Definitions

For purposes of defining prohibited conduct, the following shall apply:

- "Immorality" is conduct that the Board determines is not in conformity with the accepted principles of right and wrong behavior or that the Board determines is contrary to the moral standards that are accepted within the District.
- "Moral turpitude" is an act of baseness, vileness, or depravity in the private or social duties that a person owes another member of society in general and that is contrary to the accepted rule of right and duty between persons. Examples include but shall not be limited to: theft, attempted theft, swindling, forgery, indecency with a minor, prostitution, and the like.
- "Workplace" is defined as the site for performance of work done in connection with all assignments or duties of one's employment with the District, including any District building or premise; any District-owned or District-approved vehicle, including any vehicle used to transport students to and from school or school activities; or any off-school property during any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event where students are under the jurisdiction of the District.
- "Electronic media" includes all forms of digital media, such as text messaging, instant messaging, electronic mail (email), and internet and social media. Electronic media also includes all forms of telecommunications, such as landlines, cell phones, and web-based applications.
- "Electronic communication" means any communication facilitated by the use of any wired or wireless technology via the internet or any other electronic media. The term includes communication facilitated by the use of a telephone, email, instant messaging, videoconferencing, or webcam.
- "Social media" covers web-based, interactive communication between individuals, organizations, or communities, which includes but is not limited to web logs (e.g., blogs, electronic forums such as chat rooms, video-sharing websites (e.g., YouTube, Vimeo), editorial comments posted on the internet, and social networking sites including, but not limited to Facebook, Twitter, Google+, Instagram, LinkedIn, Wikispace, and Edmodo.
- "User" is defined as a District employee or District contractor using computers, internet and social media, email, chat

rooms, text messaging, instant messaging, and other forms of electronic communications or equipment for which the District has administrative responsibility. It also applies to any equipment that uses the District's network to access online resources.

General Guidelines

Employees shall be courteous to one another and the public, working together in a cooperative spirit to serve the best interests of the District. All District employees shall be expected to adhere to the standards of conduct set out in the *Educators' Code of Ethics*. [See DH(EXHIBIT)]

All District employees shall attend ethics training at least once every two years. The Office of Ethics and Compliance shall monitor participation in the training and maintain certification of successful completion for all employees in accordance with the District's records retention policy.

Employees wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA(LOCAL)]

E-Rate Matters

In the case of E-Rate matters, refer to governance provided at CAA.

Employee Responsibilities

Every employee shall be responsible for:

1. Arriving at work on time every day and following attendance procedures;
2. Satisfactorily completing the duties as specified by the job description and/or contract, if any;
3. Relating to colleagues and supervisors with respect, courtesy, and in a professional manner;
4. Spending the workday on work-related activities to the exclusion of personal business;
5. Dressing in a manner that is appropriate for the job assignment, that reflects positively on the District, and that includes the use of all issued safety equipment;
6. Recognizing that employment with the District is not guaranteed, but is dependent on employee performance, budget, and need;
7. Following the established rules of behavior for the District and society in general as defined by local, state, and federal laws;
8. Conducting their duties in a safe manner, following the District's general safety policies and department rules regarding proper use of approved safety equipment and apparel; and

9. Following the directives of the supervisor.

Violations of Standards of Conduct

Employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to their status as District employees. Violation of any policies, regulations, or guidelines, including intentionally making a false claim, offering a false statement, or refusing to cooperate with a District investigation, may result in disciplinary action, including termination of employment. [See DCD and DF series]

Discrimination, Harassment, or Abuse

District employees shall work, supervise others, or be supervised in a work environment free of discrimination, harassment, and abuse. Accordingly, the use of discriminatory remarks and/or epithets regarding an employee's race, sex, age, color, religion, ancestry, handicap or disability, marital status, veteran status, political affiliation, sexual orientation, gender identity, and/or gender expression, or national origin shall not be permitted. Employees shall not engage in prohibited harassment, including sexual harassment, of:

1. Other employees, as defined at DIA.
2. Students, as defined at FFH. [See FFG regarding child abuse and neglect.]

While acting in the course of their employment, employees shall not engage in prohibited harassment, including sexual harassment, of other persons, including Board members, vendors, contractors, volunteers, or parents.

An employee shall report child abuse or neglect as required by law to the Texas Department of Family and Protective Services (TDFPS)/Child Protective Services (CPS) and law enforcement within 24 hours. [See FFG]

Workplace Bullying

The District considers workplace bullying to be unacceptable and will not tolerate it under any circumstances.

Workplace bullying is defined as engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs in the workplace that:

1. Has the effect or will have the effect of physically harming another employee, damaging the employee's property, or placing the employee in reasonable fear of harm to the employee's person or of damage to the employee's property;
2. Is sufficiently severe, persistent, and pervasive that the action or threat creates an intimidating, threatening, or abusive work environment for the employee;

3. Exploits an imbalance of power between the employee perpetrator and the employee victim through written or verbal expression or physical conduct; or

4. Interferes with the victim's employment or substantially disrupts the operation of the work location.

Workplace bullying does not include the legitimate exercise of employee management, including task assignment, employee coaching, and work-related employee discipline.

Allegations of workplace bullying shall be handled in accordance with DIA3(REGULATION).

Relationships with Students

An employee shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See DIA and FFH]

As required by law, the District shall notify the parent(s)/guardian(s) of a student with whom an educator is alleged to have engaged in certain misconduct. [See FFF]

Freedom of Speech

The First Amendment of the United States Constitution prohibits the government from creating law that abridges the freedom of speech. Under Article 1, Section 8 of the Texas Constitution, every person shall be at liberty to speak, write, or publish their opinions on any subject, being responsible for the abuse of that privilege; and no law shall ever pass curtailing the liberty of speech. This policy is not intended to abrogate any individual's state and federal constitutional right to free speech on matters of public concern or to inhibit an employee's right to participate in political affairs in the employee's community, state, or nation as provided under Education Code 21.407(b). These rights must be exercised responsibly and within the context of the District's right to maintain and secure an effective and efficient workplace and school operations free from disruptions that detract from the District's objective of educating children.

Electronic Communication

The District recognizes the powerful impact that electronic communication and social media can have on education. The user participation and sharing of information inherent in these media can be beneficial to students and teachers; and when used responsibly and safely, they may be effectively integrated into the educational environment to support traditional instruction.

Use with Students

In accordance with administrative regulations, a certified or licensed employee, or any other employee designated in writing by

the Superintendent or designee, may use electronic communication with currently enrolled students only about matters within the scope of the employee's professional responsibilities.

Unless an exception has been made in accordance with the employee handbook or other administrative regulations, an employee shall not use a personal electronic communication platform, application, or account to communicate with currently enrolled students.

Unless authorized above, all other employees are prohibited from using electronic communication directly with students who are currently enrolled in the District. For specific procedures on the following, see the administrative regulation [see DH5(REGULATION)]:

1. Exceptions for family and social relationships;
2. The circumstances under which an employee may use text messaging to communicate with individual students or student groups;
3. Hours of the day during which electronic communication is discouraged or prohibited; and
4. Procedures for establishing professional media sites, limitations to communicating with students, content restrictions, administrative monitoring and review, privacy issues, adherence to applicable laws and policies, and site accessibility to parents and administrators.

Each employee shall continue to comply with the applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standards for Texas Educators including:

- Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records; [See CPC and FL]
- Copyright law; and [See CY]
- Technology resources. [See CQ]

In accordance with ethical standards applicable to all District employees [see DH(EXHIBIT)], an employee shall be prohibited from using electronic communications in a manner that constitutes prohibited harassment or abuse of a District student; adversely affects the student's learning, mental health, or safety; includes threats of violence against the student; reveals confidential information about the student; or constitutes an inappropriate communication with a student, as described in the Educators' Code of Ethics.

	An employee shall have no expectation of privacy in electronic communications with students. Each employee shall comply with the District's requirements for records retention and destruction to the extent those requirements apply to electronic communication. [See CPC]
Personal Use	Each employee shall be held to the same professional standards in their public use of electronic communication as for any other public conduct. If an employee's use of electronic communication violates state or federal law or District policy, or interferes with the employee's ability to effectively perform their job duties, the employee is subject to disciplinary action, up to and including termination of employment.
Reporting Improper Communication	In accordance with administrative regulations, an employee shall notify their supervisor when a student engages in improper electronic communication with the employee.
Disclosing Personal Information	An employee shall not be required to disclose their personal email address or personal phone number to a student.
Safety Requirements	All employees shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.
Weapons Prohibited	The District prohibits the use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on District property at all times.
Exceptions	No violation of this policy occurs when: 1. Use or possession of a firearm by a specific employee is authorized by Board action. [See the CKE series] 2. A District employee who holds a Texas handgun license stores a handgun, or other firearm, or ammunition in a locked, privately owned or leased motor vehicle in a parking lot, parking garage, or other parking area provided by the District, provided the handgun, or other firearm, or ammunition is not in plain view; or 3. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]
Tobacco and Nicotine Products and E-Cigarettes	An employee ~~shall not smoke or use tobacco products or e-cigarettes on District property, in District vehicles, or at school-related activities. [See also GKA]~~ is prohibited from possessing or using any type of tobacco product, e-cigarette, or any other electronic vaporizing device while on school property, in a District vehicle, or

while attending an off-campus school-related activity. An employee is also prohibited from possessing or using any type of nicotine product, including nicotine pouches, regardless of whether the product contains tobacco, while on District property, in a District vehicle, or while attending an off-campus school-related activity.

An employee's supervisor is authorized to approve an exception to this policy for a smoking cessation product.

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 within ten days if the employee is convicted for a violation of a criminal drug statute occurring in the workplace in accordance with Responsibility to Report Charges 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.

Notice

Employees shall ~~receive a copy of~~ have access to this policy via the District's website.

Drug Testing

All employees are subject to reasonable suspicion testing for alcohol and/or drug use. [See DHE(LOCAL)]

An employee who tests positive for prohibited drugs and/or alcohol shall be subject to termination, except when an employee voluntarily admits to alcohol or illegal drug use and commences counseling or rehabilitation prior to an event that leads to the initiation of any alcohol or drug testing. Such an employee must thereafter refrain from using alcohol and/or illegal drugs.

[See also DI(EXHIBIT) for Drug-Free Workplace Requirements and DHE(LOCAL) for alcohol and drug testing]

Unauthorized Persons on District Premises

A District employee shall not bring their own relative, personal aide, or hired helper to assist the employee in the performance of duties on District premises or at school-sponsored activities without prior approval from the principal/work location supervisor and/or Human Resources Department. [See also DC(LOCAL) and GKG(LOCAL)]

Dress and Grooming

An employee's dress and grooming shall be clean, neat, in a manner appropriate for their assignment, and in accordance with any additional standards established by their supervisor and approved by the Superintendent.

Money Lending

The District prohibits loans made by one employee to another with the intent of collecting interest.

~~**Annual Criminal History Record Check**~~

~~An annual criminal background check shall be conducted on all active personnel who do not have electronic fingerprints on file with the Texas Department of Public Safety.~~

Review Meeting ~~Committee~~

A review ~~committee~~ meeting will assess the records of employees found to have criminal records that may bar them from continued employment in the District. The ~~committee~~ meeting shall use the standards for reviewing employees and applicants as set out in DC16(REGULATION).

Criminal History Record Check ~~Prior to Promotion or Transfer~~

~~A criminal background check shall be conducted on all employees prior to any promotion or transfer to an administrator position, on a campus or within the central office, or as determined by the Superintendent's direct report.~~

Employees shall disclose a prior record when requested to do so at the time of employment. Failure to do so ~~shall~~ may result in termination of employment.

Responsibility to Report Charges

Employees are required to notify the District within ten days should they be charged with, convicted of, granted deferred adjudication for, or enter~~ed~~ a plea of nolo contendere to any felony or any misdemeanor involving moral turpitude. This notification must be made in writing to the ~~custodian of records in the Human Resources~~ Background Department. Failure to do so ~~could~~ may result in termination of employment.

Reassignment Pending Final Disposition

An employee shall be subject to being temporarily reassigned when the District becomes aware of any pending charge, previous conviction, or deferred adjudication. The decision to reassign an employee shall be made ~~by the appropriate direct report to the Superintendent or designee~~ in accordance with relevant District policies and protocols.

Determination Upon Final Disposition

A determination regarding what action, if any, to take will be made after the final disposition of the pending charge(s) or, in the case of a conviction or deferred adjudication, after a recommendation is made during ~~to the senior manager, Human Resources (HR) Operations, by~~ the criminal history review ~~committee~~ meeting. In the case of an employee, the final disposition of pending charges means a conviction, deferred adjudication, or dismissal of the charges. An employee's completion of probation or other sentencing is not required for a final disposition by the District.

Reports of Misconduct

~~In its Declaration of Beliefs and Visions, the Board expressed its strong confidence in and appreciation for District personnel. The Board desires to provide a uniform system that adequately addresses the needs and concerns of all District employees.~~ The Board ~~therefore~~ encourages employees and others connected with the District to bring forward reports in the form of complaints, comments, and suggestions in order to maintain effective and efficient operations, free from disruptions that detract from the District's main objective of educating children.

This policy applies not only to District employees but is also available to parents, students, patrons of the District, and the general public.

The Board recognizes that there are existing resources through which reports can be made and resolved. These resources include the Employee Hotline, the Employee Assistance Program, the Equal Employment Opportunity, ~~Professional Standards~~ Employee Relations, District Police, and Internal Affairs Departments, as well as other appropriate law enforcement authorities. The Board has ~~designated~~ appointed the designee in the ~~senior manager, HR~~ Employee Relations Department~~,~~ as the clearinghouse for all reports of wrongdoing and for the coordination of resolutions.

~~**Effective Date**~~ ~~This policy shall be effective as of the adoption date, October 15, 2021.~~