

**Spring Branch Independent School District  
Agenda Item Information**

**Date of Board Meeting:** January 21, 2008

**Subject:** Adoption of (Local) Policies – TASB Policy Update 81

**Administrator Responsible:**

**Name:** Diane Jackson, Ed.D.

**Position:** Policy Administration & Governmental Relations

**Purpose of Agenda Item:**

Information only       Action needed       Report

**Additional Information and/or Back-Up:**

There are forty-nine Legal Policies in TASB Policy Update 81 for review by the Board.

The following (Local) policies will be acted upon:

BDAE:	OFFICERS AND OFFICIALS: DUTIES AND REQUIREMENTS OF DEPOSITORY	Replace
DC:	EMPLOYMENT PRACTICES	Replace
DGBA:	PERSONNEL-MANAGEMENT RELATIONS: EMPLOYEE COMPLAINTS/GRIEVANCES	Replace
FEA:	ATTENDANCE: COMPULSORY ATTENDANCE	Replace
FEC:	ATTENDANCE: ATTENDANCE FOR CREDIT	Replace
FFH:	STUDENT WELFARE: FREEDOM FROM HARASSMENT	Replace
GKC:	COMMUNITY RELATIONS: VISITORS TO THE SCHOOLS	New
GKG:	COMMUNITY RELATIONS: SCHOOL VOLUNTEER PROGRAM	Delete

The annotated Localized Policy Manual Update 81 was provided on November 16, 2007 and First Reading was held November 26, 2007.

OFFICERS AND OFFICIALS  
DUTIES AND REQUIREMENTS OF DEPOSITORY

BDAE  
(LOCAL)

SELECTING A  
DEPOSITORY

The Superintendent or designee shall have the authority to determine the method of selecting a depository in accordance with BDAE(LEGAL).

ALLOWABLE  
COLLATERAL

Eligible securities for collateralization of deposits are those defined as "eligible securities" by the Public Funds Collateral Act. [See CDA]

MONITORING  
COLLATERAL  
ADEQUACY

The District shall require monthly reports with market values of pledged securities from all financial institutions with which the District has collateralized deposits. The investment officers shall monitor adequacy of collateralization levels to verify market values and total collateral positions.

RELEASE OF  
PLEGGED  
SECURITIES

The investment officer or designee shall approve in writing the release or substitution of any securities pledged to the District that are being held by any organization.

EMPLOYMENT PRACTICES

DC  
(LOCAL)

PERSONNEL DUTIES	The Superintendent shall define the qualifications, duties, and responsibilities of all positions and shall ensure that job descriptions are current and accessible to employees and supervisors.
POSTING VACANCIES	The Superintendent or designee shall advance the Board's commitment to equal opportunity employment through the advertisement of employment opportunities and posting notices of vacancies.
APPLICATIONS	All applicants shall complete the application form supplied by the District. Any misrepresentations, falsification, or material omissions in any of this information or data may result in the District's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.
EMPLOYMENT OF CONTRACTUAL PERSONNEL	<p>The Superintendent has sole authority to make recommendations to the Board regarding the selection of contractual personnel.</p> <p>The Board retains final authority for employment of contractual personnel. [See DCA, DCB, DCC, and DCE as appropriate]</p>
EMPLOYMENT OF NONCONTRACTUAL PERSONNEL	The Board delegates to the Superintendent final authority to employ and dismiss noncontractual employees on an at-will basis. [See DCD]
EXIT INTERVIEWS AND EXIT REPORTS	When possible, an exit interview shall be conducted for every employee who leaves employment with the District. Employees leaving the District shall follow administrative procedures for resignation.

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA  
(LOCAL)

GUIDING PRINCIPLES  
INFORMAL  
PROCESS

The Board encourages employees to discuss their concerns and complaints through informal conferences with their supervisor, principal, or other appropriate administrator.

An employee who has a complaint shall meet for an informal conference with the principal or immediate supervisor within 15 working days of the time the employee first knew or should have known of the event or series of events on which the complaint is based. The employee and supervisor shall attempt to resolve the problem informally. A decision from the informal meeting shall be rendered within two working days. An employee is entitled to have representation present. Informal complaint resolutions are not required to be in writing.

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

DIRECT  
COMMUNICATION  
WITH BOARD  
MEMBERS

Employees shall not be prohibited from communicating with Board members regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.

FORMAL PROCESS

If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.

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

FREEDOM FROM  
RETALIATION

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

NOTICE TO  
EMPLOYEES

The principal of each campus and other supervisory personnel shall inform employees of this policy.

SPECIFIC  
COMPLAINTS

For more information on how to proceed with complaints regarding:

1. Alleged discrimination, including violations of Title IX or Section 504, see DAA.
2. Instructional materials, see EFA.

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA  
(LOCAL)

3. A commissioned peace officer who is an employee of the District, see CKE.

OTHER REVIEW  
PROCESSES

Complaints alleging certain forms of harassment, including harassment by a supervisor, shall be processed in accordance with DIA.

Complaints arising from any of the following must be addressed through the local and statutory processes indicated below:

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

This policy shall apply to all other employee complaints.

DEFINITIONS

For purposes of this policy, terms are defined as follows:

COMPLAINT /  
GRIEVANCE

The terms "complaint" and "grievance" shall have the same meaning. A complaint under this policy may include:

1. Grievances concerning an employee's wages, hours, or conditions of work;
2. Specific allegations of unlawful discrimination in employment based on the employee's sex, race, religion, national origin, age, or disability;
3. Specific allegations of unlawful discrimination or retaliation based on the employee's exercise of legally protected rights; or
4. Specific allegations of adverse personnel action based on the employee's good faith report to an appropriate law enforcement authority of a violation of a law by the District or a District employee, i.e., "whistleblower complaints." [See DG]
5. Complaints arising from the dismissal or termination of an at-will employee. [See DCD]
6. Complaints arising from the termination at end of year of the probationary contract of a professional employee. [See DFAA]

FILING

Complaint forms and appeal notices may be filed by hand-delivery, fax, or U.S. Mail. Hand-delivered filings shall be timely filed if re-

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA  
(LOCAL)

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

RESPONSE	At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on the deadline and received by the employee or designated representative no more than three days after the response deadline.
DAYS	"Days" shall mean District business days. In calculating time lines under this policy, the day a document is filed is "day zero," and all deadlines shall be determined by counting the following day as "day one."
REPRESENTATIVE	"Representative" means any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.
DESIGNATION OF REPRESENTATIVE	The employee may designate a representative through written notice to the District at any level of this process. If the employee designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel.
WHISTLEBLOWER COMPLAINTS	Whistleblower complaints shall be filed within the time specified by law. Such complaints shall first be filed in accordance with LEVEL TWO, below. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 days of the initiation of the complaint. [See DG]
GENERAL PROVISIONS	Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.
CONSOLIDATION / CHANGE OF PATH	When the Superintendent determines that two or more individual grievances are sufficiently similar in nature and remedy to permit their resolution through one proceeding, the Superintendent may, in his or her sole discretion, consolidate the complaints.

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA  
(LOCAL)

	<p>When the Superintendent determines that the circumstances warrant skipping one or more levels of the grievance process, the Superintendent may, in his or her sole discretion, change the path of the grievance by assigning it for consideration from one level to any higher level.</p>
UNTIMELY FILINGS	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>
COSTS INCURRED	<p>Each party shall pay its own costs incurred in the course of the complaint.</p>
COMPLAINT FORM	<p>Complaints under this policy shall be submitted in writing on a form provided by the District.</p> <p>Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted unless the employee did not know the documents existed before the Level One conference.</p> <p>A complaint form that is incomplete in any material aspect may be dismissed, but may be refiled with all the requested information if the refiled is within the designated time for filing a complaint.</p>
COMPLAINTS AGAINST SUPERVISORS	<p>Complaints alleging a supervisor's violation of law may be made to the Superintendent beginning at Level Two. A complaint alleging a violation of law by the Superintendent may be made directly to the Board beginning at Level Three.</p>
LEVEL ONE	<p>Complaint forms must be filed:</p> <ol style="list-style-type: none"><li>1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and</li><li>2. With the lowest level administrator who has the authority to remedy the alleged problem.</li></ol> <p>In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.</p>

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall hold a conference with the employee within ten days after receipt of the written complaint.

The administrator shall have ten days following the conference to provide the employee a written response.

LEVEL TWO

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days after receipt of a response or, if no response was received, within ten days of the response deadline at Level One.

The Superintendent or designee shall hold a conference within ten days after the appeal notice is filed. At the conference, the Superintendent or designee shall consider only the issues and documents presented at Level One and identified in the Level Two appeal notice. The Superintendent or designee shall have ten days following the conference to provide the employee a written response.

LEVEL THREE

If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days after receipt of a response or, if no response was received, within ten days of the response deadline at Level Two.

The Board shall, within no more than 30 calendar days, schedule a time and date for its consideration of the grievance; the Superintendent or designee shall inform the employee of the date, time, and place of the meeting at which the complaint will be on the agenda for presentation to the Board.



The Superintendent or designee shall provide the Board with copies of the complaint form, all responses, all appeal notices, and all written documentation previously submitted by the employee or the administration. The Board shall consider only those issues and documents presented at the preceding levels and identified in the appeal notice.

The Board may appoint a hearing officer who is not a Board member to preside but such hearing officer shall not have the right to vote on the grievance, if one is taken.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the employee or the employee's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. The Board's consideration of the matter is in the nature of an appeal based on the documents and issues raised at earlier levels. No formal evidentiary rules apply but the presiding officer or appointed hearing officer may exercise reasonable control over the presentations to maintain order, protect the interest of a participant or other persons, and focus the presentations on the relevant issues. Neither side has the right to cross examine any person making a presentation or to compel testimony of a witness.

The Board may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board fails to reach a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

ATTENDANCE  
COMPULSORY ATTENDANCE

FEA  
(LOCAL)

Students in violation of the compulsory attendance law shall be reported to the District police department, who may institute court action as provided by law.

STUDENTS AGE 18  
AND OVER

A student who voluntarily attends school after the student's eighteenth birthday shall be required to attend school until the end of the school year.

WITHDRAWAL FOR  
NONATTENDANCE

The District may initiate withdrawal of a student under the age of 18 for nonattendance under the following conditions:

1. The student has been absent ten consecutive school days; and
2. Repeated efforts by the attendance officer and/or principal to locate the student have been unsuccessful.

For withdrawal of students 18 or older, see FEA(LEGAL).

STUDENTS IN  
HOMESCHOOLS

When the District becomes aware that a student is being or will be homeschooled, the Superintendent or designee may request in writing a letter of notification from the parents of their intention to homeschool using a curriculum designed to meet basic education goals of reading, spelling, grammar, mathematics, and a study of good citizenship.

If the parents refuse to submit a letter of notification or if the District has evidence that the school-age child is not being homeschooled within legal requirements, the District may investigate further and, if warranted, shall pursue legal action to enforce the compulsory attendance law.

ATTENDANCE  
ATTENDANCE FOR CREDIT

FEC  
(LOCAL)

ATTENDANCE  
COMMITTEES

The Board shall establish an attendance committee or as many committees as necessary for efficient implementation of Education Code 25.092.

The District shall have one attendance committee appointed per campus. The principal shall appoint no fewer than three persons to the committee in accordance with legal requirements.

TRANSFER STUDENTS  
WITHIN TEXAS

The attendance standards shall apply to all students who transfer from any district in Texas into the District. The number of absences the student has accrued for the school year at the previous district at the time of transfer shall be applied to the District's local policy on attendance.

OUTSIDE TEXAS

The attendance standards shall apply to all students who transfer from a district in another state into the District. The principal shall adjust the number of days for attendance accounting on out-of-state students for the remainder of the current semester.

Extenuating circumstances shall be considered should there be a difference between the two districts as to the number of days in the semester.

PARENTAL NOTICE  
OF EXCESSIVE  
ABSENCES

A student and the student's parent or guardian shall be given written notice prior to and at such time when a student's attendance in any class drops below 90 percent of the days the class is offered.

METHODS FOR  
REGAINING CREDIT

When a student's attendance drops below 90 percent but remains at least at 75 percent of the days the class is offered, the student may earn credit for the class by completing a plan approved by the principal. This plan must provide for the student to meet the instructional requirements of the class as determined by the principal.

If the student fails to successfully complete the plan, or when a student's attendance drops below 75 percent of the days the class is offered, the student, parent, or representative may request award of credit by submitting a written petition to the appropriate attendance committee.

Petitions for credit may be filed at any time the student receives notice but, in any event, no later than 30 days after the last day of classes.

The attendance committee shall review the student's entire attendance record and the reasons for absences and shall determine whether to award credit. The committee may also, whether a petition is filed or not, review the records of all students whose attendance drops below 90 percent of the days the class is offered.

Students who have lost credit because of excessive absences may regain credit by fulfilling the requirements established by the attendance committee.

PERSONAL ILLNESS

When a student's absence for personal illness exceeds five consecutive days, the student shall present a statement from a physician or health clinic verifying the illness or condition that caused the student's extended absence from school.

If the student has established a questionable pattern of absences, the attendance committee may also require a physician's or clinic's statement of illness after a single day's absence as a condition of classifying the absence as one for which there are extenuating circumstances.

GUIDELINES ON  
EXTENUATING  
CIRCUMSTANCES

The attendance committee shall adhere to the following guidelines to determine attendance for credit:

DAYS OF  
ATTENDANCE

1. All absences shall be considered in determining whether a student has attended the required percentage of days. If make-up work is completed, absences for religious holy days, required court appearances, and health-care appointments shall be considered days of attendance for this purpose. [See FEB]

TRANSFERS /  
MIGRANT  
STUDENTS

2. A transfer or migrant student incurs absences only after his or her enrollment in the District.

BEST INTEREST  
STANDARD

3. In reaching consensus regarding a student's absences, the committee shall attempt to ensure that its decision is in the best interest of the student.

4. The Superintendent or designee shall develop administrative regulations addressing the committee's documentation of the decision.

DOCUMENTATION

5. The committee shall consider the acceptability and authenticity of documented reasons for the student's absences.

CONSIDERATION  
OF CONTROL

6. The committee shall consider whether the absences were for reasons out of the student's or parent's control.

STUDENT'S  
ACADEMIC RECORD

7. The committee shall consider whether or not the student has completed assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.

INFORMATION FROM STUDENT OR PARENT	8. The student or parent shall be given an opportunity to present any information to the committee about the absences and to discuss ways to earn or regain credit.
DIVORCE DECREE ORDER FOR A STUDENT	<p>A student shall be given an excused absence when the student's parents have been divorced and the divorce decree stipulates that the child spend a specific amount of time with one parent or the other, and that time falls during the school's instructional time.</p> <p>The managing or possessory conservator shall present to the principal the divorce decree well in advance of the child being absent from school for visitation rights specified to the possessory conservator.</p>
TO REGAIN CREDIT LOST DUE TO EXCESSIVE ABSENCES	<p>When accrued absences make it impossible for a student to be in attendance 90 percent of the days the class is offered, the student and parent shall be notified in writing by the school administration that the student may be assigned an alternative learning activity to make up for the absences and to comply with the statutory requirements. For every absence thereafter, the student may be required to complete an alternative learning activity to support his or her appeal to the attendance committee, as deemed appropriate by the teacher.</p>
ALTERNATIVE LEARNING ACTIVITY PROGRAM	<p>Alternative learning activities may be assigned by a campus principal or designee. Documentation of the activities shall be the responsibility of the student and parent and shall be one of the major criteria used in the determination of credit(s) awarded or denied by the attendance committee.</p>
ALTERNATIVE LEARNING ACTIVITIES	<p>The list of possible activities includes, but is not limited to:</p> <ol style="list-style-type: none"><li>1. Tutorials.</li><li>2. Additional assignments.</li><li>3. Research projects.</li><li>4. Individual papers or oral reports.</li><li>5. Library activities.</li><li>6. Lab activities.</li><li>7. Computer-assisted instruction.</li><li>8. Peer tutoring.</li><li>9. Assessment of classroom objectives (test).</li><li>10. Daily or Saturday guided study.</li><li>11. Alternative education assignment.</li></ol>

ATTENDANCE  
ATTENDANCE FOR CREDIT

FEC  
(LOCAL)

12. Community or campus service.
13. Summer school.
14. An examination to earn credit in accordance with EEJA.
15. Other activities as deemed appropriate by the principal.

In all cases, the student must also earn a passing grade in order to receive credit.

APPEAL PROCESS

A student may initiate an appeal at any time after alternative learning activities have been completed. The principal shall inform the student by written notice of the appeal process and when the attendance committee will meet. Documentation of the student's alternative learning activity shall be the major criterion used for the determination of gain or loss of credit in each class. The student shall assume the primary responsibility for the alternative learning activity documentation being furnished to the attendance committee for review.

The campus attendance committee's decision may be appealed first to the central attendance committee and then to the Board by submitting a written request to the Superintendent. Appeals shall be handled as provided by the student complaint policy. [See FNG(LOCAL)]

BOARD LEVEL

The appeal to the Board shall be considered by those members present. The Board may consider the appeal upon written documentation or may choose to have the hearing by "trial de novo."

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**Note:** This policy addresses harassment of District students. For provisions regarding harassment of District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG.

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The District prohibits sexual harassment, dating violence, and harassment based on a person's race, color, gender, national origin, disability, or religion.

Employees shall not tolerate harassment of students and shall make reports as required at REPORTING PROCEDURES, below.

SEXUAL  
HARASSMENT  
BY AN EMPLOYEE

Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it:
  - a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
  - b. Creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual.

BY OTHERS

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or

STUDENT WELFARE  
FREEDOM FROM HARASSMENT

FFH  
(LOCAL)

3. Otherwise adversely affects the student's educational opportunities.

EXAMPLES

Examples of sexual harassment of a student may include, but are not limited to, sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.

DATING VIOLENCE

Dating violence occurs when one partner in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner.

Examples of dating violence against a student may include, but are not limited to, physical or sexual assaults, name-calling, put-downs, threats to hurt the student or the student's family members or members of the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, attempts to isolate the student from friends and family, stalking, or encouraging others to engage in these behaviors.

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

OTHER PROHIBITED  
HARASSMENT

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, gender, national origin, disability, or religion that is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;



STUDENT WELFARE  
FREEDOM FROM HARASSMENT

FFH  
(LOCAL)

2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

EXAMPLES

Examples of prohibited harassment may include, but are not limited to, offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

REPORTING  
PROCEDURES

Any student who believes that he or she has experienced prohibited harassment should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.

Any District employee who receives notice that a student has or may have experienced prohibited harassment is required to immediately report the alleged acts to an appropriate person designated below.

Any other person who knows or believes that a student has experienced prohibited harassment should immediately report the alleged acts to the appropriate person designated below.

Reports of known or suspected child abuse or neglect shall be made as required by law. [See FFG]

TIMELY REPORTING

Reports of harassment shall be made as soon as possible after the alleged acts. A failure to promptly report alleged harassment may impair the District's ability to investigate and address the harassment.

Oral or written reports of prohibited harassment shall normally be made to the campus principal. A person shall not be required to report harassment to the alleged harasser; nothing in this policy prevents a person from reporting harassment directly to one of the District officials below:

DISTRICT  
OFFICIALS

1. For sexual harassment, the Title IX coordinator. [See FB(LOCAL)]
2. For all other prohibited harassment, the Superintendent.

A report against the Title IX coordinator may be made directly to the Superintendent; a report against the Superintendent may be made directly to the Board.

NOTIFICATION OF REPORT	Upon receipt of a report of harassment, a principal shall immediately notify the appropriate District official listed above.
NOTICE TO PARENTS	The principal or District official shall promptly notify the parents of any student alleged to have experienced prohibited harassment by a District employee or another adult associated with the District. In cases of student-to-student harassment, the District shall promptly notify the parents of any student alleged to have experienced harassment when the allegations presented, if proven, would constitute sexual harassment or other prohibited harassment as defined by District policy.
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 and comply with applicable law.
INVESTIGATION OF THE REPORT	<p>The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.</p> <p>Upon receipt or notification of a report, the District official shall determine whether the allegations, if proven, would constitute sexual harassment or other prohibited harassment as defined by District policy. If so, the District official shall immediately authorize or undertake an investigation.</p> <p>If appropriate, the District shall promptly take interim action to prevent harassment during the course of an investigation.</p> <p>The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p> <p>The District's obligation to conduct an investigation is not satisfied by the fact that a criminal or regulatory investigation regarding the same or similar allegations is pending.</p>
CONCLUDING THE INVESTIGATION	Absent extenuating circumstances, the investigation should be completed within ten business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

	<p>The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.</p>
DISTRICT ACTION	<p>If the results of an investigation indicate that prohibited harassment occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the harassment.</p> <p>The District may take disciplinary action based on the results of an investigation, even if the District concludes that the conduct did not rise to the level of harassment prohibited by law or District policy.</p>
APPEAL	<p>A student, including a complainant, may appeal through FNG(LOCAL), beginning at the appropriate level. A complainant shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.</p>
RETALIATION PROHIBITED	<p>Retaliation against a student alleged to have experienced harassment, a witness, or another person who makes a report or participates in an investigation is strictly prohibited. A person who makes a good faith report of prohibited harassment shall not suffer retaliation for making the report. A person who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding prohibited harassment is subject to appropriate discipline.</p>
RECORDS RETENTION	<p>Retention of records shall be in accordance with FB(LOCAL).</p>
ACCESS TO POLICY	<p>Information regarding this policy shall be distributed annually to District employees and included in the student handbook. Copies of the policy shall be readily available at each campus and the District's administrative offices.</p>

COMMUNITY RELATIONS  
VISITORS TO THE SCHOOLS

GKC  
(LOCAL)

Prominent notices shall be posted at each campus requiring all visitors to first report to the campus administrative office. This shall apply to parents, Board members, volunteers, social service workers, invited speakers, maintenance and repair persons not employed by the District, vendors, representatives of the news media, former students, and any other visitors.

Visits to individual classrooms during instructional time shall be permitted only with the principal's and teacher's approval, and such visits shall not be permitted if their duration or frequency interferes with the delivery of instruction or disrupts the normal school environment.

REGISTERED SEX  
OFFENDERS ON  
DISTRICT PREMISES

The Superintendent, working with campus administrators, shall develop and implement procedures regarding campus visitors who are identified as sex offenders. These procedures shall address:

1. Parental rights;
2. Escort by District personnel;
3. Access to common areas of the campus;
4. Access to classrooms;
5. Drop off and release of students;
6. Eligibility to serve as volunteers; and
7. Any other relevant issues.

COMMUNITY RELATIONS  
SCHOOL VOLUNTEER PROGRAM

GKG  
(LOCAL)

~~The District may use volunteer assistance. Volunteers shall not be used to usurp, diminish, or replace the position or functions of salaried professional or paraprofessional employees.~~

~~The Superintendent shall establish guidelines to ensure that volunteers are placed in areas where they can serve best. The Superintendent shall be guided by need, availability, and the laws of the State of Texas.~~

~~Volunteer citizens in the school shall work directly under the supervision of the principal to whose building they are assigned in accordance with procedures approved by the Superintendent.~~

CRIMINAL HISTORY  
RECORD CHECK

~~The District shall obtain the criminal history record of prospective school volunteers. The District shall inform volunteers when their services are to begin.~~

DELETED