

2018 - 2019

I am **LION COUNTRY**

Livingston Independent School District



Introduction

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

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of district policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. District policies can be accessed on line at www.livingstonisd.com.



LIVINGSTON ISD EMPLOYEE HANDBOOK RECEIPT 2018-2019

I hereby acknowledge the Livingston Independent School District Board Policy Manual and Employee Handbook are posted electronically, to be found on the LISD website at www.livingstonisd.com. I agree to access the Employee Handbook and Board Policy Manual in electronic format from the LISD website and accept responsibility for doing so. If unable to access this information, I agree to contact the Personnel office at 936-328-2100 for instruction on access to the Employee Handbook and Board Policy Manual.

I agree to read the Employee Handbook and Board Policy Manual regarding my employment with the district and abide by the standards, policies, and procedures defined or referenced in these documents and information.

I understand the information in these documents is subject to periodic change, and that changes in district policies may supersede, modify, or eliminate the information summarized in the Employee Handbook. Any changes will be accessible on the LISD website. I accept responsibility for reading and abiding by these changes.

Furthermore, I understand that no modification to employment relationships or alteration of at-will relationships is intended by these documents. I accept responsibility for contacting my supervisor and / or the Personnel office if I have questions or concerns regarding this information.

(Employee Name – please print)

(Employee Signature)

(Date)

Please sign, date, and forward original Employee Handbook Receipt to your campus / department Secretary...Secretaries, please forward to the Personnel office by August 31, 2018

LIVINGSTON ISD EMPLOYEE HANDBOOK

Introduction

Handbook Receipt

Table of contents

1.0	District Information	Pages 7 - 9
1.1	Description of the district	
1.2	LISD Mission Statement, Goals, and Vision	
1.3	Public Education Goals and Objectives	
1.4	Board of Trustees	
1.5	Board Meetings	
1.6	Helpful Contacts – LISD Administration	
1.7	School Calendar	
1.8	School Directory	
2.0	Employment	Pages 9 - 14
2.1	Equal Employment Opportunity	
2.2	Job Vacancy Announcements	
2.3	Contract and Non-Contract Employment	
2.4	Certification and Licenses	
2.6	Recertification of Employment Authorization	
2.7	Employment after Retirement	
2.8	Searches and Alcohol and Drug Testing	
2.9	Health Safety Training	
2.10	Reassignments and Transfers	
2.11	Workload and Work Schedules	
2.12	Notification to Parents Regarding Qualifications	
2.13	Outside Employment and Tutoring	
2.14	Performance Evaluations	
2.15	Employee Involvement	
2.16	Staff Development	
3.0	Compensation and benefits	Pages 15 - 19
3.1	Salaries, Wages, and Stipends	
3.2	Paychecks	
3.3	Automatic Payroll Deposit	
3.4	Payroll Deductions	
3.5	Overtime Compensation	
3.6	Travel Expense Reimbursement	
3.7	Health, Dental, and Life Insurance	
3.8	Cafeteria Plan Benefits (Section 125)	
3.9	Workers' Compensation Insurance	
3.10	Return to Work Policy	
3.11	Unemployment Compensation Insurance	
3.12	Teacher Retirement	
3.13	Other Benefit Programs	

4.0	Leaves and Absences	Pages 19 - 28
4.1	General Information	
4.2	Personal Leave	
4.3	Family and Medical Leave	
4.4	Temporary Disability Leave	
4.5	Local Leave	
4.6	Extended Local Sick Leave	
4.7	Assault Leave	
4.8	Jury duty	
4.9	Compliance with a Subpoena	
4.10	Military leave	
4.11	Bereavement Leave	
4.12	Non-duty Pay Policy	
5.0	Employee Relations and Communications	Pages 28 - 32
5.1	Employee Recognition and Appreciation	
5.2	District Communications	
5.3	Complaints and Grievances	
5.4	Employee Grievance Form	
6.0	Employee conduct and welfare	Pages 32 - 47
6.1	Standards of Conduct	
6.2	Employee Dress Code	
6.3	Discrimination, Harassment, and Retaliation	
6.4	Harassment of Students	
6.5	Reporting Suspected Child Abuse and Neglect	
6.6	Reporting Crime	
6.7	Technology Resources	
6.8	Personal Use of Electronic Communications	
6.9	Electronic Communications between Employees and Students	
6.10	Alcohol and Drug-Abuse Prevention	
6.11	Drug Free Schools and Drug Free Workplace Requirements	
6.12	Associations and Political Activities	
6.13	Fraud and financial impropriety	
6.14	Conflict of Interest	
6.15	Gifts and Favors	
6.16	Safety	
6.17	Identification Badges	
6.18	Tobacco Products and E-Cigarette Use	
6.19	Criminal History Background Checks	
6.20	Employee Arrests and Convictions	
6.21	Copyrighted Materials	
6.22	Charitable Contributions	
6.23	Possession of Firearms and Weapons	
6.24	Asbestos Management Plan	
6.25	Pest Control Treatment	
6.27	Visitors in the Workplace	
7.0	Student Issues	Pages 47 - 49

- 7.1 Equal Educational Opportunities
- 7.2 Student Records
- 7.3 Parent and Student Complaints
- 7.4 Medications – Administering to Students
- 7.5 Dietary supplements
- 7.6 Psychotropic drugs
- 7.7 Student Conduct and Discipline
- 7.8 Student Attendance/Absences
- 7.9 Bullying
- 7.10 Hazing
- 7.11 Child Abuse Reporting

8.0 General Procedures

Pages 49 - 50

- 8.1 Bad Weather Closing
- 8.2 Emergencies
- 8.3 Purchasing Procedures
- 8.4 Name and Address Changes
- 8.5 Personnel Records
- 8.6 Building Use

9.0 Termination of Employment

Pages 50 - 51

- 9.1 Resignations
- 9.2 Dismissal or Non-Renewal of Contract Employees
- 9.3 Dismissal of Non-Contract Employees
- 9.4 Exit Interviews and Procedures
- 9.5 Reports Concerning Court-Ordered Withholding
- 9.6 Reports to Texas Education Agency

Appendix

- Public Education Mission, Goals, and Objectives
- Employee Complaint Form, Grievance Level One
- Return to Work Policy

1.1 Some Fun Facts about Livingston Education (Information provided by the City of Livingston at <http://www.cityoflivingston-tx.com/history.htm>):

The Livingston Independent School District has a proud tradition of excellence. The earliest recorded school system in Livingston was a free academy opened in 1849 and offered free education to the children of Livingston until the late 1880s. On April 25, 1888, the Public Free Schools of Livingston purchased a portion of the City Block on Jackson Avenue to erect a schoolhouse. The first structure built on the new lot in 1888 was a large two-story building with water well in back. Later, when the well went dry, buckets of water had to be carried to the school. A common dipper was provided for drinking. Although the school had a bell, the dinner bell at the Keys' Hotel, downtown, rang each day at 11:55 and the children used this as a signal to put away their books and get ready for lunch. The usual starting age for school was nine, but ages varied according to circumstances at home and the need for the children to work on the farms. Some families alternated, allowing one child to attend each year. The playground was divided by a fence to separate the boys from the girls. Classes were held from 8 to 4 and many pupils had to walk long distances to the schoolhouse. Sudden storms occasionally flooded creek bottomlands and when students couldn't get home, parents trusted the teachers to find their children suitable lodging with local families.

Prior to 1901, the average salary for teachers was \$35.00 for four months. The community furnished room and board, and the students kept the schoolhouse clean. School records show there were 190 pupils enrolled in 1903. The first high school class graduated in 1908.

Livingston ISD encompasses 306 square miles in Polk County, which is one of the fastest growing counties in Texas. The district currently serves over 4,000 students on five campuses with over 500 employees.

1.2 LISD Mission Statement, Goals, and Vision

LISD Mission Statement

The mission of Livingston Independent School District, in partnership with our families and community, is to provide an exemplary education that prepares students to become successful citizens.

LISD Goals

- LISD will provide a rigorous and purposeful curriculum.
- LISD will focus and promote student and staff expectations.
- LISD will enhance and enrich parental and community relationships.
- LISD will engage and retain highly qualified staff.
- LISD will incorporate emerging technologies.

LISD Vision

“Livingston Independent School District...empowering and inspiring excellence.”

We Are Lion Country!

Our safe, modern schools are staffed with enthusiastic, dedicated, and caring personnel committed to providing students with the skills needed to succeed in a constantly changing world.

Every child succeeds because the proactive, mutually supporting, partnerships existing throughout the community provide the resources necessary to achieve our vision. In our community, education is the top priority.

1.3 Public Education Goals and Objectives (see Appendix)

1.4 Board of Trustees

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

Texas law grants the board of trustees the power to oversee the management of the district's schools. The board is the policy-making body within the district and has overall responsibility for curriculum, school taxes, annual budget, and employment of the superintendent and other professional staff, facilities, and expansions. The Board has complete and final control over school matters within limits established by law and State Board of Education rules. The Board of Trustees is elected by the citizens of the district to represent the community's commitment to a strong educational program for the district's children. Board Members serve without compensation, must be qualified voters, and must reside in the district.

The board usually meets monthly at the Livingston High School Library. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district Web site and at the administration building at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice.

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

Current Board members include: Bea Ellis (Board President), Ben Ogletree, III (Vice President), Mary Drake (Secretary), Mike Nettles, John Slocomb and Alex Garcia.

1.5 Board Meetings

LISD Board of Trustee meetings are scheduled on every third Monday of the month at 6:00 PM in the Library of the Livingston High School. Times and dates may be adjusted by action of the Board of Trustees.

1.6 Helpful Contacts – LISD Administration

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

Dr. Brent Hawkins, Superintendent of Schools
(936) 328-2100, bhawkins@livingstonisd.com

Craig Davis, Chief Operations Officer
(936) 328-2104, cqDavis@livingstonisd.com

Janan Moore, Chief Academic Officer
(936) 328-2106, jmoore@livingstonisd.com

Ben Wilroy, Chief Personnel Officer
(936)328-2105, bwilroy@livingstonisd.com

Ben Davidson, Chief Finance Officer
(936) 328-2207, bdavidson@livingstonisd.com

Mark Young, Director of Child Nutrition
(936) 328 2201, myoung@livingstonisd.com

Lisa Pearson, Director of Purchasing
(936) 328-2203, lpearson@livingstonisd.com

█, Director of Transportation
(936) 328-2280, █@livingstonisd.com

Pamela Mitchell, Director of Special Education
(936) 328-2320, pmitchell@livingstonisd.com

Kip Robins, Director of Technology
(936) 328-2223, krobins@livingstonisd.com

Jennifer Birdwell, Director of Communications
(936) 328-2301, jbirdwell@livingstonisd.com

1.7 School Calendar: The current school calendar may be found at www.livingstonisd.com The school calendar is approved annually by the Board of Trustees. Copies of the school calendar are found on each campus.

1.8 School Directory

Administration Office
1412 S. Houston (Hwy 146)
Livingston, TX 77351
Superintendent: Dr. Brent Hawkins
(936) 328-2100

LISD High School
400 F.M 350 South
Livingston, TX 77351
Principal: Dr. Paul Drake
(936) 328-8600

LISD Junior High School
1801 US 59 Loop North
Livingston, TX 77351
Principal: Jared Nettles
(936) 328-2120

LISD Intermediate School
#1 Lions Avenue
Livingston, TX 77351
Principal: Elisha Bell
(936) 328-2150

Pine Ridge Elementary
1200 Mill Ridge
Livingston, TX 77351
Principal: Mary Hill
(936) 328-2160

Timber Creek Elementary
701 N. Willis
Livingston, TX 77351
Principal: Sheri Murphy
(936) 328-2180

Cedar Grove Elementary
819 W. Church Street
Livingston, TX. 77351
Principal: Erin Barnes
(936) 328-2240

Alternative Ed Program
#1 Lions Avenue
Livingston, TX 77351
Principal: William Trammell
(936) 328-2355

Livingston Academy
400 F.M. 350 South
Livingston, TX 77351
Principal: Lana Smith
(936) 328-8042

Also see LISD website, www.livingstonisd.com, for further district information

2.1 Equal Employment Opportunity

Policies DAA, DIA

Livingston ISD does not discriminate against any employee or applicant for employment because of race, religion, gender, sex, age, national origin, color, disability, military status, genetic information or on any other basis prohibited by law. Additionally, the district does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

Employees with questions or concerns about discrimination on the bases listed above should contact the Personnel Department.

2.2 Job Vacancy Announcements

Policy DC

Announcements of job vacancies by position and location are posted on a regular basis and posted on the district's Web site.

2.3 Contract and Non-Contract Employment

Policy DC series & DCA (local)

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

Probationary contracts: Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification will receive two year probationary contracts during their first two years of employment (See LISD District of Innovation Plan at www.livingstonisd.com). Former employees who are hired after at least a two-year lapse in district employment also will be employed by two year probationary contracts. The probationary period for those who have been employed in public schools for at least five of the eight years preceding employment with the district will also receive two years of probationary contracts (See LISD District of Innovation Plan at www.livingstonisd.com). For those with less experience, the probationary period will be three school years, with an optional fourth school year if the board determines it is doubtful whether a term or continuing contract should be given.

Term contracts: Full-time professionals employed in positions requiring certification and nurses will be employed by term contracts after they have successfully completed the probationary two year period. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract. Employment policies can be accessed online or copies will be provided upon request. Employees in professional and administrative positions that do not require SBEC certification (such as noninstructional administrators) are not employed by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

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

2.4 Certification and Licenses

Policies DBA, DF

Professional employees whose positions require SBEC certification or professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to the Personnel Department in a timely manner. (TEC§21.0031)

A certified employee's contract may be voided without due process and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, or permit. A contract may also be voided if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact the Chief Personnel Officer, (936) 328-2100 if you have any questions regarding certification or licensure requirements.

2.6 Recertification of Employment Authorization

Policy DC

At the time of hire, all employees must complete the Employment Eligibility Verification Form (Form I-9) and present documents to verify identity and employment authorization.

Employees whose immigration status, employment authorization, or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact the Personnel Department if you have any questions regarding reverification of employment authorization.

2.7 Employment after Retirement

Policy DC

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

2.8 Searches and Alcohol and Drug Testing

Policy CQ, DHE

Non-investigated searches in the workplace, including accessing an employee's desk, filing 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. 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 investigated search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. The district may search the employee, the employee's personal items, and work areas including district-owned technology resources, lockers, and private vehicles parked on district premises or work sites or used in district business.

Any employee who is required to have a commercial driver's license (CDL) is subject to drug and alcohol testing, to include:

- all drivers who operate a motor vehicle designed to transport 16 or more people, counting the driver;
- drivers of large vehicles
- 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 a commercial motor vehicle.

Pre-employment drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted following a qualifying accident, at random, and when reasonable suspicion exists. LISD does not return employees to driving duties when a positive test is found. Return-to-duty and follow up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

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

2.9 Health Safety Training

Policies DBA, DMA

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion, and extra-curricular athletic activity safety. Certification or

documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League (UIL), or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to the Personnel Department by September 14, 2018.

2.10 Reassignments and Transfers

Policy DK

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

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his/her request by mid-April. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. Making a request for transfer does not guarantee that a transfer request will be granted. The Director of Personnel and the receiving supervisor must approve a transfer request before the transfer becomes final. The Superintendent retains the final authority for teacher placement and may transfer teachers or other employees to meet district needs at his/her discretion.

Teachers shall be assigned in areas or subjects for which they have completed an approved program of teacher education. All Personnel are employed subject to assignment or reassignment by the superintendent.

2.11 Workload and Work Schedules

Policies DL

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

Classroom teachers will have planning periods for instructional preparation and conferences. The schedule of planning periods is set at the campus level but must provide at least 450 minutes within each two-week period in blocks not less than 45 minutes. Teachers and librarians are entitled to a duty-free lunch period of 30 minutes.

Paraprofessional and auxiliary employees: Support employees are employed at will and receive notification of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees are not exempt from overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. See Overtime Compensation on page 16 for additional information.

See section 3.1 Salaries, wages and stipends for the LISD Employee Handbook Policies DEA, DEAA, DEAB & Section 3.5 Overtime Compensation Policy DEA.

2.12 Notification to Parents Regarding Qualifications

Policies DK, DBA

In schools receiving Title I funds, the district is required by the Every Student Succeeds Act (ESSA) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. ESSA also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements.

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

2.13 Outside Employment and Tutoring

Policy DBD

Employees are required to disclose in writing to their immediate supervisor any outside employment that may create a potential conflict of interest with their assigned duties and responsibilities or the best interest of the district. Supervisors will consider outside employment on a case-by-case basis and determine whether it should be prohibited because of a conflict of interest. Supervisors will submit the request to the LISD Superintendent for final approval. This must be done in writing. Email is not an acceptable request.

2.14 Performance Evaluation

Policy DN series

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually unless exempted from annual formal 45 minute evaluations. The proper form for fewer evaluations will be signed and cases give to the employee and Central Office Personnel Department. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda can also be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

2.15 Employee Involvement

Policies BQA, BQB

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

2.16 Staff Development

Policies DMA

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is both district- and campus-based related to achieving campus performance objectives, and developed and approved by district- and campus-level advisory committees. Staff development for non-instructional employees is designed to meet specific licensing requirements and continued employee skill development. Individuals holding renewable SBEC (State Board for Educator Certification) certificates are responsible for obtaining the required training hours and maintaining appropriate documentation. Questions

concerning district staff development should be addressed to the office of the Chief Academic Officer.

In order to meet SBEC continuing professional education requirements, all teachers, counselors, and diagnosticians who took the ExET after 9/1/99 will need to have 150 hours of Continuing Professional Education (CPE) every five years to renew their Standard Certificate. SBEC has outlined specific guidelines for these employees when accumulating these hours and documentation. LISD district and campus professional activities, as well as other professional activities with other service provider organizations, will be designed to assist educators to meet the 150-hour requirement.

Educators are responsible for maintaining a copy of certificates and documentation of attendance. If an educator changes districts during the five-year period, they must be sure to take their documentation with them. At the end of the five-year period, the educator will sign an affidavit indicating they have met all of the requirements as outlined by SBEC and send the affidavit to SBEC to renew their teaching certification. If you have any questions regarding this process, please contact the Chief of Personnel Officer.

3.1 Salaries, Wages, and Stipends

Policies DEA, DEAA, DEAB

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. Salaries for positions are calculated on a daily pay rate according to district policy. All district positions are classified as exempt or non-exempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. Exempt employees are not entitled to overtime compensation.

Non-exempt employees may be compensated on an hourly basis or on a salary basis. Employees who are paid on an hourly basis shall be compensated for all hours worked. Employees who are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless the employee works more than 40 hours.

A non-exempt employee must have the approval of his or her supervisor before working overtime. An employee who works overtime without prior approval is subject to discipline but shall be compensated in accordance with the Fair Labor Standards Act.

Compensation for overtime hours shall be awarded at one and a half times the employee's regular rate of pay or by time and a half earned in compensatory time. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay. Compensatory time earned by non-exempt employees may not accumulate beyond a maximum of 60 hours. If an employee has a balance of more than 60 hours of overtime, the employee will be required to take compensatory time or, at the District's option, will receive overtime pay.

Compensatory time shall be used within the duty year in which it is earned. The District shall pay employees overtime for all unused compensatory time remaining at the end of the fiscal year. Use of compensatory time may be at the employee's request or as determined by the employee's supervisor to protect the District's schedules and activities.

Salary and wage schedules are reviewed annually and adjusted according to the budgeted amounts approved by the Board. Classroom teachers and librarians will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular duties may be paid an increment in addition to their salary according to the district's extra-duty pay schedule.

For purposes of FLSA compliance, the workweek for District employees shall be 12:00 a.m. Saturday until 11:59 p.m. Friday. Employees should contact the Personnel Department for information about their FLSA status and pay.

3.2 Paychecks

Most employees are paid monthly. During the school year, paychecks are delivered to each campus. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization. During summer break, the Business Office will forward pay checks to campuses for employees who work on campuses during the summer; all other pay checks will be mailed to employees not working on campuses during the summer break..

Verification of employment is provided upon request of the employee or other source with required documentation and signatures of both parties.

Employees are paid on the 15th day of each month. If the 15th is on a weekend or holiday, paychecks will be distributed the day proceeding the weekend or holiday. New professional employees taking the 13-month-pay option will receive their first paycheck on August 15.

3.3 Automatic Payroll Deposit

Employees may have their pay electronically deposited into their checking or savings account. A Direct Deposit Authorization Form may be obtained from the administration office. In order for direct deposit to take effect for the current payroll, your completed form must be received by the 1st of the month to the Business Office in the Administration building. Any discrepancies with your deposit must be discussed with your bank representative. Contact the Payroll Department of the Business Office, Ext. 2205 for more information about the automatic payroll deposit service.

Any payroll changes affecting an employee's paycheck such as: W-4, direct deposit, annuities, etc. may be completed in Payroll in the Business Office. Changes must be completed by the 1st of the month in order to take effect in that month. Any changes processed after the 1st will be effective the following month. All address or name changes should be completed in the Personnel Department (PD). It is the employee's responsibility to report an address change to PD and TRS so that all district and TRS information reach the employee in a timely fashion. Any changes to employee status that may affect the employee / employee family benefits should be communicated immediately by the employee to the Personnel Department or Payroll Department of the Business Office, Ext. 2205.

3.4 Payroll Deductions

Policy CFEA

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

- Texas Teacher Retirement System (TRS) or Social Security Employee Contributions
- Federal income tax
- Medicare tax (Applicable only to employees hired after March 31, 1986.)
- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

Other payroll deductions employees may elect to include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; child support, and higher education saving plans or prepaid tuition programs. Salary deductions are automatically made for unauthorized or unpaid leave.

3.5 Overtime Compensation

Policy DEA

The district compensates overtime for non-exempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or non-exempt for purposes of overtime compensation. Professional and administrative employees are ineligible for overtime compensation. Only non-exempt employees are entitled to

overtime compensation. Non-exempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. A nonexempt employee who works overtime without prior approval will be subject to disciplinary action.

Overtime is legally defined as all hours worked in excess of 40 hours weekly and is not measured by the day or by the employee's regular work schedule. Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours.

For purposes of FLSA compliance, the workweek for District employees shall be 12:00 a.m. Saturday until 11:59 p.m. Friday. Employees should contact the Personnel Department for information about their FLSA status and pay. Employees may be compensated for overtime (i.e., hours beyond 40 in a workweek) with compensatory time off or direct pay at time and-a-half rates. The following applies to all non-exempt employees:

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

LISD Overtime Compensation Plan

Employees are paid in accordance with administrative guidelines and a pay structure established for each position. The district's pay plans are reviewed by the administration each year and adjusted as needed. Salaries for positions are calculated on a daily pay rate according to district policy.

All district positions are classified as exempt or non-exempt according to federal law. Professional and administrative employees are generally classified as exempt and are paid monthly salaries. Exempt employees are not entitled to overtime compensation.

Examples of "non-exempt" personnel include aides, secretaries, clerks, cafeteria workers, custodians, bus drivers, maintenance personnel, technology specialists, and payroll / PEIMS specialists. Non-exempt employees may be compensated on an hourly basis or on a salary basis. Employees who are paid on an hourly basis shall be compensated for all hours worked. Non-exempt employees who are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless the employee works more than 40 hours. If a non-exempt employee is paid on a salary basis, the district and the employee understands they are paid for up to 40 hours of work; if the employee may work less than 40 hours in the work week, the district retains the right to request that the employee perform additional duties up to 40 hours without additional pay.

A non-exempt employee must have the approval of his or her supervisor before working overtime. An employee who works overtime without prior approval is subject to discipline but shall be compensated in accordance with the Fair Labor Standards Act.

Compensation for overtime hours shall be awarded at one and a half times the employee's regular rate of pay or by time and a half earned in compensatory time. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay. Compensatory time earned by non-exempt employees may not accumulate beyond a maximum of 60 hours. If an employee has a balance of more than 60 hours of overtime, the employee will be required to take compensatory time or, at the District's option, will receive overtime pay.

Compensatory time shall be used within the duty year in which it is earned. The District shall pay employees

overtime for all unused compensatory time remaining at the end of the fiscal year. Use of compensatory time may be at the employee's request or as determined by the employee's supervisor to protect the District's schedules and activities.

Salary and wage schedules are reviewed annually and adjusted according to the budgeted amounts approved by the Board. Classroom teachers and librarians will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular duties may be paid an increment in addition to their salary according to the district's extra-duty pay schedule. Non-exempt employees who perform extracurricular duties and / or secondary jobs with the district will be compensated in accordance with the Fair Labor Standards Act.

For purposes of FLSA compliance, the workweek for District employees shall be 12:00 a.m. Saturday until 11:59 p.m. Friday. Employees should contact the Personnel Department for information about their FLSA status and pay.

Weekly Time Reporting for Non-Exempt Employees

Non-exempt employees are responsible for using the Frontline software system to keep track of their weekly time. This assists the supervisor / district in monitoring the employee's time for overtime purposes. Please note that falsification of time is a serious matter and will result in discipline, up to and including termination of employment.

All non-exempt personnel must be on the Frontline system. Examples of "non-exempt" personnel include aides, secretaries, clerks, technology specialists, and payroll / PEIMS specialists.

Principals and Directors are responsible for insuring employees work weekly assigned schedules and monitor any possible overtime (over 40 hours) by examining the Weekly Time Reports for their campus/department no later than each Monday, close of business. Principals and Directors are responsible for collecting, monitoring, and reporting any time discrepancies, to include overtime violations, to the Director of Personnel and Chief Finance Officer.

The weekly Frontline Plus reports will be collected by each campus and department and forwarded to the Accountant in the Business Office no later than close of business Tuesday of the week after the Time report has been received. As a backup to the Principals / Directors, the Accountant will also be responsible for collecting, monitoring, and reporting any time discrepancies, to include overtime violations, to the Director of Personnel and Chief Finance Officer. The Accountant will file the Weekly Time Reports at the Central Office.

The workweek for District employees shall be 12:00 a.m. Saturday until 11:59 p.m. Friday. Employees should contact the LISD Personnel Department for information about their FLSA status (e.g. non-exempt or exempt) and pay.

Overtime Calculation: Compensation for overtime hours shall be awarded at one and a half times the employee's regular rate of pay or by time and a half earned in compensatory time. Overtime calculations will be determined by the Chief Finance Officer per guidelines relating to the Fair Labor Standards Act.

3.6 Travel Expense Reimbursement

Policy DEE

Before an employee incurs any travel expenses, a Request for Absence from Assignment / School Business form must be completed and signed by both the Principal/Director and the Chief Academic Officer. In addition, the employee's supervisor must give written approval on a LISD Travel Request / Reimbursement form. This travel form should also be signed by the employee, have an approved vendor number, a budget account, and all estimated expenses on the form. Attach a copy of the registration form or a meeting verification. The form is to

be signed and sent to the Business Office. Both the Request for Absence from Assignment / School Business form and the Travel Request / Reimbursement form may be found at campuses and the Central Office.

Travel expenses are to be reimbursed for allowable expenses on a per diem basis at a rate approved by the district. Mileage is reimbursed at a rate approved by the district. Mileage reimbursement is evaluated using mapquest only. Travel advances are not paid for non-overnight travel. If there are any special instructions for processing the payment, they should be detailed in writing on the travel form

Employees must submit receipts, to the extent possible, to be reimbursed for allowable expenses other than mileage. Please contact the Business Office if you have questions regarding forms or reimbursement.

3.7 Health, Dental and Life Insurance

Policy CRD

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

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

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

The insurance plan year is from September 1 through August 31. New employees must complete enrollment forms within the first 5 working days of employment. When employees on a 187-day calendar retire effective at the end of the school year, their insurance benefits will cease the last day of August. Current employees may make changes in their insurance coverage only during the open enrollment period or when they experience a qualifying event (e.g., marriage, divorce, birth). When an employee resigns, their insurance will cease at the end of that month. Employees may contact the Personnel Department for more information.

3.8 Cafeteria Plan Benefits (Section 125)

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

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

3.9 Workers' Compensation Insurance

Policy CRE

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case. All work-related accidents or injuries should be reported immediately to Administration or the Personnel Department to be reported on a First Report of Injury Form. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code.

3.10 Return to Work Policy (see Appendix)

3.11 Unemployment Compensation Insurance

Policy CRF

Employees who have been laid off or terminated through not fault of their own may be eligible for unemployment benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact the Personnel Department.

3.12 Teacher Retirement

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

Employees who plan to retire under TRS should notify the LISD Personnel Department as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement Systems of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the web (www.trs.texas.gov).

3.13 Other Benefit Programs

Tax-sheltered annuities: Employees may choose to tax shelter a portion of their paycheck for the purchase of annuities 403 (b), 457, or for contributions to individual retirement plans (IRA's). All completed paperwork must be in the Payroll Office no later than file 1st of the month. Contact the payroll department for more information.

Tuition-free attendance for children of Livingston ISD employees: Children of full-time Livingston ISD employees that live out-of-district may transfer into Livingston ISD without cost.

4.1 General Information

Policy DEC, DECA, DECB

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

Use of Leave. Leave is available for the employee's use at the beginning of the year. However, state personal and local leave is earned during the current year. If an employee leaves the district during the current leave year, the cost of any days taken will be deducted from the employee's final paycheck.

Leave must be used in two increments. However, if an employee is taking family and medical leave, leave shall be recorded in one-hour increments. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- Local Leave
- State Leave

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate leave form or certification. Any employee who is absent more than five (5) days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and in the case of personal illness, the employee's fitness to return to work.

Immediate Family. For purposes of leave other than family and medical leave, immediate family is defined as the following:

- Spouse
- 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*.
- Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
- Sibling, stepsibling, and sibling-in-law
- Grandparent and grandchild
- Any person residing in the employee's household at the time of illness or death

For purposes of family and medical leave, the definition of family is limited to spouse, parent, son or daughter, and next of kin. The definition of these are found in Policy DECA (LEGAL).

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

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

Continuation of Health Insurance. Employees on an approved leave of absence other than family and medical leave may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the district, as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave.

Under TRS-Active Care rules, an employee is no longer eligible for insurance through the district after six months of unpaid leave other than FML. If an employee's unpaid leave extends for more than six months, the district will provide the employee with notice of COBRA rights.

4.2 Personal Leave

State law entitles all employees to five days of paid personal leave per year. Personal leave is available for use at the beginning of the year. A day of earned personal leave is equivalent to the number of hours per day in an employee's usual assignment, whether full-time or part-time. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. Personal leave may be used for two general purposes: nondiscretionary and discretionary.

Non-discretionary: Leave taken for personal or family illness, family emergency, death in the family, or active military service is considered non-discretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary leave will be granted to employees in the same manner as state sick leave.

Discretionary: Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor five (5) days in advance of the anticipated absence. The effect of the employee's absence on the educational program or department operations as well as the availability of substitutes, will be considered by the principal or supervisor. Discretionary personal leave will be granted on a first-come, first-serve basis and will be subject to the following limitations:

The maximum number of campus employees in each job category that will be permitted to take discretionary personal leave at the same time is to be determined by the campus principal or director. Discretionary leave may not last more than three (3) consecutive workdays, except with special approval for extenuating circumstances.

Discretionary leave may not be taken on the following days without the prior written approval of the Chief Personnel Officer:

- Immediately before or after a school holiday
- On scheduled staff / professional development days
- On STAAR testing dates
- Days scheduled for end-of-semester or end-of-year exams

Employees may earn up to five (5) state personal days per year.

Leave Proration. If an employee separates from employment with the district before his or her last duty day of the year, or begins employment after the first day of duty, state personal leave will be prorated based on the actual time employed. When an employee separates from employment before the last duty day of the school year, the employee's final paycheck will be reduced by the amount of state personal leave the employee used beyond his or her pro rata entitlement for the school year.

State Sick Leave

State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas.

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

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

Sick Leave Bank

Information is available about the Livingston ISD Sick Leave Bank in the Appendix section of this handbook.

4.3 Family and Medical Leave (FML)

General Provisions

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

Leave Entitlements

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

Requesting Leave

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Unlawful Acts by Employers. An employer may not interfere with an individual's FMLA rights or retaliate against some-one for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

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

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

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

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
www.wagehour.dol.gov

Local Family and Medical Leave Provisions

For the purposes of an employee's entitlement to FMLA the 12 month period shall be measured forward from the date an individual employee's first FMLA leave begins.

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

Combined leave for spouses. If both spouses are employed by the district, the district shall not limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition to a combined total of 12 weeks, nor shall the district limit military caregiver leave to a combined total of 26 weeks. (See DECA Legal)

Intermittent leave. The district shall permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee.

Fitness for Duty.

An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. If certification of the employee's ability to perform essential job functions is required, the district shall provide a list of essential job functions (e.g., job description) to the employee with the FML designation notice to share with the health care provider.

Reinstatement. An employee returning to work at the end of FML will be returned to the same position held when the leave began or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FML entitlement, and the district will maintain the employees group health insurance and reinstate the employee at the end of the leave according the procedures outlined in policy (see DECA (LEGAL)).

Failure to Return. If, at the expiration of FML, the employee is able to return to work but chooses not to do so, the district may require the employee to reimburse the district's share of insurance premiums paid during any portion of FML when the employee was on unpaid leave. If the employee fails to return to work for a reason be-

yond the employee's control, such as a continuing personal or family serious health condition or a spouse being unexpectedly transferred more than 75 miles from the district, the district may not require the employee to reimburse the district's share of premiums paid.

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

Workers' compensation benefits

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

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

4.4 Temporary Disability Leave

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

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

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

4.5 Local Leave

All full-time employees earn an additional two equivalent workdays of local personal leave per school year, at a rate of one-half a workday per 18 workdays of employment. All part-time employees earn an additional three equivalent workdays of local personal leave per school year, at a rate of one-half day per 30 workdays of employment.

Local personal leave is non-cumulative and will be taken with no loss of pay. Local personal leave is used under the same restrictions applicable to state personal leave.

In the case of illness or personal emergency, local leave will be recorded as used before any other form of leave.

Additional available leave shall be used according to the discretion of the employee.

At the end of the school year, full-time and part-time employees shall be reimbursed for any unused local personal leave at a rate to be determined by the Board when it adopts its annual compensation plan.

4.6 Extended Local Sick Leave

A professional employee who has exhausted earned leave benefits will be permitted up to 30 days of extended sick leave to be used only for the employee's personal illness or disability, including pregnancy-related illness or injury, or for absences related to the illness or injury of a member of the employee's immediate family "The term "immediate family" is defined in LISD Board Policy DEC (LOCAL)". The substitute's appropriate daily rate will be deducted from the employee's pay during this time whether or not a substitute is employed.

To be eligible for 30 day extended leave, the employee shall have been absent at least ten consecutive workdays.

A written request for extended sick leave must be accompanied by medical certification of the illness or injury.

4.7 Assault Leave

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

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 (assault leave may not extend more than two years beyond the date 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. 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.

4.8 Jury Duty

The district provides paid leave to employees who are summoned to jury duty. Employees who report to the court for jury duty may keep any compensation the court provides. An employee should report a summons for jury duty to his or her supervisor as soon as it is received and may be required to provide the district a copy of the sum-mons to document the need for leave.

An employee may be required to report back to work as soon as they are released from jury duty. The supervisor may consider the travel time required and the nature of the individual's position when determining the need to report to work. A copy of the release from jury duty or of documentation of time spent at the court may be required.

4.9 Compliance with a Subpoena

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use paid leave. Other absences for court appearances related to an employee's personal business must be taken as personal leave or leave without pay (if no personal leave is available). Employees may be required to submit documentation of their need for leave for court appearances.

Truancy Court Appearances

An employee who is a parent, guardian of a child or a court-appointed guardian ad litem of a child who is required to miss work to attend a truancy court hearing may use personal leave or compensatory time for the absence. Employees who do not have paid leave available will be docked for any absence required because of the court appearance.

Religious Observance

The district will reasonably accommodate an employee's request for absence for a religious holiday or observance. Accommodations such as changes to work schedules or approving a day of absence will be made unless they pose an undue hardship to the district. The employee may use any accumulated personal leave for this purpose. Employees who have exhausted applicable paid leave may be granted an unpaid day of absence.

4.10 Military Leave

Paid Leave for Military Service. Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave when engaged in authorized training or duty ordered by proper authority. Paid military leave is limited to 15 days each fiscal year. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

Reemployment after military leave: Employees who leave the district to enter into the United States uniformed services or who are ordered to active state military duty (Texas National Guard or Texas State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed in the position they would have held if employment had not been interrupted or reassigned to an equivalent or similar position provided they can be qualified to perform the required duties. In most cases, the length of military service cannot exceed five years.

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

4.11 Bereavement Leave (Funeral)

Use of state leave and/or local leave for death in the immediate family shall not exceed five workdays per occurrence, **subject to approval of the District.**

4.12 Non-Duty Pay Policy

For 226-day employees:

In order to track the use of non-duty days, all twelve-month (226-day) employees are required to take their non-duty days prior to June 30th of each year. The exact number of non-duty days will be determined by the school calendar as adopted by the Board of Trustees.

Exceptions:

Twelve-month employees that leave the district must take their non-duty days prior to June 30th or by the end of their contract, whichever comes first. Specified district-wide administration staff such as Directors or Officers whose duties require their presence throughout the summer may be allowed to take their non-duty days at another time with the prior written approval of the Superintendent.

All twelve-month employees shall submit the proper vacation request form to the Superintendent for approval.

They shall also submit a calendar detailing their schedules for the summer months.

Administrators and Directors are responsible for approving the non-duty day requests from their immediate staff members. Administrators/Directors are responsible for maintaining the proper records, documenting and requesting forms on each employee under their direct supervision.

The number of non-duty days may change from year to year due to changes in the school calendar or other actions of the Livingston ISD Board of Trustees. Non-duty days are days in excess of the 226 days of service required in the contract agreed to by the administrator and Livingston ISD.

Auxiliary personnel employed in positions that normally require 260 days of employment each school year shall be eligible for one week of paid vacation during the first year of service. During subsequent years, such personnel shall be eligible for two weeks of paid vacation.

Vacation days shall be earned at the rate of one day per 50 workdays during the first year, and one day per 25 workdays in subsequent years. A year shall be measured according to the fiscal year, running from September 1 through August 31.

An employee shall be required to receive approval from his or her supervisor and the Chief Personnel Officer at least two weeks before vacations may be taken. Vacation time may not be approved if it interferes with the normal operation of the District.

For 260-day employees:

Auxiliary personnel employed in positions that normally require 260 days of employment each school year shall be eligible for one week of paid vacation during the first year of service. During subsequent years, such personnel shall be eligible for two weeks of paid vacation.

Vacation days shall be earned at the rate of one day per 50 workdays during the first year, and one day per 25 workdays in subsequent years. A year shall be measured according to the fiscal year, running from September 1 through August 31.

An employee shall be required to receive approval from his or her supervisor and the Chief Personnel Officer at least two weeks before vacation may be taken. Vacation time may not be approved if it interferes with the normal operation of the District.

Auxiliary personnel employed in positions that normally require 260 days of employment shall be eligible for holiday pay according to the District's Wage and Compensation Plan. Employees shall be required to be at work on the day immediately prior to or following a holiday in order to receive pay for the holiday. An exception may be made if the employee provides his or her supervisor at least a two week notice and the employee's workload is such that the supervisor grants permission.

5.1 Employee Recognition and Appreciation

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at each board meeting, in the district newsletter, and through special events and activities. For example, LISD honors our finest employees with induction to the Livingston ISD Apple Corps. This lifetime honor is granted to those employees that have demonstrated the finest in leadership, commitment, and a passion for education. Employees are nominated for the LISD Apple Corps by their colleagues and each month, during our LISD School Board Meeting, we induct one new member to the Corps (for more information, see our website at www.livingstonisd.com).

5.2 District Communications

Our staff in the Communications Department help provide outstanding district-wide communication throughout the school year by continuously updating district news and information, collaborating with community services and organizations, providing news releases as needed, and offering publications of brochures, newsletters, fliers, calendars and other communiqués. Up-to-date district information may be obtained from the world-wide-web, LISD website: <http://www.livingstonisd.com> . In this way, Livingston ISD employees, community members, and anyone interested in the school district have ready access to school activities and achievements.

All publications edited, printed, or distributed in the name of or within the district schools shall be under the control of the school administration and the Board of Trustees.

All publications approved and issued by individual schools shall be part of the instructional program, under the supervision of a faculty sponsor, and shall be subject to prior review by the campus principal.

All publications approved and issued by individual schools shall be carefully edited to reflect the high ideals and expectations of citizens of the District and their schools.

The principal, subject to the Superintendent's approval, shall be responsible for all matters pertaining to the organization, issuance, and sale of such publications and any other publication procedure.

Students who have complaints about the procedures or a professional decision affecting the content or style of a school-sponsored publication shall present that complaint in accordance with FNG(LOCAL).

All written material intended for distribution to students, over which the school does not exercise editorial control, shall be submitted for prior review in accordance with School Board policy.

5.3 Complaints and Grievances

Policy DGBA (local)

In an effort to hear and resolve employee concerns or employee complaints in a timely manner and at the lowest administrative level possible, the board has adopted an orderly grievance process. Employees are encouraged to discuss problems or complaints with their supervisors or an appropriate administrator at any time. If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form. In an effort to hear and resolve employee complaints in a timely manner and at the lowest administrative level possible, the board has adopted an orderly process that all employees must follow when bringing formal complaints and grievances except in the ease of sexual harassment complaints. (See Sexual harassment, 6.2)

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

For purposes of this policy, terms are defined as follows: The terms "complaint" and "grievance" shall have the same meaning. A complaint under this policy may include:

1. Grievances concerning an employee's wages, hours, or conditions of work;
2. Specific allegations of unlawful discrimination in employment based on the employee's sex, race, religion, national origin, age, or disability;
3. Specific allegations of unlawful discrimination or retaliation based on the employee's exercise of legally

protected rights; or

4. Specific allegations of adverse personnel action based on the employee's good faith report to an appropriate law enforcement authority of a violation of a law by the District or a District employee, i.e., "whistleblower complaints." [See DG]
5. Complaints arising from the dismissal or termination of an at-will employee. [See DCD]
6. Complaints arising from the termination at end of year of the probationary contract of a professional employee. [See DFAA]

Other Review Processes: Complaints alleging certain forms of harassment shall be processed in accordance with DHC. Complaints arising from any of the following must be addressed through the local and statutory processes indicated below:

1. The proposed non-renewal of a term contract issued under Chapter 21 of the Texas Education Code, in accordance with DFBB.
2. The proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Texas Education Code during the contract term, in accordance with DFAA, DFBA, or DFCA, respectively.

For more information on how to proceed with complaints regarding:

1. Alleged discrimination, including violations of Title IX or Section 504, see DAA.
2. Instructional materials, see EFA.
3. A commissioned peace officer who is an employee of the District, see CKE.

Complaint forms and appeal notices may be filed by hand-delivery, fax, or U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Fax filings shall be timely filed if they are received on or before the deadline, as indicated by the date/time shown on the fax copy. Mail filings shall be timely filed if they are postmarked by U.S. Mail on the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on the deadline and received by the employee or designated representative no more than three days after the response deadline.

"Days" shall mean District business days. In calculating time lines under this policy, the day a document is filed is "day zero," and all deadlines shall be determined by counting the following day as "day one."

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

Whistleblower complaints shall be filed within the time specified by law. Such complaints shall first be filed in accordance with LEVEL TWO, below. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 days of the initiation of the complaint. [See DG]

Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint. When two or more complaints are sufficiently similar in nature

and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.

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

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

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

Level 1: Level 1 Complaint forms must be filed:

1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor. If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time that the complaint form was received and immediately forward the complaint form to the appropriate administrator. The appropriate administrator shall hold a conference with the employee within ten days after receipt of the written complaint. The administrator shall have ten days following the conference to provide the employee a written response.

Level 2: If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may request a conference with the Superintendent or designee to appeal the Level One decision. The appeal notice must be filed in writing, on a form provided by the District, within ten days after receipt of a response or, if no response was received, within ten days of the response deadline at Level One. The Superintendent or designee shall hold a conference within ten days after the appeal notice is filed. At the conference, the Superintendent or designee shall consider only the issues and documents presented at Level One and identified in the Level Two appeal notice. The Superintendent or designee shall have ten days following the conference to provide the employee a written response.

Level 3: If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may appeal the decision to the Board. The appeal notice must be filed in writing, on a form provided by the District, within ten days after receipt of a response or, if no response was received, within ten days of the response deadline at Level Two. The Superintendent or designee shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board. The Superintendent or designee shall provide the Board with copies of the complaint form, all responses, all appeal notices, and all written documentation previously submitted by the employee or the administration. The Board shall consider only those issues and documents presented at the preceding levels and

identified in the appeal notice. The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE] The presiding officer may set reasonable time limits and guidelines for the presentation. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels. In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the employee or the employee's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter. The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board fails to reach a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

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

5.4 Employee Grievance Form (appendix)

6.1 Standards of Conduct

Policy DH

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

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

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

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

Texas Educators' Code of Ethics

Statement of Purpose

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom.

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

Professional Standards

1. Professional Ethical Conduct, Practices, and Performance

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

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

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

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

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

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

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

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

Standard 1.9 The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.

Standard 1.10 The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.

Standard 1.11 The educator shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.

Standard 1.12 The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.

Standard 1.13 The educator shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.

Standard 1.14. The educator shall not assist another educator, school employee, contractor, or agent in obtaining a new job as an educator or in a school, apart from the routine transmission of administrative and personnel files, if the educator knows or has probable cause to believe that such person engaged in sexual misconduct regarding a minor or student in violation of the law.

2. Ethical Conduct toward Professional Colleagues

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

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

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

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

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

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

Standard 2.7 The educator shall not retaliate against any individual who has filed a complaint with the SBEC or provides information for a disciplinary investigation or proceeding under this chapter.

3. Ethical Conduct toward Students

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

Standard 3.2 The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.

Standard 3.3 The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.

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

Standard 3.5 The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.

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

Standard 3.7 The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

Standard 3.8 The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.

Standard 3.9 The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

- (i) the nature, purpose, timing, and amount of the communication;
- (ii) the subject matter of the communication;
- (iii) whether the communication was made openly or the educator attempted to conceal the communication;
- (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- (v) whether the communication was sexually explicit; and
- (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

6.2 Employee Dress Code

The dress and grooming of district employees shall be clean, neat, and professional and in a manner appropriate for their assignments. Staff dress affects student learning and the school climate; therefore, personal preference of clothing should not interfere with the education process. Clothing worn by staff should exceed the expectations set for the student dress code.

In order to present ourselves as professionals, the following dress code will be encouraged at every level. Good judgment regarding dress can be seen, although not limited to, the following examples.

During the school year, teachers are expected to dress professionally. Appropriate jeans will be permitted on "spirit day" with a campus spirit shirt. Spirit day has been designated every Friday. The following are not acceptable during teaching days and staff development days: overalls, spandex or tight fitting leggings, wind suits, warm-ups, or jogging suits of any kind.

Male teachers are expected to wear long slacks with either a dress or sport shirt. A tie is not required, but is recommended. It is certainly acceptable to wear a nice shirt without a tie. Other male employees are expected to wear uniforms supplied by the district or wear clean appropriate garments.

The male employee's hair should be off the shoulder and neatly groomed. Beards, mustaches, and goatees are to be neatly groomed. All male employees are expected to meet this standard.

Female employees' hair is to be neatly groomed.

Female teachers are expected to wear dresses, slacks, capri pants (mid-calf), or a jacket/vest-coordinated city-suit. Skorts/shorts are not permissible. Please do not wear skirts, dresses, slacks, or pants that are tight fitting. No cleavage is permissible.

Open-toe dress sandals may be worn without hose. (Rubber flip-flops are not permitted.)

Tattoos on employees must be covered. Body piercing (except women's earrings) must be removed.

All employees need to be cognizant of their close relationship with our students, the public, and with each other. Please take special care of personal hygiene. Take a little extra time each day to reflect on this and take care of any item that might be offensive to someone that you are in contact with during the school day.

The employees of LISD dress extremely well during the school year. Occasionally, someone will appear with less than desirable clothing. The principal / supervisor of each campus / department in question will conference with the individual about their attire.

6.3 Discrimination, Harassment, and Retaliation

Policies DH, DIA

Title IX Coordinator: Craig Davis, Chief Operations Officer...936-328-2100

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees or students. While acting in the course of their employment, employees shall not engage in prohibited harassment of other persons, including board members, vendors, contractors, volunteers, or parents. A substantiated charge of harassment will result in disciplinary action. Harassment of a coworker or student motivated by race, color, religion, nation origin, disability, or age is a form of discrimination and is prohibited by law. 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 education or work environment.

Employees who believe they have been discriminated, retaliated against or harassed are encouraged to promptly report such incident to the campus principal or supervisor. If the campus principal, supervisor, or district official is the subject of a complaint, the employee shall report the complaint directly to the Superintendent, Title IX Coordinator, or Personnel Director. A complaint against the Superintendent may be made directly to the board. Allegations of harassment shall be investigated and addressed. An employee may appeal the decision of the principal or supervisor regarding the investigation in accordance with the employee complaint and grievance policy and procedures (See complaints and grievances Section 5.3) To the greatest extent possible, complaints shall be considered confidential. Limited disclosure may be necessary to complete a thorough investigation. The district will not retaliate against an employee who in good faith reports perceived harassment.

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

[http://www.tasb.org/policy/pol/private/187907/pol.cfm?DisplayPage=DIA\(LEGAL\).pdf](http://www.tasb.org/policy/pol/private/187907/pol.cfm?DisplayPage=DIA(LEGAL).pdf)

EMPLOYEE STANDARDS OF CONDUCT: SEXUAL HARASSMENT/SEXUAL ABUSE

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.

Complaint Procedure: For the purpose of the following complaint process, "days" mean calendar days. An employee who believes he or she has been or is being subjected to any form of sexual harassment shall bring the matter to the attention of the principal, immediate supervisor, or Title IX coordinator for employees. No procedure or step in this policy shall have the effect of requiring the employee alleging harassment to present the matter to a person who is the subject of the complaint.

LEVEL ONE: The employee shall request a conference with the principal or immediate supervisor by submitting the complaint in writing or by requesting a conference. If the complaint is made orally, the supervisor receiving the complaint shall reduce it to writing. The principal or supervisor shall hold the conference as soon as possible, but in any event within seven days after receipt of the complaint. The principal or supervisor shall ordinarily have seven days following the conference within which to investigate and respond. The employee shall be informed if extenuating circumstances delay the investigation.

LEVEL TWO: If the outcome of the conference at Level One is not to the employee's satisfaction, the employee may request a conference with the Superintendent or designee to discuss the complaint. The request should be in writing and shall be filed within seven days following receipt of a written response or, if no written response is received, within seven days of the response deadline. The Superintendent or designee shall hold the conference as soon as possible but in any event within seven days after receipt of the written request. The Superintendent or designee shall have seven days following the conference within which to respond

LEVEL THREE: If the outcome at Level Two is not to the employee's satisfaction or if the time for a response has expired, the employee may present the complaint to the Board. The Superintendent shall place the matter on the agenda for the next regular Board meeting. The Superintendent or designee shall provide the Board with copies of the employee's original complaint, all responses, and any written documentation previously submitted by the employee and the administration. The Level Three proceeding before the Board shall be recorded by

audio tape. The presiding officer shall allow a reasonable time for presentation of the complaint. The Board shall consider the grievance and shall request a response from the administration.

Closed Meeting: The Board may hear the allegation of sexual harassment in closed meeting, if posted in accordance with law, unless an open hearing is requested in writing by the employee or Board member against whom the complaint or charge is brought.

Employee-to-Student: 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 (oral or written), physical, or visual conduct of a sexual nature. [See DF (LEGAL)] Romantic relationships between District employees and students constitute unprofessional conduct and are prohibited.

Reporting Requirements: Any District employee who receives information about sexual harassment or sexual abuse of a student that may reasonably be characterized as known or suspected child abuse or neglect shall make the reports to appropriate authorities, as required by law. [See FFG(LEGAL)] An employee who suspects or knows that a student is being sexually harassed or sexually abused by a school employee or by another student shall inform his or her principal, immediate supervisor, Title IX coordinator, or Director of Human Resources. The District shall notify parents of any incident of sexual harassment or sexual abuse by an employee.

Any allegations of sexual harassment or sexual abuse of students shall be investigated and addressed. In considering and investigating allegations that an employee has sexually harassed or sexually abused a student [see FFH (LEGAL)], the investigation shall proceed from the presumption that the employee's conduct was unwelcome.

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

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

Also see Sexual Harassment Question and Answer – FNCJ(XHIBIT) and DHC(XHIBIT) in Board Policies Manual found online at www.livingstonisd.com

Sexual Harassment Form (See Appendix)

6.4 Harassment of Students

Policies DF, DH, FFG, FFH, FFI

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

The district's policy that includes definitions and procedures for reporting and investigating harassment of students is published on-line at:

<http://www.tasb.org/policy/pol/private/187907/pol.cfm?DisplayPage=FFH%28LOCAL%29.pdf>

6.5 Reporting Suspected Child Abuse and Neglect

Policies DF, DG, DH, FFG, GRA

All employees are required by state law to report any suspected child abuse or neglect, as defined by Texas Family Code §26.001, to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the facility) within 48 hours of the event that led to the suspicion.

Employees are also required to make a report if they have cause to believe that an adult was a victim of abuse or neglect as a child and they determine in good faith that the disclosure of the information is necessary to protect the health and safety of another child or person with a disability.

Reports to Child Protective Services can be made to Child Abuse Hotline 1-800-422-4453 or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

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

An employee's failure to make the required report may result in prosecution as a Class A misdemeanor. In addition, a certified employee's failure to report may result in disciplinary procedures by SBEC for a violation of the Texas Educators' Code of Ethics.

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agency.

Reporting the concern to the principal does not relieve the employee of the requirement to report it to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

Child Sexual Abuse

The district has established a plan for addressing child sexual abuse, which may be accessed at www.livingstonisd.com. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

Employees are required to follow the procedures described above in *Reporting Suspected Child Abuse*.

6.6 Reporting Crime

Policy DG

The Texas Whistleblower Act protects district employees who make good faith reports of violations of law by the district to an appropriate law enforcement authority. The district is prohibited from suspending, terminating the employment of, or taking other adverse personnel action against, an employee who makes a report under the Act. State law also provides employees with the right to report a crime witnessed at the school to any peace officer with authority to investigate the crime.

6.7 Technology Resources

Policy CQ

The district's technology resources, including its networks, computer systems, e-mail accounts, devices connected to its networks, and all district-owned devices used on or off school property, are primarily for administrative and instructional purposes. Limited personal use is permitted if the use:

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

Electronic mail transmissions and other use of technology resources are not confidential and can be monitored at any time to ensure appropriate use.

Employees are required to abide by the provisions of the district's acceptable use agreement and administrative procedures.

Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action. Employees with questions about computer use and data management can contact the LISD Chief of Operations or the Director of Personnel at 936-328-2100.

6.8 Personal Use of Electronic Communications

Policy CQ, DH

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

As role models for the district's students, employees are responsible for their public conduct even when they are not acting as district employees. Employees will be held to the same professional standards in their public use of electronic communications as they are for any other public conduct. If an employee's use of electronic communications interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for Web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

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

- The employee may not set up or update the employee’s personal social network page(s) using the district’s computers, network, or equipment.
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.
- The employee shall not use the district’s logo or other copyrighted material of the district without express written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on district business unless the employee first obtains written approval from the employee’s immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
 - Confidentiality of student records. [See Policy FL]
 - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See Policy DH (EXHIBIT)]
 - Confidentiality of district records, including educator evaluations and private e-mail addresses. [See Policy GBA]
 - Copyright law [See Policy CY]
 - Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH (EXHIBIT)]

See *Use of Electronic Communications between Employees and Students*, below, for regulations on employee communication with students through electronic media.

6.9 Electronic Communications between Employees and Students

Policy DH

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may use electronic communications with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. Electronic communication between all other employees and students who are enrolled in the district are prohibited. Employees are not required to provide students with their personal phone number or e-mail address.

An employee is not subject to these provisions regarding electronic communications with a student to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee’s child, or a member or participant in the same civic, social, recreational, or religious organization. An employee who claims an exception based on a social relationship shall provide written consent from the student’s parent. The written consent shall include an acknowledgement by the parent that:

- The employee has provided the parent with a copy of this protocol
- The employee and the student have a social relationship outside of school;
- The parent understands that the employee’s communications with the student are excepted from district regulation; and
- The parent is solely responsible for monitoring electronic communications between the employee and student.

The following definitions apply for the use of electronic media with students:

- *Electronic communications* means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes e-mail, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee’s personal social network page or a blog) is not a *communication*: however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.
- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

An employee who communicates electronically with students shall observe the following:

- Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
 - The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
 - The employee shall include at least one of the student’s parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;
 - The employee shall include his or her immediate supervisor as a recipient on each text message;
 - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or
 - For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee’s district e-mail address.
 - If the employee uses Remind 101, they must turn off the “Reply” function in the settings.
 - If the employee is using Tweeter for student communications; Extra Curricular Employee must have
 - List of students on team, organization
 - List of Students and Parent/Contact phone numbers.
- The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the

purpose of communicating with students. The employee must enable administration and parents to access the employee's professional page.

- The employee shall not communicate directly with any student between the hours of 8:00 p.m. and 7:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
 - Extra-Curricular sponsors, coaches may communicate outside (8:00 p.m. and 7:00 a.m.) however, they must include a parent, guardian, administrator and shall send a copy of the communications to the employee's district e-mail address.
 - Always cc a parent with any communication.
 - If it is too late to cc a parent, guardian, administrator, the employee will screen shot the communications and email it to their district e-mail account.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:
 - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
 - Copyright law [Policy CY]
- Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DH]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.
- An employee shall notify his or her supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

6.10 Alcohol and Drug-Abuse Prevention

Policy DH

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

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

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

Exception: An employee who uses a drug authorized by a licensed physician through a prescription specifically for that employees use will not be considered to have violated this policy.

Also see information on alcohol and drug abuse prevention in DH (Local) and DI (Exhibit) in the Board Policies Manual found online at www.livingstonisd.com.

6.11 Drug Free Schools and Drug Free Workplace Requirements

The district prohibits the unlawful manufacture, distribution, dispensation, possession, or use of 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.

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 (5) days after such.

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

(This notice complies with notice requirement imposed by the federal Drug-Free Workplace Act; notice requirements imposed by the federal Drug-Free Schools and Communities Act Amendments of 1989; and notice requirements imposed by the Texas Workers' Compensation Commission rules.)

6.12 Associations and Political Activities

Policy DGA

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

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

Use of district resources including work time for political activities is prohibited.

6.13 Fraud and Financial Impropriety

Policy CAA

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

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

6.14 Conflict of Interest

Policy DBD

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

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

6.15 Gifts and Favors

DBD

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

6.16 Safety

Policy CK series

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

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

While driving on district business, employees are required to abide by all state and local traffic laws. Employees driving on district business are prohibited from texting and using other electronic devices that require both visual and manual attention while the vehicle is in motion. Employees will exercise care and sound judgment on whether to use hands-free technology while the vehicle is in motion.

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

6.17 Identification Badges

Identification badges are issued to all LISD employees upon employment through the Communications Department. All Livingston ISD employees are to wear their personal district issued identification badge while on duty. These badges are the property of the district and must be relinquished if the employee leaves the district. Replacement badges are available at a cost determined by the district.

6.18 Tobacco Products and E-Cigarette Use

Policies DH, GKA, FNCD

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

6.19 Criminal History Background Checks

Policy DBAA

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

6.20 Employee Arrests and Convictions

Policy DH

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

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

Moral turpitude includes the following:

- Dishonesty
- Fraud
- Deceit
- Theft
- Misrepresentation
- Deliberate violence
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor
- Crimes involving any felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance
- Felonies involving driving while intoxicated (DWI)

- Acts constituting abuse or neglect SBEC Rules.

If an educator is arrested or criminally charged, the superintendent is also required to report the educators' criminal history to the Division of Investigations at TEA.

6.21 Copyrighted Materials

Policy CY

Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction; distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Electronic media, including motion pictures and other audio/visual works are to be used in the classroom for instructional purposes only and only after obtaining Principal approval. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

6.22 Charitable Contributions

Policy DG

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

6.23 Possession of Firearms and Weapons

Policies DH, FNCG, GKA

Employees, visitors, and students, including those with a license to carry a concealed handgun, are prohibited from bringing firearms, knives, or other weapons onto school premises or any grounds or building where a school-sponsored activity takes place. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other district provided parking area, provided the handgun or firearm or ammunition is properly stored, unloaded, and not in plain view.

To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisors immediately.

6.24 Asbestos Management Plan

Policy CKA

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

6.25 Pest Control Treatment

Policies DI, CLB

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located near the principal's office and other entrances. Pest control information sheets are available from campus principals or facility managers upon request.

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located in the front office. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified

by telephone, written or electric means. Pest control information sheets are available from campus principals or facility managers upon request.

6.26 Visitors in the Workplace

Policy GKC

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

Identification may be required of any person on school property. The Board or its designee may refuse to allow persons having no legitimate business to enter school property, and may eject any undesirable person from the property upon his or her refusal to leave peaceably on request.

7.1 Equal Educational Opportunities

Policies FB, FFH

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

Questions or concerns about discrimination of students on any of the bases listed above should be directed to the Chief Operations Officer.

7.2 Student Records

Policy FL

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

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

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

7.3 Parent and Student Complaints

Policy FNG

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

Parents are encouraged to discuss problems or complaints with the teachers or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved to their satisfaction should be directed to

the campus principal. The formal complaint process provides parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response.

7.4 Medications - Administering to Students

Policy FFAC

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

7.5 Dietary Supplements

Policies DH, FFAC

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

7.6 Psychotropic Drugs

Policy FFAC

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

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

7.7 Student Conduct and Discipline

Policies in the FN series and FO series

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

Teachers must file a written report with the principal or another appropriate administrator when they have knowledge that a student has violated the Student Code of Conduct. A copy of this report will be sent by the principal or administrator to the student's parents within 24 hours. Questions should be addressed to campus principal or the Chief Operations Officer.

7.8 Student Attendance/Absences

Policy FEB

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

Local.

7.9 Bullying

Policy FFI

All employees are required to report student complaints of bullying to the immediate supervisor. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted in the board policy manual at www.livingstonisd.com.

7.10 Hazing

Policy FNCC

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

7.11 Child Abuse Reporting

See section 6.5

8.1 Bad Weather Closing

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

8.2 Emergencies

Policies CKC, CKD

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

8.3 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's business office. Contact the purchasing department office for additional information on purchasing procedures.

8.4 Name and Address Changes

It is important that employment records be kept up to date. Changes to employee status could directly affect employee benefits, as well. Employees should notify their campus or department office, as well as the Personnel office, if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. Forms to process a change in personal information can be obtained from the Personnel Office.

8.5 Personnel Records

Policy DBA, GBA

Most district records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal e-mail is confidential and may not be released without the employee's permission. Employees may choose to have the following personal information withheld:

- Address
- Phone number, including personal cell phone number
- Information that reveals whether they have family members

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

8.6 Building Use

Policies DGA, GKD

The building principal is responsible for scheduling the use of facilities after school hours. Contact the building principal to request to use school facilities and to review the LISD building use policies.

9.1 Resignations

Policy DFE

Contract employees: Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the principal or supervisor. Contract employees may resign at any other time only with the approval of the Superintendent or the Board of Trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification.

The principal is required to notify the superintendent of an educator's resignation following an alleged incident of misconduct for any of the acts listed in Reports to *Texas Education Agency* in Section 9.6. The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in of the same acts.

Non-contract employees: Non-contract employees may resign their positions at any time. A written notice of resignation should be submitted to their supervisor at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

9.2 Dismissal or Non-Renewal of Contract Employees

Policies DF Series

Employees on probationary, term, and continuing contracts can be dismissed during the school year according to the procedures outlined in district policies. Employees on probationary or term contracts can be nonrenewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The time lines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee's certification is revoked for misconduct. Information on the time lines and procedures can be found in the DF series policies that are provided to employees or are available on line.

9.3 Dismissal of Non-Contract Employees

Policy DCD

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

9.4 Exit Interviews and Procedures

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

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

9.5 Reports Concerning Court-Ordered Withholding

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

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

9.6 Reports to Texas Education Agency

Policy DF

The resignation or termination of a certified employee must be reported to the Division of Investigations at TEA if there is evidence that the employee was involved in any of the following:

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

The reporting requirements above are in addition to the superintendent's ongoing duty to notify TEA when a certified employee has a reported criminal history. "Reported criminal history" means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction.

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

APPENDIX

Public Education Mission, Goals, and Objectives Page 53

Employee Complaint Form, Grievance Level One Page 54 - 55

Return to Work Policy Page 56 - 57

PUBLIC EDUCATION MISSION, GOALS, AND OBJECTIVES

The mission of the Texas public education system is to ensure that all Texas children have access to a quality education that enables them to achieve their full potential and fully participate now and in the future in the social, economic, and educational opportunities in our state and nation. That mission is grounded on the conviction that a general diffusion of knowledge is essential for the welfare of Texas and for the preservation of the liberties and rights of Texas citizens. It is further grounded on the conviction that a successful public education system is directly related to a strong, dedicated, and supportive family and that parental involvement in the school is essential for the maximum educational achievement of a child. The objectives of public education are:

OBJECTIVE 1: Parents will be full partners with educators in the education of their children.

OBJECTIVE 2: Students will be encouraged and challenged to meet their full educational potential.

OBJECTIVE 3: Through enhanced dropout prevention efforts, all students will remain in school until they obtain a diploma.

OBJECTIVE 4: A well-balanced and appropriate curriculum will be provided to all students.

OBJECTIVE 5: Educators will prepare students to be thoughtful, active citizens who have an appreciation for the basic values of our state and national heritage and who can understand and productively function in a free enterprise society.

OBJECTIVE 6: Qualified and highly effective personnel will be recruited, developed, and retained.

OBJECTIVE 7: Texas students will demonstrate exemplary performance in comparison to national and international standards.

OBJECTIVE 8: School campuses will maintain a safe and disciplined environment conducive to student learning.

OBJECTIVE 9: Educators will keep abreast of the development of creative and innovative techniques in instruction and administration using those techniques as appropriate to improve student learning.

OBJECTIVE 10: Technology will be implemented and used to increase the effectiveness of student learning, instructional management, staff development, and administration.

The academic goals of public education are to serve as a foundation for a well-balanced and appropriate education. The students in the public education system will demonstrate exemplary performance in:

GOAL 1: The reading and writing of the English language.

GOAL 2: The understanding of mathematics.

GOAL 3: The understanding of science.

GOAL 4: The understanding of social studies.

Education Code 4.001, 4.002



Livingston Independent School District

P.O. Box 1297 Livingston, Texas 77351 Phone: 936-328-2200 Fax: 936-328-2209

EMPLOYEE COMPLAINT FORM GRIEVANCE LEVEL ONE

Any employee filing a complaint must fill out this form completely and submit the form to his / her immediate supervisor or appropriate administrator by hand delivery, fax, or U.S. mail. All complaints will be processed in accordance with Board policy DGBA (LEGAL) and (LOCAL) or any exceptions outlined therein. If needed, please contact the Personnel Office for guidance regarding the district grievance policy.

1. NAME, ADDRESS AND TELEPHONE NUMBER:

2. POSITION AND CAMPUS / DEPARTMENT:

3. IF YOU WILL BE REPRESENTED IN VOICING YOUR COMPLAINT, PLEASE IDENTIFY THE PERSON REPRESENTING YOU (NAME, ADDRESS, AND TELEPHONE NUMBER):

4. PLEASE DESCRIBE THE DECISION OR CIRCUMSTANCES CAUSING YOUR COMPLAINT (GIVE SPECIFIC FACTUAL DETAILS):

5. WHAT WAS THE DATE, OR DATES, OF THE DECISION OR CIRCUMSTANCES CAUSING YOUR COMPLAINT?:

6. PLEASE EXPLAIN HOW YOU HAVE BEEN HARMED BY THIS DECISION OR CIRCUMSTANCE:

7. PLEASE DESCRIBE ANY EFFORTS YOU HAVE MADE TO RESOLVE YOUR COMPLAINT INFORMALLY, WITH WHOM AND WHEN DID YOU COMMUNICATE, AND THE RESPONSE TO YOUR EFFORTS:

8. PLEASE STATE THE OUTCOME OR REMEDY YOU SEEK FOR THIS COMPLAINT:

EMPLOYEE SIGNATURE

DATE

EMPLOYEE REPRESENTATIVE SIGNATURE

DATE OF FILING

(PLEASE ATTACH ADDITIONAL PAGES IF NEEDED)

Complainant, please note:

A complaint form that is incomplete in any material way may be dismissed, but may be refiled with all the required information if the refileing is within the designated time for filing a complaint.

Attach to this form any documents you believe will support the complaint; if unavailable when you submit this form, they may be presented no later than the Level One conference. Please keep a copy of the completed form and any supporting documentation for your records.



Livingston Independent School District Return to Work Program

Purpose and Goals

The primary Purpose of the RTW program is to provide transitional work for employees who are restricted from performing some or all of their regular duties for a temporary period.

The goals of the program are to:

- ◆ Create positive workplace morale through communication and support for the injured worker;
- ◆ Minimize the potential for re-injury or permanent disability;
- ◆ Reduce medical and disability costs;
- ◆ And increase productivity by decreasing lost work time.

Early Return to Work Qualifying terms

- ◆ The employee must have a temporary disability.
- ◆ The employee will receive their regular pay during the Early Return to Work period.

Early Return to Work Procedure

- ◆ All Return to Work Notices are to be forwarded to the Livingston ISD Chief Personnel Officer.
- ◆ The Livingston ISD Chief Personnel Officer will review RTW notices for medically valid work restrictions.
- ◆ The Livingston ISD Chief Personnel Officer will then attempt to make a RTW placement based on the following criteria:
 1. Employees with a valid medical release with no restrictions will be returned to regular duty status.
 2. Employees with a valid medical release, which indicates physical limitations, may be placed on regular duty status if those limitations do not impede the employee's ability to perform their regular work.
 3. Employees with a valid medical release which indicates physical limitations that would prevent the employee from performing their regular duties may be placed in other work

assignments within the school or department where their regular duties are performed if accommodations can be made. If the regular school or department cannot accommodate the physical restrictions on the medical release, the Livingston ISD Chief Personnel Officer may place the employee in another school or department which can accommodate the physical limitations on the medical release form.

Duration of Early Return to Work assignment

Return to Work assignments will be up to three months in duration. All job accommodations will cease when an employee receives a valid release for regular duties. A committee consisting of the Livingston ISD Chief Personnel Officer, the employee's regular supervisor and any third District administrator will approve extensions of the three-month period. In no case shall a temporary return to work assignment last longer than the injured employee's next examination after six month period of the Return to Work assignment.

Employee refusal to accept an Early Return to Work assignment

After an employee is offered an Early Return to Work assignment, the Chief Personnel Officer will send that employee a certified letter indicating a bona fide offer of employment. If the employee refuses to accept the Early Return to Work offer, after receipt of the bona fide letter of employment, they may be subject to personnel action up to and including termination and loss of Workers' Compensation benefits, if applicable.

Employees who are restricted from all work and Employees for whom no Return to Work assignment can be made

Upon providing three-business day's notice the Livingston ISD Chief Personnel Officer may set a meeting with any employee who can not participate in the Return to Work program for medical reasons. This meeting may include the employee's supervisor and other District personnel who can assist the employee in resolving any problems preventing their return to work. Employees who choose not to attend this meeting, upon receiving proper notice, may be subject to personnel action up to and including termination of employment.