



**Kemp Independent School District**

**2018-2019**

**Employee Handbook**



Introduction.....	1
District Information .....	1
Mission statement .....	1
District Goals .....	1
District Beliefs .....	1
We Believe:.....	1
Public Education Mission, Goals, and Objectives .....	2
Board of Trustees .....	3
Kemp Independent School District.....	4
Employment.....	5
Equal Employment Opportunity .....	5
Job Vacancy Announcements .....	5
Employment After Retirement.....	5
Contract and Noncontract Employment.....	5
Certification and Licenses.....	6
Recertification of Employment Authorization.....	6
Searches and Alcohol and Drug Testing.....	7
Health Safety Training.....	7
Reassignments and Transfers.....	7
Workload and Work Schedules .....	8
Breaks for Expression of Breast Milk.....	8
Notification to Parents Regarding Qualifications .....	9
Outside Employment and Tutoring.....	9
Performance Evaluation.....	9
Employee Involvement .....	9
Staff Development .....	9
Compensation and Benefits .....	11
Salaries, Wages, and Stipends .....	11
Annualized Compensation .....	11
Paychecks.....	11
Automatic Payroll Deposit.....	12
457(b) Plan Automatic Enrollment.....	12
Employment in a Job Not Covered by Social Security 457(b) FICA Alternative Plan and Trust .....	12
Payroll Deductions.....	12
Overtime Compensation .....	13
Paid Holidays .....	13
Travel Expense Reimbursement .....	13
Health, Dental, and Life Insurance .....	14
Supplemental Insurance Benefits.....	14
Cafeteria Plan Benefits (Section 125).....	14
Workers' Compensation Insurance.....	14
Unemployment Compensation Insurance .....	15
Teacher Retirement.....	15

Other Benefit Programs .....	15
Leaves and Absences .....	16
Immediate Family .....	16
Medical Certification .....	16
Continuation of Health Insurance .....	17
Personal Leave .....	17
State Sick Leave.....	17
Extended Sick Leave.....	18
Sick Leave Pool .....	18
Family and Medical Leave Act (FMLA)—General Provisions .....	18
Local Family Medical Leave Provisions .....	20
Temporary Disability .....	21
Workers’ Compensation Benefits .....	22
Assault Leave.....	22
Jury Duty.....	22
Compliance with a Subpoena.....	23
Truancy Court Appearances .....	23
Religious Observance .....	23
Military Leave.....	23
Continuation of Health Insurance .....	23
Employee Relations and Communications .....	24
Employee Recognition and Appreciation .....	24
District Communications .....	24
Complaints and Grievances .....	24
Employee Conduct and Welfare .....	25
Standards of Conduct.....	25
Enforceable Standards .....	26
Dress and Grooming .....	27
Discrimination, Harassment & Retaliation .....	28
Harassment of Students.....	28
Reporting Suspected Child Abuse .....	28
Sexual Abuse and Maltreatment of Children.....	29
Reporting Crime.....	29
Technology Resources .....	29
Personal Use of Electronic Media.....	30
Use of Electronic Media with Students .....	31
Criminal History Background Checks .....	33
Employee Arrests and Convictions.....	33
Alcohol and Drug - Abuse Prevention.....	33
Tobacco Products and E-Cigarette Use .....	34
Fraud and Financial Impropriety .....	34
Conflict of Interest .....	34
Gifts and Favors.....	35
Copyrighted Materials .....	36
Associations and Political Activities .....	36

Charitable Contributions .....	36
Safety .....	36
Health Issues .....	37
Possession of Firearms and Weapons .....	37
Visitors in the Workplace .....	37
Asbestos Management Plan .....	37
Pest Control Treatment .....	38
General procedures .....	39
Bad Weather Closing .....	39
Emergencies .....	39
Purchasing Procedures .....	39
Name and Address Changes .....	39
Personnel Records .....	40
Building Use .....	40
Inventory Reporting .....	40
Termination of Employment .....	41
Resignations .....	41
Contract Employees .....	41
Noncontract Employees .....	41
Dismissal or nonrenewal of contract employees .....	41
Dismissal of Noncontract Employees .....	41
Exit Interviews and Procedures .....	42
Reports to the Texas Education Agency .....	42
Reports Concerning Court-Ordered Withholding .....	42
Student Issues .....	43
Equal Educational Opportunities .....	43
Student Records .....	43
Parent and Student Complaints .....	43
Administering Medication to Students .....	44
Dietary Supplements .....	44
Psychotropic Drugs .....	44
Student Conduct and Discipline .....	44
Student Attendance .....	44
Bullying .....	45
Hazing .....	45
Employment Policies .....	47
Employee handbook receipt .....	48
Employee handbook receipt .....	49

# 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 Dr. Lisa Gonzales, Superintendent.

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. School Board policy is available online at [www.kempisd.org](http://www.kempisd.org) for employee review.

## District Information

(Website address: [www.kempisd.org](http://www.kempisd.org))

### *Mission statement*

#### **Policy AE**

Kemp Independent School District will provide innovative educational opportunities to educate students so they achieve their potential.

## District Goals

Implement efficient financial practices which are designed to increase revenues and decrease expenditures.

Provide quality instructional practices which focus on student needs.

Complete a short and long range facility plan.

Provide a staff which meets the needs of the students of Kemp ISD.

Implement an effective accountability system which measures all areas of district operations.

Provide constant and effective communication designed to inform all stakeholders.

## District Beliefs

### *We Believe:*

Students are our first priority.

All students will have a quality staff, and that staff will have their training needs met.

First rate facilities are essential to quality education.

Financial stewardship ensures a tomorrow for education.

All students learn when engaged in meaningful, challenging work, and Kemp ISD is committed to innovation and continued improvement.

In full engagement of our parents and community in the support of our students' education.

Accountability is attained through open dialogue, transparency and fiscal responsibility.

Meaningful relationships ensure learning. Therefore, we encourage partnerships between students, parents, community members and staff which are foundational to educational success. A safe and caring learning environment is strengthened by embracing diversity and respecting self, others and the world around us.

## ***Public Education Mission, Goals, and Objectives***

### **AE (Exhibit)**

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

OBJECTIVE 6: Texas students will demonstrate exemplary performance in comparison to national and international standards.

OBJECTIVE 7: School campuses will maintain a safe and disciplined environment conducive to student learning.

OBJECTIVE 8: 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 9: Technology will be implemented and used to increase the effectiveness of student learning, instructional management, staff development, and administration.

OBJECTIVE 10: 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.

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

## ***Board of Trustees***

### **Policies BA, BB, BD, BE**

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

The board of trustees is elected by the citizens of the district to represent the community's commitment to a strong educational program for the district's children. Board of Trustees are elected by place for three-year terms with the elections conducted annually, as follows: The election for places 1 and 2 shall be held in 2017, 2020, 2023, and in three-year intervals thereafter. The election for places 3 and 4 shall be held in 2015, 2018, 2021, and in three-year intervals thereafter. The election for places 5, 6, and 7 shall be held in 2019, 2022, 2025 and in three-year intervals thereafter. Board members serve without compensation, must be qualified voters, and must reside in the district.

Current Board of Trustees:

Sharron Rankin – President  
Jerry Gilbert – Vice President  
Regina Kiser – Secretary  
Rusty Clamon  
Scott Crow  
Lynda Page  
Charissa Roberts

The board usually meets on the third Monday of each month in the Central Administration Board Room at 6:00 p.m. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and the front door of the Central Administration Office at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice. All meetings are open to the public. In certain circumstances, Texas law permits the board to go into a closed session from which the public and others are excluded. Closed session may occur for such things as discussing prospective gifts or donations, real-property acquisition, certain personnel matters including employee complaints, security matters, student discipline, or to consult with attorneys regarding pending litigation.



***Kemp Independent School District***

905 S. Main Street  
Kemp TX 75143

Dr. Lisa A. Gonzales, Superintendent of Schools

903-498-1312

**District and Campus Administration Contacts**

**District Administration**

Superintendent.....Dr. Lisa A. Gonzales  
 Director of Instruction, Assessment & Accountability.....Dr. Trudy Watson  
 Director of Curriculum..... Dr. Angela Barton  
 Director of Business Services.....Kim Johnson  
 Director of Technology .....Tobin Brown  
 Director of Maintenance & Transportation.....Scott Ellis  
 Federal & Special Programs Coordinator.....Toni Miller  
 Instructional Technology Coordinator.....Regina DeDominicis  
 Administrative Assistant to the Superintendent.....Angie Ellis  
 Human Resources Coordinator.....Cindy Bray  
 District Receptionist & PEIMS Coordinator.....Raye Smith

**Campus Administration**

High School - 903.498.9222

High School Principal.....Jim Lamb  
 Assistant Principal.....Colt Clemens  
 Secretary.....Debbie Stewart

Junior High School - 903.498.1343

Principal.....Kyle Hutchings  
 Assistant Principal.....Tiffany Cox  
 Secretary.....Carol Fogleman

Intermediate School - 903.498.1362

Principal.....Kim McDowell  
 Assistant Principal.....Jennifer Lehr  
 Secretary.....Angela Penland

Primary School - 903.498.1404

Principal.....Jennifer Welch  
 Assistant Principal.....Kristin Clickner  
 Secretary.....Holli Calvin

Kemp Academy (KAP) 903-498-1392

Principal.....Jason Phillips

# Employment

## *Equal Employment Opportunity*

### **Policies DAA, DIA**

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

Employees with questions or concerns about discrimination based on sex including sexual harassment, should contact the Title IX Coordinator at 903.498.1312. Employees with questions or concerns about discrimination on the basis of a disability should contact Toni Miller, Section 504 Coordinator, at 903.498.1340. Questions or concerns relating to discrimination for any other reason should be directed to the Superintendent at 903.498.1312.

## *Job Vacancy Announcements*

### **Policy DC**

Announcements of job vacancies by position and location are posted on a regular basis at the central administration building and on the district's website at [www.kempisd.org](http://www.kempisd.org).

## *Employment After Retirement*

### **Policy DC**

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

## *Contract and Noncontract Employment*

### **Policies DC Series**

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

### **Probationary contracts**

Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive a probationary contract during their first year of employment. Former employees who are hired after at least a two-year lapse in district employment or employees who move

to a position requiring a new class of certification may be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed as a teacher in public education for at least five of the eight years preceding employment with the district may not exceed one school year. For those with less experience, the probationary period will be three school years (i.e., three one-year contracts) with an optional fourth school year if the board determines it is doubtful whether a term contract should be given.

### **Term Contracts**

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

### **Noncertified Professional and Administrative Employees**

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

### **Paraprofessional 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.

### ***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 district in a timely matter.

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 Human Resources Specialist at 903.498.1394 if you have any questions regarding certification or licensure requirements.

### ***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 Human Resources Specialist if you have any questions regarding reverification of employment authorization.

## ***Searches and Alcohol and Drug Testing***

### **Policy CQ, DHE**

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

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

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

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

All employees are 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 Director of Maintenance and Transportation at 903.498.1316.

## ***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 extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, the 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 Liz Thorne, Lead Nurse.

## ***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. Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit a request by May 1st of the current school year. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated the Human Resources office and must be approved by the receiving supervisor.

### ***Workload and Work Schedules***

#### **Policies DEAB, DK, DL**

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

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

Paraprofessional and Auxiliary Employees. Support employees are employed at will and receive notification of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees must be compensated for 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.

### ***Breaks for Expression of Breast Milk***

#### **Policies DEAB, DG**

The district supports the practice of expressing breast milk and makes reasonable accommodation for the needs of employees who express breast milk. A place, other than a multiple user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk will be provided.

A reasonable amount of break time will be provided when the employee has a need to express milk. For nonexempt employees, these breaks are unpaid and are not counted as hours worked. Employees should meet with their supervisor to discuss their needs and arrange break times.

## ***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. 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 Human Resources Coordinator at 903.498.1394.

## ***Outside Employment and Tutoring***

### **Policy DBD**

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

## ***Performance Evaluation***

### **Policies DN 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 once annually. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and the opportunity to respond to the evaluation.

## ***Employee Involvement***

### **Policies BQA, BQB**

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

## ***Staff Development***

### **Policy DMA**

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is predominantly campus-based, related to achieving campus performance objectives, addressed in the campus improvement plan, and approved by a campus-level

advisory committee. Staff development for noninstructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development.

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

# Compensation and Benefits

## *Salaries, Wages, and Stipends*

### **Policies DEA, DEAA, DEAB**

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See Overtime Compensation, pg. 16.)

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

Employees should contact Payroll/Benefits at 903.498.1346 for more information about the district's pay schedules or their own pay.

## *Annualized Compensation*

### **Policy DEA**

The district pays all salaried employees over 12 months regardless of the number of months employed during the school year. Salaried employees will be paid in equal monthly payments, beginning with the first pay period of the school year. Employees who separate after the last day of instruction will continue to receive paychecks through the end of the summer.

## *Paychecks*

All employees will be paid monthly on or before the 20th day of each month. The following schedule is used for issuing the first paycheck: 12-month employees - July, 11-month employees (202-221 days) - August, and 10-month employees (176-197 days) - September. If the 20th falls on a weekend holiday, paychecks will be issued on the first business day prior to.

The cut-off date for payroll is normally the last Friday of each month and is subject to change without notice. The TxEIS Employee Access System allows employees to access current and historical pay information including calendar year-to-date information, deductions, earnings, leave balances, and W-2 information.

The Self-Service module of Employee access, will allow you to view existing data, modify specific data, and submit the modifications for approval. The link to the TxEIS Employee Access System has been placed on the Business Office website for your convenience.



## ***Automatic Payroll Deposit***

The District requires all employees to participate in the direct payroll deposit service. Employees shall have their paychecks electronically deposited into a bank account of their choice. A notification period of two weeks is necessary to activate this service. Contact the Payroll Department, 903-498-1346, for more information about the direct payroll deposit service.

## ***457(b) Plan Automatic Enrollment***

Kemp ISD believes that saving for retirement is important for all employees. The District has instituted a program that automatically enrolls all new employees in the District's 457(b) Retirement Savings Plan (the Plan). If you do not elect otherwise, 3% of your gross salary will automatically be invested in the Default Investment Option.

Enrollment is automatic only if no action is taken by you within 30 days of hire. You also have the right to opt out of contributing to the Plan at any time after your initial enrollment. You also have 90 days after your contributions to the Plan to cancel your enrollment and receive a refund of your money. If you wish to opt out of this plan or would like further information regarding the 457(b) Retirement Savings Plan then you should contact the Payroll Department, 903-498-1346.

## ***Employment in a Job Not Covered by Social Security***

### ***457(b) FICA Alternative Plan and Trust***

Your earnings from this job are not covered under Social Security. The Omnibus Budget Reconciliation Act of 1990 (COBRA 90) mandates that employees of public agencies, including school districts who are not members of the employer's existing retirement system as of January 1, 1992 be covered under Social Security or a qualifying alternate plan. An employee is eligible to participate in the FICA Alternative Plan if they meet one of the eligibility requirements.

Eligibility requirements are employment as part-time (20 hours or less per week), seasonal (five months or less per year), temporary (contract of two years or less in duration) or not covered by TRS in a position otherwise covered by TRS. Contact the Payroll Department, 903-498-1346 for more information about the FICA Alternative Plan.

## ***Payroll Deductions***

### ***Policy CFEA***

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

- Teacher Retirement System of Texas (TRS) or Social Security employee contributions
- Federal income tax required for all full time employees.
- Medicare tax (applicable only to employees hired in this district after March 31, 1986)
- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

Other payroll deductions employees may elect include insurance deductions for the employee's share of premiums for health, dental, life, vision, and disability insurances, health savings account and flexible spending account; annuities; higher education savings plans or prepaid tuition programs; and savings deposits and loan payments through Cooperative Teachers Credit Union and Vought Heritage DBA – Texas Trust. Employees may also request payroll deduction for payment of membership dues to professional organizations, and for the Kemp I.S.D. Employee Scholarship Fund and Kemp Education Foundation. Salary deductions are automatically made for unauthorized or unpaid leave.

All voluntary payroll deductions are initiated only at the beginning of each school year and may be cancelled any time during the year (with certain exceptions on tax sheltered deductions).

## ***Overtime Compensation***

### **Policy DEAB**

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. 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 in a work week and is not measured by the day or by the employee's regular work schedule. Nonexempt employees that are paid on a salary bases are paid for a 40- hour workweek and do not earn additional pay unless they work more than 40 hours. Employees may be compensated for overtime (i.e., hours beyond 40 in a workweek) at a time-and a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

- Employees may accumulate up to 25 hours of comp time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval as workload permits, or at the supervisor's direction.
- An employee may be required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.

## ***Paid Holidays***

Manual trades employees who are guaranteed 260 days per year receive the following paid holidays: New Years - 2 days, Good Friday (if school holiday), Memorial Day (if school holiday), July 4, Labor Day, Thanksgiving - 2 days, Christmas - 2 days, and 10 working days' vacation with pay after one full year of employment (2 1/2 days earned every 3 months starting July 1) to be used before December 31 the following school year. Cafeteria employees receive five paid holidays. These are: New Year's Day, Good Friday (if a school holiday), Memorial Day (if a school holiday), Thanksgiving, and Christmas. If school is in session on any of these holidays, another day will be paid.

## ***Travel Expense Reimbursement***

### **Policy DEE**

Employees will be reimbursed for reasonable, allowable expenses incurred in carrying out district business only with the prior approval of the employee's immediate supervisor. Reimbursement for authorized travel shall be in accordance with legal requirements.

For any authorized expense incurred except for meals associated with overnight travel, an employee shall submit a statement, with receipts to the extent feasible, documenting actual expenses and in accordance with administrative procedures.

The District shall pay for meal expenses associated with overnight travel on a per diem basis, with no requirement for receipts.

Complete Travel Guidelines are located at [www.kempisd.org](http://www.kempisd.org) in the “Business Office” section.

## ***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 determined annually be 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 employed for 10 or more regularly scheduled hours per week

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

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g., marriage, divorce, birth). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees. Employees should contact Payroll/Benefits at 903.498.1346 for more information or online @ [www.tractivecareetna.com](http://www.tractivecareetna.com)

## ***Supplemental Insurance Benefits***

### **Policy CRD**

At their own expense, employees can enroll in supplemental insurance programs. Detailed information about this coverage is given by US Employee Benefits Service Group during in-service or some other time of the year. Contact: US Employee Benefits Service Group by calling 1-888-836-5100. Premiums for this insurance must be paid by the employee and can be paid through payroll deductions. When any change is to be made concerning insurance, it is the responsibility of the employee to come to the Business Office and fill out necessary forms.

## ***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., cancer, critical illness, dental, and vision). A third-party administrator handles employee claims made on these accounts.

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

## ***Workers’ Compensation Insurance***

### **Policy CRE**

Kemp I.S.D., in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to the employees' direct supervisor. Claims must be filed with the Human Resources office (903.498.1394). 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.

You can get more information about your workers' compensation rights from any office of the Texas Workers' Compensation Commission, or by calling 1-800-252-7031. You may also receive additional information from our third party administrator, Claims Administrative Services, by calling 1-800-765-6767. See Workers' Compensation Benefits, page 25 for information on use of paid leave for such absences.

### ***Unemployment Compensation Insurance***

#### **Policy CRF**

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact the Human Resources Coordinator at 903.498.1394.

### ***Teacher Retirement***

#### **Policy DEG**

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitutes not receiving TRS service retirement benefits who work at least 90 days a year are also eligible for TRS membership and to purchase a year of creditable service. 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 Cathy Gunn at 903.498.1346 as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 1-800-223-8778 or 1-512-542-6400. TRS information is also available on the Web ([www.trs.texas.gov](http://www.trs.texas.gov)).

### ***Other Benefit Programs***

#### **Tuition-Free Attendance**

Children of nonresident district employees may attend district schools tuition-free. An application for transfer must be completed and returned to the Administration Office each school year. Ineligible Pre-K students are allowed to attend with a fee.

#### **Complimentary Passes.**

All employees of the district may attend district home athletic events free of charge. If an employee wishes to sit in reserved seating, it is necessary for the employee to purchase these tickets.

# Leaves and Absences

## **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 Payroll and Benefits department or Human Resources department for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

Paid leave must be used in half day 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:

1. Local leave
2. State sick leave accumulated prior to the 1995-96 school year
3. State personal leave

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification.

## ***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 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 3 days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and – in the case of personal-illness the employee's fitness to return to work.

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 result 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 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 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.

## ***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 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.

### **Nondiscretionary**

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

### **Discretionary**

Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor three days in advance of the anticipated absence. The effect of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor. Discretionary use of state personal leave shall not exceed 5 consecutive days.

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

## ***State Sick Leave***

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

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

- Employee illness

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

All employees shall earn three workdays of local leave per school year, at the rate of one workday for every 60 days of employment. Local leave shall be noncumulative and shall be taken with no loss of pay. Local leave shall be used according to the terms and conditions of state personal leave.

### ***Extended Sick Leave***

After meeting the following eligibility requirements, a full-time employee shall be granted as many as 10 days of extended sick leave per school year, to be used only for the employee's catastrophic illness or injury, including pregnancy-related illness or injury, or for absences to the catastrophic illness or injury of a member of the employee's immediate family. A written request to the superintendent or designee for extended sick leave must be accompanied by medical certification of the illness or injury:

All available paid leave shall have been exhausted.

The employee shall have been absent ten consecutive workdays, including one workday without pay

The average daily rate of pay of a substitute for the employee's position shall be deducted for each day of extended sick leave taken, whether or not a substitute is employed.

### ***Sick Leave Pool***

An employee who has exhausted all paid leave and who suffers from catastrophic illness or injury or absent due to the catastrophic illness or injury of a member of the employees immediate family may request the establishment of a sick leave pool, to which District employees may donate only state personal leave for use by the eligible employee. Further guidelines are described in district documents covering Sick Pool Leave.

If the employee is unable to submit the request, a member of the employee's family or the employee's supervisor may submit the request to establish a sick leave pool.

The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of days allowed under a pool, or exhausts all leave days donated to the sick leave pool.

Unused sick leave pool days shall revert to the donors and shall be divided proportionately among donors according to the amount contributed. Reimbursed days shall be divided in increments of no less than one-half days. No general pool shall remain in existence.

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

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

## **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;

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

## **Benefits and Protections**

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

## **Eligibility Requirements**

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;\* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

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

## **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.

Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that



hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

### **Employer Responsibilities**

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

### **Enforcement**

Employees may file a complaint with U.S. Department of Labor, Wage and Hour Division, 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.

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

[www.wagehour.dol.gov](http://www.wagehour.dol.gov)

### ***Local Family Medical Leave Provisions***

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

### **Use of Paid Leave**

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

### **Combine Leave for Spouses**

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

### **Intermittent Leave**

When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. The district does not permit the use of intermittent or reduced schedule leave for the care of a new born child or for 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 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 to 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 beyond 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 FML or have questions should contact the Human Resources office (903.498.1394), for details on eligibility, requirements, and limitations.

## ***Temporary Disability***

### **Certified employees**

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

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

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

When an employee is ready to return to work, the superintendent 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.

### ***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 pre-injury wage.

### ***Assault Leave***

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An incident involving an assault is a work-related injury, and should be immediately reported to your direct supervisor and the Human Resources Specialist (903-498-1394). An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person nonresponsible for purposes of criminal liability.

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

### ***Jury Duty***

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 summons 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.

### ***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. 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.

### ***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 orders 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 duty as a member of the military force of any state (e.g. National or State Guard) may return to employment if they are honorably discharged.

Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. Employees returning to work following military leave should contact the Human Resources office at 903-498-1394. In most cases, the length of federal military service cannot exceed five years.

### ***Continuation of Health Insurance***

Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact Cathy Gunn at 903.498.1356 for details on eligibility, requirements, and limitations.

# Employee Relations and Communications

## *Employee Recognition and Appreciation*

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Recognition and appreciation activities include the “Back to School Employee/Luncheon” where employees with 5, 10, 15, 20, 25, and 30 years of service are recognized and rewarded for their service.

## *District Communications*

Throughout the school year, the district publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements.

## Complaints and Grievances

### **Policy DGBA**

*Also, refer to policy online at [www.kempisd.org](http://www.kempisd.org)*

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

If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form. Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

# Employee Conduct and Welfare

## *Standards of Conduct*

### **Policy DH**

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

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule. Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absences, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action.
- Unathuorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absense 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.
- Unless approved by your supervisor, personal children and family members are not allowed in the workplace during regular employment hours.

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 the State Board for Educator Certification (SBEC) not later than the seventh day after the superintendent first learns of the incident.

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

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

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. (19TAC 247.i(b))

## *Enforceable Standards*

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

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

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

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

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

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

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

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

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

**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 an 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 or 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 reasonable interpreted as soliciting sexual contact or a romantic relationship;
- (v) whether the communication was sexually explicit;
- (vi) and 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.

### ***Dress and Grooming***

#### **Policy DH**



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

### ***Discrimination, Harassment & Retaliation***

#### **Policies DH, DIA**

Also, refer to policy online at [www.kempisd.org](http://www.kempisd.org)

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees, unpaid interns, student teachers, 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.

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

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is available online or in the campus principal's office and district central office.

### ***Harassment of Students***

#### **Policies DH, DHB, 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. See Reporting Suspected Child Abuse (page 30) and Bullying (page 49) for additional information.

### ***Reporting Suspected Child Abuse***

#### **Policies DG, DH, DHB, FFG, GRA**

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

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 disabled person.

Reports to Child Protective Services can be made 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.

### ***Sexual Abuse and Maltreatment of Children***

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

### ***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.

### ***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 the 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 Technology Department at 903-498-1351.

### ***Personal Use of Electronic Media***

#### **Policies CQ, DH**

Electronic media 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 websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.

**The expectation of Kemp ISD administration is that all employees reflect positively on the District, in general, and District stakeholders including students, parents/guardians, District staff and contractors, school board members, community members, and any others affiliated with Kemp ISD at all times. It is also the expectation that Kemp ISD employees refrain from discussing the following topics on any and all social media forum:**

- **Any student, student issues, student behavior, and any and all items covered by FERPA.**
- **Discussion of any and all district personnel issues**
- **Decisions made by staff, including professional staff, administration, and school board actions.**

Any complaints, grievances, or questions should be directed in a manner that is consistent and provided for in the Kemp ISD employee handbook and Kemp ISD board policy. (Kemp ISD Board Policy DG, DGBA, DGBC, GF, FNG)

As role models for the district's students, employees are responsible for their public conduct even when they are not acting as district employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. **If an employee's use of electronic media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.** 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 media for personal purposes shall observe the following:

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.

- The employee shall 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 Texas Educators’ Code of Ethics, 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 Media with Students, below, for regulations on employee communication with students through electronic media.

### ***Use of Electronic Media with Students***

#### **Policy DH**

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through electronic media with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. All other employees are prohibited from communicating with students who are enrolled in the district through electronic media.

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

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

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

**Communicate** means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a communication; however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a communication.

**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 uses electronic media to communicate with students shall observe the following:

- The employee may use any form of electronic media except text messaging. 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 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;
  - 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.
- 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 9:00 p.m. and 7:30 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- 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 Texas Educators' Code of Ethics 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 [See 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 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.

## ***Criminal History Background Checks***

### **Policy DBAA**

Employees may be subject to a review of their criminal history record information at anytime during employment. National criminal history checks based on 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.

## ***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 but is not limited to, the following:

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

## ***Alcohol and Drug - Abuse Prevention***

### **Policy DH, DI**

Kemp 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 can be found in policy online at [www.kempisd.org](http://www.kempisd.org).

### ***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 campus. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of district-owned vehicles are prohibited from smoking or 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.

### ***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, except as otherwise permitted by law or district policy
- Inappropriately destroying, removing, or 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
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards

### ***Conflict of Interest***

#### **Policies CB, DBD**

Employees are required to disclose in writing to the district 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 interest of the district. This includes the following:

- A personal financial interest
- A business interest
- Any other obligation or relationship
- Non-school Employment

## ***Gifts and Favors***

### **Policy DBD**

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks, 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.



## ***Copyrighted Materials***

### **Policy EFE**

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

## ***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.

## ***Charitable Contributions***

### **Policy DG**

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

## ***Safety***

### **Policy CK series**

The district has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors.

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

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

**USE COMMON SENSE AT ALL TIMES. IF YOU ARE UNSURE OR IN DOUBT ABOUT SOMETHING, ASK YOUR SUPERVISOR!**

On the job accident prevention is the responsibility of all the districts' employees. It is the responsibility of each employee to correct or report any unsafe condition or practice which he or she may observe.

Each supervisor is responsible for prevention of accidents to employees working under his/her supervision. It is the supervisor's responsibility to train these employees to enable them to work safely and efficiently.

Employees with questions or concerns relating to safety programs and issues can contact Superintendent's office at 903.498.1312.

### ***Health Issues***

In this age of rapidly escalating infectious diseases, it is extremely important for all of us to practice good, frequent hand washing before eating, after using the restroom, and especially after any physical contact with a student's illness or injuries.

Good hand washing includes using soap, running water and friction for at least 10-15 seconds. Thorough rinsing with water is better than not washing when soap is not available. Dry hands with paper towel and turn off water using paper towels instead of bare hands. Good hand washing habits have been proven to help prevent colds, Hepatitis, Scabies, to name a few health related problems.

Kemp ISD now provides disposable gloves for any employee who may have to handle body fluids (nosebleeds, injuries, cleaning, etc.) Used paper towels, tissues, and gloves with blood on them need to be brought to the nurse's office and disposed of properly in the Hazardous Waste can.

Universal Precautions, simply put, is assuming all persons, all blood and most body fluids to be a potential carrier of infectious disease. There is no way to identify persons who may transmit infection and it can take just one exposure to become infected. It is important to take every precaution.

### ***Possession of Firearms and Weapons***

#### **Policies DH, FNCG, GKA**

Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. 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 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 supervisor or district administration immediately.

### ***Visitors in the Workplace***

#### **Policy GKC**

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

### ***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 Administration office and is available for inspection during normal business hours.

### ***Pest Control Treatment***

#### **Policies CLB, DI**

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

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

# General procedures

## ***Bad Weather Closing***

### **Policy CKC**

The district may close schools because of bad weather or emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late, to release students early, or to cancel school, district officials will post a notice on School Messenger, the district's website ([www.kempisd.org](http://www.kempisd.org)) and notify the following radio and television stations: 4,5,8 and 11.

## ***Emergencies***

### **Policy CKC, CKD**

All employees should be familiar with the safety procedures for responding to a medical emergency and 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 (AED). Fire extinguishers are located throughout all district buildings. Employees should know the location of these devices and procedures for their use.

### **Security**

A Security system is installed in all buildings. You should be aware of this upon entering the building and make sure the alarm is activated if you are the last one out of the building. Anyone entering an unauthorized area will set off the alarm.

## ***Purchasing Procedures***

### **Policy CH**

Campus personnel may obtain requisition order forms from their campus secretary. All requisition orders require approval and account coding by your principal or supervisor, who will also check to make sure funds are available. 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. Contact the Business Office, 903.498.1347 for additional information on purchasing procedures.

***PAYMENT OF UNAUTHORIZED PURCHASES AND PHONE ORDERS WILL BE THE RESPONSIBILITY OF THE PURCHASER.***

## ***Name and Address Changes***

It is important that employment records be kept up to date. Employees must notify the Human Resources Coordinator at 903-498-1394 if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The forms to process a change in personal information can be obtained from the Payroll Department.

## ***Personnel Records***

### **Policy DBA, GBA**

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

- Address
- Phone number, including personal cell phone number
- Emergency contact information
- Information that reveals whether they have family members
- Personal email addresses

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

## ***Building Use***

### **Policies DGA, GKD**

Employees who wish to use district facilities after school hours must follow established procedures. Each campus principal is responsible for scheduling the use of facilities after school hours. Contact the superintendent's office to request the use of school athletic facilities.

## ***Inventory Reporting***

Each campus or department is required to maintain a detailed inventory listing of all district property. The Business Office maintains a listing of "Internal Control Items." These items are computers, printers, tabletop copiers, software, scanners, cameras, projectors, scientific & graphing calculators, fax machines, televisions, VCR's, and DVD's. When one of the above-mentioned items is received, the end user is responsible for submitting a Property Acquisition Report. When one of the above-mentioned items is removed from a classroom or area, a Property Transfer Report is to be completed by the parties involved.

At the close of the school year each classroom and department is asked to submit their detailed inventory listing and verify the "Internal Control Items" listing maintained by the Business Office.

If you have any questions regarding inventory items or the completion of the forms mentioned, please contact the Business Office at 903.498.1347.

# Termination of Employment

## *Resignations*

### **Policy DFE**

#### *Contract Employees*

Contract employees may resign their position without penalty at the end of any school year if written notice is received 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the Superintendent. Contract employees may resign at any other time only with the approval of the Superintendent or the Board of Trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC). The superintendent will notify the State Board for Educator Certification when an employee resigns and reasonable evidence exists to indicate the employee has engaged in any of the acts listed in Reports to Texas Education Agency on page 43.

#### *Noncontract Employees*

Noncontract employees may resign their positions at any time. A written notice of resignation should be submitted to the principal or 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.

#### *Dismissal or nonrenewal of contract employees*

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

Employees on probationary, term, and continuing contracts can be dismissed during the school year according to the procedures outlined in district policies. Employees on probationary or term contracts can be nonrenewed at the end of the contract term.

Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The timelines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee.

Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee's certification is revoked for misconduct. Information on the timelines and procedures can be found in the DF series policies that are provided to employees or are available online @ [www.kempisd.org](http://www.kempisd.org).

#### *Dismissal of Noncontract Employees*

##### **Policy DCD**

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, gender, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights.

Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See Complaints and Grievances, page 26.)

## ***Exit Interviews and Procedures***

### **Policy DC**

Exit interviews will be scheduled for all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience. All district keys, books, property (including intellectual property), and equipment must be returned upon separation from employment.

## ***Reports to the Texas Education Agency***

### **Policy DF, DHB**

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 contact 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 or school 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, or
- 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 or an applicant for certification 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 that is obtained by a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

## ***Reports Concerning Court-Ordered Withholding***

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

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

# Student Issues

## *Equal Educational Opportunities*

### **Policies FB, FFH**

The Kemp Independent School District does not discriminate on the basis of race, religion, color, national origin, sex, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended. Questions or concerns about discrimination of students based on any of the reasons listed above should be directed to the Superintendent.

## *Student Records*

### **Policy FL**

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

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

- **Parents** Married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parents' rights.
- **The Student** The rights of the 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.

## *Parent and Student Complaints*

### **Policy FNG**

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

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



## ***Administering Medication to Students***

### **Policy FFAC**

Only designated employees may administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. Exceptions apply to the self-administration of asthma medication, medication for anaphylaxis (ex. Epi Pen®), 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. The medicine must be in its original, properly labeled container. Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

## ***Dietary Supplements***

### **Policies DH, FFAC**

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

## ***Psychotropic Drugs***

### **Policy FFAC**

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

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

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

## ***Student Conduct and Discipline***

### **Policies in the FN series and FO series**

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

## ***Student Attendance***

### **Policy FEB**

Teachers and staff should be familiar with the district's policies and procedures for attendance accounting. These procedures require minor students to have parental consent before they are allowed to leave campus. These requirements are addressed in campus training and in the Student Handbook. Contact the campus principal for additional information.

## ***Bullying***

### **Policy FFI**

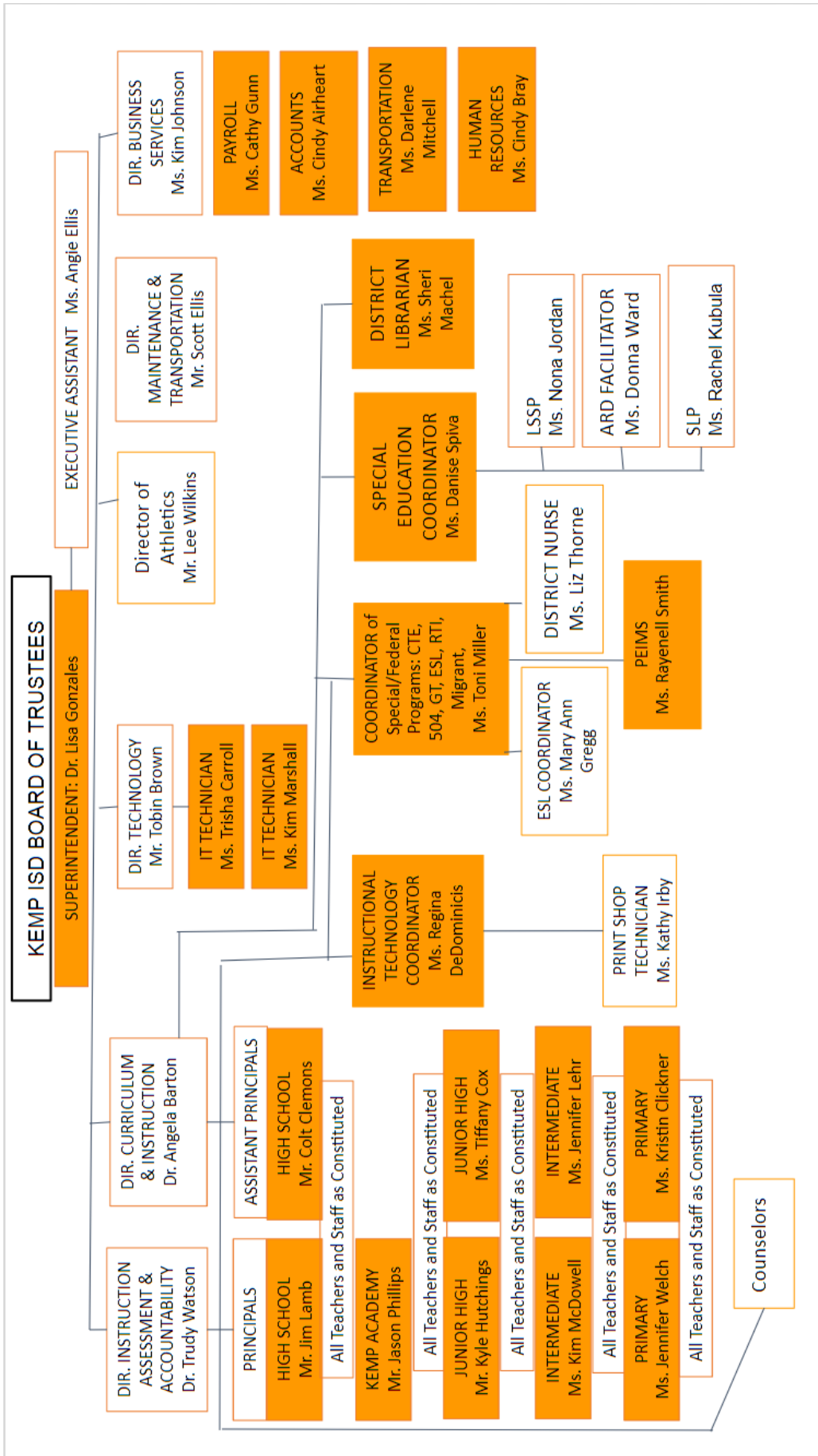
All employees are required to report student complaints of bullying to a campus administrator. Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify campus administration. A report may be made orally or in writing. The district's policy includes definitions and procedures for reporting and investigating bullying of students.

## ***Hazing***

### **Policies FNCC**

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

Kemp ISD provides each employee access to the internet on every campus. You may access the online policy via the Internet at the district website ([www.kempisd.org](http://www.kempisd.org)) by selecting the "Board" tab and then selecting "Board Policy." For further information on accessing the Kemp ISD online policy, see campus or district administration.



## Employment Policies

DA Series	Equal employment opportunity and genetic nondiscrimination
DBAA	Criminal history and credit reports
DBD	Conflict of interest
DC Series	Employment practices
DCA	Probationary contracts
DCB	Term contracts
DCD	At-will employment
DEA Series	Salaries and wages; incentives and stipends
DEC Series	Leaves and absences
DF	Termination of employment
DFA Series	Termination of, or return to, probationary contract
DFB Series	Termination of term contracts
DFD	Hearings before hearing examiner
DFE	Resignation
DFF	Reduction in force
DG	Employee rights and privileges
DGBA	Employee complaints
DH	Employee standards of conduct
DHB	SBEC reporting
DHE	Searches and drug/alcohol testing
DI	Employee welfare
DIA	Freedom from discrimination, harassment, and retaliation
DK	Assignment and schedules
DN	Performance appraisal

# Employee handbook receipt

Name \_\_\_\_\_

Campus/department \_\_\_\_\_

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

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

[http://www.kempisd.org/apps/pages/index.jsp?uREC\\_ID=408703&type=d&pREC\\_ID=890454](http://www.kempisd.org/apps/pages/index.jsp?uREC_ID=408703&type=d&pREC_ID=890454)

Please indicate your choice by checking the appropriate box below:

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

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Note: You have been given two copies of this form. Please sign and date one and keep it. Sign and date the other copy and forward it to your immediate supervisor, your director or school principal.

# Employee handbook receipt

Name \_\_\_\_\_

Campus/department \_\_\_\_\_

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