

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

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

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

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

### 3. Ethical Conduct Toward Students

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

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

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

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

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

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

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

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

Standard 3.9. The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, e-mail, 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:

- a. The nature, purpose, timing, and amount of the communication;
- b. The subject matter of the communication;
- c. Whether the communication was made openly or the educator attempted to conceal the communication;
- d. Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;

- e. Whether the communication was sexually explicit; and
- f. 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.

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## Employee Dress Code

Our district believes that an employee's personal appearance has a direct correlation with an atmosphere of professionalism and efficiency. Cuero ISD employees are expected to come to work neatly dressed and well groomed. Employees should dress so that impressions of them and our district are favorable. Visitors to any campus will easily distinguish the teachers from the students.

Employees should maintain modest and businesslike appearance at all times. Each employee's immediate supervisor and/or the district superintendent will determine the appropriateness of employee dress and grooming for specific employee classifications/duties.

- Flip-flops and house shoes may not be worn unless for a designated day. Sandals with a secure back may be worn, without a back is a hazard. \* unless a doctor's excuse is filed
- Tights, leggings, and jeggings may only be worn as under clothes.
- Hair should be neat and clean natural color.
- Piercings are limited to ears only for female employees only.
- Facial hair beards, goatees, mustaches are acceptable. Facial hair must be groomed, not excessive in length or unprofessional in length or design.
- Vulgar, obscene or distracting tattoos must be covered.
- Pants with holes/tears may not be worn.
- Jeans are appropriate for employees only on designated days; i.e. *Every Wednesday* college shirt/jeans, *Gobbler Spirit every Thursdays, and Fridays.*  
\*SCHOOL APPROVED SHIRTS\*
- Only the nursing staff will be allowed to wear scrub uniforms

Jeans for life skills is a campus decision.

Maintenance, grounds, janitorial, cafeteria, and transportation will have slight changes as appropriate to their departments. Example: Trans. and Cafe. may say only oil resistant slip proof shoes may be worn. Or Maintenance steel toe boots and school provided uniform only, etc.

## MASKS

CISD does not require masks at this time.

## **Personal Communication Devices**

Employees are permitted to possess cell phones while on duty. However, cell phones ***must remain in a vibrate-type mode*** during all instructional periods. Cell phones may only be used before school, during lunch, conference periods, and after school. If an employee has extenuating and/or emergency situations, prior arrangements must be made with the principal/supervisor's office. **Phones should not be used during instructional times. If in use at this time, there will be disciplinary action taken.**

## **Discrimination, Harassment, and Retaliation**

*Policies DH, DIA*

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 up to and including termination.

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 reprinted below:

<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=394&code=DIA#localTabContent>

## **Harassment of Students**

*Policies DF, DH, FFG, FFH, FFI*

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

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

## **Solicitation of a Romantic Relationship**

“Solicitation of a romantic relationship” means deliberate or repeated acts that can be reasonably interpreted as the solicitation by an educator of a relationship with a student that is romantic in nature. A romantic relationship is often characterized by a strong emotional or sexual attachment and/or patterns of exclusivity, but does not include appropriate educator-student relationships that arise out of legitimate contexts such as familial connections or longtime acquaintance. The following acts, considered in context, may constitute prima facie evidence of the solicitation by an educator of a romantic relationship with a student:

1. Behavior, gestures, expressions, or communications with a student that are unrelated to the educator’s job duties and evidence a romantic intent or interest in the student, including statements of love, affection, or attraction. Factors that may be considered in determining the romantic intent of such communications or behavior include:
  - a. The nature of the communications;
  - b. The timing of the communications;
  - c. The extent of the communications;
  - d. Whether the communications were made openly or secretly;
  - e. The extent that the educator attempts to conceal the communications;
  - f. If the educator claims to be counseling a student, SBEC may consider whether the educator’s job duties included counseling, whether the educator reported the subject of the counseling to the student’s guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate authorities; and
  - g. Any other evidence tending to show the context of the communications between educator and student.
2. Making inappropriate comments about a student’s body, creating or transmitting sexually suggestive photographs or images, or encouraging the student to transmit sexually suggestive photographs or images.
3. Making sexually demeaning comments to a student.
4. Making comments about a student’s potential sexual performance.
5. Requesting details of a student’s sexual history.
6. Requesting a date, sexual contact, or any activity intended for the sexual gratification of the educator.
7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.
8. Inappropriate hugging, kissing, or excessive touching.

9. Providing the student with drugs or alcohol.
10. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.
11. Any other acts tending to show that the educator solicited a romantic relationship with the student.

*FFH(LOCAL)*: <https://pol.tasb.org/Policy/Code/394?filter=FFH>

*FFH(REGULATION)*: <https://pol.tasb.org/Policy/Code/105?filter=FFH>

## **Reporting Suspected Child Abuse**

*Policies DF, DG, DH, FFG, GRA*

All employees are required by state law to report any suspected child abuse or neglect, as defined by Texas Family Code §26.001, to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering 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 person with a disability.

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

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

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

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

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 [www.cueroisd.org](http://www.cueroisd.org). 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 re-ports 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 network access to the Internet, 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 computer or network resources
- Has no adverse effect on job performance or on a student's academic performance

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

Employees who are authorized to use the system are required to abide by the provisions of the acceptable use policy and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary action and/or legal action.

Employees with questions about computer use and data management can contact the Technology Director.

*See page 68 for Technology Agreement*

## **Personal Use of Electronic Communications**

*Policy CQ, DH*

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

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

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

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.
- The employee shall not use the district's logo or other copyrighted material of the district without express, written consent.
- 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 DH (EXHIBIT)]
- Confidentiality of district records, including educator evaluations and private e-mail addresses. [See Policy GBA]
- Copyright law [See Policy EFE]
- Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH (EXHIBIT)]

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

## **Electronic Communications between Employees, Students, and Parents**

### *Policy DH*

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may use electronic communications with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. Electronic communications between all other employees and students who are enrolled in the district are prohibited.

Employees are not required to provide students with their personal phone number or email address.

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

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

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

- *Electronic communications* means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes e-mail, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an



employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*: however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.

- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

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

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
- The employee 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.
- 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 12:00 a.m. and 6:00 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 [Policy EFE]
- Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DF]
- 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.
- All staff are required to use school email accounts for all electronic communications with parents. Communication about school issues through personal email accounts or text messages are not allowed as they cannot be preserved in accordance with the district's record retention policy.
- An employee shall notify his or supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

## **Public Information on Private Devices**

*Policy DH, GB*

Employees should not maintain district information on privately owned devices. Any district information must be forwarded or transferred to the district to be preserved. The district will take reasonable efforts to obtain public information in compliance with the Public Information Act. Reasonable efforts may include:

- Verbal or written directive
- Remote access to district-owned devices and services

## **Criminal History Background Checks**

*Policy DBAA*

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

## **Employee Arrests and Convictions**

*Policy DH, DHB, DHC*

An employee shall 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 the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:

1. Crimes involving school property or funds;
2. 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;

3. Crimes that occur wholly or in part on school property or at a school-sponsored activity; or
4. Crimes involving moral turpitude, which include:
  - 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;
  - Felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
  - Felony driving while intoxicated (DWI); or
  - Acts constituting abuse or neglect under the Texas Family Code and SBEC rule.

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.

### **Certified Employees.**

The superintendent and directors are required to report the misconduct or criminal history of a certified employee or individual applying for certification or permit to TEA Division of Educator Investigations. Information about misconduct or allegations of misconduct of a certified employee obtained by a means other than the criminal history clearinghouse that results in termination, resignation, or criminal history (e.g., arrest, indictment, prosecution, conviction, or other disposition by the criminal justice system, including probation and deferred adjudication) will be reported to TEA.

Misconduct or allegations of misconduct include:

- Abused or otherwise committed an unlawful act with a student or minor
- Possessed, transferred, sold, or distributed a controlled substance
- Illegally transferred, appropriated, or expended school property or funds
- Attempted by fraudulent means to obtain or alter any certificate or permit to gain employment or additional compensation
- Committed a criminal offense on school property or at a school-sponsored event, or
- Solicited or engaged in sexual conduct or a romantic relationship with a student or minor

### **Uncertified Employees.**

Misconduct or criminal history of an uncertified employee also must be reported to TEA. Information about misconduct or the allegations of misconduct obtained by a means other than the criminal history clearinghouse that results in termination, resignation, or criminal history (e.g., arrest, indictment, prosecution, conviction, or other disposition by the criminal justice system, including probation and deferred adjudication) will be reported to TEA.

Misconduct or allegations of misconduct include:

- Abuse or unlawful act with a student or minor, or
- Involvement in a romantic relationship with or solicited or engaged in sexual contact with a student or minor.

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

### *Policy DH*

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

#### **Alcohol and Drugs / Notice of Drug-Free Workplace**

As a condition of employment, an employee shall abide by the terms of the following drug-free workplace provisions. An employee shall notify the Superintendent in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace in accordance with Arrests, Indictments, Convictions, and Other Adjudications, below.

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

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

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

#### **Exceptions**

It shall not be considered a violation of this policy if the employee:

1. Manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities;
2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use; or
3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian.

#### **Sanctions**

An employee who violates these drug-free workplace provisions shall be subject to disciplinary sanctions. Sanctions may include:

1. Referral to drug and alcohol counseling or rehabilitation programs;
2. Referral to employee assistance programs;
3. Termination from employment with the District; and
4. Referral to appropriate law enforcement officials for prosecution.

## **Tobacco and Nicotine Products and E-Cigarette Use**

*Policies DH, GKA, FNCD*

State law prohibits smoking, using tobacco products, or e-cigarettes on all district-owned property and at school-related or school-sanctioned activities, on or off school property. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of district-owned vehicles are prohibited from smoking 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
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district
- Destroying, removing, or inappropriately using records, furniture, fixtures, or equipment
- Failing to provide financial records required by federal, state, or local entities
- Failure to disclose conflicts of interest as required by law or district 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 interests of the district. This includes the following:

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

Employees should contact their supervisor and/ or Human Resources for additional information.

## **Gifts and Favors**

### *Policy DBD*

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

## **Copyrighted materials**

### *Policy CY*

Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Electronic motion pictures and other audiovisual works are to be used in the classroom for instructional purposes only. The following guidelines shall be used when selecting movies/videos used in the classroom:

- Pre-K through Grade 8 – G (General)
- Grades 9-12 – PG (Parental Guidance)

Any movies/videos outside this guideline must have:

- documentation indicating alignment with the teacher's lesson plans,
- written consent of the principal, and
- parental permission.

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 fundraiser or attending a meeting called for the purpose of soliciting charitable contributions.

## **Safety and Security**

### *Policy CK series*

The district has developed and promotes a comprehensive program to ensure the safety and security of its employees, students, and visitors. The safety and security program includes written 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.
- Double check the exterior doors close completely upon entering and exiting
- DO NOT prop exterior doors open
- WEAR ID badges at ALL TIMES while on campus and in district
- IF YOU SEE SOMETHING, SAY SOMETHING; report it to an immediate supervisor

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

Employees with questions or concerns relating to safety programs and issues can contact the superintendent's office.

## **Personal Medical Equipment**

For the welfare of our employees and students, all employees are obligated to notify their campus nurse and Human Resources of any use of medical equipment the employee may need. The Human Resources office will need a medical note stating the need and length of time the equipment will be needed for. As per ADA (Americans with Disabilities Act): *All parties involved should document information about the reasonable accommodation process in order to maintain an accurate record and so that they can review the process and know what they have done to act on the accommodation.*

This will only be seen by Human Resources and the district nurse.

## **Fragrance- Free District**

A fragrance-free environment helps create a safe and healthy environment for students and staff. Fragrances from air fresheners, candles, scent warmers and diffusers have been associated with adversely affecting a person's health including headaches, upper respiratory symptoms, shortness of breath, and difficulty with concentration. People with allergies and asthma report that certain odors, even in small amounts, can cause asthma symptoms.

The above mentioned items, air fresheners, candles, scent warmers, and diffusers, if in use, must be discontinued and are not permitted in the district.

## **Possession of Firearms and Weapons**

*Policies FNCG, GKA*

Employees, visitors, and students, including those with a license to carry a concealed 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 call the superintendent's office 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. All visitors will be subject to RAPTOR\* authorization. All 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.



*\*RAPTOR Technologies verify through driver license or identification card sex offenders, restraining orders violators and potentially threatening intruders.*

VISITOR- an approved person in the student's record, will only encounter/ communicate with the approved student for a minimal amount of time.

VOLUNTEER- a person that is cleared through a background check (at the administration office) to be around all the students. A volunteer form must be completed annually. Volunteers provide assistance to schools (with principal permission) for school events, school activities or other school needs without compensation.

## **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 District Administrative Assistant's 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, Robert Bermea. Any application of pesticide or herbicide must be done in a manner prescribed by law and the district's integrated pest management program.

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located in a prominent area for public viewing at each facility. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written or electric means. Pest control information sheets are available from campus principals or facility managers upon request. For questions, please contact Mr. Bermea at 361-564-5484 or at [rbermea@cueroisd.org](mailto:rbermea@cueroisd.org)

## **General procedures**

### **Bad Weather Closing**

The district may close schools because of bad weather, epidemics, or emergency conditions. When such conditions exist, the superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late to release students

early, or to cancel school, district officials will post a notice on the district's web site and notify the following radio and television stations:

<b>KIXS-107.9</b> 573-0777	<b>KVIC-104.7</b> 576-6111	<b>KVCT-Ch 19</b> 573-1900	<b>KAVU-Ch 25</b> 575-2500	<b>Advocate</b> 275-6319	<b>Cuero Record</b> 275-3464
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**Channel 4 WOAI**  
[newsdesk@woai.com](mailto:newsdesk@woai.com)

**Channel 5 KENS**  
[news@kens5.com](mailto:news@kens5.com)  
[news@mysanantonio.com](mailto:news@mysanantonio.com)

**Channel 12 KSAT**  
(210) 351-1277  
password - frosty

## **Emergencies**

*Policy CKC, CKD*

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

## **Lesson Plans**

Lesson plans serve two main purposes:

1. To guide instruction and reflect planning for instruction.
2. To reflect professional decisions made by a teacher or group of teachers in translating State, District, and campus curriculum into an outline for instruction.

There is no required format for lesson plans; however, lesson plans shall include the following components and each component should reflect the students' abilities, needs, and other unique learning characteristics:

1. Student-friendly objectives
2. Learning activities
3. Resources
4. Assessment methods/strategies
5. Cites of best practices/high yield strategies (technology, cooperative grouping, etc.)

In order to minimize paperwork, the five components may be addressed in lesson plans with references to specific documents, resources, and page numbers where appropriate.

Principals will review lesson plans to ensure the five elements have been addressed.

Plans for instruction shall be available for a substitute in a form that is readily usable by a substitute. Emergency lesson plans covering three days needs to be submitted to the campus principal by the 2<sup>nd</sup> week of each semester and should be updated as needed.

## **Name and Address Changes**

It is important that employment records be kept up to date. Employees ***must*** notify Human Resources office if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. Forms to process a change in personal information can be obtained from the campus secretary or the superintendent's secretary/ HR.

## **Purchasing Procedures**

*Policy CH*

All requests for purchases must be submitted to the principal or budget manager on an official district purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact the business office manager for additional information on purchasing procedures.

## **Personnel Records**

*Policy GBA*

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

Employees may choose to have the following personal information withheld:

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

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

## **Facility Use**

*Policies DGA, GKD*

Employees who wish to use district facilities after school hours must follow established procedures. Building principal, the director of facilities and Business Manager are responsible for scheduling the use of facilities after school hours. Contact these individuals to request to use school facilities and to obtain information on the fees charged.

## **Termination of Employment**

### **Resignations**

*Policy DFE, DHB*

**Contract employees.** Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the 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 principal is required to notify the superintendent of an educator's resignation within seven business days following an alleged incident of misconduct for any of the acts listed in *Reports to Texas Education Agency* on page 58. The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in of the same acts.

**Noncontract employees.** *Policy DP* Noncontract employees may resign their positions at any time. A written notice of resignation should be submitted to the superintendent at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

The principal is required to notify the superintendent of a noncertified employee's resignation or termination within seven business days following an alleged incident of misconduct of abuse of a student, or was involved in a romantic relationship with or solicited or engaged in sexual conduct with a student or minor. The superintendent will notify TEA within seven business days of receiving a report from a principal, or of knowing about an employee's resignation or termination following an alleged incident of misconduct described above.

### **Dismissal or Nonrenewal of Contract Employees**

*Policies DF Series, DHB*

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

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

The principal is required to notify the superintendent of an educator's termination within seven business days following an alleged incident of misconduct for any of the acts listed in Reports to Texas Education Agency on page 58. The superintendent will notify SBEC when an employee is terminated and there is evidence to indicate that the employee has engaged in such misconduct.

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

The principal is required to notify the superintendent of a noncertified employee's resignation or termination within seven business days following an alleged incident of misconduct of abuse of a student or was involved in a romantic relationship with or solicited or engaged in sexual conduct with a student or minor. The superintendent will notify TEA within seven business days of receiving a report from a principal or knew about an employee's resignation or termination following an alleged incident of misconduct described above.

## **Discharge of Convicted Employees**

### *Policy DF*

The district shall discharge any employee who has been convicted of or placed on deferred adjudication community supervision for an offense requiring the registration as a sex offender or convicted of a felony under Title 5 Penal Code if the victim was a minor. If the offense is more than 30 years before the date the person's employment began or the person satisfied all terms of the court order entered on conviction the requirement to discharge does not apply.

## **Exit Interviews and Procedures**

Exit interviews will be scheduled for all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting 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, technology and other equipment must be returned upon separation from employment.

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

*Policy DF, DHB, DHC*

**Certified Employees:** 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
- 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).

**Noncertified Employees:** The voluntary or involuntary separation of a noncertified employee from the district must be reported to the Division of Investigations at TEA by the superintendent if there is evidence the employee abused or otherwise committed an unlawful act with a student or minor, was involved in a romantic relationship with a student or minor or solicited or engaged in sexual contact with a student or minor. TEC§22.093

## **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. Notice of the following must be sent to

the support recipient and the court or, in the case of child support, the Texas Attorney General Child Support Division:

- 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 Cuero ISD does not discriminate on the basis of race, color, religion, national origin, age, sex, or disability in providing education services, activities, and programs, including Career and Technical Education (CTE) programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

Questions or concerns about discrimination against students based on sex, including sexual harassment should be directed to Kimberly Fleener, the district Title IX coordinator. Questions or concerns about discrimination on the basis of a disability should be directed to Kim Fleener, the district ADA/Section 504 coordinator. All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

### **Student Records**

*Policy FL*

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

- Parents: Married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights
- The student: The rights of parents transfer to a student who turns 18 or is enrolled in an institution of post-secondary education. A district is not prohibited from granting the student access to the student's records before this time.
- 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 teachers or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved to their satisfaction should be directed to the campus principal. The formal complaint process provides parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response.

## **Administering Medication to Students**

*Policy FFAC, FFAF*

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

## **Dietary Supplements**

*Policies DH, FFAC*

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

## **Psychotropic Drugs**

*Policy FFAC*

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

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

- Recommending that a student use a psychotropic drug
- Suggesting a particular diagnosis



- 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. When absent from school, the student, upon returning to school, must bring a note signed by the parent that describes the reason for the absence. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

## **Bullying**

*Policy FFI*

Bullying is defined by TEC §37.0832. All employees are required to report student complaints of bullying, including cyber bullying, to Mrs. Kimberly Fleener, Assistant Superintendent, at 361-275-1922.

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

### **Bullying Prohibited**

The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

### **Examples**

Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

### **Minimum Standards**

In accordance with law, the Superintendent shall develop administrative procedures to ensure that minimum standards for bullying prevention are implemented.

### Retaliation

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

### Examples

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

### False Claim

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

### Timely Reporting

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

### Reporting Procedures

#### Student Report

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

#### Employee Report

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

#### Report Format

A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

#### Periodic Monitoring

The Superintendent shall periodically monitor the reported counts of bullying incidents, and that declines in the count may represent not only improvements in the campus culture because bullying declines but also declines in the campus culture because of a decline in openness to report incidents.

#### Notice of Report

When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.

### Prohibited Conduct

The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

### Investigation of Report

The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

### Concluding the Investigation

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.

The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.

### Notice to Parents

If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

### District Action

#### Bullying

If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.

#### Discipline

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

#### Corrective Action

Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.

### Transfers

The principal or designee shall refer to FDB for transfer provisions.

### Counseling

The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.

### Improper Conduct

If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.

### Confidentiality

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

### Appeal

A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.

### Records Retention

Retention of records shall be in accordance with CPC(LOCAL).

### Access to Policy and Procedures

This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

UPDATED 5/17/2023

## **Hazing**

### *Policy FNCC*

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

## **Responsible Use Technology Agreement**

The Cuero ISD (CISD) network is defined as CISD's wired and wireless network infrastructure, servers, computer workstations, mobile technologies, peripherals, applications, databases, online resources, Internet access, email and all other interconnected technologies as they currently exist or become available. This includes any access to the CISD network by CISD-owned or personal devices while on or near school property, in school vehicles and at school-sponsored activities, and includes the use of CISD technology resources via off-campus remote access.

### **Availability of Access**

Access to CISD's network is a privilege, not a right. Access shall be made available to staff, students and members of the public primarily for instructional and administrative purposes and in accordance with administrative regulations, CISD policy and law.

### **Monitoring, Restricting and Filtering**

Use of the network shall not be considered confidential and may be monitored or restricted at any time by designated staff to ensure appropriate use for instructional or administrative purposes. CISD uses filtering devices and software that block access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors as defined by the federal Children's Internet Protection Act and as determined by the Superintendent or designee. CISD reserves the right to decrypt internet traffic as necessary to create a safe and secure environment for students.

### **Appropriate Use**

- You are responsible for the use and protection of any network account assigned to you, including regular password changes in accordance with CISD password requirements and keeping your password private.
- Your account is to be used primarily for educational purposes, but some limited personal use is permitted as long as it does not unduly burden CISD technology resources or interfere with your educational responsibilities.
- You will be held responsible at all times for the proper use of CISD technology resources, and CISD may suspend or revoke your access if you violate the rules.
- As applicable, you must comply with CISD's record management program, the Texas Open Meetings Act, the Public Information Act, the Family Educational Rights and Privacy Act(FERPA), including retention and confidentiality of student and CISD records, and campaign laws.
- As applicable, you must maintain the confidentiality of health or personnel information concerning CISD employees and colleagues, unless disclosure serves lawful professional purposes or is required by law.
- Remember that people who receive email from you with a school address might think your message represents the school's point

## **Inappropriate Use**

- Using technology resources for any illegal purpose or in violation of CISD policy.
- Damaging technology resources in any way including:
  - Maliciously harming or destroying CISD equipment, materials or data
  - Negligence of reasonable care for CISD equipment, materials or data
- Negligence of reasonable security protections on personal devices. For example, not applying security updates and not running anti-virus software on personal computers connected to the CISD network.
- Attempting to circumvent internet content filtering or disabling the filter is prohibited per federal law (Children's Internet Protection Act).
- Accessing sites not authorized under CISD's filtering policies.
- Creation of or login by student accounts to any online service not officially approved by CISD.
- Encrypting communications to avoid security review.
- Using any account or login credentials other than your own or sharing your account or login credentials with anyone else. You are responsible for anything that happens on your account.
- Pretending to be someone else when posting, transmitting, or receiving messages.
- Attempting to read, delete, copy, modify, or interfere with another user's work.
- Using resources to engage in conduct that harasses or bullies others.
- Posting, transmitting, or accessing materials that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation or illegal.
- Using inappropriate language such as swear words, vulgarity, ethnic or racial slurs and any other inflammatory language.
- Posting or transmitting pictures of students without obtaining prior permission from all individuals depicted or from guardians of depicted students who are under the age of 18.
- Violating others' intellectual property rights, including uploading, downloading or using copyrighted information without permission from the copyright holder.
- Use of unlicensed software, or altering CISD installed software.
- Unauthorized scanning, probing or access of the CISD network. Any attempt to damage or degrade network services. Uploading or creating computer viruses.
- Wasting resources through improper use of CISD's network, including creating and distributing chain letters, sending spam, setting up equipment so that it can act as an "open relay" for third- party spammers, or providing products or services for pay, i.e., outside employment.
- Sending unauthorized broadcasts to official or private distribution lists, regardless of content or recipients.
- Gaining unauthorized access to restricted information or resources.
- If you are a student:
  - Posting or transmitting personal information about yourself or others, such as addresses and phone numbers
  - Responding to requests for personally identifying information or contact from unknown individuals
  - Arranging to physically meet people first met online in non-school related contexts. If a request for such a meeting is received, it should be reported to a teacher or administrator immediately.

## **Google G Suite**

CISD will create accounts for all students to allow for collaborative sharing using G Suite. These tools are housed on the Internet and can be accessed from any Internet-connected device. No special software is required.

Google G Suite is a set of online tools for communication, collaboration and document storage. Provided by Google to CISD at no cost, these tools include Gmail, Calendar, Drive, Sites and Classroom. As Google continues to add new tools, CISD will evaluate each for its educational potential. CISD may add additional tools within Google G Suite throughout the school year.

## **Student Email Addresses**

Students will be assigned a CISD student email account. This account will be considered the student's official email address until such time as the student is no longer enrolled in CISD. The naming convention will be first initial, last name followed by two random numbers, ending with @mycueroisd.org. Upon graduation from high school, the students' email will be accessible for the following two years.

## **Conduct**

Students are responsible for appropriate behavior online just as they are in a school building. Communication with others should always be course-related. Students should notify the teacher of anything inappropriate or that makes them uncomfortable. Bullying will not be tolerated. The privacy of others should be respected at all times.

## **Special Note: Cyberbullying**

Cyberbullying is defined as the use of any Internet-connected device for the purpose of bullying, harassing, or intimidating another student. This includes, but may not be limited to: sending abusive text messages to cell phones, computers or Internet-connected game consoles; posting abusive comments on someone's blog or social networking site (e.g., Twitter or Facebook); creating a social networking site or web page that masquerades as the victim's personal site and using it to embarrass him or her; making it appear that the victim is posting malicious comments about friends to isolate him or her from friends; posting the victim's personally identifiable information on a site; sending abusive comments while playing interactive games; recording and distributing media with the intent to manipulate or embarrass others. (See Policy FFH and FFI).

## **Internet Safety**

CISD makes every effort to ensure student safety and security when using the CISD network including a) preventing unauthorized access, hacking and other unlawful activities, b) restricting unauthorized disclosure, use, and dissemination of personally identifiable information regarding students, and c) educating staff and students about cyber bullying awareness and response, as well as appropriate online behavior.

## **COPPA (Children's Online Privacy Protection Act)**

Under the provisions of COPPA all commercial websites must get prior consent before children under the age of 13 are permitted to share any personal information about themselves or are permitted to use any interactive communication technologies where they would be able to share personal information with others. This includes chat rooms, email, instant messaging, personal profiles, personal websites, registration forms, and mailing lists. CISD uses a Digital Resource Approval Process to verify COPPA compliance before use of online services by students under 13. Both students in this age group and their teachers will be educated as to the provisions of the law and the Acceptable Use Guidelines. Students under the age of 13 may not visit any websites that collect personal information unless it is for curricular reasons and is under the direction or supervision of a staff member of CISD. A list of resources used for curriculum and instruction can be found on the CISD website.

## **Consequences for inappropriate use**

Noncompliance with applicable regulations will result in a) suspension of access to CISD technology resources; b) revocation of account; c) disciplinary action consistent with CISD policies and regulations. (See CISD Student Code of Conduct, Policy BBI, CQ and DH,, Employee Standards of Conduct Code of Ethics and Standard Practice for Texas Educators). Violations of law may result in criminal prosecutions as well as disciplinary action by CISD. Violating any of these rules can result in a disciplinary action. The nature of the violation will determine the appropriate disciplinary action on a case-by-case basis. Disciplinary actions may vary depending on the circumstances and are listed here as a guideline.

## **Disclaimer**

CISD's network is provided on an "as is, as available" basis. CISD does not make any warranties, whether expressed or implied, with respect to any services provided by the network and any information or software contained therein. CISD does not warrant that the functions or services performed by, or that the information or software contained on the network will meet the network user's requirements, or that the network will be uninterrupted or error-free, or that defects will be corrected. Opinions, advice, services, and all other information expressed by network users, information providers, service providers, or other third party individuals in the network are those of the providers and not CISD. CISD will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of CISD's network.

## **Disclaimer of Liability**

CISD shall not be liable for the users' inappropriate use of CISD's network or violations of copyright restrictions, users' mistakes or negligence, or costs incurred by users whether using CISD-owned or personal devices. CISD shall not be liable for any physical damage, loss or theft of personally owned devices. CISD shall not be responsible for ensuring the accuracy or usability of any information found on the Internet. Oversight of the posting of official CISD, campus, or division/department materials on CISD's network will be the responsibility of the superintendent, principal, or division/department supervisor or designee. CISD's network will be used only for administrative and instructional purposes consistent with CISD's mission and goals.



## **Personally Owned Device Internet Usage**

CISD offers wireless internet access for personally owned devices in our libraries, cafeterias, gyms and office areas. The CISD guest wireless network operates alongside the primary CISD wireless network used for CISD-owned devices, and allows community members, organizations, and others to gain access to the Internet with any personally owned Wi-Fi devices. This Internet access will be provided with the most protective level of Internet filtering currently deployed for CISD student access. The CISD guest wireless network does not allow access to any CISD resources that are not available from the Internet.

Upon logging in using a personally owned device, staff, students and members of the public will receive Internet filtering appropriate for their credentials. Configuring personal devices to connect to the CISD wireless network is the sole responsibility of the user. CISD does not provide technical support and assistance for personally owned devices.

Because the primary purpose of the CISD network is to provide connectivity for CISD-owned devices, CISD reserves the right to restrict access, bandwidth and content as it deems necessary on the guest wireless network.

## **Personally Owned Device User Agreement**

Each time a personally owned electronic device is used on CISD property or at a CISD sponsored event, the user agrees to the terms listed below:

- CISD reserves the right to inspect, at any time, any personally owned device, and the network communications going to and from it, while connected to the CISD-Wifi and CISD-Guest networks. Such monitoring may be conducted remotely, and without prior notification to the device owner. Any other inspection of any personally owned device is subject to the requirements set forth in the Student Code of Conduct.
- Personally owned devices will only be connected to the network via the CISD guest or CISD wireless access connection. Any attempt to make an unauthorized connection to another CISD wireless network, plug a personally owned device into the CISD physical network (Ethernet), or circumvent any CISD Internet filtering may result in a loss of those individuals' privileges to bring a personally owned device to CISD facilities, as well as other potential disciplinary actions.
- CISD will not be obligated to supply electrical power access.
- Use of personally owned devices on CISD property or at CISD sponsored events is governed by CISD/campus administration.
- Student use of personally owned devices in the classroom setting will be at the discretion of the campus administration and the classroom teacher.
- Persons connecting computers to the CISD guest or CISD wireless Networks agree to maintain current security updates and anti-malware software on their computers.
- Persons accessing CISD email or any confidential CISD information using a personally owned device agree to prevent unauthorized access to the device by securing it with a password and complying with all CISD required system security procedures as well as applicable Family Educational Rights and Privacy Act (FERPA) and Health Insurance Portability and Accountability Act (HIPAA) of 1996 (P.L.104-191) [HIPAA] standards.
- If a computer or portable electronic device, such as a cell phone, is lost, stolen, or disposed of without properly deleting all CISD email or other confidential information, the user must contact the CISD Information Technology Help Desk immediately.

- Employees connecting to the CISD-Wifi network with any personally owned devices agree to adhere to all of the provisions of the Personal Use of Electronic Media (Policy DH). \*The guardians of any student bringing personal technology to school agree to be responsible for and to reimburse CISD for any damage that their student may cause arising out of and relating to the use of the wireless network with his/her personally owned device.

**ALL FACULTY/STAFF ARE REQUIRED TO SIGN AND RETURN THIS PAGE BEFORE THE USE OF ANY TECHNOLOGY EQUIPMENT (DISTRICT OWNED OR PERSONAL) IS ALLOWED AT CUERO ISD.**

**FACULTY/STAFF AGREEMENT**

I understand that my use of the District's technology resources is not private and that the District will monitor my activity.

As a user of the school's technology resources, I understand and agree to comply with the appropriate use guidelines outlined in the Responsible Use Technology Agreement for Faculty/Staff.

I have read the applicable District policies, associated administrative regulations, and this Responsible Use Technology Agreement regarding the District's technology resources. I hereby release the District, its operators, and any institutions with which it is affiliated from any and all claims and damages of any nature arising from my use of, or inability to use, these resources, including, without limitation, the type of damage identified in the District's policies and administrative regulations.

I understand the conditions for use of the network and internet resources provided by the Cuero ISD and that access to technology resources are provided for the purpose of promoting education excellence in keeping with the academic goals of the district. I recognize it is impossible for the District to restrict access to all controversial materials, and will not hold the school responsible for materials acquired on the school network. I understand that from time to time the school may wish to publish examples of faculty or staff projects or photographs of faculty and/or staff on the School District's web site.

**CONSEQUENCES FOR VIOLATION OF THIS AGREEMENT:**

I understand that I am responsible for any transactions that occur under my user ID or account. Should I commit a violation, I understand that consequences of my actions could include suspension of access to the system, loss of computer privileges or data and files, revocation of the computer system account, disciplinary action, and/or referral to law enforcement.

Employee's signature: \_\_\_\_\_

Date: \_\_\_\_\_ Printed Name: \_\_\_\_\_

**Circle One:**

DISTRICT   CHS   CJH   HUNT   FRENCH   MAINT   TRANSP   FOODSERV

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