOR MANAGEMENT

The Texas Education Code specifies terms and conditions for removing students to alternative settings for behavioral reasons. School districts are required by law under Section 37.018 to “provide each teacher and administrator with a copy” of the law. The complete text of Subchapter A is contained in **Appendix “H”**. **Teachers should note in particular Section 37.002.**

Teachers and administrators may also want to refer to the TASB document on the Internet at http://www.tasb.org/docs-mytab/gov_svis/policy_svc/discipline/removal/index.shtml.

G. SUPERVISING PARAPROFESSIONALS IN THE CLASSROOM (NCLB)

One of the provisions of the No Child Left Behind Act of 2001 requires that teachers in Title I schools must provide direct supervision of paraprofessionals who give instructional support to students. The U.S. Department of Education’s final regulations specify that a teacher must do three things in providing direct supervision to instructional assistants: 1) Plan the paraprofessional’s instructional activities, 2) Evaluate how the paraprofessionals’ students are performing, and 3) Work in the same classroom as the paraprofessional.

- 1) Paraprofessionals make a valuable contribution to the students’ education, so it is the district’s responsibility to use their time wisely. Part of this effort is planning the paraprofessionals’ activities including such permitted instructional support tasks as: small and large group instruction, one-on-one tutoring, classroom management, computer-based instruction, translating, or other instructional support.
- 2) The classroom teacher has the final responsibility for evaluating the achievement of students with whom paraprofessionals are working. Student achievement should be reviewed with enough frequency and detail to understand how each student is performing.
- 3) Paraprofessionals should be working in the presence of the classroom teacher for most or all of the school day. If the paraprofessional is not working in the physical presence of a teacher, he/she should be monitored frequently in order to ensure that appropriate instructional strategies and classroom management skills are being demonstrated and educational objectives are being met.

XI. Appendices

– APPENDIX A –

COBRA

The law provides for continuation of group health coverage for employees and dependents after termination of employment. Coverage may be extended up to 36 months at a cost of 102% of the active employee premium.

VERY IMPORTANT NOTICE

Under federal law, employees and their dependents have the right to temporarily extend coverage under Northside ISD Group Health Plan in certain circumstances when the coverage would otherwise have been terminated as the result of a “Qualifying Event.” Employees and their dependents who are covered by Northside ISD Group Health Plan on the day before a Qualifying Event have the right to elect to continue the level of health coverage in effect under Northside ISD Group Health Plan if such health coverage would otherwise terminate by reason of a Qualifying Event. Employees and their dependents do not have to show that they are insurable to choose this continuation coverage. This notice is intended to inform you, in a summary fashion, of your rights and obligation under the continuation coverage provisions of the law. **(Both you and your dependents should take the time to read this notice carefully.)**

If you are an employee of Northside ISD covered by Northside ISD Group Health Plan you have the right to choose this continuation coverage if you lose your group health coverage due to the following:

- **Retirement or other termination of employment (except for gross misconduct), or reduction work hours.**

If you are the spouse of an employee covered by Northside ISD Group Health Plan, you have the right to choose continuation coverage for yourself if you lose group health coverage under Northside ISD Group Health Plan for any of the following four reasons:

- **The death of your spouse;**
- **A termination of your spouse’s employment (for reasons other than gross misconduct) or reduction in your spouse’s hours of employment;**
- **Divorce or legal separation from your spouse; or**
- **Your spouse becomes entitled to Medicare.**

In the case of a dependent child of an employee covered by Northside ISD Group Health Plan, he or she has the right to continuation coverage if group health coverage under Northside ISD Group Health Plan is lost for any of the following five reasons:

- **The death of a parent;**
- **A termination of parent’s employment (for reasons other than gross misconduct) or reduction in a parent’s hours of employment with Northside ISD;**
- **Parent’s divorce or legal separation;**
- **A parent becomes entitled to Medicare; or**
- **The dependent child ceases to be a “dependent child” under Northside ISD Group Health Plan.**

• NOTIFICATION RESPONSIBILITIES

Under the law, the employee or a family member has the responsibility to inform the Northside ISD Plan Administrator of a divorce, legal separation, or a child losing dependent status under Northside ISD within 60 days of the date of the event. If you or your dependents do not notify Northside ISD within this time period, you may lose your rights to continuation coverage. Northside ISD has the responsibility to notify the Plan Administrator of the Medicare entitlement. Similar rights may apply to certain retirees, spouses, and dependent children if Northside ISD commences a bankruptcy proceeding and these individuals lose coverage.

• ELECTION PERIOD

When the Plan Administrator is notified that one of these events has happened, the Plan Administrator will in turn notify you that you have the right to choose continuation coverage.

Under the law, you have 60 days from the date you would lose coverage because of one of the events described above, or the date the notice of your election rights is sent to you, whichever is later, to inform the Plan Administrator that you want continuation coverage.

To elect continuation coverage, you and/or your dependents must notify the Plan Administrator in writing within the election period. If continuation coverage is not so elected, coverage under Northside ISD Group Plan will cease.

• PREMIUM REQUIREMENTS

In order to receive continuation coverage, you and /or your dependents must pay the required premium. The required premium may be paid in monthly installments. The first

premium payment of the initial period of continuation coverage is payable no later than 45 days after the day on which the election of continuation coverage is first made. If you elect continuation coverage, you will be informed when the subsequent premium payments are due. Once you and/or your dependents have elected continuation coverage you have a 30-day grace period in which to pay subsequent premiums.

• MAXIMUM PERIOD OF CONTINUATION

In order to receive continuation coverage, you and/or your dependents must pay the required premium. The required premium may be paid in monthly installments. The first premium payment for the initial period of continuation coverage is payable **no later than 45 days after the day on which the election of continuation coverage is first made.** If you elect continuation coverage, you will be informed when the subsequent premium payments are due. Once you and/or your dependents have elected continuation coverage you have a 30 day grace period in which to pay subsequent premiums.

• MAXIMUM PERIOD OF CONTINUATION

Depending on the Qualifying Event, health benefits may be continued for the following maximum periods .

18 MONTHS

- **Retirement;**
- **Termination of employment;**
- **Reduced hours.**

36 MONTHS

- **Death of employee;**
- **divorce or legal separation;**
- **Medicare Entitlement;**
- **Ineligible dependent.**

The 18 months may be extended to 29 months if an individual is determined to be disabled at the time of termination (for Social Security disability purposes) and the Plan Administrator is notified of that determination **within 60 days** of the determination and before the end of the original eighteen (18) month period. The affected individual must also notify the Plan Administrator **within 30 days** of any final determination that the individual is no longer disabled. Northside ISD is permitted to charge 150% of the applicable premium for the **additional 11 months** of coverage provided to disabled beneficiaries.

• SECOND QUALIFYING EVENT

If a second Qualifying Event occurs within the first 18 months of continuation coverage (or within the first 29 months of continuation coverage for disabled persons as described above), coverage will be continued for 36 months from the date of the second Qualifying Event.

• QUALIFIED MEDICAL CHILD SUPPORT ORDERS (QMCSOs)

Court orders issued under state domestic relations laws, intended to ensure children will have coverage under employer-provided plans of their parents.

• TERMINATION OF CONTINUATION COVERAGE

However, the law also provides that your continuation coverage may be terminated for any of the following five reasons:

- **Northside ISD no longer provides group health coverage to any of its employees;**
- **The premium for your continuation coverage is not paid on time;**
- **You become covered by another group plan, unless the plan contains any exclusions or limitations with respect to any pre-existing condition you or your covered dependents may have;**
- **You become entitled to Medicare;**
- **You extend coverage for up to 29 months due to your disability and there has been a final determination that you are no longer disabled.**

This law applies to Northside ISD Health Plan, beginning on (*applicable date under Section 10002(d) of COBRA). If you have any questions about the law, please contact Suzanne Levan, 5617 Grissom Road, San Antonio, TX 78238. Also, if you have changed marital status, or you or your spouse have changed addresses, please notify Ms. Levan at above address.

It is the responsibility of the former employee to contact the Director of Employee Services for continuation of health insurance coverage.

– APPENDIX B –
NORTHSIDE INDEPENDENT SCHOOL DISTRICT
GUIDELINES FOR LIMITED BUY-BACK OF LEAVE AS
AUTHORIZED IN BOARD POLICY DEC (LOCAL)

RATIONALE: The intent of the buy-back program is to encourage employee attendance and to enhance the perceived equity of the leave program by rewarding those employees who accumulate unused leave.

RATE: The maximum buy-back rate for professional personnel shall be the substitute teacher rate at the time of the transaction. The minimum buy-back rate shall be 60% of the substitute teacher rate, rounded to the nearest dollar. Rates for classified personnel shall be based upon the substitute teacher aide scale, and rates for auxiliary personnel shall be based upon the established minimum wage.

The scheduled buy-back rates are as follows:

<u>Employee Category</u>	<u>Schedule</u>	<u>Maximum Rate</u>	<u>Annual Rate</u>
Professional	A	\$85	\$51
Classified	B	\$50	\$30
Auxiliary*	C	\$41 (\$5.15/hr.)	\$25 (\$3.09/hr.)

*(Schedule C is based on the minimum wage, currently \$5.15/hr. The hourly rate may be utilized for auxiliary employees if the payroll system accumulates leave in hours rather than days. Auxiliary employees who are paid on the monthly payroll will be included under Schedule B.)

Options: Four buy-back options are provided:

- Annual** - Each year, during June, employees may make application for the district to buy back excess local leave days. An application form will be provided for this purpose.
 Excess days are leave days over and above a minimum balance of thirty (30) days (State and Local).
 Days purchased under this option shall be at the applicable annual (minimum) rate.
 Independent transactions under this option must be for a minimum of five (5) days. A maximum number of days under this provision may be established by the Board. For 2002-2003, the maximum is set at fifteen (15) days.
- Separation (except retirement):** Employees who resign from employment may apply for local leave to be bought back at the applicable annual rate. Under separation the District will not buy back state leave. Employees who have retired through TRS and return to full or half-time employment may buy back leave earned from the date of re-employment at the applicable annual rate. (Termination for cause may result in the forfeiture of this benefit.)

*** **Caution: Remember that as of September 2001, fifty (50) days of accumulated state leave may be used to purchase an additional year of service through the Teacher Retirement System.**

- Retirement (through TRS)** - Employees who retire through the Texas Teacher Retirement System may apply for the district buy back of unused earned leave days under terms which recognize length of service in Northside.

The first sixty (60) days of local and/or state leave earned in Northside may be exchanged at rates:

<u>Years</u> <u>NISD</u> <u>EXP.</u>	<u>%</u> <u>Max.</u> <u>Rate</u>	<u>CURRENT RATES</u>		
		<u>Sch.</u> <u>A</u>	<u>Sch.</u> <u>B</u>	<u>Sch.</u> <u>C</u>
0-4	60	\$51	\$30	\$25 (\$3.09/hr.)
5-9	70	\$60	\$35	\$29 (\$3.61/hr.)
10-14	80	\$68	\$40	\$33 (\$4.12/hr.)
15-19	90	\$77	\$45	\$37 (\$4.64/hr.)
20+	100	\$85	\$50	\$41 (\$5.15/hr.)

All additional unused local and state leave may be redeemed at the appropriate annual rate.

- Death Benefit** - Upon the death of an employee who is on active duty or approved leave of absence, the District will pay to the employee's beneficiary(ies) a lump sum equal to the amount to which the employee would be entitled under Option 3 had he/she retired on the date of his/her death. Unless otherwise stipulated by the employee in writing and filed in the Office of Human Resources, such payment shall be made to the beneficiary(ies) designated by the employee for the life insurance provided as a part of the district health insurance plan.

Application: Payments under Options 2, 3, and 4 shall be made only upon submission of a properly completed application within sixty (60) days following the event which precipitated the payment (i.e., separation, retirement, or death). This provision is effective as of July 13, 1992. In unusual, mitigating circumstances, the Superintendent may waive the time limit.

Effective Date: Except as noted, the provisions of this program first became effective September 1, 1990. These guidelines were last revised June 10, 2002.

Example: Consider a teacher with 20 or more years of Northside experience and 100 accumulated leave days (70 state, 55 of which were earned in Northside, and 30 local).

If the teacher resigned, but did not retire (say, moving to another city to teach), he/she could apply to sell back to 30 local days at the annual rate of \$51 and receive a severance bonus of \$1,530. The balance of the state leave days would remain on his/her service record.

If the same teacher retired from Northside through TRS, he/she would be eligible for \$5,100 for the 30 local days and 30 state days earned in Northside @ \$85 each, plus \$2,040 for the remaining state days @ \$51 each for a retirement bonus of \$7,140.

Guidelines Changes: Substantive changes in these guidelines must be approved by the Board of Trustees.

Approved by Board of Trustees 2002



NORTHSIDE INDEPENDENT SCHOOL DISTRICT
Department of Human Resources

REQUEST FOR DISCRETIONARY LEAVE EXCEPTIONS

(For a complete list of the Discretionary Leave Guidelines, refer to the Employee Handbooks)

PART A- REQUEST INFORMATION:

I. Type of Absence:

- a. First Day of School
- b.. Day (s) immediately preceding or following a school holiday*
- c . Day (s) scheduled for staff development
- d. Day (s) deemed by the principal or immediate supervisor to be critical to the operation of the school or department.
- e. Request is for **4 or more consecutive days** (Requests for 3 or less days require supervisor approval only.)

*Auxiliary Employees eligible for Holiday Pay not working immediately before and/or after a scheduled paid holiday will forfeit up to two (2) days of holiday pay. The **EXCEPTIONS** listed below require notification of absence to immediate supervisor but **DO NOT REQUIRE HUMAN RESOURCES** approval:

- Employee is on Jury Duty the day absent.
- Employee is on military leave-short term, the day absent.
- Employee is on sick leave for personal illness or illness of a member of the immediate family and has a signed statement from a physician stating that the employee or family member was under the physician's care the date of absence.
- Employee is on a pre-approved vacation day.

II. Reason for Request: _____

PART B-EMPLOYEE DATA:

Print Employee Name	Social Security Number	Current Campus/Dept.
Present Position	Supervisor's Name	Work Location
Work Telephone # /Extension	Home Telephone Number	Alternate Telephone No.

PART C-REQUEST DATA:

1. Total Number of days requesting: _____
2. List **exact** date (s) requesting (Example: July 3, July 5, July 6, July 7, 2002):

Date (s): _____

EMPLOYEE SIGNATURE: _____

DATE: _____

PART D- IMMEDIATE SUPERVISOR: APPROVED DENIED

X _____
 Immediate Supervisor Signature Date
 Comments (Optional) _____

PART E HUMAN RESOURCES: * APPROVED DENIED Requires Supervisor Approval only

X _____
 Director of Human Resources (Assistant Superintendent for Human Resources Department Designee) Date
 Comments (Optional) _____

*Approved contingent upon availability of discretionary days in employee's leave balance.

PLEASE FORWARD THIS REQUEST FORM TO THE HUMAN RESOURCES DEPARTMENT (AUXILIARY/CLASSIFIED).

APPLICATION FOR LEAVE OF ABSENCE

APPLICATION FOR LEAVE OF ABSENCE
NORTHSIDE INDEPENDENT SCHOOL DISTRICT
SAN ANTONIO, TEXAS

This application should be completed and given to the principal of the school or the department head. The principal or department head, after indicating approval will return the application to the employee with the instructions to the employee to schedule an appointment with the appropriate Human Resource administrator and bring the necessary supporting documentation to activate the leave.

Rules governing the granting of leaves of absence are printed on the reverse side of this form. (See Board Policy DEC Local and Administrative Regulations PER 21 and PER 23.)

Employee Name Social Security No.
Campus/Department Assignment
Date of Employment (NISD)

Principal/Director/Department Head's Signature Date of Application

TYPE OF LEAVE REQUESTED: FMLA NON-FMLA WC
Maternity (Due Date:) Temporary Absence from Duty
Hardship Parenting
Temporary Disability Professional Development
Adoption (Date:) Foster Care (Date:)
Military (Short Term) (Long Term) Administrative

Last Date Worked First Date of Leave
Anticipated Date of Return to Work

NOTES:

() DO NOT TIE OFF () TIE OFF

Employees on Leave of Absence for Greater than Six Weeks are subject to having their salary "tied off" by the Payroll Office. Final payment for salary earned by the employee will be paid after the last working day or after all sick leave has been exhausted. Final payment will be sent to the employee's school/department unless the Payroll Office is requested to mail the check to the employee's residence. No direct deposit is available. For full details regarding the exact date of Tie-Off and the amount to be paid, the employee should contact the Payroll Office

I have read the information on this form and understand the conditions of this request for a leave as they pertain to District policies and procedures governing leaves of absences. I further understand that if additional information is needed regarding salary or benefits pertaining to this leave, it is my responsibility to request that information from the appropriate District office.
Signature of Employee Date H.R. Initials CR Code

NORTHSIDE INDEPENDENT SCHOOL DISTRICT LEAVE OF ABSENCE FACT SHEET

DEFINITIONS:

- Maternity Leave is allowed for the delivery and short term care of a baby.
- Temporary Disability refers to a serious health condition of the employee.
- Hardship refers to the employee's need to provide care for a member of the immediate family (See Personnel Handbook).
- Parenting Leave is allowed for the nurture and support to a newborn child
- Adoption leave is available in conjunction with the legal adoption of a baby.
- Foster care leave may be granted to meet the supportive needs of a foster child.
- Family Medical Leave (FMLA) refers to a leave granted under the specific requirements of the Family Medical Act of 1993.
- Temporary Absence from Duty (TAD) refers to a leave of six weeks or less.

ELIGIBILITY:

- Any Northside employee whose condition meets the definitions above.
- For Family Medical Leave (FMLA) employee must have worked for the District at least 12 months. If an auxiliary employee, applicant must have worked a minimum of 1250 hours the previous 12 months.

REQUIREMENT FOR REQUEST:

- Copy of physician's statement indicating expected date of birth (maternity), describing the nature of the employee's illness or injury (temporary disability), or describing the nature of illness or injury of a member of the employee's immediate family (hardship).
- Copy of legal adoption papers is required for adoptive leave. Copy of court orders for placement of foster child is required.

LENGTH OF LEAVE ALLOWED:

- Temporary Absence from Duty refers to a leave of six weeks (30 days) or less. For maternity, it is six calendar weeks which begins with the birth of the baby.
- Family Medical Leave (FMLA) provides a maximum of 12 weeks, excluding school holidays, from the last date worked.
- Other leave may be granted up to a semester or one calendar year.

USE OF LEAVE:

- Accumulated and advanced leave days may be used throughout a Temporary Absence From Duty (TAD) leave. The assumption is that the employee will return from leave as planned.
- Accumulated leave must be used for FMLA leave until it is exhausted. No additional leave will be earned while on FMLA leave.
- Accumulated leave may be used for Temporary Disability, Maternity, Parenting and/or Hardship. However, if Hardship and/or Parenting leave is taken for non-medical reasons, leave may not be used.

INSURANCE:

- **FAMILY MEDICAL LEAVE ACT (FMLA)**
 - The District is obligated to continue to pay its portion of the health insurance premiums while an employee is on leave under the FMLA.
 - If the employee does not return to work at the end of the FMLA, the District contribution may be recouped.
- All insurance policies may be extended except disability insurance.
- District policy offers employees the option of paying up to six months of premiums directly to the Payroll Office at the rate of 100%. Following the six months, the employee may apply for COBRA coverage through the Benefits Office in Human Resources.
- Cobra coverage allows for persons on leave to continue their insurance coverage for up to eighteen months from the date leave begins. The cost for this coverage is 102% of the full monthly premium.

SALARY:

- While absent from duty, leave is **UNPAID**, except when using accumulated leave.
- Accumulated leave is given at the full daily rate of pay.

POLICY FOR RETURN TO WORK: (For FMLA or Temporary Absence From Duty leave see Personnel Handbook)

- If an employee takes a leave of absence for a full year, and returns at the beginning of the next academic year, the employee will be returned to the same campus/department as prior to the leave of absence, provided that a position is available for which the employee is qualified.
- If the employee does not wish to return to the same campus/department upon return from leave, a transfer must be requested following the same procedures for transfer requests.
- If the employee returns from leave in the middle of the year, the employee will be assigned to the first appropriate opening for the remainder of that school year. Then at the beginning of the next school year, the employee will return to the same campus/department as prior to leave unless both the supervisor at the new assignment and the employee request that the employee remain.
- The employee must contact Human Resources within five (5) working days prior to returning to work. If there is a change in the return date from that estimated at the time leave is taken, Human Resources must be notified as soon as possible.

– **APPENDIX E** –
**PERFORMANCE APPRAISAL:
EVALUATION OF TEACHERS DNA (LOCAL)**

TEACHER APPRAISALS (DNA LOCAL)

All classroom teachers will be appraised with either the Professional Development and Appraisal System (PDAS) or the Alternate Teacher Appraisal Record (ATAR). All requirements indicated by the PDAS will be followed unless otherwise specified by this local policy. Appraisal records and other documentation developed as part of the Professional Development and Appraisal System (PDAS) or the Alternate Teacher Appraisal Record (ATAR) may be used for staff development purposes and for employment decisions.

FREQUENCY OF OBSERVATIONS UNDER PDAS

Minimum requirements for appraisals under PDAS shall be as follows:

1. A minimum of four observations, two observations by each of two appraisers shall be required for:
 - a. First-year (beginning) teachers.
 - b. Teachers on a fourth-year probationary contract.
 - c. Teachers returned to a probationary contract from a continuing contract.
 - d. Teachers whose score in any domain is “unsatisfactory” in the most recent PDAS appraisal.
2. A minimum of two observations, by either one appraiser or two appraisers, shall be required for:
 - a. Teachers new to the District who are not first-year teachers.
 - b. Teachers whose score is “below expectations” in two or more domains on the most recent PDAS appraisal.
3. A minimum of one observation by one appraiser shall be required for all other teachers except those who are appraised with the ATAR in accordance with District policy. Any teacher who qualifies for one observation by one appraiser shall be scheduled for two observations if either:
 - a. The teacher submits a written request for a second observation to the teacher’s appraiser; or
 - b. The teacher’s appraiser provides written notification to the teacher that a second observation will be scheduled. Such written request or notification may be presented at any time during the school year, but no later than ten working days following receipt of the written report from the initial observation.
4. A teacher hired after November 1 shall be appraised as follows:
 - a. Two observations for first year (beginning) teachers.
 - b. One observation for teachers new to the District who are not first year teachers.

CHOICE OF OBSERVERS

When two observations by two appraisers are planned, either the teacher, the appraiser, or the principal may request that the same appraiser conduct the second observation. This request is subject to final approval by the campus principal.

AVERAGING DOMAIN SCORES

When more than one observation is required/requested, the scores will be averaged by domain.

FORMATIVE OBSERVATIONS

When a total of four observations, two observations by each of two appraisers, is required, the first observation by each appraiser shall be conducted in the first observation cycle and shall be formative. The second observation by each appraiser shall be conducted in the second observation cycle and shall be used in calculating the domain scores.

THREE-YEAR CYCLE

Teachers observed using the PDAS who are on a continuing or two-year term contract and who agree in writing may be placed on a three-year cycle if their ratings on the most recent PDAS evaluation meet all the following criteria:

1. No domain score less than “proficient”;
2. Four out of eight domain scores are “exceeds expectations”;
3. At least two of the first four domain scores are “exceeds expectations”;
4. No area of deficiency is addressed on the PDAS. An Alternate Teacher Appraisal Record (ATAR) shall be completed on those teachers who have qualified under local District policy for the three-year cycle on the years when they are not being observed using PDAS. An ATAR may be used for a maximum of two years only, followed by PDAS the third year. Domain ratings on the ATAR that indicate “required improvement” in any domain will activate an appraisal with the PDAS the following year with a minimum of one observation. At any time, either the teacher or the principal may decide that a full PDAS appraisal be conducted by providing written notice to the other party a minimum of two weeks prior to the date the observation would need to be scheduled.

APPRAISAL CALENDAR

The first observation cycle ends on the last instructional day before winter vacation; the second observation cycle ends on the last instructional day of the school year. The third observation cycle (for single observation) ends on the last instructional day of the school year. No formal observations may be conducted during the first three weeks of school or on the day before any official school holiday. Formal observations for the second observation cycle must be conducted after the first observation cycle ends. Except for extenuating circumstances, all formal observations for the first observation cycle shall be completed by two days prior to winter break, and all formal observations for the second observation cycle shall be completed in time for a written summative annual appraisal report to be given to the teacher no later than five working days before the summative conference. The summative conference shall be held

at least 15 days prior to the last instructional day. Additional observations, formal or informal, may occur during either observation cycle.

APPRAISERS

All administrative and supervisory personnel who are certified by the state as appraisers may function in that role. The specific appraisers assigned to each teacher shall be designated at the campus level. District-level supervisory and administrative personnel shall be expected to provide reports to principals as appropriate for incorporation into the appraisal process as cumulative data. A District-level supervisor or administrator may be assigned as a second appraiser only with the approval of the deputy superintendent for instruction.

FORMAL OBSERVATIONS

A schedule of required observations for the following week shall be posted by Thursday. The posting shall include teachers, appraisers, the day and time/class period of the scheduled observation. Formal observations beyond those required under state and local guidelines may be scheduled or unscheduled at the discretion of the appraiser. A different day and/or time/class period for an observation may be scheduled by mutual consent of the teacher and appraiser after the weekly notice has been posted.

SECOND OBSERVATION REQUESTED

A teacher may request a second appraisal by another appraiser:

1. After receiving a written observation with which the teacher disagrees; and/or
2. After receiving a written annual summative report with which the teacher disagrees.

The teacher shall submit a written request for a second appraisal to the teacher’s appraiser and to the principal within ten working days of receiving a written observation summary or a written annual summative report. If the employee seeks to grieve under DGBA(LOCAL) or at the discretion of the appraiser, this time period may be extended to 15 working days.

Upon receipt of the request for a second observation, the principal shall respond to the request within five working days and provide the name of the second appraiser. The principal shall also obtain a signed waiver of observation/conferencing timelines from the teacher, if necessary.

Generally, the administrator shall select an administrator on the teacher’s campus who is not scheduled to appraise the teacher within that appraisal calendar year. The administrator has the discretion to request an off-campus administrator to act as a second appraiser.

The request for an off-campus appraiser is submitted by the principal to the deputy superintendent for instruction who shall then select a trained district appraiser. A list of current trained appraisers shall be maintained and updated annually by the deputy superintendent for administration.

INFORMAL OBSERVATIONS

Informal observations may be scheduled or unscheduled. Information obtained through informal observations that is utilized as cumulative data in the appraisal process must be documented as required under state guidelines.

TIME WAIVERS

In case of teaching assignments that are not considered appropriate for formal observations of 45 consecutive minutes, required observations may be conducted in shorter time intervals when the requirement of consecutive minutes is waived by mutual agreement between the teacher and the appraiser. Under such waivers, observations may be conducted in intervals of no less than 15 minutes for a cumulative total of 45 minutes. Waivers must be determined before the first observation of a teacher in an appraisal period and shall be documented by a written agreement filed with the appraiser.

WAVE OFF

Each teacher shall have the option to “wave off” each observer one time per year. The observer may elect to “wave off” the observation any time the classroom activities/conditions do not lend themselves to a productive observation.

CONFERENCES

Pre-observation conferences are optional and may be requested by either the teacher or the appraiser. Post-observation conferences shall be conducted within ten working days after the completion of an observation. The observation summary for Domains I through V shall be presented to the teacher at the post-observation conference. Prior to the summative conference each appraiser shall independently score Domains VI through VIII. A written annual summative report shall be shared with the teacher no later than five working days before the summative conference and the summative conference shall be held no later than 15 working days before the last day of instruction for students.

TEACHER SELF-REPORT

In accordance with state guidelines, the teacher self-report shall be completed annually by all teachers.

EMPLOYMENT DECISIONS

When relevant to the decision, written evaluations of a full-time, certified professional employee’s performance, as documented to date, and any other information the administration determines to be appropriate shall be considered in decisions affecting contract status. For teachers, evaluative information shall include at least the PDAS to date and any additional applicable documentation.

EXCEPTION

Written evaluations and other evaluative information need not be considered prior to a decision to terminate a probationary contract at the end of the contract term.

GRIEVANCES

Teachers may present grievances concerning the evaluation process in accordance with the District’s grievance policy. [See DGBA]

STUDENT DRESS AND GROOMING

School staff recognize that parents bear primary responsibility for setting standards for their children's dress and grooming. However, because of health and safety factors, because of the influence of dress and grooming on students' attitudes and behavior, and because of the need to prevent disruptive influences and preserve the academic environment of the school, student dress and grooming are proper concerns of teachers and administrators, as well.

Regulations concerning the grooming of students for those classes where safety in the use of power machinery and sanitary conditions in food preparation is mandatory shall be established. Students enrolled in these classes shall be informed of those regulations and are expected to conform while in these classes.

The campus administration, after consulting with the School Advisory Team and considering school/community needs, may have additional dress or grooming regulations that are campus specific. **Final determination of acceptable dress and grooming rests with the principal or his/her designee and cannot be appealed. To aid students and their parents in making decisions about appropriate dress and grooming for schools, the following guidelines are established:**

1. Shorts and skorts may be worn at the elementary school level. In grades three through five they should be no more than four inches above the top of the kneecap. Shorts and skorts are prohibited in grades six through twelve.
2. In grades three through twelve, skirts, dresses, and culottes must be no more than four inches above the top of the kneecap. There should be no cut or slit in the clothing that extends beyond the four inch limit. These requirements apply to school uniforms.
3. Appropriate footwear must be worn; footwear which has toes reinforced with steel, hard plastics or similar materials is specifically prohibited.
4. Hair must be neat and clean. Unconventional colored, multi-colored, or spiked or mohawked hair styles are not permitted.
5. Headwear must not be worn in buildings.
6. Any clothes that are suggestive or indecent or which cause distraction are not acceptable. Specifically, oversized clothing, tank tops, muscle shirts, halter tops, spaghetti straps, exposed backs or midriffs, and see-through garments are not permitted.
7. Indecent/inappropriate patches, writings, or drawings on clothing are prohibited.
8. All pants are to be full length (Capri pants should be no less than four inches below the bottom of the kneecap) and worn at the waist (no "sagging" or "bagging.") Tight fitting pants (e.g., tights, Spandex, bicycle pants) are prohibited. Cut-offs and intentionally frayed pants are also prohibited.
9. Body piercing jewelry is prohibited except for rings, studs or other traditional jewelry worn in the ear. Tongue rings and tongue studs are not permitted.

Because fads in dress and grooming are subject to sudden, and sometimes radical change, a basic rule to remember is that student dress and grooming should not be suggestive or indecent, or so bizarre and unusual as to detract from the classroom environment.

APPENDIX G

ACCEPTABLE USE OF THE DISTRICT'S ELECTRONIC COMMUNICATIONS SYSTEM

Northside ISD Policy CQ (Legal); Policy CQ (Local);
Administrative Regulation for Electronic
Communication and Data Management

NORTHSIDE ISD POLICY CQ (LEGAL)

PEIMS

The District shall participate in the Public Education Information Management System (PEIMS) and through that system shall provide information required for the administration of the Foundation School Program and of other appropriate provisions of the Education Code. The PEIMS data standards, established by the Commissioner of Education, shall be used by the District to submit information. *Education Code 42.006; 19 TAC 61.1025*

CHILDREN'S INTERNET PROTECTION ACT

Under the Children's Internet Protection Act (CIPA), the District must, as a prerequisite to receiving universal service discount rates, implement certain Internet safety measures and submit certification to the Federal Communications Commission (FCC). *47 U.S.C. 254* [See UNIVERSAL SERVICE DISCOUNTS, below, for details]

Districts that do not receive universal service discounts but do receive certain federal funds under the Elementary and Secondary Education Act (ESEA) must, as a prerequisite to receiving these funds, implement certain Internet safety measures and submit certification to the Department of Education (DOE). *20 U.S.C. 7001* [See ESEA FUNDING, below, for details]

DEFINITIONS

"Harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

47 U.S.C. 254(h)(7)(G); 20 U.S.C. 6777(e)(6)

"Technology protection measure" means a specific technology that blocks or filters Internet access. *47 U.S.C. 254(h)(7)*

UNIVERSAL SERVICE DISCOUNTS

An elementary or secondary school having computers with Internet access may not receive universal service discount rates unless the District implements an Internet safety policy, submits certifications to the FCC, and ensures the use of computers with Internet access in accordance with the certifications. *47 U.S.C. 254(h)(5)(A), (I); 47 CFR 54.520*

"Universal service" means telecommunications services including Internet access, Internet services, and internal connection services and other services that are identified by the FCC as eligible for federal universal service mechanisms. *47 U.S.C. 254(c)(3), (h)(5)(A)(ii)*

INTERNET SAFETY POLICY

The District shall adopt and implement an Internet safety policy that addresses:

1. Access by minors to inappropriate matter on the Internet and the World Wide Web;
2. The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
3. Unauthorized access, including "hacking," and other unlawful activities by minors on-line;
4. Unauthorized disclosure, use, and dissemination of personal identification information regarding minors; and
5. Measures designed to restrict minors' access to materials harmful to minors.

47 U.S.C. 254(l)

PUBLIC HEARING

The District shall provide reasonable public notice and hold at least one public hearing or meeting to address the proposed Internet safety policy. *47 U.S.C. 254(h)(5)(A), (I)(1)*

INAPPROPRIATE FOR MINORS

A determination regarding what matter is inappropriate for minors shall be made by the Board or designee. *47 U.S.C. 254(l)(2)*

TECHNOLOGY PROTECTION MEASURE

In accordance with the appropriate certification, the District shall operate a technology protection measure that protects minors against access to visual depictions that are obscene, child pornography, or harmful to minors; and protects adults against access to visual depictions that are obscene or child pornography. *47 U.S.C. 254(h)(5)(B), (C)*

MONITORED USE

In accordance with the appropriate certification, the District shall monitor the on-line

activities of minors. *47 U.S.C. 254(h)(5)(B)*

CERTIFICATIONS TO THE FCC

To be eligible for universal service discount rates, the District shall certify to the FCC, in the manner prescribed at *47 CFR 54.520*, that:

1. An Internet safety policy has been adopted and implemented.
2. With respect to use by minors, the District is enforcing the Internet safety policy and operating a technology protection measure during any use of the computers.
3. With respect to use by adults, the District is enforcing an Internet safety policy and operating a technology protection measure during any use of the computers, except that an administrator, supervisor, or other person authorized by the District may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose.

47 U.S.C. 254(h)(5); 47 CFR 54.520

ESEA FUNDING

Federal funds made available under Title II, Part D of the ESEA for an elementary or secondary school that does not receive universal service discount rates may not be used to purchase computers used to access the Internet, or to pay for direct costs associated with accessing the Internet unless the District:

1. Has in place a policy of Internet safety for minors that includes the operation of a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and enforces the operation of the technology protection measure during any use by minors of its computers with Internet access; and
2. Has in place a policy of Internet safety that includes the operation of a technology protection measure that protects against access to visual depictions that are obscene or child pornography; and enforces the operation of the technology protection measure during any use of its computers with Internet access.

The District may disable the technology protection measure to enable access to bona fide research or for another lawful purpose.

CERTIFICATION TO DOE

The District shall certify its compliance with these requirements to the Department of Education as part of the annual application process for each program funding year under the ESEA.

20 U.S.C. 6777

STATE FUNDING

A public school that provides a computer used to access the Internet is not eligible for a loan or grant under Subchapter C, Chapter 57, Utilities Code (Telecommunications Infrastructure Fund), unless the school adopts and implements an Internet safety policy under Chapter 32, Subchapter D, of the Education Code or under the federal Children's Internet Protection Act (CIPA). *Education Code 32.152*

"Internet safety policy" in Chapter 32, Subchapter D, of the Education Code means a policy that addresses:

1. Measures designed to restrict access by minors to obscene material on the Internet;
2. The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
3. Unauthorized access and other unlawful activities by minors online; and
4. Unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

"Obscene" has the meaning assigned by Section 43.21 of the Penal Code.

Education Code 32.151

TRANSFER OF EQUIPMENT TO STUDENTS

The District may transfer to a student enrolled in the District:

1. Any data processing equipment donated to the District, including equipment donated by a private donor, a state eleemosynary institution, or a state agency under Government Code 2175.126;
2. Any equipment purchased by the District; and
3. Any surplus or salvage equipment owned by the District.

Education Code 32.102(a)

Before transferring data processing equipment to a student, the District must:

1. Adopt rules governing transfers, including provisions for technical assistance to the student by the District;
2. Determine that the transfer serves a public purpose and benefits the District; and
3. Remove from the equipment any offensive, confidential, or proprietary information, as determined by the District.

Education Code 32.104

DONATIONS

The District may accept:

1. Donations of data processing equipment for transfer to students; and

2. Gifts, grants, or donations of money or services to purchase, refurbish, or repair data processing equipment.

Education Code 32.102(b)

USE OF PUBLIC FUNDS

The District may spend public funds to:

1. Purchase, refurbish, or repair any data processing equipment transferred to a student; and
2. Store, transport, or transfer data processing equipment under this policy.

Education Code 32.105

ELIGIBILITY

A student is eligible to receive data processing equipment under this policy only if the student does not otherwise have home access to data processing equipment, as determined by the District. The District shall give preference to educationally disadvantaged students.

Education Code 32.103

RETURN OF EQUIPMENT

Except as provided below, a student who receives data processing equipment from the District under this policy shall return the equipment to the District not later than the earliest of:

1. Five years after the date the student receives the equipment;
2. The date the student graduates;
3. The date the student transfers to another district; or
4. The date the student withdraws from school.

If, at the time the student is required to return the equipment, the District determines that the equipment has no marketable value, the student is not required to return the equipment.

Education Code 32.106

UNIFORM ELECTRONIC TRANSACTIONS ACT

The District may agree with other parties to conduct transactions by electronic means. Any such agreement or transaction must be done in accordance with the Uniform Electronic Transactions Act. *Business and Commerce Code 43.*

NORTHSIDE ISD POLICY CQ (LOCAL)

The Superintendent or designee shall implement, monitor, and evaluate electronic media resources for instructional and administrative purposes.

AVAILABILITY OF ACCESS

Access to the District's electronic communications system, computers, the Internet, and other computer resources shall be made available to students and employees primarily for instructional and administrative purposes and in accordance with administrative regulations. Limited personal use of the system shall be permitted if the use:

1. Imposes no tangible cost on the District;
2. Does not unduly burden the District's computer or network resources; and
3. Has no adverse effect on an employee's job performance or on a student's academic performance.

USE BY MEMBERS OF THE PUBLIC

When possible and available and in accordance with the District's administrative regulations, members of the District community may use the District's electronic communications systems, computers, the Internet, other computer resources and software for education or District-related activities, as long as the use:

1. Does not hamper the primary mission of technology for students and staff; and
2. Imposes no measurable cost on the District; and
3. Does not unduly burden the District's computer or network resources.

The equipment, software, and network resources provided through the District are and remain the property of the District. Users of District equipment shall comply with all policies, procedures, and guidelines of the District and access may be denied to any student, employee, or community member who fails to comply with those policies, procedures, and guidelines.

ACCEPTABLE USE

The Superintendent or designee shall develop and implement administrative regulations, guidelines, and user agreements consistent with the purposes and mission of the District and with law and policy.

Access to District electronic communications system, computers, the Internet, and other computer resources is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all policies and administrative regulations governing use of the system and shall agree in writing to allow monitoring of their use and to comply with these policies, regulations, and guidelines. Noncompliance may result in suspension of access or termination of privileges and other disciplinary action consistent with District policies. [See DH, FN series, FO series, and the Student Code of Conduct] Violations of law may result in criminal prosecution as well as disciplinary action by the District.

PERSONAL SOFTWARE

Personal software may not be loaded on District computers.

DISTRICT SOFTWARE

All software used in District computers must be legally licensed. Proper documentation must be maintained.

INTERNET SAFETY

The Superintendent or designee shall develop and implement an Internet safety plan to:

1. Control students' access to inappropriate materials, as well as to materials that are harmful to minors;
2. Ensure student safety and security when using electronic communications;
3. Prevent unauthorized access, including hacking and other unlawful activities; and
4. Restrict unauthorized disclosure, use, and dissemination of personally identifiable information regarding students.

FILTERING

Each District computer with Internet access shall have a filtering device or software that blocks access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors, as defined by the federal Children's Internet Protection Act and as determined by the Superintendent or designee.

The Superintendent or designee shall enforce the use of such filtering devices. Upon approval from the Superintendent or designee, an administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purpose.

MONITORED USE

Electronic mail transmissions and other use of the electronic communications system by students and employees shall not be considered private. The District reserves the right to monitor access to and use of e-mail, the Internet, or other network or computer-related activity, engage in routine computer maintenance and housekeeping, carry out internal investigations, prepare responses to requests for public records, or disclose messages, data, or files to law enforcement authorities. Monitoring shall occur at any time to ensure appropriate use and it shall be restricted to individuals specifically designated by the Superintendent.

INTELLECTUAL PROPERTY RIGHTS

Students shall retain all rights to work they create using the District's electronic communications system.

As agents of the District, employees shall have limited rights to work they create using the District's electronic communications system. The District shall retain the right to use any product created in the scope of a person's employment even when the author is no longer an employee of the District.

ELECTRONIC COPYRIGHT LAW

The electronic transmission, distribution, or use of copyrighted materials through the District's electronic communications system beyond Fair Use without required citation or written permission by the author is prohibited.

DISCLAIMER OF LIABILITY

The District shall not be liable for users' inappropriate use of electronic communication resources or violations of copyright restrictions or other laws, users' mistakes or negligence, and costs incurred by users. The District shall not be responsible for ensuring the accuracy, age appropriateness, or usability of any information found on the Internet.

This presentation of your District's policy is a representation of TASB's record of the District's currently adopted policy manual. It does not reflect updating activities in progress. The official, authoritative manual is available for inspection in the office of the Superintendent. [See BF (Local) for further information.]

NORTHSIDE ISD ADMINISTRATIVE REGULATION FOR ELECTRONIC COMMUNICATION AND DATA MANAGEMENT

The Superintendent or designee will oversee the District's electronic communications system.

The District will provide training in proper use of the system and will provide all users with copies of acceptable use guidelines. All training in the use of the District's system will emphasize the ethical and safe use of this resource.

CONSENT REQUIREMENTS

Copyrighted software or data may not be placed on any system connected to the District's system without permission from the holder of the copyright. Only the copyright owner, or an individual the owner specifically authorizes, may upload copyrighted material to the system.

No original work created by any District student or employee will be posted on a Web page under the District's control unless the District has received written consent from the student (and the student's parent if the student is a minor) or employee who created the work. [See CQ (EXHIBIT E)]

No personally identifiable information about a District student will be posted on a Web page under the District's control unless the District has received written consent from the student's parent. An exception may be made for "directory information" as allowed by the Family Educational Rights and Privacy Act and District policy. [See CQ (EXHIBIT F) and policies at FL]

FILTERING

The Superintendent will appoint an Internet Safety committee, to be co-chaired by the

Executive Directors of Technology Services, to select, implement, and maintain appropriate technology for filtering Internet sites containing material considered inappropriate or harmful to minors. All Internet access will be filtered for minors and adults on computers with Internet access provided by the school.

The categories of material considered inappropriate and to which access will be blocked will include, but not be limited to: nudity/pornography; images or descriptions of sexual acts; promotion of violence, illegal use of weapons, drug use, discrimination, or participation in hate groups; instructions for performing criminal acts (e.g., bomb making); and on-line gambling.

REQUESTS TO DISABLE FILTER

The Internet Safety committee will approve and disapprove requests from users who wish to use a blocked site for bona fide research or other lawful purposes. Appeals shall be made to the Superintendent or designee.

SYSTEM ACCESS

Access to the District's electronic communications system will be governed as follows:

1. Students in all grades will be granted access to the District system, as appropriate. No student will be assigned an individual account or password unless required by a curricular application or system.
2. As appropriate and with the approval of the immediate supervisor, District employees will be granted access to the District's system.
3. A teacher may apply for a class account, and in doing so, will be ultimately responsible for use of the account.
4. The District will require that all passwords be changed every 120 days with a strong recommendation for every 90 days.
5. Any system user identified as a security risk or as having violated District and/or campus computer use guidelines may be denied access to the District's system.
6. All users will be required to sign a user agreement annually for issuance or renewal of an account.

TECHNOLOGY SUPERVISION RESPONSIBILITIES

The Superintendent or designees will:

1. Be responsible for disseminating and enforcing applicable District policies and acceptable use guidelines for the District's system.
2. Ensure that all users of the District's system annually complete and sign an agreement to abide by District policies and administrative regulations regarding such use. All such agreements will be maintained on file in the principal's or supervisor's office.
3. Ensure that employees supervising students who use the District's system provide training emphasizing the appropriate use of this resource.
4. Ensure that all software loaded on computers in the District is consistent with District standards and is properly licensed.
5. Be authorized to monitor or examine all system activities, including electronic mail transmissions, as deemed appropriate to ensure student safety on-line and proper use of the system.
6. Be authorized to disable a filtering device on the system for bona fide research or another lawful purpose, with approval from the Internet Safety committee co-chairs.
7. Be authorized to establish a retention schedule for messages on any electronic bulletin board and to remove messages posted locally that are deemed to be inappropriate.
8. Set limits for data storage within the District's system, as needed.

INDIVIDUAL USER RESPONSIBILITIES

The following standards will apply to all users of the District's electronic information/communications systems:

ON-LINE CONDUCT

1. The individual in whose name a system account is issued will be responsible at all times for its proper use. Passwords and other information related to system and network access are restricted to that individual and must not be shared with anyone else.
2. The system may not be used for illegal purposes, in support of illegal activities, or for any other activity prohibited by District policy or guidelines.
3. System users may not disable, or attempt to disable, a filtering device on the District's electronic communications system.
4. Communications may not be encrypted so as to avoid security review by system administrators.
5. System users may not use another person's system account without written permission from a supervising administrator and approved by the Director of Integrated Infrastructure Services, or designee.
6. Students may not distribute personal information about themselves or others by means of the electronic communications system; this includes, but is not limited to, personal addresses and telephone numbers.
7. Students should never make appointments to meet people whom they meet on-line and should report to a teacher or administrator if they receive any request for such a meeting.
8. System users must purge electronic mail in accordance with established retention

guidelines.

9. System users may not redistribute copyrighted programs or data except with 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.
10. System users should avoid actions that are likely to increase the risk of introducing viruses to the system, such as opening e-mail messages from unknown senders and loading data from unprotected computers.
11. System users may upload District approved public domain programs to the system. System users may also download District approved public domain programs for their own use or may non-commercially redistribute a public domain program. System users are responsible for determining whether a program is in the public domain and if District approved.
12. System users may not send, forward, or post messages that are abusive, obscene, pornographic, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
13. Users may not send, forward, or post chain e-mail. Users may not send, forward, or post any messages that are for personal profit use.
14. System users may not purposefully access materials that are abusive, obscene, pornographic, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
15. System users should be mindful that use of school-related electronic mail addresses and fax transmissions might cause some recipients or other readers of that communication to assume they represent the District or school, whether or not that was the user's intention.
16. System users may not waste District electronic communication system resources (e.g. e-mail spamming, distribution of videos, photos, listening to web radio, etc.).
17. System users may not gain unauthorized access to resources or information.
18. District e-mail broadcasts must be approved by the Executive Director of Communications.

VANDALISM PROHIBITED

Any malicious attempt to harm or destroy District equipment or data or the data of another user of the District's system or of any of the agencies or other networks that are connected to the Internet is prohibited. Deliberate attempts to degrade or disrupt system performance are violations of District policy and administrative regulations and may constitute criminal activity under applicable state and federal laws. Such prohibited activity includes, but is not limited to, the uploading, downloading, or creating of computer viruses.

Vandalism as defined above will result in the cancellation of system use privileges and will require restitution for costs associated with system restoration, as well as other appropriate consequences. [See DH, FN series, FO series, and the Student Code of Conduct]

FORGERY PROHIBITED

Forgery or attempted forgery of electronic mail messages and/or signatures is prohibited. Attempts to read, delete, copy, or modify the electronic mail of other system users, deliberate interference with the ability of other system users to send/receive electronic mail, or the use of another person's user ID and/or password is prohibited.

INFORMATION CONTENT / THIRD-PARTY SUPPLIED INFORMATION

System users and parents of students with access to the District's system should be aware that, despite the District's use of technology protection measures as required by law, use of the system may provide access to other electronic communications systems in the global electronic network that may contain inaccurate and/or objectionable material.

A student who gains access to such material is expected to discontinue the access as quickly as possible and to report the incident to the supervising teacher.

A student knowingly bringing prohibited materials into the school's electronic environment will be subject to suspension of access and/or revocation of privileges on the District's system and will be subject to disciplinary action in accordance with the Student Code of Conduct.

An employee knowingly bringing prohibited materials into the school's electronic environment will be subject to disciplinary action in accordance with District policies. [See DH]

PARTICIPATION IN CHAT ROOMS AND NEWSGROUPS

Limited to educational and District related activities only, participation in chat rooms and newsgroups accessed on the Internet is permissible for students, under appropriate supervision, and for employees.

DISTRICT WEB SITE

The District will maintain a District Web site for the purpose of informing employees, students, parents, and members of the community of District programs, policies, and practices. Requests for publication of information on the District Web site must be directed to the designated Webmaster. The Executive Director of Communications in collaboration with Technology Services will establish guidelines for the development and format of Web pages controlled by the District. Campus web pages will be linked to the District web site by the Coordinator of Web Information.

No personally identifiable information regarding a student will be published on a Web

site controlled by the District without written permission from the student's parent.

No commercial advertising will be permitted on a Web site controlled by the District.

SCHOOL OR CLASS WEB PAGES

Schools or classes may publish and link to the District's site Web pages that present information about the school or class activities, subject to approval from the campus principal or designee (campus webmaster). The campus principal will designate the staff member responsible for managing the campus' web page. Teachers will be responsible for compliance with the District's Acceptable Use policies and the Web Publishing Guidelines in maintaining their class Web pages. Any links from a school or class Web page to sites outside the District's computer system must also be in compliance with the District's Acceptable Use policies and the Web Publishing Guidelines.

STUDENT WEB PAGES

With the approval of the campus principal or designee, students may submit individual Web pages linked to a campus Web page. All material presented on a student's Web page must be related to the student's educational activities and be in compliance with the District's Acceptable Use policies and Web Publishing Guidelines. Student Web pages must include the following notice: "*This is a student Web page. Opinions expressed on this page shall not be attributed to the District.*" Any links from a student's Web page to sites outside the District's computer system must also be in compliance with the District's Acceptable Use policies and the Web Publishing Guidelines.

EXTRA-CURRICULAR ORGANIZATION WEB PAGES

With the approval of the campus principal, campus extracurricular organizations may submit Web pages linked to a campus Web site. All material presented on the Web page must relate specifically to organization activities and include only staff or student-produced material. The web page must be in compliance with the District's Acceptable Use policies and the Web Publishing Guidelines. The sponsor of the organization will be responsible for compliance with District web development and maintenance rules. Web pages of extracurricular organizations must include the following notice: "*This is a student extracurricular organization Web page. Opinions expressed on this page shall not be attributed to the District.*" Any links from the Web page of an extracurricular organization to sites outside the District's computer system must receive approval from the campus principal.

PERSONAL WEB PAGES

District employees, Trustees, and members of the public will not be permitted to publish personal Web pages using District resources.

NETWORK ETIQUETTE

System users are expected to observe the following network etiquette:

1. Be polite; messages typed in capital letters are the computer equivalent of shouting and are considered rude.
2. Use appropriate language; swearing, vulgarity, ethnic or racial slurs, and any other inflammatory language are prohibited.
3. Pretending to be someone else when sending/receiving messages is considered inappropriate.
4. Transmitting obscene messages or pictures is prohibited.
5. Be considerate when sending attachments with e-mail by considering whether a file may be too large to be accommodated by the recipient's system or may be in a format unreadable by the recipient.
6. Using the network in such a way that would disrupt the use of the network by other users is prohibited.

TERMINATION / REVOCATION OF SYSTEM USER ACCOUNT

Termination of an employee's or a student's access for violation of District policies or regulations will be effective on the date the principal or District supervisor receives/issues notice of revocation of system privileges, or on a future date if so specified in the notice.

DISCLAIMER

The District's system is provided on an "as is, as available" basis. The District does not make any warranties, whether express or implied, including, without limitation, those of merchantability and fitness for a particular purpose with respect to any services provided by the system and any information or software contained therein. The District does not warrant that the functions or services performed by, or that the information or software contained on the system will meet the system user's requirements, or that the system will be uninterrupted or error free, or that defects will be corrected.

Opinions, advice, services, and all other information expressed by system users, information providers, service providers, or other third-party individuals in the system are those of the providers and not the District.

The District will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the District's electronic communications system.

COMPLAINTS REGARDING COPYRIGHT COMPLIANCE

The District designates the following employee to receive any complaints that copyrighted material is improperly contained in the District network:

Name: Kay Cavanaugh
Position: Deputy Superintendent for Administration
Address: 5900 Evers Road
Telephone: (210) 397-8771
E-mail: KayCavanaugh@nisd.net

TRANSFER OF EQUIPMENT TO STUDENTS

The following rules will apply to all campuses and departments regarding transfer of computer equipment to students under provisions of law cited at CQ(LEGAL):

1. Proposed projects to distribute computer equipment to students must be submitted to the Assistant Superintendent for Technology Services for initial approval.
2. A student is eligible to receive computer equipment under these rules only if the student does not otherwise have home access to computer equipment, as determined by the principal and counselor.
3. In transferring computer equipment to students, the principal will give preference to educationally disadvantaged students.
4. Before transferring computer equipment to a student, the campus technology coordinator and principal must have clearly outlined:
 - a. A process to determine eligibility of students;
 - b. An application process that identifies the responsibility of the student regarding home placement, use, and ownership of the equipment;
 - c. A process to distribute and initially train students in the setup and care of the equipment;
 - d. A process to provide ongoing technical assistance for students using the equipment;
 - e. A process to determine ongoing student use of the equipment;
 - f. A process to determine any impact on student achievement the use of this equipment may provide; and
 - g. A process for retrieval of the equipment from a student, as necessary.

– APPENDIX H –

SUBTITLE G. SAFE SCHOOLS CHAPTER 37. DISCIPLINE; LAW AND ORDER

SUBCHAPTER A. ALTERNATIVE SETTINGS FOR BEHAVIOR MANAGEMENT

AN ACT relating to placement of students expelled from public schools in juvenile justice alternative education programs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (a), Section 25.086, Education Code, is amended to read as follows:

(a) A child is exempt from the requirements of compulsory school attendance if the child:

(1) attends a private or parochial school that includes in its course a study of good citizenship;

(2) is eligible to participate in a school district's special education program under Section 29.003 and cannot be appropriately served by the resident district;

(3) has a physical or mental condition of a temporary and remediable nature that makes the child's attendance infeasible and holds a certificate from a qualified physician specifying the temporary condition, indicating the treatment prescribed to remedy the temporary condition, and covering the anticipated period of the child's absence from school for the purpose of receiving and recuperating from that remedial treatment;

(4) is expelled in accordance with the requirements of law in a school district that does not participate in a mandatory juvenile justice alternative education program under Section 37.011;

(5) is at least 17 years of age and:

(A) is attending a course of instruction to prepare for the high school equivalency examination; or

(B) has received a high school diploma or high school equivalency certificate;

(6) is at least 16 years of age and is attending a course of instruction to prepare for the high school equivalency examination, if the child is recommended to take the course of instruction by a public agency that has supervision or custody of the child under a court order;

(7) is enrolled in the Texas Academy of Mathematics and Science;

(8) is enrolled in the Texas Academy of Leadership in the Humanities; or

(9) is specifically exempted under another law.

SECTION 2. Section 37.001, Education Code, is amended to read as follows:

Sec 37.001. STUDENT CODE OF CONDUCT.

(a) The board of trustees of an independent school district shall, with the advice of its district-level committee established under Section 11.251, adopt a student code of conduct for the district. The student code of conduct must be posted and prominently displayed at each school campus. In addition to establishing standards for student conduct, the student code of conduct must:

(1) specify the circumstances, in accordance with this subchapter, under which a student may be removed from a classroom, campus, or alternative education program;

(2) outline conditions under which a student may be suspended as provided by Section 37.005 or expelled as provided by Section 37.007.

(b) A teacher with knowledge that a student has violated the student code of conduct shall file with the school principal or the other appropriate administrator a written report, not

to exceed one page, documenting the violation. The principal or the other appropriate administrator shall, not later than 24 hours after receipt of a report from a teacher, send a copy of the report to the student's parents or guardians.

(c) Once the student code of conduct is promulgated, any change or amendment must be approved by the board of trustees.

SECTION 3. Section 37.006, Education Code, is amended to read as follows:

Sec 37.002. REMOVAL BY TEACHER.

(a) A teacher may send a student to the principal's office to maintain effective discipline in the classroom. The principal shall respond by employing appropriate discipline management techniques consistent with the student code of conduct adopted under Section 37.001.

(b) A teacher may remove from class a student:

(1) who has been documented by the teacher to repeatedly interfere with the teachers ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn; or

(2) whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.

(c) If a teacher removes a student from class under Subsection (b), the principal may place the student into another appropriate classroom, into in-school suspension, or into an alternative education program as provided by Section 37.008. The principal may not return the student to that teacher's class without the teacher's consent unless the committee established under Section 37.003 determines that such placement is the best or only alternative available. The terms of the removal may prohibit the student from attending or participating in school-sponsored or school-related activity.

(d) A teacher shall remove from class and send to the principal for placement in an alternative education program or for expulsion, as appropriate, a student who engages in conduct described under Section 37.006 or 37.007. The student may not be returned to that teacher's class without the teacher's consent unless the committee established Under Section 37.003 determines that such placement is the best or only alternative available.

Sec. 37.003. PLACEMENT REVIEW COMMITTEE.

(a) Each school shall establish a three-member committee to determine placement of a student when a teacher refuses the return of a student to the teacher's class and make recommendations to the district regarding re-admission of expelled students. Members shall be appointed as follows:

(1) the campus faculty shall choose two teachers to serve as members and one teacher to serve as an alternate member; and

(2) the principal shall choose one member from the professional staff of a campus.

(b) The teacher refusing to re-admit the student may not serve on the committee.

Sec 37.004. PLACEMENT OF STUDENTS WITH DISABILITIES.

The placement of a student with a disability who receives special education services may be made only by a duly constituted admission, review, and dismissal committee. A student with a disability who receives special education services may not be placed in alternative education programs solely for educational purposes if the student does not also meet the criteria for alternative placement in Section 37.006(a) or 37.007(a).

Sec 37.005. SUSPENSION.

(a) The principal or other appropriate administrator may suspend a student who engages in conduct for which the student may be placed in an alternative education program under this subchapter.

(b) A suspension under this section may not exceed three school days. **Sec 37.006. REMOVAL FOR CERTAIN CONDUCT.**

(a) Except as provided by Section 37.007(a) or (b), a student shall be removed from class and placed in an alternative education program as provided by Section 37.008 if the student commits the following on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off of school property:

(1) engages in conduct punishable as a felony;

(2) engages in conduct that contains the elements of the offense of assault under Section 22.01(a) (1), Penal Code, or terroristic threat under Section 22.07, Penal Code;

(3) sells, gives, or delivers to another person or possesses or uses or is under the influence of:

(A) marijuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.; or

(B) a dangerous drug, as defined by Chapter 483, Health and Safety Code;

(4) sells, gives, or delivers to another person an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code, commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage;

(5) engages in conduct that contains the elements of an offense relating to abusive glue or aerosol paint under Sections 485.031 through 485.035, Health and Safety Code, or relating to volatile chemicals under Chapter 484, Health and Safety Code; or

(6) engages in conduct that contains the elements of the offense of public lewdness under Section 21.07, Penal Code, or indecent exposure under Section 21.08, Penal Code.

(b) Except as provided by Section 37.007(d), a student shall be removed from class and placed in an alternative education program under Section 37.008 if the student engages in conduct that contains the elements of the offense of retaliation under Section 36.06, Penal Code, against any school employee.

(c) In addition to Subsection (a), a student shall be removed from class and placed in an alternative education program under Section 37.008 based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

(1) the student receives deferred prosecution under Section 53.03, Family Code, for conduct defined as a felony offense in Title 5, Penal Code;

(2) a court or jury finds that the student has engaged in delinquent conduct under Section 54.03, Family Code, for conduct defined as a felony offense in Title 5, Penal Code; or

(3) the superintendent or the superintendent's designee has a reasonable belief that the student has engaged in a conduct defined as a felony offense in Title 5, Penal Code.

(d) In addition to Subsection (a), a student may be removed from class and placed in an alternative education program under Section 37.008 based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

(1) the superintendent or the superintendent's designee has a reasonable belief that the student has engaged in conduct defined as a felony offense other than those defined in Title 5, Penal Code; and

(2) the continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

(e) In determining whether there is a reasonable belief that a student has engaged in conduct defined as a felony offense by the Penal Code, the superintendent or the superintendent's designee may consider all available information, including the information furnished under Article 15.27, Code of Criminal Procedure.

(f) Subject to Section 37.007(e), a student who is younger than 10 years of age shall be removed from class and placed in an alternative education program under Section 37.008 if the student engages in conduct described by Section 37.007.

(g) The terms of a placement under this section must prohibit the student from attending or participating in a school-sponsored or school-related activity.

(h) On receipt of notice under Article 15.27(g), Code of Criminal Procedure, the superintendent or the superintendent's designee shall review the student's placement in the alternative education program. The student may not be returned to the regular classroom pending the review. The superintendent or the superintendent's designee shall schedule a review of the student's placement with the student's parent or guardian not later than the third class day after the superintendent or superintendent's designee receives notice from the office or official designated by the court. After reviewing the notice and receiving information from the student's parent or guardian, the superintendent or the superintendent's designee may continue the student's placement in the alternative education program if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

(i) The student or the student's parent or guardian may appeal the superintendent's decision under Subsection (h) to the board of trustees. The student may not be returned to the regular classroom pending the appeal. The board shall, at the next scheduled meeting, review the notice provided under Article 15.27(g), Code of Criminal Procedure, and receive information from the student, the student's parent or guardian, and the superintendent or superintendent's designee and confirm or reverse the decision under Subsection (h). The board shall make a record of the proceedings. If the board confirms the decision of the superintendent or superintendent's designee, the board shall inform the student and the student's parent or guardian of the right to appeal to the commissioner under Subsection (j).

(j) Notwithstanding Section 7.057(e), the decision of the board of trustees under Subsection (i) may be appealed to the commissioner as provided by Sections 7.057(b), (c), (d), and (f). The student may not be returned to the regular classroom pending the appeal.

(k) Subsections (h), (i), and (j) do not apply to placements made in accordance with Subsection (a).

SECTION 4. Subchapter A. Chapter 37, Education Code, is amended by adding Section 37.0061 to read as follows:

Sec 37.006. FUNDING FOR ALTERNATIVE EDUCATION SERVICES IN JUVENILE RESIDENTIAL FACILITIES.

A school district that provides education services to pre-adjudicated and post-adjudicated students who are confined by court order in a juvenile residential facility operated by a juvenile board is entitled to count such students in the district's average daily attendance for purposes of receipt of state funds under the Foundation School Program. If the district has a wealth per student greater than the guaranteed wealth level but less than the equalized wealth level, the district in which the student is enrolled on the date a court orders the student to be confined to a juvenile residential facility shall transfer to the district providing education services an amount equal to the difference between the average Foundation School Program costs per student of the district providing education services and the sum of the state aid and the money from the available school fund received by the district that is attributable to the student for the portion of the school year for which the district provides education services to the student.

SECTION 5. Section 37.007, Education Code, is amended to read as follows:

Sec 37.007. EXPULSION FOR SERIOUS OFFENSES.

(a) A student shall be expelled from a school if the student, on school property or while

attending a school-sponsored or school-related activity on or off of school property:

- (1) uses, exhibits, or possesses:
 - (A) a firearm as defined by Section 46.01(3), Penal Code;
 - (B) an illegal knife as defined by Section 46.01(6), Penal Code, or by local policy;
 - (C) a club as defined by Section 46.01(1), Penal Code; or
 - (D) a weapon listed as a prohibited weapon under Section 46.05, Penal Code;
- (2) engages in conduct that contains the elements of the offense of:

(A) aggravated assault under Section 22.02, Penal Code, sexual assault under Section 22.011, Penal Code, or aggravated sexual assault under Section 22.021, Penal Code;

(B) arson under Section 28.02, Penal Code;

(C) murder under Section 19.02, Penal Code, capital murder under Section 19.03, Penal Code, or criminal attempt, under Section 15.02, Penal Code, to commit murder or capital murder;

(D) indecency with a child under Section 21.11, Penal Code; or

(E) aggravated kidnapping under Section 20.04, Penal Code; or

(3) engages in conduct specified by Section 37.006(a)(3) or (4), if the conduct is punishable as a felony.

(b) A student may be expelled if the student, while on school property or while attending a school-sponsored or school-related activity on or off of school property:

(1) sells; gives, or delivers to another person or possesses, uses, or is under the influence of any amount of:

(A) marijuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.;

(B) a dangerous drug, as defined by Chapter 483, Health and Safety Code; or

(C) an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code; or

(2) engages in conduct that contains the elements of an offense relating to abusable glue or aerosol paint under Sections 485.035, Health and Safety Code, or relating to volatile chemicals under Chapter 484, Health and Safety Code.

(3) engages in conduct that contains the elements of district employee or a volunteer as defined by Section 22.053.

(d) A student shall be expelled if the student engages in conduct that contains the elements of any offense listed in Subsection (a), and may be expelled if the student engages in conduct that contains the elements of any offense listed in Subsection (b) (3), against any employee or volunteer in retaliation for or as a result of the person's employment or association with a school district, without regard to whether the conduct occurs on or off of school property or while attending a school-sponsored or school-related activity on or off of school property.

(c) A student may be expelled if the student, while placed in an alternative education program for disciplinary reasons, continues to engage in serious or persistent misbehavior that violates the district's student code of conduct.

(d) A student shall be expelled if the student engages in conduct that contains the elements of any offense listed in Subsection (a) against any employee in retaliation for or as a result of the employee's employment with a school district.

(e) In accordance with federal law, a local educational agency, including a school district, home-rule school district, or open-enrollment charter school, shall expel a student who brings a firearm, as defined by 18 U.S.C. Section 921, to school. The student must be expelled from the student's regular campus for a period of at least one year, except that:

(1) the superintendent or other chief administrative officer of the school district or of the other local educational agency, as defined by 20 U.S.C. Section 2891, may modify the length of the expulsion in the case of an individual student;

(2) the district or other local educational agency shall provide educational services to an expelled student in an alternative education program as provided by Section 37.008 if the student is younger than 10 years of age on the date of expulsion; and

(3) the district or other local educational agency may provide educational services to an expelled student who is older than 10 years of age in an alternative education program as provided in Section 37.008.

(f) A student who engages in conduct that contains the elements of the offense of criminal mischief under Section 28.03, Penal Code, may be expelled at the district's discretion if the conduct is punishable as a felony under that section. The student shall be referred to the authorized officer of the juvenile court regardless of whether the student is expelled.

(g) A school district shall inform each teacher of the conduct of a student who has engaged in any violation listed in this section. A teacher shall keep the information received in this subsection confidential. The State Board for Educator Certification may revoke or suspend the certification of a teacher who intentionally violates this subsection.

(h) Subject to Subsection (e), notwithstanding any other provision of this section, a student who is younger than 10 years of age may not be expelled for engaging in conduct described by this section.

SECTION 6. Section 37.008, Education Code, is amended by adding Subsections (1) and (m) to read as follows:

(1) A school district is not required to provide in the district's alternative education program a course necessary to fulfill a student's high school graduation requirements other than a course specified by Subsection (a).

(m) The commissioner shall adopt rules necessary to administer the provisions of Chapter 39 for alternative education programs. Academically, the mission of alternative

education programs shall be to enable students to perform at grade level. Annually, the commissioner shall define for alternative education programs acceptable performance and performance indicating a need for peer review, based principally on standards defined by this commissioner that measure academic progress of students toward grade level while attending an alternative education program.

SECTION 7. Section 37.009, Education Code, is amended by amending the section heading and Subsections (a), (e), and (f) to read as follows:

Sec 37.008. ALTERNATIVE EDUCATION PROGRAMS.

(a) Each school district shall provide an alternative education program that.

(1) is provided in a setting other than a student's regular classroom;

(2) is located on or off of a regular school campus;

(3) provides for the students who are assigned to the alternative education program to be separated from students who are not assigned to the program;

(4) focuses on English language arts, mathematics, science, history, and self-discipline;

(5) provides for students' educational and behavioral needs; and

(6) provides supervision and counseling.

(b) An alternative-education program may provide for a student's transfer to:

(1) a different campus;

(2) a school-community guidance center; or

(3) a community-based alternative school.

(c) An off campus alternative education program is not subject to a requirement imposed by this title, other than a limitation on liability, a reporting requirement, or a requirement imposed by this chapter or by Chapter 39.

(d) A school district may provide an alternative education program jointly with one or more other districts.

(e) Each school district shall cooperate with government agencies and community organizations that provide services in the district to students placed in an alternative education program.

(f) A student removed to an alternative education program is counted in computing the average daily attendance of students in the district for the student's time in actual attendance in the program.

(g) A school district shall allocate to an alternative education program the same expenditure per student attending the alternative education program, including federal, state, and local funds, that would be allocated to the student's school if the student were attending the student's regularly assigned education program, including a special education program.

(h) A school district may not place a student, other than a student suspended as provided under Section 37.005 or expelled as provided under Section 37.007, in an unsupervised setting as a result of conduct for which a student may be placed in an alternative education program.

(i) On request of a school district, a regional education service center may provide to the district information on developing an alternative education program that takes into consideration the district's size, wealth, and existing facilities in determining the program best suited to the district.

(j) If a student placed in an alternative education program enrolls in another school district before the expiration of the period of placement, the board of trustees of the district requiring the placement shall provide to the district in which the student enrolls, at the same time other records of the student are provided, a copy of the placement order. The district in which the student enrolls may continue the alternative education program placement under the terms of the order or may allow the student to attend regular classes without completing the period of placement.

(k) A program of educational and support services may be provided to a student and the student's parents when the offense involves drugs or alcohol as specified under Section 37.006 or 37.007.

Sec. 37.009. CONFERENCE; HEARING; REVIEW.

(a) Not later than the third class day after the day on which a student is removed from class by the teacher under Section 37.002(b) or (d) or by the school principal or other appropriate administrator under Section 37.006, the principal or other appropriate administrator shall schedule a conference among the principal or other appropriate administrator, a parent or guardian of the student, the teacher removing the student from class, if any, and the student. At the conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal. The student may not be returned to the regular classroom pending the conference. Following the conference, and whether or not each requested person is in attendance after valid attempts to require the person's attendance, the principal shall order the placement of the student as provided by Section 37.002 or 37.006, as applicable, for a period consistent with the student code of conduct.

(e) A student placed in an alternative education program under Section 37.002 or 37.006 shall be provided a review of the student's status, including a review of the student's academic status, by the board's designee at intervals not to exceed 120 days. In the case of a high school student, the board's designee, with the student's parent or guardian, shall review the student's progress towards meeting high school graduation requirements and shall establish a specific graduation plan for the student. The district is not required under this subsection to provide in the district's alternative education program a course not specified under Section 37.008(a). At the review, the student or the student's parent or guardian must be given the opportunity to

present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of the teacher who removed the student without that teacher's consent. The teacher may not be coerced to consent.

(f) Before a student may be expelled under Section 37.007, the board or the board's designee must provide the student a hearing at which the student is afforded appropriate due process as required by the federal constitution and which the student's parent or guardian is invited, in writing, to attend. At the hearing, the student is entitled to be represented by the student's parent or guardian or another adult who can provide guidance to the student and who is not an employee of the school district. If the school district makes a good-faith effort to inform the student and the student's parent or guardian of the time and place of the hearing, the district may hold the hearing regardless of whether the student, the student's parent or guardian, or another adult representing the student attends. If the decision to expel a student is made by the board's designee, the decision may be appealed to the board. The decision of the board may be appealed by trial *de novo* to a district court of the county in which the school district's central administrative office is located.

SECTION 8. Subsections (a), (b), (f), and (g), Section 37.010, Education Code, are amended to read as follows:

(a) Not later than the second business day after the date a hearing is held under Section 37.009, the board of trustees of a school district or the board's designee shall deliver a copy of the order placing a student in an alternative education program under Section 37.006 or expelling a student under Section 37.007 and any information required under Section 52.04, Family Code, to the authorized officer of the juvenile court in the county in which the student resides. In a county that operates a program under Section 37.011, an expelled student shall to the extent provided by law or educational program from the date of expulsion; provided, however, that in a county with a population greater than 125,000 every expelled student who is not detained or receiving treatment under an order of the juvenile court must be enrolled in an educational program.

(b) If a student is expelled under Section 37.007(c), the board or its designee shall refer the student to the authorized officer of the juvenile court for appropriate proceedings under Title 3, Family Code.

(f) If a student is expelled under Section 37.007, on the recommendation of the committee established under Section 37.003 or on its own initiative, a district may readmit the student while the student is completing any court disposition requirements the court imposes. After the student has successfully completed any court disposition requirements the court imposes, including conditions of a deferred prosecution ordered by the court, or such conditions of a deferred prosecution ordered by the court, or such conditions required by the prosecutor or probation department, if the student meets the requirements for admission into the public schools established by this title, a district may not refuse to admit the student, but the district may place the student in the alternative education program. Notwithstanding Section 37.002(d), the student may not be returned to the classroom of the teacher under whose supervision the offense occurred without that teacher's consent. The teacher may not be coerced to consent.

(g) If an expelled student enrolls in another school district, the board of trustees of the district that expelled the student shall provide to the district in which the student enrolls, at the same time other records of the student are provided, a copy of the expulsion order and the referral to the authorized officer of the juvenile court. The district in which the student enrolls may continue the expulsion under the terms of the order, may place the student in an alternative education program for the period specified by the expulsion order, or may allow the student to attend regular classes without completing the period of expulsion.

SECTION 9. Section 37.011, Education Code, is amended by amending Subsections (b), (d), and (h) and adding Subsections (k), (l), (m), (n), (o), (p), and (q) to read as follows:

(b) If a student is expelled from school under Section 37.007(a), (d), or (e), the juvenile court shall:

(1) If the student is placed on probation under Section 54.04, Family Code, order the student to attend the juvenile justice alternative education program in the county in which the student resides from the date of disposition as a condition of probation; unless the child is placed in a post-adjudication treatment facility;

(2) if the student is placed on deferred prosecution under Section 53.03, Family Code, by the court, prosecutor, or probation department, require the student to immediately attend the juvenile justice alternative education program in the county in which the student resides for a period not to exceed six months as a condition of the deferred prosecution; and

(3) in determining the condition of the deferred prosecution or court-ordered probation, consider the length of the school district's expulsion order for the student.

(d) A juvenile justice alternative education program must focus on English language arts, mathematics, science, social studies, and self-discipline. Each school district shall consider course credit earned by a student while in a juvenile justice alternative education program as credit earned in a district school. Each program shall administer assessment instruments under Subchapter B, Chapter 39, and shall offer a high school equivalency program. The juvenile board or the board's designee, with the parent or guardian of each student, shall regularly review the student's academic progress. In the case of a high school student, the board or the board's designee, with the student's parent or guardian, shall review the student's progress towards meeting high school graduation requirements and shall establish a specific graduation plan for the student. The program is not required to provide a course necessary to fulfill a student's high school graduation requirements other than a course specified by this subsection.

(h) Academically, the mission of juvenile justice alternative education programs shall be to enable students to perform at grade level. For purposes of accountability under Chapter 39,

a student enrolled in a juvenile justice alternative education program is reported as if the student were enrolled at the student's assigned campus in the student's regularly assigned education program, including a special education program. Annually the Texas Juvenile Probation Commission, with the agreement of the commissioner, shall develop and implement a system of accountability consistent with Chapter 39, where appropriate, to assure that students make progress toward grade level while attending a juvenile justice alternative education program. The Texas Juvenile Probation Commission shall adopt rules for the distribution of funds appropriated under this section to juvenile boards in counties required to establish juvenile justice alternative education programs. A student served by a juvenile justice alternative education program on the basis of an expulsion under Section 37.007(a), (d), or (e) is not eligible for Foundation School Program funding under Chapter 42 or 31.

(k) Each school district in a county with a population greater than 125,000 and the county juvenile board shall annually enter into a joint memorandum of understanding that:

(1) outlines the responsibilities of the juvenile board concerning the establishment and operation of a juvenile justice alternative education program under this section;

(2) defines the amount and conditions on payments from the school district to the juvenile board for students of the school district served in the juvenile justice alternative education program whose placement was not made on the basis of an expulsion under Section 37.007(a), (d), or (e);

(3) identifies those categories of conduct that the school district has defined in its student code of conduct as constituting serious or persistent misbehavior for which a student may be placed in the juvenile justice alternative education program;

(4) identifies and requires a timely placement and specifies a term of placement for expelled students for whom the school district has received a notice under Section 52.041(d), Family Code;

(5) establishes services for the transitioning of expelled students to the school district prior to the completion of the student's placement in the juvenile justice alternative education program;

(6) establishes a plan that provides transportation services for students placed in the juvenile justice alternative education program;

(7) establishes the circumstances and conditions under which a juvenile may be allowed to remain in the juvenile justice alternative education program setting once the juvenile is no longer under juvenile court jurisdiction; and

(8) establishes a plan to address special education services required by law.

(l) The school district shall be responsible for providing an immediate educational program to students who engage in behavior resulting in expulsion under Section 37.007(b), (c), and (f) but who are not eligible for admission into the juvenile justice alternative education program in accordance with the memorandum of understanding required under this section. The school district may provide the program or the school district may contract with a county juvenile board, a private provider, or one or more other school districts to provide the program. The memorandum of understanding shall address the circumstances under which such students who continue to engage in serious or persistent misbehavior shall be admitted into the juvenile justice alternative education program.

(m) Each school district in a county with a population greater than 125,000 and the county juvenile board shall adopt a joint memorandum of understanding as required by this section not later than September 1 of each school year.

(n) If a student who is ordered to attend a juvenile justice alternative education program moves from one county to another, the juvenile court may request the juvenile justice alternative education program in the county to which the student moves to provide educational services to the student in accordance with the local memorandum of understanding between the school district and juvenile board in the receiving county.

(o) In relation to the development and operation of a juvenile justice alternative education program, a juvenile board and a county and a commissioners court are immune from liability to the same extent as a school district, and the juvenile board's or county's employees and volunteers are immune from liability to the same extent as a school district's employees and volunteers.

(p) If a district elects to contract with the juvenile board for placement in the juvenile justice alternative education program of students expelled under Section 37.007(b), (c), and (f) and the juvenile board and district are unable to reach an agreement in the memorandum of understanding, either party may request that the issues of dispute be referred to a binding arbitration process that uses a qualified alternative dispute resolution arbitrator in which each party will pay its pro rata share of the arbitrator in which each party will pay its pro rata share of the arbitration costs. Each party must submit its final proposal to the arbitrator. If the parties cannot agree on an arbitrator, the juvenile board shall select an arbitrator, the school districts shall select an arbitrator, and those two arbitrators shall select an arbitrator who will decide the issues in dispute. An arbitration decision issued under this subsection is enforceable in a court in the county in which the juvenile justice alternative education program is located. Any decision by an arbitrator concerning the amount of the funding for a student who is expelled and attending a juvenile justice alternative education program must provide an amount sufficient based on operation of the juvenile justice alternative education program in accordance with this chapter. In determining the amount to be paid by a school district for an expelled student enrolled in a juvenile justice alternative education program, the arbitrator shall consider the relevant factors, including evidence of:

(1) the actual average total per student expenditure in the district's alternative education setting;

(2) the expected per student cost in the juvenile justice alternative education program as described and agreed on in the memorandum of understanding and in compliance with this chapter; and

(3) the costs necessary to achieve the accountability goals under this chapter.

(q) In accordance with rules adopted by the board of trustees for the Teacher Retirement System of Texas, a certified educator employed by a juvenile board in a juvenile justice alternative education program shall be eligible for membership and participation in the system to the same extent that an employee of a public school district is eligible. The juvenile board shall make any contribution that otherwise would be the responsibility of the school district if the person were employed by the school district, and the state shall make any contribution to the same extent as if the person were employed by a school district.

SECTION 10. Subsection (a), Section 37.012, Education Code, is amended to read as follows: (a) Subject to Section 37.011(n), the school district in which a student is enrolled on the date the student is expelled on a basis other than Section 37.007(a), (d), or (e) shall, if the student is served by the juvenile justice alternative education program, provide funding to the juvenile board for the portion of the school year for which the juvenile justice alternative education program provides educational services in an amount determined by the memorandum of understanding under Section 37.01(k)(2).

SECTION 11. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.020 to read as follows:

Sec. 37.010. COURT INVOLVEMENT.

(a) Not later than the second business day after the date a hearing is held under Section 37.009, the board of trustees of a school district or the board's designee shall deliver a copy of the order placing a student in an alternative education program under Section 37.006 or expelling a student under Section 37.007 and any information required under Section 52.04, Family Code, to the authorized officer of the juvenile court in the county in which the student resides. Except as provided by Subsection (b), the officer may determine whether:

(1) a petition should be filed alleging that the student is in need of supervision or has engaged in delinquent conduct; or

(2) the student should be referred to an appropriate state agency.

(b) If a student is expelled under Section 37.007(b), the board or its designee shall refer the student to the authorized officer of the juvenile court for appropriate proceedings under Title 3, Family Code.

(c) Unless the juvenile board for the county in which the district's central administrative office is located has entered into a memorandum of understanding with the district's board of trustees concerning the juvenile probation department's role in supervising and providing other support services for students in alternative education programs, a court may not order a student expelled under Section 37.007 to attend a regular classroom, a regular campus, or a school district alternative education program as a condition of probation.

(d) Unless the juvenile board for the county in which the district's central administrative office is located has entered into a memorandum of understanding as described by Subsection (c), if a court orders a student to attend an alternative education program as a condition of probation once during a school year and the student is referred to juvenile court again during that school year, the juvenile court may not order the student to attend an alternative education program in a district without the district's consent until the student has successfully completed any sentencing requirements the court imposes.

(e) Any placement in an alternative education program by a court under this section must prohibit the student from attending or participating in school-sponsored or school-related activities.

(f) If a student is expelled under Section 37.007, on the recommendation of the committee established under Section 37.003 or on its own initiative, a district may readmit the student while the student is completing any court disposition requirements the court imposes. After the student has successfully completed any court disposition requirements the court imposes, if the student meets the requirements for admission into the public schools established by this title, a district may not refuse to admit the student, but the district may place the student in the alternative education program. Notwithstanding Section 37.002(d), the student may not be returned to the classroom of the teacher under whose supervision the offense occurred without that teacher's consent. The teacher may not be coerced to consent.

(g) If an expelled student enrolls in another school district, the board of trustees of the district that expelled the student shall provide to the district in which the student enrolls, at the same time other records of the student are provided, a copy of the expulsion order and the referral to the authorized officer of the juvenile court.

(h) A person is not liable in civil damages for a referral to juvenile court as required by this section.

Sec. 37.011. JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM.

(a) The juvenile board of a county with a population greater than 125,000 shall develop a juvenile justice alternative education program, subject to the approval of the Texas Juvenile Probation Commission. The juvenile board of a county with a population of 125,000 or less may develop a juvenile justice alternative education program. A juvenile justice alternative

education program in a county with a population of 125,000 or less:

- (1) is not required to be approved by the Texas Juvenile Probation Commission; and
- (2) is not subject to Subsection (c), (d), (f), or (g).

(b) If a student is found to have engaged in conduct described by Section 37.007 and the student is found by a juvenile court to have engaged in delinquent conduct under Title 3, Family Code, the juvenile court shall:

(1) require the juvenile justice alternative education program in the county in which the conduct occurred to provide educational services to the student; and

(2) order the student to attend the program from the date of adjudication.

(c) A juvenile justice alternative education program shall adopt a student code of conduct in accordance with Section 37.001.

(d) A juvenile justice alternative education program must focus on English language arts, mathematics, science, history, and self-discipline. Each program shall administer assessment instruments under Subchapter B, Chapter 39, and shall offer a high school equivalency program.

(e) A juvenile justice alternative education program may be provided in a facility owned by a school district. A school district may provide personnel and services for a juvenile justice alternative education program under a contract with the juvenile board.

(f) A juvenile justice alternative education program must operate at least (1) seven hours per day; and (2) 180 days per year.

(g) A juvenile justice alternative education program shall be subject to a written operating policy developed by the local juvenile justice board and submitted to the Texas Juvenile Probation Commission for review and comment. A juvenile justice alternative education program is not subject to a requirement imposed by this title, other than a reporting requirement or a requirement imposed by this chapter or by Chapter 39.

(h) For purposes of accountability under Chapter 39 and the Foundation School Program, a student enrolled in a juvenile justice alternative education program is reported as if the student were enrolled at the student's assigned campus in the student's regularly assigned education program, including a special education program.

(i) A student transferred to a juvenile justice alternative education program must participate in the program for the full period ordered by the juvenile court unless the student's school district agrees to accept the student before the date ordered by the juvenile court. The juvenile court may not order a period of transfer under this section that exceeds the term of any probation ordered by the juvenile court.

(j) A juvenile board in a county with a population greater than 125,000 shall establish a juvenile justice alternative education program not later than September 1, 1996. A student who engages in conduct described by Section 37.007 before the date on which a juvenile justice alternative education program for the county in which the student resides begins operation shall be expelled for a period not to exceed one year. This subsection expires September 1, 1997.

Sec. 37.012. FUNDING OF JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAMS.

(a) The school district in which a student is enrolled on the date a juvenile court orders the student to attend a juvenile justice alternative education program shall transfer to the juvenile board in charge of the juvenile justice alternative education program for the portion of the school year for which the juvenile justice alternative education program provides educational services funds equal to the district's average per student expenditure in alternative education programs under Section 37.008.

(b) Funds received under this section must be expended on juvenile justice alternative education programs.

(c) The Office of State-Federal Relations shall assist a local juvenile probation department in identifying additional state or federal funds to assist local juvenile probation departments conducting educational or job training programs within juvenile justice alternative education programs.

Sec. 37.013. COORDINATION BETWEEN SCHOOL DISTRICTS AND JUVENILE BOARDS.

The board of trustees of the school district or the board's designee shall at the call of the president of the board of trustees regularly meet with the juvenile board for the county in which the district's central administrative office is located or the juvenile board's designee concerning supervision and rehabilitative services appropriate for expelled students and students assigned to alternative education programs. Matters for discussion shall include service by probation officers at the alternative education program site, recruitment of volunteers to serve as mentors and provide tutoring services, and coordination with other social service agencies.

Sec. 37.014. COURT-RELATED CHILDREN—LIAISON OFFICERS.

Each school district shall appoint at least one educator to act as liaison officer for court-related children who are enrolled in the district. The liaison officer shall provide counselling and services for each court-related child and the child's parents to establish or reestablish normal

attendance and progress of the child in the school.

Sec 37.015. REPORTS TO LOCAL LAW ENFORCEMENT; LIABILITY.

(a) The principal of a public or private primary or secondary school, or a person designated by the principal under Subsection (d), shall notify any school district police department and the police department of the municipality in which the school is located or, if the school is not in a municipality, the sheriff of the county in which the school is located if the principal has reasonable grounds to believe that any of the following activities occur in school, on school property, or at a school-sponsored or school-related activity on or off school property, whether or not the activity is investigated by school security officers:

(1) conduct that may constitute an offense listed under Section 8(c), Article 42.18, Code of Criminal Procedure;

(2) deadly conduct under Section 22.05, Penal Code;

(3) a terroristic threat under Section 22.07, Penal Code;

(4) the use, sale, or possession of a controlled substance, drug paraphernalia, or marijuana under Chapter 481, Health and Safety Code;

(5) the possession of any of the weapons or devices listed under Sections 46.01(1)-(14) or Section 46.01(16), Penal Code; or

(6) conduct that may constitute a criminal offense under Section 71.02, Penal Code.

(b) A person who makes a notification under this section shall include the name and address of each student the person believes may have participated in the activity.

(c) A notification is not required under Subsection (a) if the person reasonably believes that the activity does not constitute a criminal offense.

(d) The principal of a public or private primary or secondary school may designate a school employee who is under the supervision of the principal to make the reports required by this section.

(e) The person who makes the notification required under Subsection (a) shall also notify each instructional or support employee of the school who has regular contact with a student whose conduct is the subject of the notice.

(f) A person is not liable in civil damages for reporting in good faith as required by this section.

Sec 37.016. REPORT OF DRUG OFFENSES; LIABILITY.

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

(1) marijuana or a controlled substance, as defined by Chapter 481, Health and Safety Code;

(2) a dangerous drug, as defined by Chapter 483, Health and Safety Code;

(3) an abusable glue or aerosol paint, as defined by Chapter 485, Health and Safety Code, or a volatile chemical, as listed in Chapter 484, Health and Safety Code, if the substance is used or sold for the purpose of inhaling its fumes or vapors; or

(4) an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code.

Sec 37.017. DESTRUCTION OF CERTAIN RECORDS.

Information received by a school district under Article 15.27, Code of Criminal Procedure, may not be attached to the permanent academic file of the student who is the subject of the report. The school district shall destroy the information at the end of the school year in which the report was filed.

Sec 37.018. INFORMATION FOR EDUCATORS..

Each school district shall provide each teacher and administrator with a copy of this subchapter and with a copy of the local policy relating to this subchapter.

Sec. 37.019. EMERGENCY PLACEMENT OR EXPULSION.

(a) This subchapter does not prevent the principal or the principal's designee from ordering the immediate placement of a student in the alternative program if the principal or the principal's designee reasonably believes the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with a teacher's ability to communicate effectively with the students in a class, with the ability of the student's classmates to learn, or with the operation of school or a school-sponsored activity.

(b) This subchapter does not prevent the principal or the principal's designee from ordering the immediate expulsion of a student if the principal or the principal's designee reasonably believes that action is necessary to protect persons or property from imminent harm.

(c) At the time of an emergency placement or expulsion, the student shall be given oral notice of the reason for the action. Within a reasonable time after the emergency placement or expulsion, the student shall be accorded the appropriate due process as required under Section 37.009. If the student subject to the emergency placement or expulsion is a student with disabilities who receives special education services, the term of the student's emergency placement or expulsion is subject to the requirements of 20 U.S.C. Section 1415(e)(3) and 34

CFR 300.513.

(d) A principal or principal's designee is not liable in civil damages for an emergency placement under this section. [Sections 37.020-37.050 reserved for expansion]

Sec 37.020. REPORTS RELATING TO EXPULSIONS AND ALTERNATIVE EDUCATION PROGRAM PLACEMENTS.

In the manner required by the commissioner, each school district shall annually report to the commissioner:

(1) for each placement in an alternative education program established under Section 37.008:

(A) information identifying the student, including the student's race, sex, and date of birth, that will enable the agency to compare placement data which information collected through other reports;

(B) information indicating whether the placement was based on:

(i) conduct violating the student code of conduct adopted under Section 37.001;

(ii) conduct for which a student may be removed from class under Section 37.002(b);

(iii) conduct for which placement in an alternative education program is required by Section 37.006; or

(iv) conduct occurring while a student was enrolled in another district and for which placement in an alternative education program is permitted by Section 37.008(j); and

(C) the number of days the student was assigned to the program and the number of days the student attended the program; and

(2) for each expulsion under Section 37.007:

(A) information identifying the student, including the student's race, sex, and date of birth, that will enable the agency to compare placement data with information collected through other reports;

(B) information indicating whether the expulsion was based on:

(i) conduct for which expulsion is required under Section 37.007, including information specifically indicating whether a student was expelled on the basis of Section 37.007(e); or

(ii) conduct, other than conduct described by Subparagraph (iii), for which expulsion is permitted under Section 37.007; or

(iii) serious or persistent misbehavior occurring while the student was placed in an alternative education program;

(C) the number of days the student was expelled;

(D) information indicating whether:

(i) the student was placed in a juvenile justice alternative education program under Section 37.011;

(ii) the student was placed in an alternative education program; or

(iii) the student was not placed in a juvenile justice or other alternative education program.

Your Paycheck

The following is an explanation of what each box on your new paycheck means with this new enhanced format.

1

NORTHSIDE INDEPENDENT SCHOOL DISTRICT EARNINGS STATEMENT									
Employee Name				Calendar Year-To-Date					
Dept	John			Hospital Ins	Tax Rates	PGA Gross	Medicare Gross	CARE US	
Check #	Pay Date	Period Ending	W/Mar Status	No. Earn Units	Wad	Rate	Other Units	Distt Rate	
306261	07/30/01	07/29/01	MARRIED	0	0.0				
Earnings and Deductions		This Period	Year to Date	Cd	Other Deductions	Code	Amount		
STANDARD GROSS		4235.14			TRR DEPOSIT		287.75		
SUPPLEMENTAL PAY		72.00	261.00		TRR INSURANCE		11.24		
TRAVEL		70.00			016000M LIFE	Y	10.58		
K-DAYS ATHLETICS		50.00			016000M LIFE		19.38		
STIPEND		69.00			032HIGH IMD	Y	160.43		
TOTAL EARNINGS		4496.14	29907.05		Total All Deductions		489.28		
WITHHOLDING TAX		509.90	3349.47		NET PAY		3334.27		
MEDICARE TAX		62.71	416.29						
MINUTIES		300.00	700.00						
Leave Type	Units Under Use Period	Units Balance	Leave Period Ending Date	Employee ID					
NISD Sick (Local)	0.0	0.0	07/25/2001	00001					
State Prior to 1995	0.0	3.0							
State Previous	0.0	2.0							
State Current Discretionary	0.0	4.0							
Vacation	1.0	7.0							

5

7

1

NORTHSIDE INDEPENDENT SCHOOL DISTRICT				Bank of America	AMOUNT
Check-Number	Employee ID	Date	Routing	Account	*****
306261	00001	JUL 30, 2001	425		*****
VOID CHECK					PAYROLL FUND
VOID CHECK					VOID AFTER 90 DAYS
VOID CHECK					
PAY TO THE ORDER OF:					
John Dear					
123 Main Street					
San Antonio, TX 78222					

1

Paycheck Explanation

1. Employee ID

- Name
- Employee ID: Every employee is assigned a unique employee number. Social Security Numbers will not print on paychecks.

2. Calendar Year-to-Date

- Hospital Ins: Dollar amount of deductions not protected under IRS Cafeteria 125 Plan
- Tax Wages: Dollar amount of taxable wages for the current year
- FICA Gross: Dollar amount of FICA wages for the current year
- Medicare Gross: Dollar amount of Medicare wages for the current year
- CAFE 125: Dollar amount of deductions protected under IRS Cafeteria 125 Plan

3. Hours & Earnings

- Check Number
- Paydate
- Period Ending
- Wthld. Status: Federal tax withholding status from W-4 form
- No Exem: Federal tax exemptions from W-4 form

4. Earnings & Deductions

- Detailed listing of gross pay categorized into the following:

ATHLETIC STIPEND	BILINGUAL STIPEND
CRIT NEEDS STIPEND	FINE ARTS STIPEND
CAREER LADDER/TIRP	STIPEND
SPEC ED STIPEND TRAVEL	
X-DAYS ATHLETICS	X-DAYS BILINGUAL
EXTRA DAYS	X-DAYS FINE ARTS
EX CONTRACT DAYS	X-DAYS SPEC ED

In addition to the standard:

STANDARD GROSS	SUPPLEMENTAL PAY
OVERTIME	ABSENCE DEDUCT

5. Taxes

- Description of Tax withheld along with the Year-to-Date totals.
- Annuity deductions also show here

6. Deductions

- TRS Deposit: Deduction for employee retirement through the Teacher Retirement System. Mandatory for all full-time employees.
- TRS Insurance: Deduction for retired members' insurance through Teacher Retirement System. Mandatory for all full-time employees.
- CD: Deduction Code
- Other Deductions: Deduction Name
- CAFE 125: A Y signifies the deduction is sheltered under the IRS Cafeteria 125 Plan
- Amount: Dollar amount withheld for each deductions
- Total All Deductions: Total of other deduction amounts

7. Net Pay

- Total Earnings (4) – Taxes (5) – Total All Deductions (8)

8. Leave

- Leave changes are effective by the following schedule:
 - *July – June pay cycle effective July paycheck*
 - *August – July pay cycle effective August paycheck*
 - *September – August pay cycle effective September paycheck*
- NISD Sick (Local): Professional and Classified employees earn 5-7 sick days according to a contract day schedule.
- State Prior to 1995: Any state sick leave earned prior to 1995 may be used for employee/family illness, family emergency, or death in immediate family.
- State Previous: State sick leave left over from the previous year accumulates here.
- State Current/Discretionary: These days may be used as sick leave or discretionary. This leave is advanced 5 days at the beginning of the employee's paycycle/
- Vacation: Professional and Classified employees, 226+ days are given 10 days of unpaid leave every January.

Comprehensive Notice of Privacy Policy And Procedures

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 provided to you on behalf of:

- Northside ISD Medical Plans
- Northside ISD Dental Care Plan (CIGNA PPO)
- Northside ISD Dental Care Plan (CIGNA HMO)
- Northside ISD Family Connection-Premier Dental Insurance Plan by Columbian Life Insurance Company
- Northside ISD QCD Managed Cost Dental and Vision Program (Discount Plan)
- Northside ISD Cole Managed Vision Plan
- Northside ISD Employee Assistance Program
- Northside ISD Long Term Care Plan
- The health care spending account portion of the Northside ISD Flexible Benefits Plan

These plans comprise what is called an “Affiliated Covered Entity,” and are treated as a single plan for purposes of this Notice and the privacy rules that require it. For purposes of this Notice, we’ll refer to these plans as a single “Plan.”

The Plan’s Duty to Safeguard Your Protected Health Information.

Individually identifiable information about your past, present, or future health or condition, the provision of health care to you, or payment for the health care is considered “Protected Health Information” (“PHI”). The Plan is required to extend certain protections to your PHI, and to give you this Notice about its privacy practices that explains how, when and why the Plan may use or disclose your PHI. Except in specified circumstances, the Plan may use or disclose only the minimum necessary PHI to accomplish the purpose of the use or disclosure.

The Plan is required to follow the privacy practices described in this Notice, though it reserves the right to change those practices and the terms of this Notice at any time. If it does so, and the change is material, you will receive a revised version of this Notice either by hand delivery, mail delivery to your last known address, or some other fashion. This Notice, and any material revisions of it, will also be provided to you in writing upon your request (ask your Human Resources representative, or contact the Plan’s Deputy Privacy Official, described below), and will be posted on any website maintained by Northside Independent School District that describes benefits available to employees and dependents.

You may also receive one or more other privacy notices, from insurance companies that provide benefits under the Plan. Those notices will describe how the insurance companies use and disclose PHI, and your rights with respect to the PHI they maintain.

How the Plan May Use and Disclose Your Protected Health Information.

The Plan uses and discloses PHI for a variety of reasons. For its routine uses and disclosures it does not require your authorization, but for other uses and disclosures, your authorization [or the authorization of your personal representative (e.g., a person who is your custodian, guardian, or has your power-of-attorney)] may be required. The following offers more description and examples of the Plan’s uses and disclosures of your PHI.

■ Uses and Disclosures Relating to Treatment, Payment, or Health Care Operations.

- **Treatment:** Generally, and as you would expect, the Plan is permitted to disclose your PHI for purposes of your medical treatment. Thus, it may disclose your PHI to doctors, nurses,

hospitals, emergency medical technicians, pharmacists and other health care professionals where the disclosure is for your medical treatment. For example, if you are injured in an accident, and it’s important for your treatment team to know your blood type, the Plan could disclose that PHI to the team in order to allow it to more effectively provide treatment to you.

- **Payment:** Of course, the Plan’s most important function, as far as you are concerned, is that it *pays for* all or some of the medical care you receive (provided the care is covered by the Plan). In the course of its payment operations, the Plan receives a substantial amount of PHI about you. For example, doctors, hospitals and pharmacies that provide you care send the Plan detailed information about the care they provided, so that they can be paid for their services. The Plan may also share your PHI with other plans, in certain cases. For example, if you are covered by more than one health care plan (e.g., covered by this Plan, and your spouse’s plan, or covered by the plans covering your father and mother), we may share your PHI with the other plans to coordinate payment of your claims.
- **Health care operations:** The Plan may use and disclose your PHI in the course of its “health care operations.” For example, it may use your PHI in evaluating the quality of services you received, or disclose your PHI to an accountant or attorney for audit purposes. In some cases, the Plan may disclose your PHI to insurance companies for purposes of obtaining various insurance coverage.

■ Other Uses and Disclosures of Your PHI Not Requiring Authorization.

The law provides that the Plan may use and disclose your PHI without authorization in the following circumstances:

- **To the Plan Sponsor:** The Plan may disclose PHI to the employers (such as Northside Independent School District) who sponsor or maintain the Plan for the benefit of employees and dependents. However, the PHI may only be used for limited purposes, and may not be used for purposes of employment-related actions or decisions or in connection with any other benefit or employee benefit plan of the employer. PHI may be disclosed to: the human resources or employee benefits department for purposes of enrollments and disenrollments, census, claim resolutions, and other matters related to Plan administration; payroll department for purposes of ensuring appropriate payroll deductions and other payments by covered persons for their coverage; information technology department, as needed for preparation of data compilations and reports related to Plan administration; finance department for purposes of reconciling appropriate payments of premium to and benefits from the Plan, and other matters related to Plan administration; internal legal counsel to assist with resolution of claim, coverage and other disputes related to the Plan’s provision of benefits.
- **Required by law:** The Plan may disclose PHI when a law requires that it report information about suspected abuse, neglect or domestic violence, or relating to suspected criminal activity, or in response to a court order. It must also disclose PHI to authorities that monitor compliance with these privacy requirements.
- **For public health activities:** The Plan may disclose PHI when required to collect information about disease or injury, or to report vital statistics to the public health authority.
- **For health oversight activities:** The Plan may disclose PHI to agencies or departments responsible for monitoring the

NORTHSIDE INDEPENDENT SCHOOL DISTRICT EMPLOYEE COMPLAINT FORM

Page One: Transmittal Form

Instructions: As provided in Policy DGBA and DGBA (LOCAL), an employee who wishes to file a formal complaint must complete an Employee Complaint Form and present it to the appropriate administrator within established timelines.

Page One is the Transmittal Form. You must complete the appropriate sections of a new Transmittal Form and attach it to the front of the complaint file at each level of the process.

Page Two is the Statement of Complaint Form. You must complete this page and present it to the appropriate administrator at Level One. It remains a part of the complaint file throughout the complaint process.

1. NAME _____

2. POSITION _____

3. CAMPUS OR DEPARTMENT _____

4. CHECK COMPLAINT LEVEL:

___ LEVEL ONE ___ LEVEL TWO ___ LEVEL THREE ___ LEVEL FOUR

5. NAME OF ADMINISTRATOR AT THIS LEVEL _____

6. IF YOU WILL BE REPRESENTED BY SOMEONE ELSE IN PRESENTING YOUR COMPLAINT AT THIS LEVEL, PLEASE IDENTIFY THEM:

NAME _____

ORGANIZATION _____

ADDRESS _____ PHONE _____

7. SIGNATURE _____

8. DATE _____

EMPLOYEE: ATTACH THIS COMPLETED FORM TO THE FRONT OF YOUR COMPLAINT FILE.

ADMINISTRATOR: NOTE DATE COMPLAINT WAS RECEIVED _____
ATTACH RESPONSE TO FRONT OF FILE

SUP3 9/91T

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**NORTHSIDE INDEPENDENT SCHOOL DISTRICT
EMPLOYEE COMPLAINT FORM**

Page Two: Statement of Complaint

1. NAME _____

2. POSITION _____

3. CAMPUS OR DEPARTMENT _____

4. PLEASE STATE YOUR COMPLAINT _____

5. PLEASE TELL HOW YOU WERE HARMED _____

6. SPECIFIC RELIEF REQUESTED (IF ANY) _____

7. PLEASE LIST SPECIFIC FACTS AND/OR EVENTS OF WHICH YOU HAVE PERSONAL KNOWLEDGE WHICH SUPPORT YOUR COMPLAINT. PROVIDE DETAILS (NAMES, DATES, TIME, LOCATION, ETC.)

CONTINUE ON REVERSE SIDE IF NECESSARY.
ATTACH TRANSMITTAL FORM(S) TO FRONT OF FILE.

8. SIGNATURE _____ DATE _____

SUP4 9/91T

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NORTHSIDE INDEPENDENT SCHOOL DISTRICT
DEPARTMENT OF HUMAN RESOURCES

ACKNOWLEDGMENT OF RECEIPT
OF EMPLOYEE HANDBOOK

I hereby acknowledge receipt of my personal copy of the Northside Independent School District Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

The Information in this handbook is subject to change. I understand that changes in district policies may supersede, modify, or eliminate the information summarized in this handbook. 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 relationships are intended by this handbook.

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 Department of Human Resources if I have questions or concerns or need further explanation.

Print Employee Name

Social Security Number

Employee Signature

Date

Employee Agreement for Acceptable Use of the District's
Electronic Communications System
2004-2005 School Year

I understand that my computer use is not private and that the District will monitor my activity on the computer system.

I have read the Employee Agreement for the Acceptable Use of the District's Electronic Communications System in Section VIII of the Handbook, District policies, and the Administrative Regulation included in the employee handbook and agree to abide by their provisions. In consideration for the privilege of using the District's electronic communications system and in consideration for having access to the public networks, I hereby release the District, its operators, and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use of, or inability to use the system, including, without limitation, the type of damage identified in the District's policies and administrative regulation.

Employee Signature

Date

NOTE: This handbook includes two copies of this form. Please sign and date both copies. Then remove this copy and forward it to your immediate supervisor.

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DEPARTMENT OF HUMAN RESOURCES

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Social Security Number

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Date

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2004-2005 School Year

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Employee Signature

Date

NOTE: This handbook includes two copies of this form. Please sign and date both copies. This copy should remain in your handbook.

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**Northside Independent School District
2005-2006 Step Pay Schedule
Classroom Teachers, Librarians, and Nurses**



Important Note:

These pay plans may be subject to additional adjustment if the Texas Legislature passes legislation on educator salaries.

Years Experience	Bachelor's Degree	Master's Degree	Doctoral Degree
0	36,666	37,748	39,148
1	36,771	37,853	39,253
2	36,876	37,958	39,358
3	36,981	38,063	39,463
4	37,086	38,168	39,568
5	37,191	38,273	39,673
6	37,334	38,453	39,853
7	37,766	38,886	40,286
8	38,275	39,394	40,794
9	38,821	39,962	41,362
10	39,390	40,531	41,931
11	39,962	41,102	42,502
12	40,925	42,078	43,478
13	41,546	42,654	44,054
14	42,131	43,231	44,631
15	42,921	44,018	45,418
16	43,440	44,598	45,998
17	44,018	45,177	46,577
18	44,599	45,948	47,348
19	45,177	46,799	48,199
20	45,976	47,735	49,135
21	46,558	48,741	50,141
22	47,593	50,194	51,594
23	48,277	50,913	52,313
24	49,005	51,636	53,036
25	49,985	52,613	54,013
26	50,774	53,342	54,742
27	51,566	54,410	55,810
28	52,227	55,134	56,534
29	52,227	56,293	57,693
30	53,117	57,418	58,818
31	53,935	58,612	60,012
32	54,792	59,733	61,133
33	55,652	60,817	62,217
34+	56,729	62,004	63,404

Notes:

This schedule is based on 187 work days.

To compute salary for a classroom teacher on the the career ladder for the Teacher Incentive Reward Program (TIRP):

- Add \$1,500 to the scheduled salary for Level II
- Add \$3,000 to the scheduled salary for Level III

To compute the salary for a Librarian employed prior to the 1996-1997 school year, add \$1,500 to the scheduled salary.

Teachers and Librarians with a Doctoral degree add \$1,400 to the Master's Degree schedule (must have a Master's degree).

NISD 2005-2006 Pay Schedule Stipends & Other Supplements *

Elementary School

Stipend	Amount	Days
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Elementary Subject Facilitator

(Science and Social Studies)

1 - 9 Teachers	\$500	2
10 - 25 Teachers	\$650	2
26 - 40 Teachers	\$750	2
41 + Teachers	\$850	2
AEP & NCC Only:		
0 - 9 Teachers (AEP)	\$300	2
0 - 9 Teachers (NCC)	\$450	2

Elementary Special Program Team Leader

(Art, PE, Theater Arts, Library, Music, Read, Math, GT, CIT, Counselor)

3-9 Staff Members **	\$375	1
10-15 Staff Members **	\$600	1
16+ Staff Members **	\$750	1

***flat stipend portion may be split only twice with one other employee if campus has more than one special program team.*

Elementary Grade Level Team Leader

2 Teachers	\$375	1
3-6 Teachers	\$750	1
7-8 Teachers	\$850	1
9+ Teachers	\$1,050	1

Stipend	Amount	Days
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Elementary Subject Specialist

(Reading and Math)

Each campus specialist	\$500	1
Only specialist in a subject area	\$750	1
One specialist serving two campuses *	\$750	2

** campus selects a Math Resource Teacher to receive to attend District meetings and help with inventory.*

Theater Arts Lead Teacher	\$600	2
Strings – After School	\$3,150	

Bilingual Facilitator	\$1,050	2
Bilingual Education Teacher	\$1,500	
Cluster Lead Counselor	\$1,000	
Critical Needs Area (Special Education)	\$1,000	
ESL Education Teacher	\$750	
Student Advisor Facilitator	\$900	

Computer Instructional Technologist (CIT)	Teacher Scale	13
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** Principals may divide the flat stipends and extended days in appropriate increments; however, extended days can only be split in half or whole days. Note that extended days will be based on employee's base daily rate.*

NISD 2005-2006 Pay Schedule Stipends & Other Supplements *

High School

Stipend	Amount	Days	Stipend	Amount	Days
Athletic Trainer	\$4,320	31	Theater Arts Asst.	\$1,700	5
Athletic Trainer Assistant	\$3,600	31	Theater Arts Director	\$2,900	5
Boys Baseball Assistant	\$1,534	14			
Boys Baseball Head	\$2,124	14	Academic Decathlon (2)	\$3,000	
Boys Basketball Assistant	\$1,716	20	Agriculture	\$2,200	
Boys Basketball Head	\$2,376	20	Agriculture Director	\$3,500	
Boys Football Assistant	\$1,716	24	Lead - FFA	\$3,000	
Boys Football Coordinator	\$2,376	24	CT/Coop Education		10
Boys Soccer Assistant	\$1,716	13	CT/Clinical Rotation		6
Boys Soccer Head	\$2,376	13	GT/Enrichment		5
Boys Track Assistant	\$1,560	9	Health Coordinator	\$600	1
Boys Track Head	\$2,160	9	Jr ROTC	\$4,500	
Cross Country	\$1,908	13	National Honor Society	\$1,000	
Fall Admin. Asst.		6	Newspaper	\$1,500	3
Field Maintenance Asst.		20	Pep Squad (2)	\$2,300	15
Girls Athletics Asst Coord.		30	Pep Squad Asst.	\$1,500	10
Girls Basketball Assistant	\$1,716	20	Senior Class Sponsor (2)	\$1,000	
Girls Basketball Head	\$2,376	20	Speech/Debate Director	\$2,000	
Girls Soccer Assistant	\$1,716	13	Student Advisor Facilitator	\$1,200	
Girls Soccer Head	\$2,376	13	Student Council	\$1,000	
Girls Softball Assistant	\$1,534	14	UIL Coordinator	\$800	
Girls Softball Head	\$2,124	14	UIL Literary Events	\$600	Spring Only
Girls Track Assistant	\$1,560	9	Yearbook	\$1,100	3
Girls Track Head	\$2,160	9			
Girls Volleyball Assistant	\$1,508	14	<u>Department Core Coordinator (English, Math, Science, Social Studies)</u>		
Girls Volleyball Head	\$2,088	14	6-15 Teachers	\$2,000	7
Girls/Boys Diving	\$3,120	19	16-25 Teachers	\$2,750	7
Girls/Boys Golf	\$4,160	12	26+ Teachers	\$3,500	7
Girls/Boys Swimming	\$3,120	19	<u>Department Coordinator</u>		

Tennis	\$4,160	25
Tennis Asst.	\$3,120	15

(PE, Read, Busn, Lang, Home Ecn, Electives, ROTC, Career Tech, Spec Ed)

16-40 periods/day	\$1,150	2
41-80 periods/day	\$1,250	2
81+ periods/day	\$1,400	2

Note: A coach of multiple sports would receive the extended days allocated for each sport. However, a coach may receive only one allocation of pre-school days (the larger of applicable allocations). For pay purposes, the first five extended days are not compensated.

High School and/or Middle School

Asst. Band Director	\$3,300	20
Band Head Director	\$5,400	20
Band Director (HCHS)	\$2,900	
Choir Asst. Director	\$1,500	5
Choir Head Director	\$3,300	5
Orchestra Director	\$2,300	5

<u>Critical Needs Areas</u>	\$1,000	
<i>(Industrial Tech, Spec Ed, Altrnative School, Math, Science, Comp Sci)</i>		
Computer Instructional Technologist (CIT)	Teacher Scale	13
Content Area Technology Facilitator (HS O	\$500	
Webmastering Online (HS Only)	\$2,900	
Campus Intramural Facilitator	\$1,000	Spring Only
ESL Education Teacher	\$750	

Middle School

Stipend	Amount	Days
Boys Basketball	\$1,320	1
Boys Football	\$1,320	6
Boys Head Coach	\$660	
Boys Track	\$770	
Girls Basketball	\$1,320	2
Girls Head Coach	\$660	
Girls Track	\$770	
Girls Volleyball	\$1,320	1
Golf	\$1,210	
Tennis	\$1,320	3
Asst. Band Director	\$2,400	5
Band Head Director	\$3,000	5
Choir Asst. Director	\$725	
Choir Head Director	\$1,750	
Orchestra Director	\$2,300	5
Theater Arts Asst.	\$650	
Theater Arts Director	\$1,000	

Stipend	Amount	Days
Jr National Honor Society	\$600	
Newspaper Sponsor	\$500	if TAP, 0
Student Advisor Facilitator	\$1,100	
Student Council	\$600	
Subject Facilitator (NAMS South and North	\$300	2
Yearbook Sponsor	\$500	if TAP, 0
<u>Department Coordinator</u>		
<i>(English, Math, Science, SS, PE, Read, Electives)</i>		
16-40 periods/day	\$1,150	2
41-80 periods/day	\$1,250	2
81+ periods/day	\$1,400	2

* Principals may divide the flat stipends and extended days in appropriate increments; however, extended days can only be split in half or whole days. Note that extended days will be based on employee's base daily rate.

NISD 2005-2006 Pay Schedule Stipends & Other Supplements

Other Educational Level Stipends

Stipend	Amount	Days	Stipend	Amount	Days
<u>Speech Therapist</u>			<u>Mentors</u>		
Master's Degree + CCC (Certificate of Clinic Comp)	\$3,500		First Year Teacher	\$200	Spring Only
Master's Degree no CCC	\$2,500		Cooperating Teacher	\$200	Spring Only
Bachelor's Degree with TEA or License	\$2,000		Region 20 Teacher	\$500	Spring Only
In Home Trainer	\$2,000	4	Academic Facilitator (Holmgren HS Only)	\$450	
Assistive Technologist	\$2,000		Course Coordinator (Holmgren HS Only)	\$600	
Spec Ed Lead Prof (Sp Camp)	\$1,000		Special Prg Team Ldr (Holmgren HS Only)	\$1,050	1
Spec Ed Ld Tchr (Sp Camp)	\$500-\$2000	4	Lead Teacher/Coord (Alternative Elem Only)	\$2,000	3
<u>Special Education Campus Coordinator¹</u>			NAF Mentoring/Internships Coordinator	\$750	
Elementary School and Special Campus (part time):			Critical Needs Area (Special Campus)	\$1,000	
2.0-4.5 Staff Members	\$1,000	4	District Intramural Supervisor (2)	\$3,000	Spring Only
5.0-8.0 Staff Members	\$1,350	4	Community Librarian (O'Connor)	\$2,000	
8.5-16.0 Staff Members	\$1,550	4	Computer Instructional Technologist (CIT)	Teacher Scale	13
16.5+ Staff Members	\$1,650	4	Campus Technolgy Facilitr (Special Camp)	\$500	2
Full Time Campus Coordinator: ²					
Elementary School	\$4,000	4			
Middle School	\$5,000	6			
High School	\$6,000	8			
Special Campus	\$5,000	4			

¹ based on the number of staff Coordinator serves.
to compute number of staff gives full credit: one for each teacher
and ½ credit for each Instructional Assistant.

² not eligible for any other stipends or supplements
Ladder, TIRP, Critical Needs, etc.