

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

Each Department employee shall perform his or her duties in accordance with state and federal law, Department policy, and ethical standards. The Department holds all employees accountable to the Educators' Code of Ethics. [See DH(EXHIBIT)]

Each Department employee shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the Department.

An employee wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

Violations of Standards of Conduct

Each employee 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 his or her status as a Department employee. Violation of any policies, regulations, or guidelines, including intentionally making a false claim, offering a false statement, or refusing to cooperate with a Department investigation, may result in disciplinary action, including termination of employment. [See DCD and DF series]

Weapons Prohibited

The Department prohibits the use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on Department 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.
2. A Department employee who holds a Texas handgun license stores a handgun or other firearm in a locked vehicle in a parking lot, parking garage, or other parking area provided by the Department, provided the handgun or other firearm is not in plain view; or
3. The use, possession, or display of an otherwise prohibited weapon takes place as part of a Department-approved activity supervised by proper authorities. [See FOD]

Electronic communication includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), electronic forums (chat rooms), video-sharing websites, editorial comments posted on the Internet, and social network sites. Electronic communication also includes all forms of telecommunication, such as landlines, cell phones, and web-based applications.

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Use with Students

A certified employee, licensed employee, or any other employee designated in writing by the Superintendent, campus principal, or program director, may use electronic communication, as this term is defined by law and/or this policy, with students who attend an HCDE school or program 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 students who attend an HCDE school or program.

Unless authorized above, all other employees are prohibited from using electronic communication directly with students who currently attend an HCDE school or program. The employee handbook or other administrative regulations shall further detail:

1. Exceptions for family and social relationships;
2. The circumstances under which an employee may use electronic communication to communicate with individual students or student groups;
3. Hours of the day during which electronic communication is discouraged or prohibited; and
4. Other matters deemed appropriate by the Superintendent or designee.

In accordance with ethical standards applicable to all Department employees [see DH(EXHIBIT)], an employee shall be prohibited from using electronic communications in a manner that constitutes prohibited harassment or abuse of a Department 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 Department's requirements for records retention and destruction to the extent those requirements apply to electronic communication. [See CPC]

The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:

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- Compliance with the Public Information Act and Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. See Policies CPC and FL.
- Copyright law. [See EFE]
- Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with student. [See DF]

Personal Use All employees 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 Department policy, or 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.

Reporting Improper Communication In accordance with administrative regulations, an employee shall notify his or her supervisor when a student engages in improper electronic communication with the employee.

Disclosing Personal Information An employee shall not be required to disclose his or her personal e-mail address or personal phone number to a student.

Safety Requirements Each employee shall adhere to Department safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

Harassment or Abuse An employee shall not engage in prohibited harassment, including sexual harassment, of:

1. Other employees. [See DIA]
2. Students. [See FFH; see FFG regarding child abuse and neglect.]

While acting in the course of employment, an employee 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. [See FFG]

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

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

Gift Giving

Gifts from students to HCDE employees and gifts from HCDE employees to students are discouraged. Tokens of appreciation, cards, and the like are permitted to be exchanged between HCDE employees and students during holidays and Teacher Appreciation Week.

In all circumstances, HCDE employees are prohibited from accepting a gift or a favor that could influence, or have the appearance of influencing, the employee's discharge of assigned duties. A gift with a value of \$50 or more per individual is presumed to be inappropriate.

Tobacco and E-Cigarettes

An employee shall not smoke or use tobacco products or e-cigarettes on Department property, in Department vehicles, or at Department-related activities. [See also GKA]

**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 Department property or at Department-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:

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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 Department; and
4. Referral to appropriate law enforcement officials for prosecution.

Notice

Employees shall receive a copy of this policy.

**Arrests, Indictments,
Convictions, and
Other Adjudications**

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 con-

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spiracy 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.

Dress and Grooming

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

Borrowing and Lending Department Equipment

Employees shall not borrow equipment for personal use away from the Department without the approval of the Superintendent or designee.

Employees shall not lend equipment to anyone. Only the Superintendent or designee is authorized to lend equipment in situations he or she deems advisable.

The Department is not responsible for an employee's personal belongings on any of the Department's campuses, centers, offices, or work sites.

Head Start

All Head Start staff, consultants and volunteers must also abide by the following program standards of conduct:

1. Respect and promote the unique identity of each child and family and refrain from stereotyping on the basis of gender, race, ethnicity, culture, religion, or disability.
2. Follow program confidentiality policies concerning information about children, families and other staff members.
3. No child will be left alone or unsupervised while under the care of staff.
4. Positive methods of child guidance will be used. Corporal punishment, emotional or physical abuse, or humiliation of any child will not be tolerated.
5. Discipline methods that involve isolation, use of food as punishment or reward, or the denial of basic needs will not be permitted.

Violations of the Code of Ethics and Standards of Practices and/or Program Standards of Conduct may result in disciplinary action, up to and including termination of employment.

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