

# International Leadership of Texas Employee Handbook



2017-2018

ILTexas Board Approved  
July 26, 2017

The Board of Directors of International American Federation, Inc. authorizes the Superintendent or its designee to make administrative amendments to this Handbook, as deemed necessary, without further Board approval.

Welcome to International Leadership of Texas

Dear Valuable Team Member:

As an employee of International Leadership of Texas (“ILTexas”), you are part of a team that is dedicated to our mission:

“To prepare students to be exceptional leaders in the international community by emphasizing servant leadership, mastering the English, Spanish and Chinese Languages, and strengthening the mind, body and character.”

Everything we do and every action each of us takes is to support that mission, to support the students, the teachers, the parents and the staff.

Thank you very much for choosing to be part of the ILTexas family.

Now for the legalese.

This handbook contains information about ILTexas employment policies and practices. We have designed our employment policies and practices not only to comply with federal and state employment laws, but also to attract, develop, and reward talented educators, administrators, support staff, and leaders.

This handbook supersedes all previously issued handbooks and is a valuable reference for understanding your job at ILTexas. Each employee is expected to read this handbook carefully and know and abide by the policies outlined herein as revised over time, throughout your employment. No oral statement or representations can change the provisions of this handbook. ILTexas reserves the right to revise, delete, and add to the provisions of this handbook. Nothing in this handbook creates an employment contract, constitutes a legally binding agreement, or alters your “at will” status of employment in any way.

If you have any questions regarding the contents of this handbook or any other policy or procedure, please ask your Principal, supervisor, or the Human Resources Department.

Please sign the acknowledgement form agreeing to read and abide by the policies and procedures outlined in this handbook, and return it to the Human Resources Department. This acknowledgement will also provide ILTexas with a record that each employee has been provided access to an online version of this handbook and/or has received instructions on how to obtain a printed copy of the handbook.

With the utmost respect,



Eddie Conger  
Superintendent

## ACKNOWLEDGEMENT OF RECEIPT OF HANDBOOK

Name: \_\_\_\_\_

Campus/Department: \_\_\_\_\_

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year at ILTexas. Not all school or Board policies and procedures are included, and ILTexas information, policies, and benefits described herein are subject to change at any time. Such changes will generally be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. I understand that I may request a copy of this Handbook by email from my Principal or office manager and that a paper copy of the Handbook is located in the main office. Only the Board of Directors has the ability to adopt any revisions to the policies in this Handbook.

Furthermore, I understand that this Handbook is neither a contract of employment nor a legally binding agreement. I accept the terms of the Handbook, and understand that it is my responsibility to comply with the policies contained in this Handbook and any revisions made to it. I further agree that if I remain with ILTexas following any modifications to the Handbook, I thereby accept and agree to such changes. Finally, in the event of any inconsistency between the information, policies, and benefits described herein and in my letter of agreement, the information, policies, and benefits described in the employment agreement shall control.

I have received my copy of the ILTexas Employee Handbook on the date listed below. In signing the Acknowledgment of Receipt below, I also acknowledge my understanding that I am responsible for reading the entire Handbook.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

NOTE: You must sign and date this form within three days of receipt, and return to the Human Resources Department.

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## **PART 1: INTRODUCTORY INFORMATION**

### **Mission**

**Our mission at International Leadership of Texas is to prepare students for exceptional leadership roles in the international community by emphasizing servant leadership, mastering the English, Spanish, and Chinese Languages, and strengthening the body, mind and character.**

### **Motto**

**“Others Before Self”**

### **ILTexas Student Pledge**

I pledge to be a servant leader and put others before myself.

I will serve others, respect others and encourage others.

When I graduate from ILTexas, I will be a healthy person with a strong mind and character who speaks at least three languages.

I will change the world.

## **PART 2: EQUAL OPPORTUNITY EMPLOYMENT PRACTICES**

### **Non-Discrimination Statement/Equal Employment Opportunity**

*ILTexas is an equal opportunity employer and makes employment decisions based on merit and in accordance with applicable state and federal law. ILTexas policy prohibits unlawful discrimination on the basis of race, color, national origin, religion, sex or gender, disability, military or veteran status, genetic information, or age in its employment practices as required by Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; Title I and Title V of the Americans with Disabilities Act of 1990, as amended (“ADA”); the Age Discrimination in Employment Act of 1967, as amended (“ADEA”); Section 504 of the Rehabilitation Act of 1973, as amended; the Genetic Information Nondiscrimination Act of 2008 (“GINA”); and any other legally-protected classification or status protected by federal, state, or local law. Additionally, ILTexas does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to an alleged discriminatory employment practice.*

Employees can raise concerns and make reports without fear of reprisal. Employees with questions or concerns relating to equal employment opportunity, including discrimination and disability accommodations, are encouraged to bring these issues to the attention of an ILTexas administrator, Title VII/Title IX, ADA, or ADEA Coordinator.



ILTexas has designated the following person as the Title VII/Title IX Coordinator, ADA Coordinator, and ADEA Coordinator:

Finn Simmens  
1820 N. Glenville Dr., Ste. 100, Richardson, TX 75081  
972-479-9078

Mr. Simmens is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of race, color, national origin, religion, gender, or sexual harassment; alleged discrimination or harassment on the basis of disability; and receiving and investigating complaints of alleged discrimination or harassment on the basis of age.

All other complaints regarding equal employment opportunity may be directed to the Director of Human Resources.

### **Federal and State Worksite Postings**

Required state and federal postings are found at each ILTexas facility. The following postings can be found in an area common to all employees at their facility: Equal Employment Opportunity is the Law, Americans with Disabilities Act of 1990, Workers' Compensation Insurance Notification, Workplace Safety Violation Reporting Information, Texas Unemployment Compensation Act, Texas Payday Law, Your Rights Under the Fair Labor Standards Act, Family Medical Leave Act of 1993, and the Texas Hazard Communication Act. Postings are in both English and Spanish for all employees to read.

### **Immigration Law Compliance**

ILTexas is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

Employees with questions or seeking more information on immigration law issues are encouraged to contact Finn Simmens, Title VII/Title IX and ADA/ADEA Coordinator. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

### **Nondiscrimination Based on Religion**

ILTexas does not discriminate on the basis of any aspect of religious observance, practice, or belief unless ILTexas demonstrates that it is unable to reasonably accommodate the religious observance or practice of an employee or applicant without undue hardship to ILTexas' business.

### **Nondiscrimination Based on Military Service**

ILTexas will not deny initial employment, reemployment, retention in employment promotion, or any benefits of employment on the basis of membership in a uniformed service, performance in a uniformed service, application for uniformed service, or obligation to a uniformed service.

IL Texas will not take adverse employment action or discriminate against any person who takes action to enforce protections afforded by the Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA").

### **Americans with Disabilities Act (ADA)**

ILTexas is committed to complying fully with the ADA, as amended, and ensuring equal opportunity in employment for qualified persons with disabilities (which includes life-threatening illnesses and HIV and

AIDS). All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all qualifying disabled employees, where their disability affects the performance of job functions, in accordance with the ADA.

Qualified individuals with disabilities shall not be discriminated against on the basis of disability in regards to recruitment, advertising, job application procedures, hiring, upgrading, promotion, demotion, transfer, layoff, termination, right of return from layoff, rehiring, rates of pay, or any other form of compensation and changes in compensation, benefits, job assignments, job classifications, organizational structures, position descriptions, lines of progression, seniority lists, leaves of absence, sick leave, any other leave, fringe benefits available by virtue of employment, selection and financial support for training, school-sponsored activities, including social and recreational programs, and any other term, condition, or privilege of employment.

ILTexas does not discriminate against qualified employees or applicants because they are related to or associated with a person with a disability.

### **Nondiscrimination Based on Genetic Information (GINA)**

ILTexas will not deny initial employment, reemployment, retention in employment promotion, or any benefits of employment on the basis of genetic information including information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about the manifestation of a disease or disorder in an individual's family members.

## **PART 3: EMPLOYMENT PRACTICES**

### **At-Will Employment**

Employment with ILTexas shall be at-will unless a term of employment is expressly stated in a written contract. **At-will employment means that an employee may be terminated with or without cause, with or without prior notice, at any time, for any reason or for no reason. Similarly, employment with ILTexas is voluntarily entered into, and employees are free to resign at any time, with or without cause or notice.**

Status as an at-will employee may not be changed except in writing signed and approved by the Board of Directors. Employment at-will is the sole and entire agreement between ILTexas and you concerning the duration of your employment, and the circumstances under which your employment may be terminated.

Nothing in this handbook is to be construed as creating an employment contract or agreement. No one other than the Board of Directors has the authority on behalf of ILTexas to alter an employee's at-will employment arrangement, to enter into an agreement for employment for a specified period of time, or to make any agreement contrary to this policy, and any such agreement must be in writing and must be signed by the Board of Directors.

### **Verification of Employment Eligibility**

Prior to the start of employment, ILTexas shall confirm the employment eligibility of all new hires by examination of documents establishing identity and employment authorization and completion of the Federal

Form I-9 required by the Department of Homeland Security. Each new employee, as a condition of employment, must complete a Federal Form I-9 and present appropriate documentation establishing identity and employment eligibility.

All former employees who are rehired must also complete the form if they have not completed an I-9 with ILTexas within a timeframe established by Human Resources (generally three years after the date of hire or one year after employment is terminated, whichever is later), or if their previous I-9 is no longer retained or valid.

### **New Hire Reporting**

By the 20th day after hiring a new employee, a report containing the name, address, and employer identification number of ILTexas shall be made to the Texas Employer New Hire Reporting Operations Center.

### **New Hire Orientation**

Each new employee experiences an orientation period during the first 90 days of employment. During this time, the Principal or the employee's immediate supervisor will provide training, guidance, feedback regarding performance, and an explanation of benefits, services, rules, safety training, and other information that is helpful to the new employee. At the end of the initial orientation period, the Principal or supervisor may conduct a performance evaluation.

### **In-Service Training**

There is an ongoing in-service education program for all employees. Attendance at in-service training meetings is mandatory.

### **Criminal History Records**

Criminal history records of prospective volunteers and applicants for employment shall be obtained from a law enforcement or criminal justice agency pursuant to Chapter 22 of the Texas Education Code and reviewed prior to employment or the commencement of volunteer service. Pursuant to this legal authority, criminal history checks of employees (or volunteers whose duties are performed where students are regularly present) may be obtained at any time during employment or volunteer services.

Criminal history records must also be obtained and reviewed prior to the employment of any driver for student transportation either directly or through a commercial service. Criminal history checks of a bus monitor or bus aide employed through a commercial service must be obtained and reviewed through a commercial service. The Board of Directors shall be informed of a criminal record of a felony or misdemeanor involving moral turpitude and must affirmatively vote to employ such driver, monitor, or aide.

Information collected on an individual to comply with the requirements listed above is confidential and may not be released except as authorized by law or with the consent of the person who is the subject of the information.

All employees and applicants must complete the Authorization for Criminal History Background Check form accompanying this Handbook.

### **Prohibition Against Employing Individuals Convicted of Certain Offenses**

ILTexas shall discharge or refuse to hire an employee or applicant for employment if it obtains information through a criminal history review that:

1. The employee or applicant has been convicted of:
  - a. A felony under Penal Code Title 5;
  - b. An offense requiring registration as a sex offender under Code of Criminal Procedure Chapter 62; or
  - c. An offense under the laws of another state or federal law that is equivalent to an offense under paragraphs (a) or (b); and
2. At the time the offense occurred, the victim of the offense was under 18 years of age or was enrolled in a public school.

However, ILTexas is not required to discharge or refuse to hire an employee or applicant if the person committed an offense under Title 5, Penal Code, and:

1. The date of the offense is more than 30 years before:
  - a. June 15, 2007 in the case of a person employed by ILTexas as of that date; or
  - b. The date the person's employment will begin, in the case of a person applying for employment with ILTexas after June 15, 2007; and
2. The employee or applicant for employment satisfied all terms of the court order entered on conviction.

ILTexas may discharge an employee if it obtains information of the employee's conviction of a felony or misdemeanor involving moral turpitude that the employee did not disclose to ILTexas or the State Board of Educator Certification ("SBEC").

Except as required by state or federal law, ILTexas does not prohibit employment or refuse to consider an application for employment solely on the grounds that an applicant/employee has a prior criminal record. ILTexas does not prohibit employment or refuse to consider an application for employment based solely on the grounds that the applicant/employee has been arrested.

In accordance with Title VII, it is the policy of ILTexas, prior to any exclusion of an applicant for employment or continued employment of an employee that has a criminal record, to conduct an individualized assessment of the criminal conduct at issue. In conducting such an assessment, IL Texas shall carefully consider appropriate factors, including the following, in order to determine that any exclusion based on criminal conduct is job-related to the position in question and consistent with the business necessity of IL Texas:

- The nature and gravity of the offense or offenses;
- The time that has passed since the conviction and/or completion of the sentence;
- The nature of the job held or sought.

Upon consideration of the above or other appropriate factors, IL Texas shall inform the applicant/employee that he or she may be excluded because of prior criminal conduct and provide the individual an opportunity to demonstrate that the exclusion does not properly apply to him or her and the position in question. ILTexas shall consider the additional information provided by the applicant/employee that demonstrates that the criminal conduct is not job related and is consistent with business necessity of ILTexas prior to making any final determination. Such additional information may include:

- The facts or circumstances surrounding the offense or conduct;
- The number of offenses for which the individual was convicted;
- Age at the time of conviction, or release from prison;
- Evidence that the individual performed the same type of work, post-conviction, with the same or a

- different employer, with no known incidents of criminal conduct;
- The length and consistency of employment history before and after the offense;
- Rehabilitation efforts, e.g., education/training;
- Employment or character references regarding fitness for the particular position;
- Whether the individual is bonded under a federal, state or local bonding program.

ILTexas reserves the right to perform criminal history record checks on current employees.

### **Fingerprinting**

In accordance with state law, ILTexas requires all employees and substitutes to complete the fingerprinting process implemented by the SBEC/Texas DPS Clearinghouse prior to employment.

### **Reporting an Educator's Misconduct**

The Superintendent shall promptly notify the SBEC by filing a written report (within seven days of first learning about an alleged incident of misconduct) with the Texas Education Agency upon obtaining knowledge or information indicating any of the following circumstances:

1. That an educator, applicant for, or holder of an educator's certificate has a reported criminal history, and ILTexas learned of the criminal record by means other than the criminal history clearinghouse established by the Texas Department of Public Safety.
2. That an educator or certificate holder was terminated and there is evidence that the educator:
  - a. Abused or otherwise committed an unlawful act with a student or minor;
  - b. Was involved in a romantic relationship or solicited or engaged in sexual conduct with a student or minor
  - c. Possessed, transferred, sold, or distributed a controlled substance;
  - d. Illegally transferred, appropriated, or expended school property or funds;
  - e. Attempted by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to be employed in a position requiring such a certificate or permit or to receive additional compensation associated with a position; or
  - f. Committed a crime or any part of a crime while on school property or at a school-sponsored event.
3. That a certificate holder resigned and reasonable evidence supported a recommendation to terminate the individual because he or she committed one of the acts specified in paragraph 2 above.
4. That an educator engaged in conduct that violated the assessment instrument security procedures established by Education Code 39.0301.

Additionally, the Principal shall promptly notify the Superintendent within seven days of obtaining knowledge or information of (1) an educator's termination of employment or resignation following an alleged incident of misconduct described in items one, two, three, or four above; or (2) learning of an educator's criminal record by means other than a criminal history clearinghouse report.

In accordance with state law, the Superintendent or designee must complete an investigation based on reasonable cause that the educator may be engaged in abuse or otherwise committing an unlawful act with a student or minor. An investigation of the educator's misconduct must be completed even if the educator resigns from employment before the completion of the investigation. If the educator is arrested and law enforcement requests that the school cease its investigation and the Superintendent or designee is unable to complete the investigation, the Superintendent is still required to timely report to SBEC that the investigation was interrupted at the request of law enforcement.

ILTexas shall provide notice to the parent or guardian of a student with whom an educator is alleged to have engaged in misconduct in accordance with state law.

Prior to the start of employment, applicants must complete the Pre- Employment Affidavit form, as published by the Texas Education Agency, disclosing whether the applicant has been charged with, adjudicated for, or convicted of having an inappropriate relationship with a minor.

### **Arrest & Conviction Occurring after Employment Begins**

An employee who is arrested for any felony or any misdemeanor offense involving moral turpitude must report the arrest to the immediate supervisor within three calendar days of the arrest. An employee who is convicted of or received deferred adjudication for such an offense must also report that event to the immediate supervisor within three calendar days of the event. An employee shall notify the immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty pleas, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any other offenses as indicated below:

- Crimes involving school property or funds;
- Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;
- Crimes that occur wholly or in part on school property or at a school-sponsored activity; or
- Crimes involving moral turpitude, which include but are not limited to:
  - 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, transfer, sale, distribution or conspiracy to possess, transfer, sell or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
  - Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct if two or more acts are committed within any 12-month period; or
  - Acts constituting abuse under the Texas Family Code.

The requirement to report a conviction or deferred adjudication shall not apply to minor traffic offenses. However, a first offense of DWI or DUI must be reported if the employee drives or operates (or is authorized to do so) an ILTexas vehicle or piece of mobile equipment. Failure to timely report an arrest, indictment, charge, plea, conviction or adjudication may result in disciplinary action, up to and including termination. Such report shall be made within three days of the arrest, conviction or any other adjudicatory action.

Conviction of a crime shall not be an automatic basis for termination. ILTexas shall consider the following factors in determining what action, if any, should be taken against an employee who is convicted of a crime during employment with ILTexas:

- The nature of the offense;
- The date of the offense;
- The relationship between the offense and the position to which the employee is assigned; and
- The best interests of ILTexas and its students.

### **Fair Credit Reporting Act**

ILTexas may utilize consumer reports – *e.g.*, credit, criminal, employment references and Department of Public Safety reports to assist us in making employment decisions. In addition, ILTexas may conduct annual

driving record checks to verify that the licenses and driving records of those employees required to drive ILTexas owned vehicles are valid and acceptable to our insurance carrier.

Where required by applicable law, prior to running any of the above-mentioned checks/records, each employee will be provided any required notice form(s), and must sign an authorization form at the time of the initial job interview or prior to being extended an offer of employment. Refusal to sign such authorization is grounds for disqualification from employment with ILTexas. Continued employment is also expressly conditioned on satisfactory results from legally authorized or required record and background checks.

In the event ILTexas relies on a “consumer report” for an “adverse action” as defined by the Fair Credit Reporting Act and regulation – i.e., denying a job application, reassigning or terminating an employee, or denying a promotion – ILTexas will take the following action(s):

**Step 1:** Before taking adverse action, the employee will be provided a pre-adverse action disclosure that includes a copy of the individual’s consumer report and a copy of “A Summary of Your Rights Under the Fair Credit Reporting Act” – a document prescribed by the Federal Trade Commission.

**Step 2:** After taking an adverse action, the employee will be provided notice – either orally, in writing, or electronically – that the action has been taken. This notice will include:

- The name, address, and telephone number of the Credit Reporting Agency (“CRA”) that supplied the report;
- A statement that the CRA supplying the report did not make the decision to take the adverse action, and cannot give specific reasons for it; and
- A notice of the individual’s right to dispute the accuracy or completeness of any information the agency furnished, and his or her right to an additional free consumer report from the agency upon request within 60 days.

The employee will be given a reasonable time period to refute the information. However, it is ultimately the decision of ILTexas as to what action is taken.

### **Assignment and Reassignment**

All personnel are subject to assignment and reassignment by ILTexas. School personnel may be directed to perform additional or supplemental duties from time to time. Unless specifically approved by the Board of Directors and ILTexas, no additional financial compensation is provided for such duties. ILTexas’ criteria for approval of campus appointments and reassignments will be consistent with school policy regarding equal opportunity employment.

Any employee may request reassignment to another position for which he or she is qualified by applying for the position at [www.ILTexasdistrict.org](http://www.ILTexasdistrict.org). All interested employees who feel they meet a position’s minimum qualifications are encouraged to apply. Selection is based on the school’s needs and a candidate’s qualifications and performance. ILTexas fills all job vacancies with the individual it deems best fitted for the position, and reserves the right to select candidates from outside ILTexas.

### **Transfers**

Employees who are considering transferring to another campus or department must first notify their current Supervisor/Principal. Employees must be in good standing for the transfer to be approved. Good standing is defined as not actively being on any type of professional growth plan and/or not receiving any formal disciplinary actions in the 90 days prior to the transfer request. The employee’s current manager is responsible

for requests to Human Resources by the designated deadline. Employees wishing to transfer to another position must first notify their current Supervisor/Principal as a first step in this process. The receiving Supervisor/Principal must accept and sign off on the transfer.

Supervisors or Principals may request an interview and/or sample teaching lesson before a transfer request is approved. Employees selected for a transfer will receive notification from Human Resources.

Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by Human Resources and must be approved by the sending and receiving hiring Supervisor/Principal.

### **Professional Development**

ILTexas is committed to the professional development of all employees. For educators, ILTexas provides training before the start of the school year, on-site coaching and modeling throughout the school year, day-to-day instructional leadership, and access to external workshops. For non-instructional staff, ILTexas provides technical training before the start of the school year and throughout the year. To access this information please go to [www.ILTexasDistrict.org](http://www.ILTexasDistrict.org) and select the Curriculum, Instruction, and Assessment tab.

In addition, all employees are encouraged to pursue external professional development opportunities in the form of workshops or additional certification. Employees should talk with their supervisors about additional development opportunities and specific career paths. Supervisors must approve professional development before it is taken if time off will be required to attend the session/course.

### **Personnel Records**

ILTexas maintains a personnel file on each employee. This file includes the employee's job application, resume, all new hire paperwork, records of training, documentation of performance appraisals and salary increases, and other employment records. The records housed in the Office of Human Resources are considered the official records for each employee.

All information in an employee's personnel file will be made available to the employee or his/her authorized representative in the same manner that public information is made available under the public information laws found in Texas Government Code Chapter 552.

An employee or his/her authorized representative has a special right of access, beyond the right of the general public, to information held by ILTexas that relates to the employee, and that is protected from public disclosure by laws intended to protect the employee's privacy interests. ILTexas may not deny to the employee or his/her authorized representative access to information relating to the employee on the grounds that the information is considered confidential by privacy principles under the Public Information Act. However, ILTexas may assert, as grounds for denial of access, other provisions of the Public Information Act or other laws that are not intended to protect the employee's privacy interests.

If ILTexas determines that information in an employee's records is exempt from disclosure under an exception of Texas Government Code chapter 552, Subchapter C, other than an exception intended to protect the privacy interest of the employee or his/her authorized representative, it will, when required, submit a written request for a decision to the Attorney General of Texas before disclosing the information. ILTexas will release the information to the employee requesting the information in accordance with applicable law.

Employees who wish to review their own personnel file in Human Resources should contact the Director of



Human Resources.

Many personnel records may also be public information and must be released upon request in accordance with state law. Pursuant to a written Open Records Request under the Texas Public Information Act, employees may choose to have the following personal information withheld from disclosure:

- Home Address,
- Phone number,
- Information that reveals whether they have family members, and
- Emergency contacts.

Please provide written notice to the Director of Human Resources if you wish to opt-out and have the above-identified information “exempted” from disclosure under the Texas Public Information Act. A request to deny public access to personal information is effective only for public information requests made after the date the employee submits to the request to deny access. New or terminated employees have 14 days upon hire/termination to choose whether to have either closed or public records. If a choice is not submitted to the Human Resources Department, employee records will remain open, at which point most personal information will be released to the public upon request. With respect to certain medical information protected by state and federal law and evaluation documents exempted from disclosure under State law, ILTexas will seek to exempt and protect such documentation from disclosure to the extent permitted by law.

### **Name and Address Changes**

Employment records must be kept up to date. Employees must notify Human Resources if there are any changes or corrections to their name, address, telephone number, marital status, and emergency contact information. Name change notifications must be submitted with the employee’s new social security card depicting the employee’s new name.

### **Employment Applications**

ILTexas relies upon the accuracy of information contained in the employment application, as well as the accuracy of other information presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in this information or data may result in ILTexas’ exclusion of the individual from further consideration for employment or, if the person has been hired, termination from employment.

### **Minimum Qualifications for Principals and Teachers, and Notification to Parents Regarding Teacher Qualifications**

ILTexas employs Principals, teachers and instructional staff members who are properly credentialed and qualified as required by state and federal law. Employment is contingent upon and subject to the employee submitting all required documentation in a timely and accurate manner and meeting all other employment requirements of ILTexas.

State law requires that ILTexas provide to the parent or guardian of each enrolled student written notice of the professional qualifications of the student’s classroom teachers. ILTexas will also provide this information upon request from a parent.

### **First Aid, CPR, and AED Certification**

Certain employees (i.e., physical education teachers and coaches) who are involved in physical activities for students must maintain and submit to the Principal/Supervisor and Anthony Knight, Senior Athletic

Coordinator, proof of current certification in first aid, cardiopulmonary resuscitation (CPR), and the use of an automated external defibrillator (AED). Certification must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification to Supervisor/Principal and the Senior Athletic Coordinator at the start of each school year and each time the employee is re-certified.

### **Conflicts of Interest**

It is the goal of ILTexas to avoid creating or maintaining circumstances in which the appearance or possibility of favoritism, conflicts or management disruptions exist.

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This section of the handbook establishes only the framework within which ILTexas wishes to operate. ILTexas' framework is also guided by applicable state and federal law governing conflicts of interest and nepotism applicable to Texas open-enrollment charter schools and nonprofit tax-exempt entities.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of ILTexas' business dealings and operations.

No "presumption of guilt" is created by the mere existence of a relationship with an employee, contractor or vendor that may be a potential conflict of interest. However, employees are required to disclose in writing to ILTexas 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 ILTexas. This includes the following:

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

Employees should contact their supervisor for additional information.

Nothing in this policy is meant to interfere with ILTexas' desire to encourage staff members to take part in civic, church, and other public services where opportunities to exhibit good citizenship are present.

### ***Non-Discrimination***

ILTexas does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations. These activities include, but are not limited to, hiring and firing of staff, selection of volunteers and vendors, and provision of services. We are committed to providing an inclusive and welcoming environment for all members of our staff, volunteers, subcontractors, and vendors.

ILTexas is an equal opportunity employer, and will take affirmative action measures to ensure against discrimination in employment, recruitment, advertisements for employment, compensation, termination, upgrading, promotions, and other conditions of employment against any employee or job applicant on the bases of race, color, gender, national origin, age, religion, creed, disability, veteran's status, sexual orientation, gender identity, or gender expression.

### ***Outside Employment***

Employees should not be engaged in outside employment that provides a conflict of interest or directly interferes with the employee's performance. Employees who wish to engage in any form of outside employment are required to disclose in writing to their immediate supervisor any outside employment and, if a potential or actual conflict of interest is present, have written permission from their immediate supervisor to engage in the outside employment. Supervisors will consider outside employment on a case-by-case basis and determine whether it should be prohibited because of a conflict of interest. Employees are prohibited from performing non-school work while on the job or using ILTexas equipment and/or supplies to perform non-school work.

### ***Employment of Relatives and Fraternization***

ILTexas is committed to providing equal employment opportunities to its employees. Intimate relationships have the potential to interfere with ILTexas' ability to provide equal employment opportunities for its employees, and in some instances, may constitute sexual harassment or other unlawful discrimination. To minimize potential conflicts of interest, ILTexas strongly discourages its employees from entering into intimate relationships with other employees for which they have professional supervisory responsibility.

While relatives of employees may be employed by ILTexas in accordance with applicable law, a familial relationship among employees can also create an actual, or at least a potential, conflict of interest in the employment setting, especially where one relative has professional supervisory responsibility over another relative. As of the date of the inception of ILTexas' charter, the Board has had hiring and firing authority, not the Superintendent. Additionally, ILTexas may not employ relatives of the Superintendent if the Superintendent has final hiring authority over the position sought, unless the relative of the Superintendent was hired prior to the date of the Board adoption of this policy. No employee shall be hired based solely on his or her family relationship with an ILTexas employee, administrator, or Board member. When a prospective employee-relative applies for a position with ILTexas, the prospective employee-relative shall disclose in writing his/her relationship to any current school employee, administrator, or Board member.

ILTexas may refuse to hire or assign a relative in a position where the appearance of or potential for favoritism or conflict exists or where otherwise prohibited by law. Employees shall also refrain from making hiring, firing or other decisions impacting the terms or conditions of employment of relatives. Where hardship exists, employees may appeal to the Superintendent in accordance with ILTexas' formal complaint procedures set forth herein.

Unless otherwise approved by the Superintendent for the remainder of the school year, if two employees marry, become relatives of each other or enter into an intimate relationship, they should not remain in a professional supervisory relationship. ILTexas will, at its discretion, attempt to identify other available positions, and allow one or both of such employees to apply for reassignment, or ILTexas may reassign the employees at its discretion. If no alternate position is available, ILTexas may terminate either of the employees at its discretion.

In other cases, where a conflict or the potential for conflict arises between an employee and another employee, even if there is no professional supervisory responsibility involved, the parties may be separated by reassignment to another position or terminated from employment, at the discretion of ILTexas.

A supervisor shall not have direct professional supervisory responsibility over a relative. In addition, all relatives shall be separated by at least two levels of direct reports. In other words, a supervisor-relative may not have an employee-relative be a direct report, and a supervisor-relative must place two non-relative employees, with supervisory roles, between himself/herself and the employee-relative.

No employment of relatives or fraternization will be allowed to be maintained, regardless of the positions involved, if it creates a disruption or potential disruption in the work environment, creates an actual conflict of interest or is prohibited by any legal or regulatory mandate.

For the purposes of this policy section, a “relative” shall include the following relationships: relationships established by blood, marriage or legal action. Examples include (but are not limited to) the employee’s: spouse, mother, father, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, stepparent, stepchild, aunt, uncle, nephew, niece, grandparent, grandchild or cousin. The term also includes domestic partners (a person with whom the employee’s life is interdependent and who shares a common residence) and, a daughter or son of an employee’s domestic partners.

### **Non-Disclosure**

The protection of confidential business information and trade secrets is vital to the interests and the success of ILTexas. Such confidential information includes, but is not limited to, the following:

- Curriculum systems;
- Instructional programs;
- Curriculum solutions;
- Student course work;
- Compensation data;
- Computer processes;
- Computer programs and codes;
- New materials research;
- Pending projects and proposals;
- Proprietary production processes;
- Research and development strategies;
- Technological data; and
- Technological prototypes.

An employee who improperly uses or discloses trade secrets or confidential business information belonging to ILTexas will be subject to disciplinary action, up to and including termination of employment and legal action, even if the employee does not actually benefit from the disclosed information. This does not include any disclosure of otherwise confidential business information or trade secrets in accordance with the Texas Public Information Act, Chapter 552 of the Texas Government Code, or other applicable federal or state law.

### **Textbook and Materials Acquisition**

Any ILTexas director, administrator, or teacher who receives any commission or rebate on any textbooks, electronic textbooks, instructional materials, or technological equipment used by the School may commit a Class B misdemeanor offense.

Any ILTexas officer, administrator, or teacher who accepts a gift, favor, or service given to the person, or to the School, that could not be lawfully purchased with funds from the state textbook fund, and that might reasonably tend to influence the person in the selection of a text electronic textbook, instructional material, or technological equipment may commit a Class B misdemeanor offense.

### **Copyrighted Material**

All ILTexas employees are required to abide by and comply with all state and federal laws governing

copyright, trademarks and other intellectual property. Federal copyright law protects “original works of authorship fixed in any tangible medium of expression.” Protected works include, but are not limited to:

- Literary works;
- Musical works, including any lyrics;
- Dramatic works, including any musical accompaniment;
- Sound recording; and
- Pictorial, graphic and sculptural works.

If employees use a protected work in an inappropriate manner, the action may constitute an “infringement” of federal copyright law. Infringement is similar to theft, and there are both civil and criminal penalties for such action. The use of copyrighted material may require the permission of the copyright owner. The absence of a copyright notice or symbol on a work does not mean it is not copyrighted. Under what is called the Fair Use Doctrine, school employees may use portions of copyrighted works without the owner’s permission if the use “serves a public purpose.”

Employees acknowledge and understand that the entire right, title and interest of any and all writings, works and other creations that they may prepare, create, write, initiate or otherwise develop as part of their efforts while employed by ILTexas shall be considered the property of ILTexas. This includes, but is not limited to, the development of a curriculum. These works will be “works for hire” and shall be the sole and exclusive property of ILTexas, including any copyright, patent or trademark or application thereof. Employees hereby assign and transfer to ILTexas all right, title and interest in such works and creations, including without limitation, all patent, trademark and copyright rights that now exist or may exist in the future. Employees further agree that at any reasonable time upon request, and without further compensation or limitation, they will execute and deliver any and all papers, applications or instruments that in ILTexas’ opinion may be necessary or desirable to secure the school’s full enjoyment of all right, title interest and properties herein assigned. Employees agree to not charge the school for use of their copyrighted, trademarked and patented material.

### **Proprietary Information**

Proprietary information includes all information relating in any manner to the business of ILTexas and its schools, students, parents, consultants, customers, clients, and business associates obtained by ILTexas employees during the course of their work. Occasionally, in the service of ILTexas’ mission, ILTexas may choose to share otherwise proprietary information (*e.g.*, best practices) with outside parties. Such documents will be prepared specifically for publication and dissemination. If an individual employee receives a request from an outside party for either paper or electronic copies of ILTexas documents, that employee should seek approval from ILTexas’ Legal Department before disseminating documents.

### **Performance Management Program**

ILTexas has instituted a Performance Management Program to evaluate employee performance. Employees will receive constructive coaching and counseling in conjunction with performance evaluations designed to address performance and develop skills. All employees will participate in the process with the Principal and/or their immediate supervisor at least annually. Principals and/or supervisors may also elect to complete additional period evaluations, as approved by the next level administrator.

### **Termination or Resignation**

Employees are employed at will and can be dismissed without notice or warning.

All school-owned property in the employee's possession must be returned to his or her supervisor upon separation from employment. Failure to return school-owned property constitutes theft of public property and will be reported to law enforcement.

In the event an employee has been terminated or resigns, it is the employee's responsibility to provide a forwarding address and telephone number. This information must be provided to Human Resources no later than December 31 of that year for W-2 purposes, and no later than the last day of work in the event of termination or resignation. In the event the W-2 or final paycheck is returned to ILTexas, the school will hold the W-2 or the final check until claimed by the former employee or by an individual authorized in writing by the former employee to collect the check and/or the W-2.

Exit packets and surveys will be provided via email for all employees leaving ILTexas. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time.

### ***Money Owed to International Leadership of Texas at Termination***

In the event of termination, whether voluntary or involuntary, ILTexas will, to the extent allowed by law, deduct from an employee's final paycheck and/or expense reimbursement any and all money owed to ILTexas for any reason, including, but not limited to charges for personal telephone calls, personal charges on any school credit card issued to an employee, any insurance premiums due, and any amounts that the employee may have been overpaid by ILTexas.

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

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

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

### **Employee Complaint Process**

In an effort to hear and resolve employee concerns or complaints in a timely manner and at the lowest administrative level possible, the Board has adopted an orderly grievance process. Employees are encouraged to discuss their concerns or complaints with their supervisors or an appropriate administrator at anytime.

#### ***Informal Process***

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

#### ***Formal Process***

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees.

#### ***Freedom from Retaliation***

Neither ILTexas nor any ILTexas employee shall unlawfully retaliate against an employee for bringing a

concern or complaint.

## **Process for Filing General Employee Complaints and Grievances**

The purpose of this grievance procedure is to entertain employee views and to resolve employee complaints and workplace conflicts in an efficient and expeditious manner at the lowest possible administrative level. In using and applying the policy, all participants are expected to remain courteous and to adhere to the Code of Ethics and Standard Practices for Texas Educators.

### ***Definitions***

For purposes of understanding the General Employee Complaints and Grievances Process, terms are defined as follows:

The terms “complaint” and “grievance” shall have the same meaning and may pertain to the following situations:

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 (including allegations of sexual harassment and/or wage discrimination on the basis of sex), race, religion, national origin, age, veteran status, or disability, following completion of an investigation by the designated compliance coordinator or designee set by policy;
3. Specific allegations of unlawful discrimination or retaliation based on the employee’s exercise of constitutional rights; or
4. Specific allegations of adverse personnel action in retaliation for reporting to an appropriate law enforcement authority of a violation of a law by an ILTexas employee, director, or officer. Employees making such complaints must initiate a grievance under the “general Employee Complaints and Grievances” procedures discussed below and within the time specified by law. Timelines for the employee and ILTexas set out in those guidelines may be shortened to allow the Board of Directors to make a final decision within 60 days of the initiation of the complaint, as required by law.

The term “day” shall be defined as a school business day. In calculating timelines under these procedures, the day a document is filed is “day zero,” and all deadlines shall be determined by counting the following school business day as “day one.”

### ***Complaint Rules***

1. Neither the Board nor any ILTexas employee shall unlawfully retaliate against an employee for bringing a concern or complaint informally or formally.
2. Employees filing a formal grievance must utilize ILTexas’ Grievance Forms for the corresponding grievance level. The forms are available from the Human Resources Department.
3. A grievant must specify the harm alleged by each individual named, as well as the remedy for that harm the grievant seeks. For purposes of efficiency and expediency, ILTexas’ grievance forms must be completed in all parts. Any grievance form that is incomplete in a material way may be dismissed, but may be re-filed with all the required information if the re-filing is within the designated time for filing a complaint.
4. An employee may not bring separate or serial grievances regarding the same event or action. Employee grievances addressing similar matters may be consolidated at ILTexas’ discretion.
5. A grieving employee may be represented by an attorney or advocate at any level of the grievance process.
6. The complaining employee must comply with all time limits applicable to the grievance process,

- unless such time limits are modified by mutual consent.
7. If the administrator addressing the complaint determines that additional time is needed to complete a thorough investigation of the complaint and/or to issue a response, the administrator shall inform the complainant in writing of the necessity to extend the response time and a specific date by when the response will be issued.
  8. School grievance officials who fail to meet a time requirement, without providing written notice of an extended deadline, shall be considered to have denied the grievance as effective the date of the missed deadline.
  9. The complaining employee shall present all reasonably available documents supporting their grievance at Level One.
  10. Grievance officials shall have the discretion to hold conferences, conduct interviews, conduct fact finding investigations, review relevant records and employ other means that will aid in their decision.
  11. Costs of a grievance shall be borne by the party incurring them.

### ***Employee Complaint Process***

***Informal Process:*** The primary process to handle all complaints and to resolve all conflicts is to handle them at the lowest level in the chain of command as possible. Every employee should use the weekly Red, Yellow, Green Feedback form. If in that process the issue is still not resolved to the satisfaction of the employee, the employee is encouraged to reach out to the next level of person in the chain of command. If the issue is still not resolved, this process should continue until it reaches the superintendent. At any time, every employee may also reach out to the Executive Director of Student Services for support in informal conflict resolution. Employees should make their concerns known as soon as possible, and attempt to reach an informal resolution prior to the expiration of five business days from the time the employee knew of or should have known of the event(s) giving rise to a complaint.

***Formal Process:*** The formal complaint process provides all employees with an opportunity to be heard up to the highest level of management. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the Board, as outlined below.

#### ***Level One***

Formal complaints must be filed within the later of (10) ten days of the date the employee first knew, or with reasonable diligence should have known, of the decisions or action-giving rise to the complaint or grievance, or (2) within ten days after the date a letter is mailed or e-mailed to the employee after completion of the informal grievance process and notifying the employee of the formal grievance process. Complaints must be submitted to the employee's immediate supervisor and the Executive Director of Human Resources. The complaint must be specific, referencing any law or policy alleged to have been violated, and/or the dissatisfaction raised by the employee. The complaint must also specify a remedy or remedies requested. ILTexas may, upon review of the grievance, require the employee to begin the grievance process at Level Two. A decision by ILTexas to require the employee to file at Level Two suspends the timelines under this procedure, so that the number of days between the filing of the Level One Grievance and the decision of ILTexas to require the employee to start at Level Two shall not be considered in determining the timeliness of a grievance.

The employee's immediate supervisor or designee shall serve as the Level One Grievance Officer. Within ten days of receipt of the written complaint, the Level One Grievance Officer will investigate the complaint and meet with the complaining employee and/or representative to consider the complaint. The Level One Grievance Officer will thereafter decide the grievance and, within ten days following the conference, provide a written Level One Grievance Decision to the employee.



Note: Employees alleging adverse employment action in retaliation for reporting a violation of law by a ILTexas employee, director, or officer may appeal directly from Level One to Level Three, bypassing Level Two.

#### Level Two

If the complaint is not resolved to the employee's satisfaction at Level One, or if no written decision is received from the Level One Grievance Officer within the time allotted, or if the employee is directed to do so by ILTexas, the employee may submit a written appeal to the Director of Human Resources by completing and submitting a Level Two Grievance Form. Unless otherwise provided by applicable policy or procedure, the Level Two Grievance shall explain the employee's objection to the Level One Decision, if any, and shall be filed within ten days after receipt of a Level One Decision or, if no response was received, within ten days of the response deadline at Level One. The Level Two record shall consist of the Level One Form and the Level One Decision, if available.

The Area Superintendent, Chief of Staff or their designee(s) shall serve as the Level Two Grievance Officer. The Level Two Grievance Officer will hold a conference with the grievant within ten days after the appeal notice is filed. At the conference, the Level Two Grievance Officer shall consider only the issues and documents presented at Level One and identified in the Level Two appeal notice. The Level Two Grievance Officer shall issue a written decision on or before ten days following the conference.

#### Level Three

If the complaint is not resolved to the employee's satisfaction at Level Two, or if no written decision is received from the Level Two Grievance Officer within the time allotted, the employee may submit a written appeal to the Superintendent or designee by completing a Level Three Grievance Form. Completed forms must be submitted to the Superintendent or designee within ten days after receipt of a Level Two Decision or, if no response was received, within ten days of the response deadline at Level Two. The Level Three record shall consist of any previously submitted Grievance Forms and, if available, the Level One and Level Two Decisions.

The Superintendent or designee will inform the employee of the date, time and place of a meeting with the Superintendent or designee, at which the complaint will be heard. This meeting will take place within ten days after the appeal notice is filed. The Superintendent or designee will serve as the Level Three Grievance Officer, and may set reasonable time limits and guidelines for the presentation. The Level Three Grievance Officer shall hear the complaint, and may request that the administration provide an explanation for the decisions at the preceding levels. The meeting with the Level Three Grievance Officer shall be recorded by audio recording, video/audio recording, and/or court reporter. The Level Three Grievance Officer shall review the complaint and the record, and shall issue a written Level Three Decision within ten days of the Level Three Conference.

#### Level Four

A grieving employee who is dissatisfied with the Level Three Decision, or is otherwise authorized to appeal to Level Four, may submit a written appeal to the Board of Directors using a Level Four Grievance Form. The Level Four Grievance shall explain the employee's objections to the decision from the level below, and shall be filed within ten days of the employee's written response of the prior Grievance Officer or, if no response was received, within ten days of the deadline for receipt of a Grievance Decision. The Level Four grievance record shall consist of all previously submitted Grievance Forms and, if available, the Level One, Level Two, and Level Three Decisions.

The Board shall then consider the grievance and may, at its discretion, require the appearance of the employee and administration. The Board may subsequently take action or no action. No action by the Board supports the Decision at the level below. If the Board takes action, it may make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting.

Grievances involving the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the employee bringing the grievance, may be heard by the Board in closed meeting. Grievances involving a complaint or charge against another ILTexas employee, director, or officer shall be heard in closed meeting unless an open meeting is requested in writing by the employee, director, or officer against whom the complaint or charge is brought.

The Board of Director's decision, if any, is final and may not be appealed.

### **Process for Employee Complaints and Grievances Regarding Harassment and Discrimination**

ILTexas takes allegations of harassment and discrimination very seriously and intends to investigate all official complaints. 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.

ILTexas will take appropriate actions for all substantiated allegations. Employees who believe they are being harassed or discriminated against are requested to take the following actions:

- In the event you feel you are a victim of harassment, you should contact your immediate supervisor and/or the designated Compliance Coordinator immediately. In the event your immediate supervisor is the alleged harasser, you should contact the next level of management immediately. Complaints against the designated Compliance Coordinator may be submitted to the Director of Human Resources.
- Any employees who are uncomfortable with face-to-face interaction may write down their complaints in a memo, and submit the memo to their immediate supervisor and/or the designated Compliance Coordinator.
- Any ILTexas employee who receives a report of suspected harassment or discrimination is expected to immediately contact the designated Compliance Coordinator.
- All complaints will be handled in a timely manner. Due to the need to investigate, absolute confidentiality may not always be possible. However, the complaint will be handled in as confidential a manner as possible. Except as required by law, under no circumstances will information concerning any employee's complaint be released by ILTexas to any third person or to anyone within ILTexas who is not involved in the investigation.

The purpose of this provision is to maintain impartiality and confidentiality to the extent possible. Both the reporting individual, victim and the accused have equal privacy rights under the law, and ILTexas must respond accordingly.

Retaliation against any person who in good faith reports or complains about harassment or discrimination is unlawful and will not be tolerated. Employees who take part in any retaliatory action will be subject to disciplinary action up to and including immediate termination from employment. Unlawful retaliation may include, but is not limited to, any of the following actions as a result of an employee's complaint or involvement in an investigation of harassment or discrimination:

- Demotion;
- Poor performance appraisals;
- Transfers;
- Assignment of demeaning tasks; or
- Taking any kind of adverse action against a person who complains or is involved in an investigation of sexual harassment or discrimination.

In addition to using ILTexas' complaint process, an employee may file a formal complaint with the Equal Employment Opportunity Commission ("EEOC") or Texas Workforce Commission ("TWC"). Additional information may be found by visiting <http://www.eeoc.gov/employees/charge.cfm>.

After receiving a complaint of prohibited discrimination or harassment, the Compliance Coordinator may, but need not, require the complaining employee to prepare a written report. Oral complaints will be reduced to written form. Upon receipt of a complaint, the Compliance Coordinator or designee shall promptly undertake an investigation. Following completion of the investigation, the Compliance Coordinator or designee shall prepare a written decision regarding the complaint.

An employee who is dissatisfied with the outcome of the investigation may appeal through the "Process for General Employee Complaints and Grievances" process described in this Handbook.

## **PART 4: COMPENSATION AND PAY SCHEDULE**

### **Payroll**

Employees are paid in accordance with administrative guidelines and an established pay structure. ILTexas' pay plans are reviewed by the administration each year and adjusted as needed. All positions are classified as exempt salaried, non-exempt salaried, or non-exempt hourly according to federal law. Professional employees and academic administrators are generally classified as exempt and are not entitled to overtime compensation.

Exempt employees are paid by the 28th of each month. ILTexas shall pay all salaried employees over 12 months, regardless of the number of months employed during the school year.

Non-exempt employees are paid semi-monthly, on the 15th and 28th, in accordance with the Texas Payday law, and receive overtime pay for each hour worked over 40 in a workweek. Employees should contact the Payroll Department for more information about ILTexas' pay schedules or their own pay.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated.

Pay dates are posted on the main website in Employee Access (Skyward).

The method of pay may be changed at any time, with or without advance notice.

### ***Compensation Committee***

ILTexas shall form a Compensation Committee, consisting of members (“Members”) appointed by the President of the Board of Directors and/or the Superintendent.

The Compensation Committee shall meet *at least* once per school year in order to review the report regarding recommended salary increases or decreases for all personnel, except campus teachers. The role of the Compensation Committee is to review the salary recommendations of ILTexas personnel to insure fairness, equitableness and that a conflict of interest does not arise. Should a majority of the Compensation Committee not agree on a particular salary recommendation, the Board of Directors shall make the final decision on the salary of the employee in which the Compensation Committee does not have a majority consensus.

In addition, the Administration shall highlight and provide a brief explanation of any employee-relative relationship to the Compensation Committee when submitting the aforementioned report. This report shall be submitted to the Board for review during the closed session portion of a regular Board meeting. To the extent that a Member’s relative comes before the Compensation Committee for review, then that Member shall recuse himself or herself from all discussions and recommendation regarding the Member’s relative.

### **Payroll Deductions**

Automatic payroll deductions for the Texas Teacher Retirement System (TRS) and federal income tax are required for all full-time employees. Medicare tax deductions are also required for all employees hired after March 31, 1986. Temporary and part-time employees who are not eligible for TRS membership must have Medicare and federal income tax deducted. ILTexas employees who are TRS eligible are not eligible for Social Security deductions.

Other payroll deductions employees may elect include, deductions for the employee’s share of premiums for health, dental, life, vision insurance, or annuities. All optional deductions from an employee’s paycheck must be authorized by the employee in writing. Salary deductions are automatically made for unauthorized or unpaid leave and for any necessary catch up of insurance premiums, to the extent allowed by law.

### ***Deductions Required by Law***

The following deductions are required by law and are withheld from every paycheck; no written authorization is required:

- ***Medicare***: The amounts withheld are based upon a tax rate set by law and are applied up to a certain specified amount of annual earnings. ILTexas is liable for an amount equal to the amount of tax paid by the employee at the time the wages are paid.
- ***Federal Withholding Income Tax***: Federal income tax will be withheld from each employee’s paycheck. The amount is shown on the paycheck stub under the heading “Federal Withholding.” The Internal Revenue Service (“IRS”) requires that deductions be made based on an employee’s gross earnings in accordance with established withholding tax tables in effect at the time of withholding. The classification used to determine the amount of tax withheld is taken from the Employee’s Withholding Allowance Certificate (Form W-4). The withheld tax is forwarded to the IRS, and the employee is given credit toward payment of their individual income tax. If the payroll department does not receive a completed W-4, ILTexas will withhold tax at the highest rate of single plus 0.
- ***Involuntary Assignment of Wages***: An involuntary assignment of wages – also called a garnishment – requires that ILTexas deduct certain amounts from an employee’s wages in order to repay the employee’s debts, such as child support and court ordered wage garnishments. ILTexas will make such deduction from an employee’s paycheck only upon receipt of official notice and/or paperwork from a court or governing body.

If you have questions why deductions were made from your paycheck or how they were calculated, please notify the Payroll Office.

### ***Administrative Pay Corrections***

In the event of an error in payment, the employee should notify the Payroll Department and send the necessary paperwork to correct the matter. Any questions concerning how or when corrections will be made should be directed to the Payroll Office.

### ***Overpayments***

Employees must inform the Payroll Office of known overpayments on any paychecks received. ILTexas will pursue all legal means necessary to recover overpayments.

### **Direct Deposit**

All faculty and staff are strongly encouraged to take advantage of direct deposit because of the many advantages it offers. In addition to being efficient and convenient, direct deposit is the most reliable method of receiving pay. Every employee participating in the program must sign a Direct Deposit Authorization Agreement form. A notification period of two weeks may be necessary to activate this service, depending on the employee's designated depository bank. Terminated employees with Direct Deposit will receive a paper check for their final paycheck within six calendar days of termination in accordance with the Texas Payday Act. **ALL FINAL CHECKS WILL BE PAPER CHECKS.**

### **Lost/Stolen Paychecks**

Lost or stolen paychecks should be reported to the Payroll Office immediately. ILTexas will issue a stop payment on the lost or stolen check. Only after the financial institution has notified ILTexas that payment of the check has been stopped can a new check be issued.

### **Unclaimed Payroll Checks**

In the event an employee does not collect their pay within 90 days, ILTexas will secure such pay and the wages will still be recorded. The employee will be required to present proper identification to ILTexas before pay will be reissued. If unclaimed pay is not claimed for a period of one year from its date of issuance, the pay amount "escheats" to the State of Texas pursuant to the Texas Property Code. After such time, the employee will need to contact the Unclaimed Property Division of the Texas State Comptroller's Office for instructions on retrieving deposited wages.

### **Authorized Check Pick Up**

ILTexas will release a paycheck to a third party, including a spouse, who is authorized in writing by the employee to receive the paycheck. Written authorization must be provided to the Payroll Manager prior to any paycheck being released.

### **Expense and Travel Expense Reimbursement**

Before any travel expenses are incurred by an employee, the employee must submit a requisition/purchase order. The supervisor must approve the requisition/PO prior to the date of travel. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by ILTexas. Employees must submit itemized receipts, to the extent possible, to be reimbursed for expenses other than mileage.

**Use of Employee Vehicles for School Business.** Employees may from time to time use their own vehicles

for school business, such as attending conferences. The employee must submit a requisition/purchase order to their supervisor for approval. Once the approved travel request is submitted, the employee is eligible for reimbursement. Employees are required to carry personal auto liability insurance at all times. No ILTexas insurance coverage is provided for vehicle repairs to an employee's vehicle in the event of an accident. The owner is responsible for all repairs. Employees should immediately report all accidents to his/her insurance company.

### **Wage and Tax Statements**

All employees will receive a Wage and Tax Statement (Form W-2) showing their annual earnings and the amounts deducted for Social Security, Medicare, and federal income taxes. Additional earnings and deductions that may be included, if applicable, are social security tips, allocated tips, advance earned income credit, and dependent care benefits. W-2 forms will be prepared by ILTexas and distributed on or before January 31st of each year.

### **Fair Labor Standards Act (FLSA)**

#### ***Employment Categories***

It is the intent of ILTexas to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility.

These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at-will at any time is retained by both the employee and ILTexas.

Each employee is designated as either EXEMPT or NON-EXEMPT under federal and state wage and hour laws in accordance with applicable federal law. NON-EXEMPT employees are entitled to overtime pay under the specific provisions of federal law. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NON-EXEMPT classification may be changed only upon written notification by ILTexas, and in accordance with applicable federal law.

Exempt status applies to the position and not the employee. Exempt simply means the position the employee fills is exempt from the Fair Labor Standards Act ("FLSA"), and is not entitled to overtime compensation. All Professional employees are considered Exempt. Exempt employees are paid on a salaried basis, and their salary is not reduced for absences of less than one full day. However, any full days of absence taken in excess of the employee's allotment/service record accumulation of sick or personal leave will result in an employee payroll deduction calculated on a pro-rated daily rate.

Non-exempt positions are those positions that are not exempt from the FLSA. Non-exempt positions require the school to pay the employee overtime rates (time and a half) for all hours worked in excess of 40 during a workweek. The key phrase here is "hours worked." An employee may work 32 hours in a week and have 16 hours of vacation time. This would reflect as 48 hours on a paycheck, but for overtime calculation, the employee actually worked 32 hours – so overtime would not be paid. All employees in positions that are classified as non-exempt will be required to maintain a time card or record, and will be eligible for overtime pay in accordance with the appropriate Wage and Hour laws.

ILTexas' positions are reviewed and assigned an FLSA (exempt or non- exempt) status that is maintained on a master record by ILTexas Employees may obtain this information from the Human Resources Department upon request.

#### ***Timekeeping***

Federal and state laws require ILTexas to keep an accurate record of time worked in order to calculate

employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. Employees are not to estimate future hours and include them on their time card.

Non-exempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. This work log should be recorded as it takes place – not several hours or days later. Overtime work must always be approved before it is performed.

#### Time Clock Guidelines for Non-Exempt Employees

ILTexas will be transitioning to an electronic time keeping system called “True Time.” The electronic time keeping system will enable you to more accurately keep track of your time. It will also allow ILTexas to more efficiently process your time worked for payroll purposes. In order for this system to work to its fullest potential, we are asking all non-exempt employees to follow the guidelines outlined below.

#### Official Time of Records

The True Time electronic time keeping system and associated work records will become the official basis for recording hours worked for non-exempt employees of ILTexas. Any disputes over actual hours worked or attendance will be resolved by referring to the True Time records. Employees will be required to submit their time sheets electronically to their supervisor.

#### Daily Clock In/Out Requirements

All non-exempt employees will be required to “clock-in” in the morning and “clock-out” at the end of the workday at their respective locations. Lunch breaks will also require clocking in/out. Missing a clock in/out requires a note be added as to the reason for the missed clock in/out (this will apply to paraprofessional support staff only). All other non-exempt employees will need to complete a missed clock in/out form and turn into their supervisor to enter into the True Time System (Employee Access- Web Post Document Center).

Other requirements and guidelines include:

- Employees are expected to clock in by their scheduled start time.
- Employees shall not clock out before their scheduled ending time, unless authorized to do so by their supervisor. If a non-exempt employee that is paid on an annualized basis clocks out early, they shall use leave or time not worked will be deducted from their pay.

#### Falsification, Tampering, and Unauthorized Viewing

The following actions are considered a violation and could result in immediate disciplinary action including termination.

- Any attempt to tamper with timekeeping hardware or software.
- Clocking in/out for an absent or late employee (a.k.a. “buddy punching”).
- Interfering with other employee’s use of the True Time System.
- Unauthorized viewing of another employee’s time in the True Time System.

The supervisor will review the specific details of any and all infractions and develop an appropriate response.

#### Clock Problems

Employees are responsible for correcting time sheets if they are unable to clock in/out because of a time clock malfunction or accidental oversight. Paraprofessional support staff can make these corrections with notations; all other non-exempt employees need to report immediately to their supervisor for correction. Excessive

“edits” to time sheet may result in revoking of edit privileges and possible disciplinary action.

### Unreported Hours

Intentional or careless working off the clock is prohibited. Employees are required to clock in before performing any work. Employees are not permitted to clock out and continue to work. Forgetting to clock in/out is not a legitimate reason for working off the clock. Non-exempt employees are not allowed to work from home.

### Processing of Electronic Time Reports

The payroll office will import time sheets on a weekly basis. Employees must submit their time sheets to their supervisor no later than Monday for the previous weeks’ time worked. Each supervisor or designee will review/ sign and submit to payroll for processing.

### ***Minimum Wage and Overtime***

ILTexas compensates overtime for non-exempt employees in accordance with federal wage and hour laws. Only non-exempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Overtime should always be authorized in advance by a supervisor. Overtime will be calculated based on the actual hours recorded and credited to the employee, as measured by the True Time System.

Non-exempt employees are not authorized to work beyond their normal work schedule without ADVANCED approval in writing from their supervisor. Employees that work unauthorized overtime could be subject to disciplinary action, up to and including termination.

## **PART 5: EMPLOYEE BENEFITS**

The benefits information in this handbook is only a summary of benefit plans offered by ILTexas. This general explanation is not intended to and does not provide employees with all the details of these benefits. This Handbook does not change or otherwise interpret the terms of the official plan documents. If there is any conflict or difference between the information in this Handbook and the plan documents, the plan documents will govern. ILTexas reserves the right to change or end these benefits at any time and for any reason, consistent with all laws. Additionally, benefit eligibility is dependent upon a variety of factors, including employee classification. If employees would like additional information related to any benefits offered by ILTexas, please contact the Employee Benefits Department.

Substitute teachers and temporary employees may be eligible for the benefits described in this section in accordance with the Patient Protection and Affordable Care Act and other applicable rules and regulations governing ILTexas’ benefit plans.

### **Health and Life Insurance**

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees at the following website: <http://www.mybenefitshub.com/iltexas>. Employees should contact the Benefits Office for additional information.

New employees must complete enrollment within the first 30 days of employment. All new employees must complete the enrollment process even if waiving coverage. Except for qualifying events such as marriage, births, or job changes, new employees will only be able to add, change or drop selected benefits once every twelve months during ILTexas’ open enrollment period communicated by the Benefits Department.



Qualifying event changes must be made within 30 days of the qualifying event date. This applies to all employees regardless of whether or not they participate under the Section 125 cafeteria plan.

All employees and their eligible dependents should be aware that HIPAA privacy laws may prevent Benefits Department staff members from discussing personal health information concerning another member of your family.

### **Benefit Offerings**

ILTexas currently offers the following benefit programs to eligible employees in the manner prescribed by law:

- Teacher retirement.
- Health coverage benefit.
- COBRA.

Benefits eligibility is dependent upon a variety of factors, including employee classification. The employee classification can identify the programs for which you are eligible. Some benefit programs require contributions from the employee; some are fully paid by ILTexas.

### **Health Coverage Benefits**

Group health insurance coverage is available through TRS Active Care to eligible employees in accordance with TRS Active Care provisions. Employees may access the TRS website at: <https://www.trs.texas.gov/Pages/Homepage.aspx>.

### ***Eligibility***

1. Employees who are active, contributing TRS members.
2. Employees who are not contributing TRS members and who are employed for ten (10) or more regularly scheduled hours per week.
3. TRS Retirees who are enrolled in TRS-Care (Retiree Health Insurance Program) are not eligible to participate in TRS ActiveCare.

ILTexas' medical coverage plan(s) is/are reviewed annually and approved as needed by the Board of Directors. ILTexas' annual contribution to the plan(s) is/are also reviewed on an annual basis by the Board of Directors. Detailed information and descriptions of coverage, premiums, and eligibility are available through ILTexas.

### **TRS Retirement**

Employment that makes one eligible for membership in TRS is:

- Regular employment in a public, state-supported educational institution in Texas that is expected to last for a period of four and one-half months or more;
- For one-half or more of the standard full-time workload; and
- With compensation paid at a rate comparable to the rate of compensation for other persons employed in similar positions.

An employee of a public, state-supported educational institution in Texas meets these requirements if the member's customary employment is for 20 hours or more each week and for four and one-half months or more in one school year.

Full-time service is employment that is usually 40 clock hours per week.

If the TRS-covered employer has established a lesser requirement for full-time employment for certain positions, full-time service includes employment in those positions. In no event may full-time employment require less than 30 hours per week.

All new TRS Eligible employees may start their medical coverage on the 1st of the month following their hire date. At no time will employees be eligible for coverage before the first day worked by the employee. If an employee does not enroll within 31 days of eligibility, that employee will be eligible to enroll during the next open enrollment opportunity.

All regular employees of the public education system in Texas (employed for four and one-half months or more, for one-half time or more of the standard full-time workload, and paid at a rate comparable to other persons employed by that employer in similar positions) must participate in TRS, unless an exception to TRS membership applies.

The exceptions to TRS membership include but are not limited to:

- A substitute, as defined by TRS Rules (To be considered a substitute, the individual must be serving in a position currently held by another employee and paid at a rate of pay that does not exceed the rate for substitute work established by the employer.);
- A person employed on a temporary (less than four and one-half months), part-time (less than one-half time), seasonal, or on an irregular basis.

Substitutes not receiving TRS service retirement benefits that work at least 90 days a year may also be eligible for TRS membership and to purchase one year of creditable service. TRS provides members with an annual statement of their accounts showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

ILTexas will make all required contributions for employees eligible for TRS benefits on a timely basis. Individuals who are planning retirement and retirees who are considering employment after retirement should contact the Human Resources for the current administrative procedures regarding ILTexas Retire/Rehire Policy.

Employees can contact TRS by calling 800-223-8778 or 512-542-6400. TRS information is also available on the web at [www.trs.state.tx.us](http://www.trs.state.tx.us).

### **Benefits Continuation – COBRA**

ILTexas will notify employees of their potential rights under COBRA upon separation from employment with the school.

### **Other Benefits**

From time to time, ILTexas may offer its employees the option to additionally purchase and/or participate in various other benefits and insurance programs, subject to the terms and conditions of the various programs.

### ***Cafeteria Plan***

Financial Benefit Services is the Third Party Administrator that provides online benefit enrollment. National

Benefit Services is our Section 125 provider.

### **Unemployment Compensation Insurance**

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

### **Workers' Compensation**

ILTexas provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. It becomes effective on the employees' first day of employment. Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

An employee receiving workers' compensation wage benefits may elect to receive accrued paid leave benefits, whether or not such employee is on family and medical leave. If the employee makes such an election, ILTexas shall pay the difference between the weekly income benefit received under workers' compensation, and the employee's regular weekly compensation, and shall charge leave proportionately.

An employee whose accumulated leave is exhausted prior to or during an absence for a work-related injury or illness shall be placed on an unpaid leave of absence. Except while on family and medical leave, the employee shall be responsible for full payment, in advance, of all premiums for insurance benefits during such leave of absence.

Upon release from workers' compensation for regular or accommodated duty, the employee must submit a written request for reinstatement of employment. The request must be accompanied by a physician's statement certifying the employee's fitness to return to work. If the release is for an accommodated-duty position, the return to work shall be coordinated by HR and the Benefits Coordinator.

Except as required under the temporary disability law, an employee released from workers' compensation shall be considered for a position for which the employee is qualified, provided such a position is available. If no position for which the employee is qualified is available at the time the employee requests reinstatement, the employee shall be considered for a subsequent vacancy. Failure of an employee to report to ILTexas upon release from workers' compensation leave within three days, or refusal to accept an offered position, shall constitute a resignation.

### ***Mandatory Requirements***

Workers' Compensation Insurance covers all employees during the time they are on the job.

- Covered injuries and illnesses may be physical or mental and specific or cumulative.
- An injury is considered job-related when it arises out of and in the course and scope of employment.
- The activity that caused the injury must also be an activity that is in the course and scope of employment.

### ***Denial of Workers' Compensation Insurance Benefits***

Except as otherwise required by state law, injuries not covered by Workers' Compensation Insurance include those where the employee:

- Was intoxicated on alcohol or drugs.
- Was in the process of committing a felony (and has been convicted).
- Was participating in a social or recreational activity off-duty that was not directly related to his or her work.
- Was commuting to or from work unless doing so under the direct control or orders of ILTexas on school-related business.
- Caused the injury intentionally, or committed suicide.
- Was “horsing around” or fighting on the job.
- Violated a school safety policy or procedure.

If ILTexas denies a Workers’ Compensation Insurance claim:

- The employee may contest the decision in accordance with the provisions of the Workers’ Compensation laws of the State of Texas.
- All costs incurred by the employee in contesting a denial of the claim shall be the sole responsibility of the employee.
- ILTexas is not obligated to make any commitments or statements pertaining to its liability concerning an employee’s injury or illness.

### ***Reporting Requirements***

Any employee suffering an injury or illness that is work related is responsible for immediately reporting that illness or injury – no matter how minor – to his or her supervisor. The employee should not attempt to make any medical decisions on his or her own. The supervisor will assist the individual immediately to obtain all the details of the incident and the identities and contact information of any witnesses, if necessary.

All appropriate incident forms must be completed and submitted to ILTexas’ insurance carrier within 24 hours of the incident. Additionally, the employee may be required to participate in a post-accident drug and alcohol test within 24 hours of the accident.

Employees desiring information about ILTexas’ position on the Workers’ Compensation Insurance claim will be informed only that ILTexas and/or its insurance carrier is conducting an investigation. All questions and claims regarding workers’ compensation should be referred to ILTexas. An employee receiving workers’ compensation wage benefits shall be assigned to FMLA leave, if applicable.

### ***Request for Leave***

Any employee whose job-related injury or illness will prevent him or her from reporting to work within one week following the initial incident should contact Human Resources during the first week of the absence. Workers’ Compensation Insurance leave may be granted for situations in which there is a physician’s written statement indicating that a leave of absence is required.

The physician’s statement must provide adequate details, acceptable to ILTexas, regarding the nature of the disability and the anticipated length of absence from work. ILTexas may, at its discretion and expense, require another medical opinion by a physician. ILTexas reserves the right to select the physician to examine and treat the injury or illness, to seek additional medical opinions, and to deny benefits where there is insufficient evidence that the illness or injury arose out of or occurred in the course of employment.

If a leave of absence is needed in the case of a legitimate Workers’ Compensation Insurance injury or illness,

the employee shall be paid according to the state schedule, and shall remain on leave until he or she is released by a physician's statement.

### ***Fraudulent Claims for Workers' Compensation***

Filing a false or fraudulent claim is a violation of law and ILTexas policy, and may result in disciplinary employment actions, including termination of employment.

### ***Return to Work Policy***

Upon expiration of a Workers' Compensation absence, and prior to returning to work, the employee must obtain and submit a physician's release to Human Resources.

Potential employment following such Workers' Compensation absence shall be determined based on the type of leave for which the employee qualifies. All employees qualifying for leave under the Family Medical Leave Act ("FMLA") or Uniformed Services Employment and Reemployment Rights Act ("USERRA") shall be placed in a like or comparable position upon their release to return to work or as otherwise required by law. Employees returning within the Extended Leave period, defined later in this Handbook, may return to a previously-vacated position, at ILTexas' discretion subject to availability, upon release to return to work. If the position is unavailable, the employee may be assigned to a substantially similar position or another suitable position for which the employee is qualified, subject to availability. If no position is available, the employee's name may be placed on the substitute roster, if any, and the employee may be considered for a subsequent vacancy along with other applicants. Employees exceeding the 30-day Extended Leave period will have been considered to have resigned and/or separated from employment due to unavailability to work, but will be able to reapply for any vacancies, subject to qualifications and availability of job openings.

### ***Early Return to Work Qualifying Terms and Definitions***

- The employee must have a temporary disability due to an "Employment Related Injury," which is defined as an injury or occupational disease that arises out of the course and scope of employment and is a compensable injury or illness, as defined under the Texas Workers' Compensation Act (the "TWCA").
- "Physician" means a doctor of medicine, osteopathic medicine, optometry, dentistry, podiatry, or chiropractic who is licensed and authorized to practice as defined in the Texas Workers' Compensation Rules (Texas Labor Code, Title 5, Subtitle A).
- Return to Work (RTW) is a temporary Modified Duty position to which an employee is assigned when he or she is unable to return to his or her regular position following an Employment Related Injury. The RTW position temporarily addresses the restrictions placed on an individual by the employee's treating Physician. The employee will receive their regular pay during the Early Return to Work period.
- RTW Eligibility: To be eligible for participation in the RTW Program, an employee must provide a written statement (Form TWCC-73) from his or her treating physician that the employee.
- is: (1) temporarily unable to perform his or her essential duties, following an employment related injury or illness; and (2) capable of carrying out work of a lighter or modified nature from his or her regular duties and is expected to return to his or her regular duties within 90 calendar days.

### ***Early Return to Work Procedure***

- Once notified of an on-the-job injury or illness, an immediate supervisor must complete a First Report of Injury (TWCC-1) for Workers' Compensation, and HR will inform the employee in writing of the

#### Return to Work Program.

- The employee must be seen and evaluated by his or her physician to determine if the employee is able to return to work and if so, with or without restrictions. At the time of the evaluation, the employee must inform the physician of the Return to Work Program, and provide a copy of the employee's regular job description that identifies the essential functions of the job and its requirements.
- When the employee is able to return to work with restrictions, the employee's physician must complete the TWCC 73 Work Status Report, indicating the specific restrictions, and the duration of those restrictions. Clarification regarding temporary restrictions may be requested of the treating physician.
- Taking into consideration the information provided by the physician, Human Resources will determine if a temporary RTW assignment may be offered. ILTexas may not be able to offer an RTW assignment in all circumstances.
- A decision on RTW placement will be based on the following criteria:
  - Employees with no restrictions and a valid medical release/TWCC-73 will be returned to regular duty status.
  - Employees with a valid medical release/TWCC-73, which indicates physical limitations, may be placed on regular duty status if those limitations do not impede the employee's ability to perform their regular work.
  - Employees with a valid medical release/TWCC-73, which indicates physical limitations that would prevent the employee from performing their regular duties, may be placed in other work assignments, if accommodations can be made.
- Once Human Resources has approved participation in the RTW Program, the Director of Human Resources will present the employee with a RTW (Modified Duty) job offer letter. This letter shall include:
  - The position offered.
  - The location and duties of the position offered.
  - The schedule of the position offered.
  - The duration of the temporary work assignment.
  - A statement that ILTexas will only assign a position or duties consistent with the employee's knowledge and skills, and will provide training if necessary.
  - A statement acknowledging that the employer is knowledgeable about and will abide by the limitations under which the treating physician has authorized the return to work.

#### ***Refusal of Return to Work Offer***

An employee may choose to accept or refuse the RTW (Modified Duty) job offer. However, an employee who refuses a Modified Duty job offer or bona fide offer of employment is subject to termination. Rejection of such a job offer might also result in cancellation of income benefits under Workers' Compensation Insurance.

#### ***Duration of Early Return to Work Assignment***

RTW assignments are temporary in nature. All job accommodations will cease when an employee receives a valid release for regular duties from his or her physician. A RTW with Modified Duty offer will be extended for an initial period not to exceed 90 calendar days. The duration of approved time will be based upon the information provided by the employee's physician. If the employee is unable to return to work at full duty after the initial approved time, he or she may request a continuation of RTW Modified Duty not to exceed a total of 90 calendar days in a Modified Duty capacity.

An employee requesting an extension of Modified Duty, beyond the originally approved amount of time in the RTW with Modified Duty offer letter, must submit documentation to the department of Human Resources from his or her Physician. This document should include what limitations continue to exist, and the probable

duration of those limitations.

If an employee is unable to return to work at full duty after 90 calendar days, he or she may request a continuation of Modified Duty not to exceed a total of 180 calendar days in a Modified Duty capacity. Approval beyond 90 calendar days will be based upon the assessment of the employee's ability to return to full duty within the immediate future. An employee requesting an extension beyond 90 calendar days must submit updated information from his or her physician.

An employee who is unable to return to his or her regularly assigned duties at the end of the RTW Modified Duty agreement may elect to terminate his or her employment with ILTexas Provided that employee has exhausted any entitlements under the FMLA, an employee who is unable to return to work at the end of the RTW Modified Duty agreement may be terminated in accordance with the Extended Leave and Absence Control section of this Handbook.

An employee who believes that his or her condition is a qualifying disability and that he or she is a qualified individual with a disability under the ADA may request and pursue accommodations under the ADA.

## **PART 6: EMPLOYEE ATTENDANCE AND LEAVE**

ILTexas offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than five days should call the Human Resources Department for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with ILTexas.

### **Attendance**

Employees shall be available full-time during their regular work hours, as defined by their letter of agreement. Any scheduling changes must be discussed with and approved by the employee's immediate supervisor and/or the Principal.

### ***Absence***

Employees are responsible for notifying their immediate supervisor and/or the Principal of late arrivals, early departures, and absences. When the need for being absent from or late to work is known in advance, the employee must give notice as far in advance as possible. All employees are required to submit leave requests through Skyward Employee Access or Aesop for all days missed. The True Time System is an electronic timekeeping system only.

### ***Excessive Absenteeism or Tardiness***

Excessive absenteeism, tardiness, and leaving work prior to the designated time constitute grounds for any of the following disciplinary action:

- Disciplinary probation.
- Denial of pending or future promotion.
- Production of medical certification of reason or reasons for absences and/or tardies.
- Any other appropriate disciplinary measure, including suspension or termination of employment.

### ***Notice of Unexpected Absence***

When employees who have not given advance notice find that they cannot report for work, they are required

to notify their supervisor and/or the Principal within the first working hour each day of the absence. Notification to an employee other than the appropriate supervisor and/or Principal is insufficient.

### ***Failure to Give Notice – Job Abandonment and Voluntary Resignation***

Failure to report to work without supervisor approval and/or to provide notification of an absence to a supervisor for two consecutive workdays (unless prevented by circumstances beyond the employee’s control) may be considered to be job abandonment and/or voluntary resignation on the last day worked, in accordance with applicable federal and state law.

In the event of job abandonment or voluntary resignation, all school-owned property (e.g., keys, uniforms, etc.) must be returned immediately upon termination of employment.

No payment shall be made for sick leave or any other type of leave upon voluntary resignation or job abandonment, regardless of whether or not the employee provided advance notice of resignation.

### **Non-Duty Leave**

Each year, the Board of Directors will establish a school calendar indicating school holidays and closures. This calendar is distributed to each ILTexas employee.

### **Local Leave Overview**

ILTexas provides leave days to all full-time employees to provide them with the flexibility to attend to their personal and medical time-off needs. Please contact Human Resources for information regarding your eligible paid time off balances.

All employees will earn a total of eight local leave days per year. ILTexas may designate up to **five days per year** as “state leave days” on an employee’s official service record. However, **ILTexas cannot guarantee that the five days of annual local leave designated as “state leave days” will transfer to another Texas public school.** This is because, as an open-enrollment charter school, ILTexas does not participate in the “state leave” program described in Chapter 22 of the Texas Education Code. Thus, the five days of annual local leave designated as “state leave” may not transfer to another charter school or school district if an employee leaves service with ILTexas.

Local Leave is to be used for the following reasons:

- Employee illness.
- Illness in the employee’s immediate family.
- Family emergency (i.e., natural disasters or life-threatening situations).
- Death in the immediate family, defined as an employee’s parent, stepparent, child, stepchild, sibling, grandparent, aunt, uncle, or cousin.
- Active military service, in conjunction with any applicable military leave of absence.
- Absence for other personal reasons.

Exempt (salaried) employees must take local leave in full or half day increments. Non-exempt (hourly) employees must take local leave in hourly increments in agreement with the number of hours of the absence.

### ***Approvals for Local Leave Days***

Requests for leave shall be considered on a first come, first serve basis. The employee shall submit a written request for discretionary use of leave to the immediate supervisor or designee five days in advance of the



requested leave date. In deciding whether to approve or deny leave, the supervisor or designee shall not seek or consider the reasons for which an employee requests to use leave. The supervisor or designee shall, however, consider the effect of the employee's absence on the educational program or school operations, as well as the availability of substitutes.

### ***Duration of Leave/Schedule Limitations***

Local leave may not be taken for more than three consecutive days, except in extenuating circumstances as determined by the Principal. Local leave shall not be allowed in the following circumstances:

- The first week of school;
- Days scheduled for end-of-semester or end-of-year exams, days scheduled for state-mandated assessments or for school achievement tests;
- Days scheduled for professional or staff development and/or in service training;
- Within three days of a scheduled holiday (before or after) unless a request is submitted at least 30 days in advance of the requested time off and such request is approved; and
- Local leave requested to be taken within 30 days of the last day of school must be requested 30 days in advance of the requested time off.

Any leave taken for which leave balances are insufficient shall result in a deduction from the employee's paycheck commensurate with the amount of leave taken, to the extent allowed by law.

Personal leave by reason of illness, two or more days in duration, may require a doctor's note upon return to work.

### ***Forfeiture of Accrued Leave***

Any unused paid accrued leave, regardless of what the leave is called (*e.g.*, sick leave, local leave, vacation, discretionary leave, etc.), is forfeited upon separation from employment, whether voluntary or involuntary.

If an employee leaves ILTexas before the end of the work year, the amount of wages, based on the employee's daily rate, for any unearned leave days taken by the employee shall be deducted from the employee's final paycheck in accordance with applicable law.

### **Limitations on Leaves of Absence**

If an employee does not return to work within 10 calendar days after exhausting all available paid and unpaid leave, ILTexas shall provide the employee written notice that he or she no longer has leave available for use. ILTexas shall automatically pursue termination of an employee who has exhausted all available leave, regardless of the reason for the absence. The employee's eligibility for reasonable accommodations, as required by the Americans with Disabilities Act (ADA), shall be considered upon termination. If terminated, the employee may or may not be eligible for reemployment with ILTexas.

### **Emergency Leave Pool – Donated Local Leave Days**

#### ***Purpose***

ILTexas is pleased to make available to eligible employees the option of donating unused leave as emergency leave (the "Emergency Leave Pool"). The purpose of the Emergency Leave Pool is to provide additional leave days to employees who have exhausted all available leave due to an extended serious, catastrophic, or unforeseen illness, injury, or impairment or death of a relative.

### ***Scope***

All benefit eligible employees who accrue and use sick leave, are eligible to become a member and donate to and withdraw from the Emergency Leave Pool. This program is not available to temporary employees who do not earn leave.

### ***Emergency Leave Pool Guidelines***

1. To become a member, benefit eligible employees are required to contribute at least one sick day to the emergency leave pool. The contribution of at least one leave day on September 1st of each fiscal year will establish membership in the pool.
2. Employees with less than one year of service to ILTexas, will have their requests reviewed by the committee to determine if there any pre-existing conditions that might disqualify from receiving benefits from the emergency leave pool.
3. Membership and contributions to the emergency leave pool are voluntary.
4. Contributions to the emergency leave pool will be accepted in September of each year. If the balance of the available emergency leave pool days falls below an amount that the Executive Director of Human Resources deems prudent, the Executive Director may authorize a special contribution period. Human Resources will announce the exact dates each year for contribution(s).
5. The Office of Human Resources will be responsible for guarding the privacy of emergency leave pool recipients and donors. Communications will be kept confidential between all parties.
6. Contributions will be accepted by completing an Emergency Leave Pool Donation Form available on the Human Resources webpage. A benefit eligible employee may contribute a minimum of one day up to a maximum of five sick days per fiscal year.
7. Any participating employee may request a withdrawal. All requests for withdrawal from the Emergency Leave Pool must be made in advance of anticipated use.
8. Withdrawals from the Emergency Leave Pool are permitted only for serious, catastrophic, or unforeseen illness, injury or impairment of the employee or relative, including death of a relative, that meets the following criteria. The employee (a) must have exhausted all sick, local and state leave and the employee will have to take leave without pay and (b) requires continuing treatment or supervision by a licensed health care provider, and also (c) requires absence from work of at least five days per illness or episode.
9. Withdrawals from the Emergency Leave Pool may only be taken in increments of full days.
10. Withdrawals may only occur to the extent of the Emergency Leave Pool contributions available for withdrawal and the beneficiary has no leave time available.
11. A participating employee who is receiving workers' compensation or receiving any governmental funded disability may not withdraw from the Emergency Leave Pool.
12. A participating employee may not withdraw more than 20 days per year. If an employee anticipates being unable to work, the employee should contact Human Resources regarding the emergency leave pool policy.
13. A participating employee receiving leave days from the pool will not accrue additional leave for those days.
14. At the end of any fiscal year, all Emergency Leave Pool hours are carried forward to the next year.
15. The administration of the policy and approval of Emergency Leave Pool withdrawals are the responsibility of the Office of Human Resources. All request for withdrawals will be reviewed by five emergency leave pool committee members.

### ***Procedures***

1. The Executive Director of Human Resources will notify all employees of the open contribution period

- for the Emergency Leave Pool.
2. Benefit eligible employees must complete an Emergency Leave Pool Donation form and submit to the Office of Human Resources. Participants must contribute a minimum of 1 day and up to 10 days per year in full day increments to become a member.
  3. New benefit eligible participants will be immediately eligible to become a member and join the pool after they have accumulated at least one day of Emergency Leave to contribute.
  4. Emergency leave contributions will be deducted from the contributing employee's accumulated sick leave balance after the open contribution period closes.
  5. The Emergency Leave Pool Request form must be accompanied by an FMLA Certification of a Health Care Provider verifying the nature and expected duration of the illness or injury. If the employee is not eligible for FMLA due to not being employed for one year, this may be waived at the discretion of the committee. If an employee is incapacitated, a family member or designee may request leave from the Emergency Leave Pool on the employee's behalf with medical documentation.
  6. Emergency Leave Pool Request should be submitted to the Office of Human Resources for approval.
  7. The emergency leave pool committee will review the nature of the illness, anticipated duration as indicated by the licensed health care provider's statement, the number of days requested to be withdrawn then make a determination of the number of days to be withdrawn. In making the decision, the committee shall be guided by the facts underlying the request, the available days in the Sick Leave Pool, and other factors that the committee may deem relevant to the decision. If the member is released to return to work prior to the expected date, the unused days will remain in the pool.
  8. In the case of an appeal, all information will be submitted to the pool committee members who will then make a final decision.
  9. The appeal decisions of the pool committee members shall be final and binding and are not subject to the ILTexas grievance procedure or litigation.
  10. For questions regarding the Emergency Leave Pool program, or to request a withdrawal, please contact the Office of Human Resources.

### **Family and Medical Leave Act (FMLA)**

The Family and Medical Leave Act ("FMLA") provides employees who meet certain eligibility criteria with unpaid leave for certain family and medical reasons during a 12-month period. During this leave, eligible employees are entitled to continue group health plan coverage as if they had continued to work. At the conclusion of the leave, subject to some exceptions, eligible employees generally have the right to return to the same or an equivalent position and equivalent pay, benefits and working conditions.

**NOTE: The following FMLA provisions and references to FMLA in this Handbook and in Board policy are applicable only to employees eligible for FMLA.**

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

**Basic Leave Entitlement.** The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or childbirth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

**Military Family Leave Entitlements.** An eligible employee whose spouse, son, daughter or parent is on covered active duty or called to covered active duty status may use his or her 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post- deployment reintegration briefings.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service-member during a single 12-month period. A covered service-member is (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. \*The FMLA definitions of “serious injury or illness” for current service-members and veterans are distinct from the FMLA definition of “serious health condition”.

**Benefits and Protections.** During FMLA, the employer must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

**Eligibility Requirements.** Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months. Separate eligibility rules may apply for public school employees.

**Definition of Serious Health Condition.** A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**Use of Leave.** An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

**Substitution of Paid Leave for Unpaid Leave.** Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer’s normal paid leave policies.

**Employee Responsibilities.** Employees must provide 30 days' advance notice of the need to take FMLA when the need is foreseeable. When 30 days-notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

**Employer Responsibilities.** Covered employers must inform employees requesting leave whether they are eligible under the FMLA. If they are eligible, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA, the employer must notify the employee.

**Unlawful Acts by Employers.** The FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right protected under the FMLA; discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

**Enforcement.** An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

The FMLA does not affect any Federal or State law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

For additional information:  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[www.wagehour.dol.gov](http://www.wagehour.dol.gov)

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

### ***School Contact***

Employees that require FMLA or have questions should contact the Benefits Coordinator for details on eligibility, requirements, and limitations.

### ***Eligibility Requirements***

To be eligible for FMLA leave, an employee must meet eligibility requirements set by federal law, which may include:

- Employment with ILTexas for at least 12 months (which need not be consecutive) and for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave; and

- Employment at a worksite with 50 or employees located within 75 miles of the employee's worksite.

Please note that for purposes of an employee's entitlement to leave under the FMLA, the 12-month period within which employees shall be eligible for 12 weeks of FMLA shall be defined as a rolling 12-month period, measured backward from the last date an employee uses leave under the FMLA.

### ***Events that May Entitle Employees to FMLA Leave***

An eligible employee shall be entitled to a total of up to 12 weeks of unpaid, job-protected leave to eligible employees for one or more of the following reasons:

- Because of the birth of a son or daughter of the employee and to care for such son or daughter.
- Because of the placement of a son or daughter with the employee for adoption or foster care.
- To care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition.
- Because of a serious health condition that makes the employee unable to perform the functions of his or her position.
- Because of any Qualified Exigency (defined below) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

The maximum amount of leave available to spouses who are both employed by ILTexas is limited to a 12-week period total between the spouses when leave is taken for the birth, adoption, or foster placement of a child with the employee. Military caregiver leave for spouses is extended to a combined total of 26 weeks.

Upon eligibility for family and medical leave, and at 30-day intervals thereafter, the employee shall provide medical certification of the illness or disability. The employee's request for reinstatement shall be accompanied by medical certification of the employee's ability to perform essential job functions.

### ***Service Member Family Leave***

An employee may be eligible for up to 26 weeks of "Service Member Family Leave" if the employee's spouse, child, parent (not parents-in-law), or next of kin, is a current member of the active duty Armed Forces (including National Guard or Reserves), or a member of the Armed Forces (including National Guard or Reserves) on the Temporary Disability Retired List, who is recovering from a serious injury or illness incurred in the line of duty, while on active duty for which he or she is undergoing medical treatment, recuperation, therapy, in outpatient status, or otherwise on the Temporary Disability Retired List. (This does not include former members of the Armed Forces, former members of the National Guard and Reserves and members on the Permanent Disability Retirement List).

With respect to both Qualified Exigency and Service Member Family leave, employees may take the leave intermittently or on a reduced leave schedule. However, if an employee has accrued paid leave (vacation, sick, or personal leave), he or she must substitute any qualifying paid leave for unpaid leave first. "Qualifying paid leave" is leave that would otherwise be available to eligible employees for the purpose for which FMLA leave is taken. The remainder of the 26 workweeks of leave, if any, will be unpaid leave. Any paid leave used for an FMLA-qualifying reason will be charged against an employee's entitlement to FLMA leave. This includes leave for disability or workers' compensation injury/illness, provided that the leave meets FMLA requirements. The substitution of paid leave for unpaid leave does not extend the 26-workweek leave period.

### ***Qualifying Exigency FMLA Leave***

An employee may be entitled to Qualifying Exigency FMLA leave if the employee's spouse, child, or parent is in the National Guard, is a Reservist, or is retired military and is called to active duty, or has been notified of an impending call or order to active duty in support of a contingency operation as defined by federal law. The time spent in several specific activities, defined by law as "Qualifying Exigencies," may also be considered FMLA time. (This does not include those on the Permanent Disabled Retired List or Active Duty Military).

### ***Certification of Leave***

The first time an employee requests Qualifying Exigency leave, ILTexas will require the employee to provide a copy of the covered military member's active duty orders or other documentation issued by the military that indicates that the covered military member is on active duty, or call to active duty status in support of a contingency operation, and the dates of the covered military member's active duty service.

In addition, each time an employee first requests leave for one of the Qualifying Exigencies, ILTexas may require certification of the exigency necessitating leave. Certification supporting leave for a Qualifying Exigency includes: appropriate facts supporting the need for leave, including any available written documentation supporting the request; the date on which the Qualifying Exigency commenced or will commence, and the end date; where leave will be needed on an intermittent basis, the frequency and duration of the Qualifying Exigency; and appropriate contact information if the exigency involves meeting with a third-party.

### ***Post-Deployment Activities***

An employee may be entitled to take Qualifying Exigency leave for certain qualifying post-deployment exigencies, including reintegration activities, for a period of 90 days following the termination of the covered military member's active duty status.

State calls to active duty are not covered unless under order of the President of the United States.

### ***The Maximum Amount of FMLA Leave Within A 12-Month Period***

Except as provided above, an employee is entitled up to 12 workweeks of unpaid leave during a 12-month period for any FMLA qualifying reason(s). The 12-month period is a rolling period measured backward from the last date the employee used any FMLA leave. An eligible employee who is eligible for Service Member Family Leave may take a maximum of only 26 weeks during a rolling 12-month period, even if the employee also qualifies for FMLA leave for a reason other than Service Member Family leave.

### ***Limitations on FMLA Leave***

Leave to care for a newborn, or for a newly placed adopted or foster child, must conclude within 12 months after the birth or placement of the child. When both spouses are employed by ILTexas, they are entitled to a combined total of twelve 12 work weeks of FMLA leave within the designated 12-month period for the birth, adoption, or foster care placement of a child, for aftercare of the newborn or newly placed child, and to care for a parent (but not in-law) with a serious health condition. Each spouse may be entitled to additional FMLA leave for other FMLA-qualifying reasons, but not more than a total of twelve 12 workweeks per person. For example, if each spouse took six weeks of leave to care for a newborn child, each could later use an additional six weeks due to his or her own serious health condition or to care for a parent or child with a serious health condition.

Military caregiver leave for spouses is limited to a combined total of 26 weeks.

### ***Intermittent or Reduced Work Schedule Leave***

When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. ILTexas does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

“Intermittent leave” is FMLA leave taken in separate blocks of time due to a single qualifying reason. A “reduced leave schedule” is a leave schedule that reduces an employee’s usual number of working hours per workweek, or hours per workday.

For leave taken because of the employee’s own serious health condition, to care for a parent, son, or daughter with a serious health condition, or military caregiver leave, there must be a medical need for leave, and it must be that such medical need can be best accommodated through an intermittent or reduced leave schedule. Leave due to a Qualifying Exigency may also be taken on an intermittent or reduced schedule basis.

### ***Transfer to an Alternative Position***

If an employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment, ILTexas may require the employee to transfer temporarily to an available alternative position for which the employee is qualified, and which better accommodates recurring periods of leave than does the employee’s regular position.

### ***Calculating Leave Use***

When an employee takes leave on an intermittent or reduced schedule, only the amount of leave actually taken may be counted toward the employee’s leave entitlement. ILTexas must account for intermittent or reduced schedule leave using an increment no greater than the shortest period of time that it uses to account for use of other forms of leave, provided the increment is not greater than one hour.

### ***Request for FMLA Leave***

Any absence of five days or more for an illness or medical condition may be designated FMLA leave and will require appropriate documentation. Employees should request FMLA leave by notifying their appropriate supervisor, completing an Employee Change Notice (“ECN”), and submitting the ECN form to Payroll and the Benefits Office.

Employees must provide 30 days’ advance notice of the need to take FMLA leave when the need is foreseeable. When such notice is not possible, the employee must provide notice as soon as practicable, and generally must comply with the school’s call-in procedures.

Employees must provide sufficient information to determine if the leave qualifies for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider; or circumstances supporting the need for military family leave. Employees also must inform Payroll and the Benefits Office if the requested leave is for a reason for which FMLA leave was previously taken or certified.

### ***Required Documentation for Birth, Adoption, or Health-Related FMLA Leave***

When leave is taken to care for a family member, ILTexas will require employees to provide documentation or a statement of a family relationship (birth certificate or court document). The employee may be required to submit medical certification from a health care provider to support a request for FMLA leave for his or her or a family member’s serious health condition. Medical certification forms are available from the main office.



If ILTexas deems the medical certification to be incomplete or insufficient, the school will specify, in writing, what information is lacking, and the employee will have seven calendar days to cure the deficiency. It is the employee's responsibility to provide a complete and sufficient certification. Such failure to provide complete and sufficient certification, despite the opportunity to cure any deficiency, may lead to denial of FMLA leave. ILTexas may (a) have a designated health care provider or the Benefits Coordinator (but in no case the employee's direct supervisor) contact the employee's health care provider in an effort to clarify or authenticate the initial certification if the school has reason to doubt an employee's initial certification; and/or (b) require the employee to obtain a second opinion by an independent provider at ILTexas' designation and expense. If the initial and second certifications differ, ILTexas may, at its expense, require the employee to obtain a third, final and binding certification from a jointly selected health care provider.

During FMLA leave, ILTexas may request that the employee provide recertification of a serious health condition, at intervals, in accordance with the FMLA. In addition, during FMLA leave, the employee must provide the school with periodic reports regarding his or her status and intent to return to work. If the employee's anticipated return to work date changes, and it becomes necessary for the employee to take more or less leave than originally anticipated, he or she must provide the school with reasonable notice (within two business days) of such changed circumstances and new return to work date. If the employee gives notice of such intent not to return to work, he or she will be considered to have voluntarily resigned.

Before an employee returns to work from FMLA leave for his or her own serious health condition, the employee will be required to submit a fitness-for-duty certification from his or her health care provider with respect to the condition for which the leave was taken, stating that the employee is able to perform the essential functions of his or her job. Where a reasonable job safety concern exists, ILTexas may require a fitness-for-duty certification before an employee's return to work from intermittent leave.

FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also, a failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

### ***Use of Paid and Unpaid Leave***

FMLA provides eligible employees with up to 12 workweeks of unpaid leave, except as described above. However, if an employee has accrued paid leave (vacation, sick, or personal leave), he or she must substitute any qualifying paid leave for unpaid FMLA leave first. Substituted paid leave will run concurrently with the unpaid FMLA leave. "Qualifying paid leave" is leave that would otherwise be available to an employee for the purpose for which FMLA leave is taken. The remainder of the 12 workweeks of leave, if any, will be unpaid leave. Any paid leave used for an FMLA-qualifying reason will be charged against the employee's entitlement to FMLA leave. This includes leave for disability or workers' compensation injury/illness, provided that the leave meets FMLA requirements. The substitution of paid leave for unpaid leave does not extend the 12-work week period. During the period that an employee takes a leave of absence, including FMLA, he or she is not eligible to accrue paid time off benefits. Accruals will resume upon the employee's return to work.

### ***Designation of Leave***

The Benefits Coordinator will notify an employee that his or her leave has been designated as FMLA leave within five business days, absent extenuating circumstances, of ILTexas' determination that leave is for an FMLA qualifying reason. If an employee has not notified the school of the reason for the leave, and desires that leave be counted as FMLA leave, he or she must notify the Benefits Coordinator within two business days of returning to work that the leave was for an FMLA reason.

### ***Special Rules for Instructional Employees***

Special rules may apply to certain employees of charter schools. These special rules affect leave taken intermittently or on a reduced schedule, or taken near the end of an academic term (semester) by instructional employees.

“Instructional employees” are those whose primary is to teach and instruct students in a class, a small group, or an individual setting. This term includes not only teachers, but also athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. It does not include teacher assistants or aides who do not have as their primary job actual teaching or instructing, nor does it include auxiliary personnel such as counselors, psychologists, or curriculum specialists. It also does not include cafeteria workers, maintenance workers, or bus drivers.

#### ***Failure to Provide Notice of Foreseeable Leave***

If an instructional employee does not give required notice of foreseeable leave to be taken intermittently or on a reduced schedule, ILTexas may require the employee to take leave of a particular duration or to transfer temporarily to an alternative position. Alternatively, ILTexas may require the employee to delay the taking of leave until the notice provision is met.

#### ***Twenty Percent (20%) Rule***

If an eligible instructional employee needs intermittent leave or leave on a reduced leave schedule to care for a family member with a serious health condition, to care for a covered service member, or for the employee’s own serious health condition; the leave is foreseeable based on planned medical treatment; and the employee would be on leave for more than 20% of the total number of working days over the period the leave would extend, the School may require the employee to choose:

- To take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- To transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than does the employee’s regular position.

“Periods of a particular duration” means a block or blocks of time beginning no earlier than the first day for which leave is needed and ending no later than the last day on which leave is needed, and may include one uninterrupted period of leave. If an employee chooses to take leave for “periods of a particular duration” in the case of intermittent or reduced schedule leave, the entire period of leave taken will count as FMLA leave.

#### ***Leave at the End of a Semester***

As a rule, ILTexas may not require an employee to take more FMLA leave than the employee needs. The FMLA recognizes exceptions where instructional employees begin leave near the end of a semester. As set forth below, the school may, in certain cases, require the employee to take leave until the end of the semester.

The school semester, or “academic term,” typically ends near the end of the calendar year and the end of spring each school year. In no case may a school have more than two academic terms or semesters each year for purposes of the FMLA.

If ILTexas requires the employee to take leave until the end of the semester, only the period of leave until the employee is ready and able to return to work shall be charged against his or her FMLA leave entitlement. Any additional leave required by the school to the end of the semester is not counted as FMLA leave; however, ILTexas shall maintain the employee’s group health insurance and restore the employee to the same or

equivalent job, including other benefits, at the end of the leave.

#### *More Than Five Weeks Before the End of the Semester*

ILTexas may require an instructional employee to continue taking leave until the end of the semester if:

- The employee begins leave more than five weeks before the end of the semester;
- The leave will last at least three weeks; and
- The employee would return to work during the three-week period before the end of the semester.

#### *During Last Five Weeks of the Semester*

ILTexas may require an instructional employee to continue taking leave until the end of the semester if:

- The employee begins leave during the last five weeks of the semester for any reason other than the employee's own serious health condition or a Qualifying Exigency;
- The leave will last more than two weeks; and
- The employee would return to work during the two-week period before the end of the semester.

#### *During Last Three Weeks of the Semester*

ILTexas may require an instructional employee to continue taking leave until the end of the semester if the employee begins leave during the three-week period before the end of the semester for any reason other than the employee's own serious health condition or a Qualifying Exigency.

#### ***Maintenance of Health Benefits***

During FMLA leave, employees are entitled to continue group health plan coverage under the same conditions as if they had continued to work. To the extent that FMLA leave is paid, the employee's portion of health insurance premiums will be deducted from their salary. For the portion of FMLA leave that is unpaid, an employee's portion of health insurance premiums must be paid in accordance with the School's rules for leave without pay. If payment of health insurance premiums is more than 30 days late, ILTexas discontinue health insurance coverage upon notice to the employee.

#### ***Salary Action***

The length of the leave will delay any planned, but not implemented, salary increase for a period equal to an employee's leave of absence, including FMLA.

#### ***Performance Evaluation***

The length of the leave will extend an employee's normal performance evaluation date by the length of the leave of absence, including FMLA.

#### ***Return from FMLA Leave and Limitations on Reinstatement***

Upon return from FMLA leave, the employee will be placed in the same position he or she held before the leave, or an equivalent position with equivalent pay, benefits, and other employment terms.

However, an employee is entitled to reinstatement only if he or she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force or other reason, he or she would not be employed at the time job restoration is sought.

ILTexas reserves the right to deny reinstatement to salaried, FMLA eligible employees who are among the highest paid 10% of school employees employed within 75 miles of the school's main office, if such denial

or reinstatement is necessary to prevent substantial and grievous economic injury to the school's operations.

### ***Failure to Return to Work Following FMLA Leave***

If an employee does not return to work following the conclusion of FMLA leave, he or she will be considered to have voluntarily resigned. ILTexas may recover from the employee such portion of health insurance premiums that were paid on the employee's behalf during any unpaid FMLA leave. Recovery may be made through deductions from any outstanding sums due to the employee, except where prohibited by federal or state law, or through legal action against the employee.

For further information or clarification about FMLA leave, please contact the Director of Human Resources.

For information or to file a complaint with the U. S. Department of Labor (DOL) by contacting them at 1-866-487-9243 or by visiting [www.wagehour.dol.gov](http://www.wagehour.dol.gov).

### **Military Leave of Absence**

ILTexas is committed to protecting the rights of employees absent on military leave. In accordance with federal and state law, it is ILTexas' policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in, or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights hereunder. If any employee believes that he or she has been subjected to discrimination in violation of this provision, the employee should immediately contact Human Resources.

### ***Temporary (Two-Week) Military Leave***

In addition to the rights and benefits provided to employees taking Extended Military Leave, eligible employees who must be absent from their job for a period of not more than ten working days each year in order to participate in temporary military duty are entitled to as many as ten days' unpaid military leave. All benefits will continue during an employee's temporary military leave.

### ***All Other (Extended) Military Leave***

Employees directed to participate in extended military duties in the U. S. Armed Forces that exceed ten working days will be placed on an unpaid military leave of absence status for a period of as long as five years, except as otherwise required by USERRA, and the employee will be entitled to the rights and benefits described in this Handbook and in accordance with ILTexas' policies and procedures.

To request a temporary or extended military leave of absence the employee should, unless prevented from doing so by military necessity, notify Human Resources and complete and submit the appropriate form. An employee on temporary or extended military leave may elect, at his or her option, to use paid leave (vacation, sick or personal) available; the remainder of military leave will be unpaid.

### **Bereavement Leave**

Full-time and part-time employees are eligible for bereavement leave. Employees may use their local and state days during this time.

In the unfortunate event of a death in an eligible employee's "relative" (as previously defined herein), the employee may take an unpaid leave of absence of up to three days (up to five days if air travel is required).

Bereavement leave days should be taken consecutively, within a reasonable time from the date of the death or day of the funeral, and may not be split or postponed.

If an employee experiences a death in the family, he or she should inform the Principal or Supervisor as soon as possible. Supporting documentation may be required.

### **Jury Duty**

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees must present documentation of the service and may keep any compensation they receive. A summons to appear is not proper documentation of the service. If an employee is released early, he or she must return to work. Consideration will be given on a case-by-case basis for travel time.

### **Other Court Appearances**

Employees will be paid while on leave to comply with a valid subpoena related to employment with ILTexas. Employees may be required to submit documentation of their need for leave for court appearances to the Human Resources Department. Absences for court appearances related to an employee's personal business shall be deducted from the employee's personal leave or shall be taken as leave without pay.

### **Voting Leave**

Any employee who does not have two consecutive non-work hours while the polls are open on election day will be given up to two hours off with pay in order to vote, unless more time is required by state law. The employee should notify the appropriate supervisor before Election Day if time off is needed, so that the timing of the employee's absence can be pre-arranged.

## **PART 7: EMPLOYEE CONDUCT**

### **General**

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

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action.
- Know and comply with department and Board policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use school time, funds, and property for authorized school business and activities only.

All ILTexas employees should perform their duties in accordance with state and federal law, Board policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including

having a criminal record, must be reported to SBEC not later than the seventh day after the Superintendent knew of the incident.

## **Code of Ethics**

All certified educators employed at ILTexas shall comply with the following Code of Ethics:

### *Texas Educator Preamble*

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

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

- **Standard 1.1.** The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the charter school, an educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.
- **Standard 1.2.** The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.
- **Standard 1.3.** The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.
- **Standard 1.4.** The educator shall not use institutional or professional privileges for personal or partisan advantage.
- **Standard 1.5.** The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.
- **Standard 1.6.** The educator shall not falsify records, or direct or coerce others to do so.
- **Standard 1.7.** The educator shall comply with state regulations, written local Board policies, and other state and federal laws.
- **Standard 1.8.** The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.
- **Standard 1.9.** The educator shall not make threats of violence against school employees, members of the Board of Directors, students, or parents of students.
- **Standard 1.10.** The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.
- **Standard 1.11.** The educator shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.
- **Standard 1.12.** The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.
- **Standard 1.13.** The educator shall not consume alcoholic beverages on school property or during school activities when students are present.
- **Standard 1.14.** The educator shall not assist another educator, school employee, contractor, or agent

in obtaining a new job as an educator or in a school, apart from the routine transmission of administrative and personnel files, if the educator knows or has probable cause to believe that such person engaged in sexual misconduct regarding a minor or student in violation of the law.

#### *Ethical Conduct toward Professional Colleagues*

- Standard 2.1. The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
- Standard 2.2. The educator shall not harm others by knowingly making false statements about a colleague or the ILTexas system.
- Standard 2.3. The educator shall adhere to written local Board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.
- Standard 2.4. The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.
- Standard 2.5. The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.
- Standard 2.6. The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
- Standard 2.7. The educator shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation in accordance with applicable laws or regulations.

#### *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, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:
  - The nature, purpose, timing, and amount of the communication;

- The subject matter of the communication;
- Whether the communication was made openly or the educator attempted to conceal the communication;
- Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- Whether the communication was sexually explicit; and
- Whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

*Adapted from the Professional Code of Ethics and  
Standard Practices for Texas Educators*

## **Financial Ethics**

ILTexas prohibits fraud and financial impropriety in the actions of its directors, employees, vendors, contractors, consultants, volunteers, and others seeking or maintaining a business relationship with ILTexas.

Fraud and financial impropriety shall include but not be limited to:

- Forgery or unauthorized alteration of any document or account belonging to ILTexas;
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document;
- Misappropriation of funds, securities, supplies, or other school assets, including employee time;
- Impropriety in the handling of money or reporting of ILTexas' financial transactions;
- Profiteering as a result of insider knowledge of school information or activities;
- Unauthorized disclosure of confidential or proprietary information to outside parties;
- Unauthorized disclosure of investment activities engaged in or contemplated by ILTexas;
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to ILTexas, except as otherwise permitted by law or ILTexas policy;
- Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment;
- Failure to provide financial records required by state or local entities;
- Failure to disclose conflicts of interest as required by law or ILTexas policy; or
- Any other dishonest act regarding the finances of ILTexas.

Any person who suspects fraud or financial impropriety shall report the suspicions immediately to any supervisor, the Payroll Manager, the Director of Human Resources, or local law enforcement.

Reports of suspected fraud or financial impropriety will be treated as confidential to the extent permitted by law. Limited disclosure may be necessary to complete a full investigation or to comply with law. All employees involved in an investigation shall be advised to keep information about the investigation confidential.

Neither the Board of Directors nor any ILTexas employee shall unlawfully retaliate against a person who in good faith reports perceived fraud or financial impropriety.

If an employee is found to have committed fraud or financial impropriety, the Superintendent or designee or the Board of Directors shall take or recommend appropriate disciplinary action, which may include termination of employment and, when circumstances warrant, referral to appropriate law enforcement or regulatory authorities.



## **Unacceptable Employee Conduct**

### *Applies to all ILTexas employees*

Employees are expected to follow all laws, policies, regulations, terms and conditions of employment and directives of ILTexas. ILTexas expects its employees to act in a mature, professional and responsible manner. The following is a non-exclusive list of prohibited employee conduct. Employees who engage in any conduct listed below are subject to disciplinary action up to and including termination. This is not intended to be a complete list, and it does not alter the contractual or at-will employment relationship between employees and ILTexas.

- Dishonesty, falsification or misrepresentation on an application for employment or other work records; falsifying reasons for leave of absence or other data requested by ILTexas and/or alteration of ILTexas' records or documents.
- Engaging in an act of sabotage; willful or with negligence causing the destruction or damage of ILTexas property, or the property of fellow employees, volunteers, contractors, or visitors, in any manner.
- Engaging in malicious gossip, spreading rumors, or otherwise engaging in behavior designed to create discord and lack of harmony or otherwise interfere with the job performance of fellow employees or service providers.
- Engaging in rudeness, disrespectful, or unprofessional behavior toward parents and school contractors or vendors.
- Fighting or threatening violence toward anyone on ILTexas property or when representing ILTexas, including "horseplay" or provoking a fight between others.
- Giving to other schools, organizations, or persons information made confidential by law and/or proprietary ILTexas information that is obtained from ILTexas' files or records in the course of employment.
- Publishing or disclosing information relating to ILTexas employees and/or students that is obtained from ILTexas' files or records in the course of employment.
- Insubordination or other disrespectful conduct (including refusal to follow the lawful directives of a supervisor or the Superintendent).
- Drinking/Consumption of alcohol during ILTexas business hours and/or possession or consumption of non-prescription illegal drugs/substances. In addition, an employee of ILTexas shall not consume alcohol and/or possess or consume non-prescription illegal drugs/substances while representing ILTexas and/or wearing any item of clothing or otherwise that demonstrates any affiliation with ILTexas. The only exception to the aforementioned is express written consent by the Superintendent or its designee, which shall be given on a case-by-case basis depending on the type of pre-arranged event being attended or hosted.
- Negligence or any careless action that endangers the life or safety of another person, or damages or destroys property of ILTexas.
- Possession of firearms, weapons or explosives on ILTexas property, while on duty or while representing ILTexas.
- Smoking in prohibited areas.
- The use, possession or sale of a controlled substance.
- Theft of ILTexas owned property or the property of fellow employees, students, contractors or visitors.
- Threatening, intimidating or coercing fellow employees on or off ILTexas property, at any time, for any reason.
- Unauthorized possession or removal of any ILTexas property, including documents, from the

premises without prior permission from a supervisor;

- Unauthorized use of ILTexas equipment or property, including using such equipment for personal use or profit.
- Unsatisfactory performance or conduct.
- Violation of the rules affecting the health and safety of students and the efforts of ILTexas to operate efficiently and effectively.

### ***Fraud, Dishonesty and False Statements***

No employee or applicant may ever falsify any application, medical history record, student paperwork, employee paperwork, time sheet, time card, investigative questionnaires or any other document. Any employee found to have engaged in résumé fraud, or who made material misrepresentations or omissions on their employment application, will be subject to immediate termination of employment. Violations of this policy should be immediately reported to the appropriate supervisor.

### ***Insubordination***

All employees have duties to perform. It is against ILTexas policy for an employee to refuse to follow the directions of a supervisor or other school official. Employees must cooperate fully with investigations into potential misconduct. Refusal to disclose information during the course of an investigation constitutes insubordination and is subject to possible disciplinary action, up to and including termination.

In the event a supervisor directs an employee to perform an illegal or immoral act/task, the employee should immediately notify the Principal or designee.

### ***Disciplinary Action***

Employment with ILTexas is based on mutual consent and both the employee and ILTexas have the right to terminate employment at-will, with or without cause or advance notice. ILTexas may use progressive discipline at its discretion.

Disciplinary action may include, but is not limited to, any of the following:

1. Verbal warning.
2. Conference with a supervisor and/or the Principal.
3. Letter of Expectation
4. Letter of Concern
5. Letter of Reprimand
6. Suspension with or without pay.
7. Termination of employment.

The progression of these steps depends upon the severity of the problem and the number of occurrences. There may also be circumstances when one or more steps are bypassed.

### **Dress and Grooming**

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

Employee Dress Code Regulations/Additional Standards:

- Employees may not wear clothing items prohibited by the student handbook.
- No tight or form fitting pants, stretch pants, yoga or leggings may be worn unless worn under a skirt, dress, or skirt that complies with the dress code.
- Staff is not permitted to wear any clothing, paraphernalia, grooming, jewelry, accessories, or body adornments that are disruptive or potentially disruptive to the educational environment as determined by the Principal or Supervisor.
- Employees should not wear clothing that exposes cleavage, the midriff, undergarments, or that is otherwise not modest.

- Jeans are only permitted on days approved by the principal or supervisor.

Hair:

- Hair must be clean and neat in appearance and consistently maintained. Hair styles/color must not be disruptive to the educational environment. Beards and moustaches must be neatly trimmed.

Shoes:

- Shoes should be in good condition.
- Plastic or rubber flip-flops are not permissible.
- Employees may wear sandal footwear or open-toed shoes when seasonally appropriate.

Miscellaneous:

- Body piercing (except earrings) and tattoos should be covered.
- Good personal hygiene is required at all times.

Support Staff:

- Maintenance, transportation and student nutrition employees shall be neat, clean, and well-groomed and in accordance with any additional standards established by their supervisors and approved by the Superintendent.

**Adherence:**

Principals and other administrative supervisors are delegated the authority and bear the responsibility for ensuring compliance with this policy and are expected to counsel and/or discipline employees whom they supervise on professional appearance in conformance with this policy.

In addition, a principal or administrative supervisor may deviate from this policy temporarily to meet the needs of a specific division/school/work site for an appropriately specified purpose. The Principal or administrative supervisor must approve temporary deviations. The Superintendent or designee must approve long-term or non-temporary deviations.

Examples of appropriate and inappropriate attire (note: this is not an exhaustive list):

**Men**

Appropriate:

Dress slacks  
 “Dockers” style slacks  
 Buttoned dress shirts  
 Polo or golf style shirts  
 Turtlenecks  
 Sweaters  
 Spirit wear  
 Ties  
 Suits/sport coats

Inappropriate:

Sweats/active wear (based on assignment)  
 Shorts  
 Torn/ripped clothing  
 T-shirts/tank tops  
 Muscle shirts  
 Flip flops  
 Caps/hats  
 Visible undergarments  
 Revealing low cut pants

Boots, dress shoes, casual shoes  
Tennis shoes and/or athletic shoes (to be coordinated with professional dress)

Sagging pants

### **Women**

#### **Appropriate:**

Capri pants/gauchos (below knee)  
Dresses/skirts (mid-thigh or longer)  
Dress slacks/pant suits  
Buttoned dress shirts  
Polo or golf style shirts  
Turtlenecks  
Sweaters  
Dress, casual shoes, sandals  
Tennis shoes and/or athletic shoes  
(to be coordinated with professional dress)

#### **Inappropriate:**

Sweats/active wear  
Shorts  
Torn or ripped clothing  
Tank tops  
Flip flops  
Caps/hats  
Visible undergarments  
Revealing/low cut pants  
Sagging pants  
Midriff shirts  
Bare shoulders  
Yoga pants  
Low cut blouses/shirts  
Tight/revealing clothing

### **Prohibition of Discrimination, Harassment, and Retaliation**

ILTexas prohibits discrimination, including harassment, of a co-worker or student based upon race, color, national origin, religion, sex, disability, veteran status, age, genetic information, or any other basis prohibited by law.

Prohibited harassment of an employee is defined as physical, verbal, or non-verbal conduct based on an individual's protected characteristic(s), or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the individual's work;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the individual's performance, environment, or employment opportunities.

Employees shall not tolerate discrimination or harassment of others, and are encouraged to report claims as soon as possible.

Retaliation against anyone involved in the complaint process is a violation of ILTexas policy, and acts of retaliation may result in disciplinary action up to and including termination.

Upon notice of alleged harassment, discrimination, or retaliation, ILTexas will immediately undertake or direct an effective, thorough, and objective investigation. The investigation will be completed and a written determination regarding the reported harassment will be made and communicated to the employee who complained and to the accused harasser(s).

If ILTexas determines that prohibited harassment or other conduct that violates an ILTexas policy has occurred, the school will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of prohibited conduct is substantiated,

appropriate disciplinary action, up to and including immediate termination, will be taken.

### ***Sexual Harassment***

Sexual harassment is a form of sex discrimination defined as 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. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual's employment.

Employees shall not engage in conduct constituting sexual harassment. ILTexas officials or their agents shall investigate all allegations of sexual harassment and officials shall take prompt and appropriate disciplinary action against employees found to engage in conduct constituting sexual harassment.

An employee who believes that he or she has been or is being subjected to any form of sexual harassment is encouraged to make a report as soon as possible.

### ***Retaliation***

ILTexas strictly prohibits retaliation against a student, parent, or an employee who in good faith reports or complains about discrimination, harassment, or other prohibited conduct, or who serves as a witness or otherwise participates in an investigation. Employees who take part in any retaliatory action will be subject to discipline, up to and including termination. Retaliation may include, but is not limited to: demotion, poor performance appraisals, transfer, and assignment of demeaning tasks or taking any kind of adverse actions against a person who complains about discrimination or harassment.

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with an ILTexas investigation regarding harassment or discrimination is subject to appropriate discipline, up to and including termination.

### ***Reporting Procedures***

An employee who believes that he or she has experienced prohibited discrimination or harassment, retaliation, or believes that another employee has experienced such prohibited conduct, should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor, Principal, the Director of Human Resources, or the designated Compliance Coordinator.

Reports of prohibited discrimination or harassment shall be made as soon as possible after the alleged act or knowledge of the alleged act. Failure to promptly report may impair ILTexas' ability to investigate and address the prohibited conduct.

Any ILTexas supervisor who receives a report of prohibited discrimination or harassment shall immediately notify the designated Compliance Coordinator, and take any other steps required by ILTexas policy.

### ***Conducting the Investigation***

ILTexas recognizes all official complaints as a serious matter and will follow through with an appropriate and timely investigation of the allegations. All complaints will be investigated. At no time will employees who file a complaint be required or allowed to handle the problem themselves.

All investigations into discrimination and harassment will follow these guidelines:

- The complainant will be asked for specifics about what happened: where it happened, when it happened, and why.
- Co-workers may be questioned to determine if there are other victims or witnesses to the alleged conduct.
- The accused harasser will be questioned and will be informed of who is complaining and be asked for their statement/explanation. The accused harasser will be warned not to retaliate or to discuss the matter with the complainant or any other ILTexas employees or affiliated persons without permission from the investigator ILTexas administration. Failure of the accused harasser to abide by this will be grounds for disciplinary action, up to and including, termination.

Both the complaining individual and the alleged harasser have equal privacy rights under the law. Due to the nature of the investigative requirements and process, it may not be possible to ensure absolute confidentiality, but ILTexas will protect the privacy and confidentiality of both the accuser and accused to the extent possible.

### ***Corrective Action***

ILTexas will take prompt, effective action to end any harassment and to deter future harassment. After all the circumstances of the complaint, including responses of the alleged perpetrator and witnesses, have been documented, a determination will be made as to whether or not discrimination or harassment has occurred. Prompt corrective action, if warranted, will follow immediately. This may include discipline or termination of the perpetrator or the complainant in the case that a falsified and malicious complaint was discovered and substantiated. The complainant and other persons directly involved will be provided notice of ILTexas' disposition in the matter.

Either the complaining employee or the alleged harasser has the right to appeal the determination of the investigation to the Board of Directors if he or she indicates so in writing, and delivers the appeal to the Superintendent within ten calendar days of the determination.

ILTexas accepts no liability for harassment of one employee by another employee. The individual who makes unwelcome advances, threatens or in any other way harasses another employee is personally liable for such actions and their consequences. ILTexas will not provide legal, financial, or other assistance to an individual accused of harassment if a legal complaint is filed.

### **Student Discrimination/Harassment**

ILTexas prohibits discrimination, including harassment, against any student on the basis of race, color, religion, gender, national origin, disability, age, sexual orientation, military service or any other basis prohibited by law. Discrimination against a student is defined as conduct directed at a student on the previous bases that adversely affects the student.

ILTexas employees shall not engage in discrimination or harassment of students, nor shall they tolerate student-to-student discrimination or harassment. Suspected discrimination or harassment of students shall be reported in a timely manner.

ILTexas shall investigate all allegations of discrimination or harassment against students, and shall take appropriate disciplinary action against employees or students who have engaged in such acts, up to and including termination of employment.

Retaliation against anyone involved in the complaint process is a violation of ILTexas policy and acts of

retaliation may result in disciplinary action, up to and including termination.

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

Sexual harassment of students includes any unwelcome verbal or physical sexual advances, including but not limited to engaging in sexually oriented conversations, telephoning or texting students at home or elsewhere to solicit unwelcome social relationships, physical contact that would reasonably be construed as sexual in nature, threatening or enticing students to engage in sexual behavior in exchange for grades or other school-related benefit, request for sexual favors, sexually motivated physical, verbal, or nonverbal conduct when the conduct affects the student's ability to participate in or benefit from a program or activity, or creates an intimidating, threatening, hostile or offensive educational environment.

Sexual harassment of students by employees is always a violation of law and will result in appropriate disciplinary action up to and including termination from employment and referral to appropriate law enforcement authorities.

ILTexas employees are generally encouraged to report an action or suspected action that is illegal or in violation of any adopted Board policy. Good faith reports may be made without fear of reprisal.

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

### **Personal Use of Technology**

ILTexas' technology resources, including its network, computer systems, e-mail accounts, devices connected to its networks, and all school-owned devices used on or off school property, are primarily for administrative and instructional purposes. Limited personal use may be permitted if the use:

- Imposes no tangible cost to ILTexas.
- Does not unduly burden ILTexas' technology resources.
- Has no adverse effect on job performance or on a student's academic performance.

Employee access to ILTexas' technology resources will terminate upon the last day of employment with ILTexas. Employees with questions about technology resources may contact the Technology Department.

### **Social Media and Personal Electronic Devices**

Employees have a right to participate in social networking sites, blogs, forums, etc. as individuals in the community. However, employees should not post anything that would violate student confidentiality or the professionalism and ethical conduct of ILTexas employees. Employees are encouraged to adhere to the following guidelines when engaging in activity on social media:

- Be respectful of the privacy and dignity of your co-workers, and do not post student photographs without appropriate authority.
- Do not "friend" students on your personal social media page unless you have an appropriate out-of-school relationship with the student such as relatives, church, scouts, or other activity that would be appropriate for such informal communication.
- Do not create a link from your blog, website, or other social networking site to a School website without identifying yourself as a School employee.
- Do not infringe on ILTexas' logos, taglines, slogans, trademarks, or other symbols.
- Harassing, obscene, defamatory, threatening, or other offensive content must be avoided.
- If an employee's use of social media violates state or federal law or ILTexas 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.

- Maintain the confidentiality of ILTexas trade secrets and private or confidential information concerning ILTexas employees, students, and/or agents that is obtained from ILTexas' files or records in the course of employment. Do not post internal reports or other business-related confidential communications.
- Respect all copyright and other intellectual property laws. For ILTexas' protection, as well as your own, it is critical that you show proper respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks, and other intellectual property, including ILTexas' own copyrights, trademarks, and brands.
- The employee may not set up or update the employee's personal social network page(s) using ILTexas' 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 school business.

### ***Electronic Communications with Students***

"Electronic Communication" includes any communication facilitated by the use of any electronic device, including a cellular telephone, computer, computer network, personal data assistant, or pager, and includes e-mail, text message, instant message, and any communication made through an internet website, including a social media website or social networking website.

Employees shall not engage in inappropriate electronic communications with students. Employees are encouraged to not "friend" students on their personal social media pages unless they have an appropriate out-of-school relationship with the student such as relatives, church, scouts, or other activity that would be appropriate for such informal communication. Employees may elect to not disclose to a student the employee's personal telephone number or e-mail address.

Employees shall immediately notify the Principal or other appropriate school administrators concerning an incident in which a student engages in improper communications with an employee. A report should include a summary of the student's communication, as well as the time, date, and method of communication.

### **Sales and Solicitations**

In the interest of maintaining an efficient, safe, orderly and productively work environment, ILTexas' general policy is to prohibit solicitations of products or services by anyone on the premises. Under no circumstances may an employee disturb the work of others to solicit or distribute literature to other employees during working time.

### **Public Relations/Media**

The Board of Directors has designated the PR/Communications department, as the official spokesperson for media questions and public relations. Any official statements from ILTexas to the media are to be handled through the PR/Communications Office or designee only.

### **Employee Involvement**

All staff members are encouraged to attend ILTexas functions. Additionally, appropriate staff members must attend student related meetings and functions including, but not limited to: parent meetings and conferences, open houses, scheduled faculty/staff meetings, and ARD meetings. As part of the school's planning and decision-making process, employees may either be asked or elected to serve on advisory committees.

### **Faculty/Staff Meetings**

Employees are expected to attend regularly scheduled meetings whenever deemed necessary. Any absence from a meeting must have prior approval. An absent employee is expected to contact his/her supervisor for meeting details.

## **PART 8: EMPLOYEE HEALTH AND SAFETY**

### **Workplace Safety and OSHA Compliance**

ILTexas has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. To prevent or minimize injuries to employees, coworkers, and students and to protect and conserve school 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.

Employees with questions or concerns relating to safety programs and issues can contact their supervisor.

Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

### **Hazard Communication Act**

ILTexas is concerned about the safety of all employees, and therefore will perform the following duties in compliance with the Texas Hazard Communication Act:

- Post and maintain the notice promulgated by the Texas Department of State Health Services (“TDSHS”) in the workplace.
- Provide an education and training program for employees using or handling hazardous chemicals under normal operating conditions or foreseeable emergencies.
- Maintain the written hazard communication program and a record of each training session to employees, including the date, a roster of the employees who attend, the subjects covered in the training session, and the names of the instructors. Records will be maintained for at least five years.
- Compile and maintain a workplace chemical list that includes required information for each hazardous chemical normally present in the workplace or temporary workplace in excess of 55 gallons or 500 pounds, or as determined by the TDSHS for certain highly toxic or dangerous hazardous chemicals. The list will be readily available to employees and their representatives.
- Update the list as necessary, but at least by December 31 each year, and maintain the list as required by law. Each workplace chemical list shall be dated and signed by the person responsible for compiling the information.
- As required by law, label new or existing stocks of hazardous chemicals with the identity of the chemical and appropriate hazard warnings, if such stocks are not already appropriately labeled.
- Maintain a legible copy of the most current manufacturer’s material safety data sheets (“MSDS”) for each hazardous chemical; request such sheets from the manufacturer if not already provided or otherwise obtain a current MSDS; make such sheets readily available to employees or their

- representatives on request.
- Provide employees with appropriate personal protective equipment.

The Superintendent shall notify employees of any planned pest control treatment by both of the following methods:

- Posting the sign provided by the certified applicator or technician in an area of common access the employees are likely to check on a regular basis at least 48 hours before each planned treatment.
- Providing the official Structural Pest Control Service Consumer Information Sheet to any individual working in the building, on request.

### **Occupational Safety and Health Administration (“OSHA”) Statement**

ILTexas strives to reduce dangers to health and safety by creating and maintaining improved working conditions, free from recognized hazards that might cause serious physical injury. In accordance with the Occupational Safety and Health Act (“OSHA”), ILTexas maintains a log of all occupational injuries and illnesses, and asks that employees report such injuries and illnesses within 48 hours to Frank Crabill, Director of Facilities and Maintenance so these occurrences will be reported within a lawful period of time to the nearest OSHA office.

As employees of ILTexas:

- You have the right to notify ILTexas or OSHA about workplace hazards. You may ask OSHA to keep your name confidential.
- You have the right to request an OSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in that inspection.
- You can file a complaint with OSHA within 30 days of retaliation or discrimination by ILTexas Texas for making safety and health complaints, or for exercising your rights under the OSHA Act.
- You have a right to see OSHA citations issued ILTexas. ILTexas must post the citations at or near the place of the alleged violation.
- ILTexas must correct workplace hazards by the date indicated on the citation, and must certify that these hazards have been reduced or eliminated.
- You have the right to copies of your medical records and records of your exposures to toxic and harmful substances or conditions.
- ILTexas must post this notice in your workplace.
- You must comply with all occupational safety and health standards issued under the OSHA Act that apply to your own actions and conduct on the job.

As your employer:

- ILTexas must furnish all employees a place of employment free from recognized hazards.
- ILTexas must comply with the occupational safety and health standards issued under OSHA.

If you would like more information regarding your OSHA rights or additional information, visit [www.osha.gov](http://www.osha.gov) or call 1-800-321-OSHA.

### **Accident Reporting**

Employees shall report any on-the-job injury or accident immediately to their supervisor. Supervisors must notify the Director of Facilities Maintenance within 24 hours of notification of an occurrence. If an employee

fails to report the accident within 30 days of the incident, the claim may be denied by the Texas Department of Insurance – Division of Workers’ Compensation. The employee’s supervisor and/or the appropriate management personnel shall conduct a thorough investigation, involving the employee and any witnesses that observed the injury or accident. The employee’s supervisor and/or appropriate management personnel will ensure corrective action is taken to avoid a recurrence of the accident.

### **Reporting Serious Injuries**

Within eight hours after the death of any employee from a work-related incident or the in-patient hospitalization of three or more employees as a result of a work-related accident, ILTexas will orally report the fatality/multiple hospitalization by telephone or in person to the Area Office of the Occupational Safety and Health Administration (“OSHA”), Department of Labor, that is nearest to the site of the incident. If the Area Office is not reachable, the school may use the OSHA toll- free central telephone number, 1-800-321-6742.

### **Reporting Procedures**

ILTexas will utilize the required OSHA forms to document and log each recordable injury or illness. This information will be kept current, maintained accurately, and retained for a period of five years.

### **Asbestos Management Plan**

ILTexas is committed to providing a safe environment for employees. We have developed an asbestos management plan for each school. A copy of ILTexas’ management plan is kept in the Facilities Office and is available for inspection during normal business hours.

### **Bloodborne Pathogens Exposure Control Plan**

ILTexas has adopted a blood borne pathogens exposure control plan to protect employees who are at risk of exposure to blood or other materials potentially containing blood borne pathogens in connection with exposure to sharps. Sharps are defined as objects used or encountered in a health care setting that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident.

### **Personnel Searches**

ILTexas reserves the right to conduct searches to monitor compliance with rules concerning safety of employees, security of company and individual property, drugs and alcohol, and possession of other prohibited items. “Prohibited items” include illegal drugs, alcoholic beverages, prescription drugs or medications not used or possessed in compliance with a current valid prescription, weapons, any items of an obscene, harassing, demeaning, or violent nature, and any property in the possession or control of an employee who does not have authorization from the owner of such property to possess or control the property. “Control” means knowing where a particular item is, having placed an item where it is currently located, or having any influence over its continued placement. In addition to the school’s premises ILTexas may search employees, their work areas, lockers, personal vehicles (if driven or parked on school property), and other personal items such as bags, purses, briefcases, backpacks, lunch boxes, and other containers. In requesting a search, ILTexas is by no means accusing anyone of theft, some other crime, or any other variety of improper conduct.

There is no general or specific expectation of privacy in the school workplace, either on school or elsewhere while on duty. In general, employees should assume that what they do while on duty or on school premises is not private. All employees and all of the areas listed above are subject to search at any time; if an employee uses a locker or other storage area at work, including a locking desk drawer or locking cabinet, ILTexas will either furnish the lock and keep a copy of the key or combination, or else allow the employee to furnish a personal lock, but the employee must give the school a copy of the key or combination. The areas in question

may be searched at any time, with or without the employee being present. As a general rule, with the exception of items relating to personal hygiene or health, no employee should ever bring anything to work or store anything at work that he or she would not be prepared to show and possibly turn over to school officials and/or law enforcement authorities.

All ILTexas employees are subject to this policy. However, any given search may be restricted to one or more specific individuals, depending upon the situation. Searches may be done on a random basis or based upon reasonable suspicion. "Reasonable suspicion" means circumstances suggesting to a reasonable person that there is a possibility that one or more individuals may be in possession of a prohibited item as defined above. Any search under this policy will be done in a manner protecting employee privacy, confidentiality, and personal dignity to the greatest extent possible. ILTexas will respond severely to any unauthorized release of information concerning individual employees.

No employee will ever be physically forced to submit to a search. However, an employee who refuses to submit to a search request by the school will face disciplinary action, up to and possibly including immediate termination of employment.

### **Workplace Violence Prevention**

ILTexas is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, ILTexas has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on school property.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are at all times prohibited without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, student, or member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, students, vendors, solicitors, or other members of the public. When reporting a threat of violence, please be specific and as detailed as possible.

All suspicious individuals or activities should be reported as soon as possible to a supervisor. Do not attempt to interfere in a disturbance unless it is reasonably safe to do so.

ILTexas will promptly and thoroughly investigate all reports or threats of violence and suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety, and the integrity of its investigation ILTexas may suspend employees, either with or without pay, pending investigation. Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

### **Drug-Free Workplace Requirements**

ILTexas intends to provide a safe and drug-free work environment for our students and employees. With this goal in mind, we have established the following policy for employees of ILTexas.

ILTexas explicitly prohibits:

- The unlawful manufacture, distribution, dispensation, possession, or use of narcotics or other illegal drugs, alcohol, or prescription medication without a prescription on ILTexas premises or while attending an ILTexas -sponsored or school-related activity.
- Being impaired or under the influence of legal or illegal drugs or alcohol away from school property, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk ILTexas' reputation.
- Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from ILTexas property, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk ILTexas' reputation.
- The presence of any detectable amount of prohibited substances in the employee's system while at work, on ILTexas property, or while attending a school-sponsored or school-related activity. "Prohibited substances" include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to the employee.

Employees who violate this policy may be referred to drug counseling programs, drug rehabilitation programs, employee assistance programs, or may be terminated from employment.

As a condition of employment with ILTexas, each employee shall abide by the terms of the requirements and prohibitions set out in this statement and shall notify ILTexas of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Within 30 days of receiving such notice, ILTexas shall either (1) take appropriate personnel action against the employee, up to and including termination; or (2) require the employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency.

In addition, ILTexas will conduct drug and/or alcohol testing under any of the following circumstances:

- *For-Cause Testing:* ILTexas may ask an employee to submit to a drug and/or alcohol test at anytime it has reason to suspect that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity; unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol; negative performance patterns; or excessive and unexplained absenteeism or tardiness.
- *Post-Accident Testing:* Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test. This includes not only the employee who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way.
- *Pre-Employment Testing:* ILTexas may perform pre-employment drug or alcohol testing after an offer of employment is made and accepted.

All reports by ILTexas regarding drug or alcohol testing results shall be kept strictly confidential but may be used as the basis for disciplinary action or other action regarding employment status.

If an employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of this policy, or if an employee refuses a request to submit to testing under this policy, the employee may be subject to appropriate disciplinary action, up to and possibly including termination. In such a case, the employee will be given an opportunity to explain the circumstances prior to any final employment action becoming effective.

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

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted at random when reasonable suspicion exists, and as a follow-up measure. Testing will be conducted immediately following accidents. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty. If the employee has more than one accident or moving violations, the employee may be recommended for termination immediately.

Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact the Director of Human Resources.

### **Alcohol and Tobacco Use and Possession**

ILTexas maintains an alcohol-free and smoke- and tobacco-free work environment. It is a violation of state law to ingest or possess alcohol or smoke or use tobacco products (including, but not limited to, cigarettes, pipes, cigars, snuff, or chewing tobacco) on ILTexas property, in ILTexas vehicles, or during ILTexas-related or ILTexas-sanctioned activities, on or off campus. Any violation of this policy may result in immediate termination.

ILTexas also prohibits the use of any "e-cigarette," meaning an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device, at all times on school property, at any school events or activities (whether or not on school property), or in school vehicles. This prohibition also includes any and all vapors, inhalants, electronic cigarette devices or other devices or paraphernalia used with vapors, other inhalants or chemicals. All personnel shall enforce this policy on school property.

### **Video Surveillance**

ILTexas is charged with the responsibility of caring for students. Maintaining safe and efficient schools is critical to fulfilling this responsibility. ILTexas reserves the right to conduct surveillance in its facilities and offices when such surveillance is in the best interest of the school, its students, or its employees, such as for possible problems with student abuse, theft, drugs, alcohol or other serious misconduct. Therefore, employees are on notice that they should have no expectation of personal privacy while at work and all schools and school facilities are subject to surveillance, including parking lots. Surveillance may be by electronic means or direct human involvement. Surveillance methods may be visible or may be concealed. Periods of surveillance may or may not be announced at the option of ILTexas. No employee shall initiate surveillance of any kind without express approval of the Superintendent. Technical assistance with surveillance may be sought from local law enforcement agencies in conducting surveillance and surveillance results may be shared with local law enforcement agencies when possible criminal action is indicated.

## **Weapon & Firearms Possession**

Texas Penal Code section 46.03, prohibits firearms, illegal knives, clubs or any prohibited weapon on the physical premises of a school, any grounds or building on which an activity sponsored by a school is being conducted, or school transportation vehicle. Any violation of this policy by an ILTexas employee may result in immediate termination. To ensure the safety of all persons, employees who observe or suspect a violation of this prohibition should report it immediately to their supervisor.

## **PART 9: MISCELLANEOUS PROVISIONS**

### **Emergencies**

All employees should be familiar with the evacuation diagrams posted throughout the school. Fire, tornado, and other emergency drills will be conducted to familiarize employees and students with evacuation procedures. Fire extinguishers are located throughout all school buildings. Employees should know the location of these devices and how to use them.

### **School Closures**

ILTexas may be closed because of bad weather or emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of school facilities. When it becomes necessary to open late or to release students early, local media will be informed and every effort will be made to contact all staff and students through the school's emergency broadcast system.

### **Others Before Self Service Learning Project**

All Principals, Assistant Principals, and GLA's who receive the principal stipend must participate and ensure the project is complete to receive the full stipend.

All ILTexas teachers are required to participate and guide students in an "Others Before Self" grade level service learning project. This is a non-negotiable and an integral part of who we are at ILTexas.

### **FERPA**

Student records are confidential and protected from unauthorized inspection or use. Employees with access to student information and/or performance data will consistently and uniformly maintain the privacy and confidentiality of this information in accordance with the Federal Educational Rights and Privacy Act ("FERPA").

### **HIPAA**

The Health Insurance Portability and Accountability Act of 1996 ("HIPAA") established rules for protecting individual Personal Health Information ("PHI"). HIPAA provides individuals certain rights regarding their PHI, and requires employers and other individuals to adhere to restrictions on how PHI is disclosed. Every employee should respect the rights of others and only disclose PHI about themselves and others to those with a need to know. Disclosure of PHI without the written approval of the individual is a violation of federal law.

### **HIV-AIDS and Other Life-Threatening Illnesses**

Individuals infected with HIV and individuals with life-threatening illnesses have the same rights and opportunities as other individuals.

Employees are not required to reveal their HIV status to employers. All medical information that an HIV-infected employee provides to medical or management personnel is confidential and private. ILTexas may not reveal this information without the employee's knowledge and written consent, except as provided by law.



Those with access to confidential information must maintain strict confidentiality and privacy, separating this information from employees' personnel records. Individuals who fail to protect these rights commit a serious offense, which may be cause for litigation resulting in both civil and criminal penalties and may result in disciplinary action, up to and including termination.

Employees who have concerns of a co-worker or student infected with HIV or a life-threatening illness should contact The Benefits Coordinator for appropriate information and reference materials. Employees do not have the right to refuse to work with someone who has HIV or AIDS or any disability. An employee who refuses to work with co-workers or students who have a disability shall be subject to disciplinary or corrective action, up to and including termination.

### **External Inquiries**

Employees should contact Finn Simmenssen, ILTexas Legal Services Coordinator, regarding all employee related legal matters and external inquiries. This includes all inquiries, notices or other communication from attorneys, prospective employers or others regarding employees or former employees, whether verbal or written. It also includes, but is not limited to:

- Any Charges of Discrimination that may come from the Equal Employment Opportunity Commission, Texas Human Rights Commission, or other agencies;
- Any notice or indication of an audit by the U.S. Department of Labor or notification from the Texas Workforce Commission;
- Any OSHA complaints or site visits by OSHA staff members.

No response should be given to external inquiries or notifications except how to contact ILTexas Legal Services Coordinator. The Legal Services Coordinator should be notified as soon as possible. No employee other than ILTexas Legal Services Coordinator may be served with legal papers. Employees who become aware of the attempt to serve legal papers should advise the server of the appropriate agent of record for service of process and notify his or her supervisor and/or ILTexas Legal Services Coordinator as soon as possible.

### **Key/Access Device Security**

Key and access device security is important because of the nature and value of property on campus. Each employee is responsible for keys issued and losses must be reported immediately. Keys or access devices may not be loaned or duplicated without approval from the campus Principal or supervisor. Employees are required to take all reasonable precautions with the keys issued, and all keys must be accounted for at all times.

### **Personal Property**

ILTexas recognizes that employees may desire to display mementos pertaining to their families or bring other personal items to work. ILTexas takes no responsibility for the safekeeping of these items. However, should any such personal property be stolen, employees should report the incident to ILTexas. The following guidelines should be observed:

- Safety comes first. No object can interfere with job safety as determined by the Principal.
- Nothing can be displayed that is derogatory (in the opinion of the Principal) to any person or system of beliefs, or that is considered sexually offensive under the reasonable person standard.
- Objects that are inappropriate (in the opinion of the Principal) or that hinder work efforts will not be allowed and must be removed upon request.

## **School Property**

All employees are responsible for taking proper care of ILTexas owned property, including vehicles, buildings, furnishings, equipment, tools and supplies. School property must remain on the premises at all times unless approved in advance by the Principal or other appropriate administrator. Proper care and maintenance of school-owned vehicles is also required.

The following applies to the usage of any ILTexas -owned vehicle: (1) all doors must be locked when the vehicle is unattended, (2) no unauthorized passengers or merchandise are allowed to be transported, (3) no unauthorized merchandise, and (4) no unauthorized stops may be made.

Employees must return all ILTexas-owned property that is in their possession or control in the event of termination of employment, resignation or layoff immediately upon request.

School employees shall not use school public property for any purpose not described in the ILTexas open-enrollment charter, except that employees may use local telephone service, school-issued cellular phones, electronic mail, Internet connections, and similar property for incidental personal use, if, as determined by school administration, such does not:

- Result in any direct cost paid with state funds, or the charter holder is reimbursed by the employee within five business days for any direct cost incurred;
- Impede charter school functions as determined by the school administration.

Only incidental amounts of employee time, comparable to a five to seven-minute coffee break during each day, may be used for personal matters. This does not authorize incidental personal use of public property for private commercial purposes. Any such incidental use of public property is a privilege not a right, and ILTexas administration may remove or rescind such privilege from time to time on a case-by-case basis for any employee, or all employees.

## **Use of Personal Vehicles**

Employees conducting ILTexas -related business in their personal vehicles are expected to be in compliance with all state laws related to vehicle insurance coverage requirements. If involved in an accident while on school-related business, personal vehicle insurance takes precedence.

## **Visitors in the Workplace**

ILTexas requires all persons who enter upon its premises to display his or her driver's license or another form of identification containing a photograph of the person issued by a governmental entity. This applies to family members of employees, friends, parents, social service workers, volunteers, Board members, guest speakers and other guests, maintenance and repair persons not employed by ILTexas, vendors, and representatives of news media, former students, and any other visitors.

ILTexas may establish an electronic database for the purpose of storing information concerning school visitors. Such database may only be used for purposes of school security, and may not be sold or otherwise disseminated to a third party for any purpose. ILTexas may also verify whether any visitor to a campus is a sex offender registered with the computerized central database maintained by the Department of Public Safety, or any other database accessible by ILTexas.

Visits to individual classrooms during instructional time shall be permitted only with the Principal'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.

## **Student Issues**

### ***Non-Discrimination Statement***

ILTexas does not discriminate on the basis of race, religion, color, national origin, sex, disability academic, artistic, or athletic ability, sexual orientation, pregnancy, marital status or the district the child would otherwise attend under state law or in providing educational services, activities, and programs, including vocational and career technology 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.

### ***Administration of Medication***

Unless otherwise authorized or described below, school employees and volunteers are prohibited from administering medications to students, including vitamins and food supplements. Medication should be administered outside of school hours, if possible. If necessary, medication can be administered at school under the following circumstances:

- Nonprescription medication brought to school must be submitted by a parent along with a written request. The medication must also be in the original and properly labeled container.
- Prescription medications administered during school hours must be prescribed by a physician or advanced nurse practitioner (“ANP”) and filled by a pharmacist licensed in the State of Texas. Prescriptions ordered or filled in Mexico will not be accepted.
- Prescription medications must be submitted in a labeled container showing the student’s name, name of the medication, reason the medication is being given, proper dosage amounts, the time the medication must be taken, and the method used to administer the medication. Medications sent in plastic bags or unlabeled containers will NOT be administered.
- If the substance is herbal or a dietary supplement, it must be provided by the parent and will be administered only if required by the student’s Individualized Education Program (“IEP”) or Section 504 plan for a student with disabilities.
- Only the amount of medication needed should be delivered to the school, i.e., enough medication to last one day, one week, etc. In cases of prolonged need, send in the amount for a clearly specified period. Extra medication will not be sent home with the student.
- In certain emergency situations, ILTexas may administer a nonprescription medication to a student, but only in accordance with the guidelines developed by the school’s medical advisor and when the parent has previously provided written consent for emergency treatment.

### ***Psychotropic Drugs and Psychiatric Evaluations or Examinations***

No ILTexas employee may:

- Recommend that a student use a psychotropic drug;
- Suggest any particular diagnosis; or
- Preclude a student from attending class or participating in a school-related activity if the parent refuses to consent to the administration of a psychotropic drug to a student or to a psychiatric evaluation or examination of a student.

“Psychotropic drug” means a substance that is used in the diagnosis, treatment, or prevention of a disease or as a component of a medication and intended to have an altering effect on perception, emotion, or behavior.

### ***Parent and Student Complaints***

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 parent and student complaints. Parents or students may obtain information on this process from the main office or the Principal.

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

Students are expected to follow all classroom and campus rules, and the rules listed in the 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 ILTexas. Non- instructional employees with concerns about a particular student's conduct should contact the student's classroom teacher or the Principal.

### ***Student Welfare: Child Abuse and Neglect Reporting***

Any ILTexas officer, employee, agent or volunteer who has cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect or other maltreatment by any person shall immediately make a report as required by law.

If a professional (*i.e.*, teachers, nurses, doctors, day-care employees, or other mandatory reporters) has cause to believe that a child has been or may be abused, maltreated or neglected, that person shall make a report within 48 hours after the person first suspects the abuse or neglect. The person may not delegate to or rely on another individual to make the report.

If the suspected abuse or neglect involves a person responsible for the custody, care or welfare of the child, the report must generally be made to the Texas Department of Family and Protective Services ("DFPS"). All other reports should be made to any local or state law enforcement agency, the DFPS, the Texas Education Agency (if the abuse or neglect occurred at school), another state agency near where the abuse occurred, or any agency designated by a court as responsible for the protection of children.

A report should reflect the reporter's belief that a child has been or may be abused or neglected or has died of abuse or neglect. The reporter shall identify the following information, if known:

- The name and address of the child;
- The name and address of the person responsible for the care, custody, or welfare of the child; and
- Any other pertinent information concerning the alleged or suspected abuse or neglect.

All reports of abuse shall be reported to the Principal or designee contemporaneous to the report mandated by law.

Any person who makes such a report, or assists in the investigation of a report of child abuse or neglect in good faith, is immune from any criminal or civil liability that might otherwise be incurred or imposed. Authorized officials from the above agencies shall be permitted to conduct the required interview with the child at the school with or without the consent of the parent or guardian. ILTexas will fully cooperate with all official investigations of abuse or neglect.

ILTexas or its agents may not suspend or terminate the employment of, or otherwise discriminate against, a professional employee who, in good faith:

- Reports child abuse or neglect to:
  - The employee's supervisor,
  - An administrator of the facility where the employee works,

- A state regulatory agency, or
- A law enforcement agency; or
- Initiates or cooperates with a governmental investigation or proceeding relating to an allegation of child abuse or neglect.

A person who reports his or her own abuse or neglect of a child or who acts in bad faith or with malicious purpose in reporting alleged child abuse or neglect may be subject to criminal prosecution.

The toll free number for the Texas Child Abuse Hotline is 1-800-252-5400.

In addition to the duty to report described above, a person or professional shall make a report if he or she has cause to believe that an adult was a victim of abuse or neglect as a child and the person or professional determines in good faith that disclosure of the information is necessary to protect the health and safety of another child. Such a report must be made within 48 hours, and the duty to make a report cannot be delegated.

### ***Employee Training***

ILTexas shall provide training for all new and existing employees on awareness of issues regarding sexual abuse and other maltreatment of children, including prevention techniques for and recognition of sexual abuse and all other maltreatment of children.

### ***Bullying***

All employees are required to report student complaints of bullying to the Principal or other appropriate administrator. Bullying means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that (1) has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property, (2) is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student, (3) materially and substantially disrupts the educational process or the orderly operation of a classroom or school, or (4) infringes on the rights of the victim at school. The definition of bullying includes "cyberbullying." Cyberbullying means bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

Employees who observe students engaged in bullying, or who suspect that a student has engaged in or is the victim of bullying, must report the fact or suspicion to the Principal or other appropriate administrator. The Principal, or other appropriate administrator, shall conduct an investigation into the allegations.

The Principal, or the Principal's designee, may make a report to the local police department (or if the school is not in a municipality to the county sheriff), if after an investigation is completed, the Principal has reasonable grounds to believe that a student engaged in conduct that constitutes the offense of Assault, as defined in Section 22.01 of the Texas Penal Code, or Harassment, as defined in Section 42.07 of the Texas Penal Code.

The Bullying Report Form is attached to this Handbook in the Appendix.

### ***Student Attendance***

Teachers and staff should be familiar with the school's policies and procedures for attendance accounting.

Contact the Principal for additional information.

### ***Student Transportation***

Except in limited emergency situations, ILTexas employees are not authorized to transport students in the employee's personal automobile.

### ***Student Welfare: Computer Technician Reports of Child Pornography***

Any computer technician employed by ILTexas who, in the course and scope of employment or business with ILTexas, views an image on a computer that is or appears to be child pornography must immediately report the discovery to a local or state law enforcement agency or the Cyber Tipline at the National Center for Missing and Exploited Children. The report must include the name and address of the owner or person claiming a right to possession of the computer, if known, and as permitted by federal law.

Except in a case of willful or wanton misconduct, a computer technician may not be civilly liable for reporting or failing to report the discovery of an image. A computer technician who intentionally fails to report an image may be subject to criminal prosecution.

## **PART 10: EMPLOYEE ACCEPTABLE USE POLICY**

### **Technology Mission Statement**

ILTexas, is committed to utilizing the maximum potential of technology to enhance student learning and increase employee effectiveness by providing technology-related experiences. Recognizing the ever-changing influences of technology on all aspects of our lives, ILTexas is dedicated to providing an integrated technological curriculum for all students and staff members. Students will have access to the technology necessary to produce, manage, communicate and retrieve information in an efficient manner for educational use. In the attainment of both present and future goals, ILTexas will provide a continually evolving staff development program oriented toward the integration of technology in areas of curriculum.

### **Instructional Resource**

ILTexas is proud to bring network and Internet access to school employees and students, and believes the Internet offers many diverse and unique resources to both students and staff. ILTexas' goal in providing this service to staff and students is to promote educational excellence in schools by facilitating resource sharing, innovative teaching, and communication skills.

Students and staff have access to numerous research oriented and instructional resources via the Internet. On-line encyclopedias, professional journals, and databases filled with timely information on thousands of topics are just a few of the resources provided. On-campus computers have the technology necessary to support student research and to promote academic achievement.

### **Student Safety**

ILTexas is aware that resources that are inappropriate or not designed for use in the educational setting may be accessed on the Internet. To protect students and staff from such inappropriate material, ILTexas' Internet access is filtered with one of the highest-rated Internet filtering systems available. However, users must recognize that it is impossible for the school to restrict access to all controversial material and individuals must be responsible for their own actions in navigating the network.

### **Purpose**

The purpose of this policy is to ensure school-level compliance with all procedures and regulations regarding the local area network and Internet usage. All students, parents, teachers, administrators and school employees who obtain their Internet access through the school are expected to use these services appropriately.

## **User Responsibilities**

The use of the Internet is a privilege. Abusive conduct will lead to the privilege being revoked. ILTexas is providing Internet resources for educational purposes only. Employee use of Internet resources must be related to an expressed educational and/or administrative goal or objective.

1. The use of ILTexas' Internet and computer network must be in support of educational goals, research, and class assignments and be consistent with the educational objectives of the school.
2. Users must have a valid, authorized account to access the network, and use only those computer resources that are authorized. Accounts may be used only in accordance with authorized purposes.
3. Individual accounts may be used only by the owner of the account except where specifically authorized by the school administration. In the case of class accounts, all use must be under the supervision of the sponsoring teacher/supervisor.
4. The user is responsible for safeguarding the computer account. Users are expected to protect access to accounts by periodically changing the password and keeping it confidential. They must respect the privacy of others by not tampering with their files, passwords or accounts.

## **Policy – Terms and Conditions**

### ***Acceptable Use***

Users are to properly use school network resources for educational and/or administrative purposes. Respectful and responsible network etiquette and behavior should be in keeping with the school's mission statement. Employees are expressly prohibited from accessing obscene, profane, vulgar, or pornographic sites or materials.

### ***Monitored Use***

Electronic mail transmissions and other use of the electronic communications system by students and employees shall not be considered confidential and may be monitored at any time by designated school staff to ensure appropriate use for educational or administrative purposes. Forgery or attempted forgery of electronic mail messages is prohibited. Only the school's authorized technology designee may read, delete, copy or modify the electronic mail of other system users.

### ***Vandalism***

Vandalism is defined as any malicious attempt to harm, disrupt or destroy data of another user of the school's network or any other agencies or networks that are connected to the Internet. This includes, but is not limited to, the uploading or creating of computer viruses. Any of these actions may be viewed as violations of ILTexas policy, administrative regulations and, possibly, as criminal activity under applicable state and federal laws. Users must respect the privacy of other users, and will not intentionally seek information on, obtain copies of, or modify any file, data, or password belonging to another user, or represent themselves as another user unless explicitly authorized. Deliberate attempts to degrade or disrupt system performance and/or degrade, disrupt or bypass system security are violations of ILTexas policy and administrative regulations, and may constitute criminal activity under applicable laws.

Any prohibited behavior under this policy will result in the cancellation of technology privileges. ILTexas will, in accordance with school policy, cooperate with local, state, or federal officials in any investigation concerning or relating to misuse of the school's network.



### ***Network Etiquette***

Each network user is expected to:

- Be polite (i.e., an all-caps message implies shouting);
- Use appropriate language;
- Refrain from any activity that may be considered “cyber bullying,” including but not limited to threats of violence, extortion, obscene or harassing messages, harassment, stalking, child pornography, and sexual exploitation;
- Maintain confidentiality of the user, colleagues, and students;
- Respect copyright laws; and
- Be respectful in all aspects of network use.

### ***Consequences***

The guidelines for appropriate use are applicable to all use of school computers and refer to all information resources, whether individually controlled, shared, stand alone, or networked. Disciplinary action for students, staff, and other users shall be consistent with ILTexas policy and administrative regulation. Violations may result in:

- Suspension of access to school computers and network resources;
- Revocation of access privileges or user accounts; or
- Other school disciplinary or legal action, up to and including termination, in accordance with school policies and applicable laws.

Specific disciplinary measures will be determined on a case-by-case basis.

**APPENDIX – FORMS**

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### **Authorization for Background Check**

Texas Education Code section 22.083 authorizes an open-enrollment charter school to obtain the criminal history record of every applicant for employment or volunteer services with the school. Therefore, as part of your application process, please read and sign this form in the space provided below. Your written authorization is necessary for completion of the application process.

I, \_\_\_\_\_, hereby authorize ILTexas to investigate my background and qualifications for purposes of evaluating whether I am qualified for the position for which I am applying. I understand that ILTexas will utilize an outside firm or firms to assist it in checking such information, and I specifically authorize such an investigation by information services and outside entities of its choice. I also understand that I may withhold my permission and that in such a case, no investigation will be done, and my application for employment will not be processed further.

I understand that ILTexas is authorized to use any source including, but not limited to, consumer reporting agencies, private investigators, and law enforcement agencies. Furthermore, I authorize any of these agencies to release information to me or to ILTexas or ILTexas' agent(s).

I also hereby acknowledge that I have received a notice that a report may be obtained for employment purposes if applicable. I understand that the information I am providing about age, sex, and ethnicity will not be used to determine my eligibility for employment or volunteer services, but will be used solely for the purpose of obtaining consumer information, including criminal history information. I further understand that information from my consumer report will not be used in violation of applicable Federal or State equal employment opportunity laws.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name – Printed

*Complete Background Check Form on Next Page*

**International Leadership of Texas 2016–2017 Criminal History Background Check Form**

|                                   |  |
|-----------------------------------|--|
| Last Name:                        |  |
| Maiden and/or Other Name:         |  |
| First Name:                       |  |
| Middle Name:                      |  |
| Driver's License Number:          |  |
| State Issuing Driver's License:   |  |
| Date of Birth (example 01/23/45): |  |
| Social Security Number:           |  |
| Sex:                              |  |
| Race:                             |  |
| Current Street Address:           |  |
| City:                             |  |
| State:                            |  |
| Zip:                              |  |

**List Where You Have Lived or Worked in the Last Five Years**

| City/Town | County | State | From | To |
|-----------|--------|-------|------|----|
|           |        |       |      |    |
|           |        |       |      |    |
|           |        |       |      |    |
|           |        |       |      |    |

## **Disclosure and Authorization for Consumer Reporting Agency Reports**

ILTexas may request background information about an employee from a consumer-reporting agency in connection with his/her employment application and for employment purposes. This information may be obtained in the form of consumer reports and/or investigative consumer reports. These reports may be obtained at any time after receipt of your authorization.

The reports may contain information bearing on an employee's character, general reputation, personal characteristics, mode of living, and credit standing. The types of information that may be obtained include, but are not limited to the following:

- Social Security Number
- Criminal Records Checks
- Public Court Records Checks
- Driving Records Checks
- Licensing and Certification Records Checks
- Sex Offender Registration

A summary of an employee's rights under the Fair Credit Reporting Act has been provided to all employees. Employees may request more information about the nature and scope of any investigative consumer reports by contacting the Human Resources Department.

*I have carefully read and understand this Disclosure and Authorization form and the attached summary of rights under the Fair Credit Reporting Act. By my signature below, I consent to the release of consumer reports and investigative consumer reports. I understand this information will be used to determine my eligibility for employment with ILTexas.*

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name – Printed

*Summary of Your Rights under the Fair Credit Reporting Act on Next Page*

## **A Summary of Your Rights Under the Fair Credit Reporting Act**

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Below is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to [www.ftc.gov/credit](http://www.ftc.gov/credit) or write to: Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer-reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
  - a person has taken adverse action against you because of information in your credit report;
  - you are the victim of identity theft and place a fraud alert in your file;
  - your file contains inaccurate information as a result of fraud;
  - you are on public assistance;
  - you are unemployed but expect to apply for employment within 60 days.
  - In addition, by September 2005 all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.ftc.gov/credit](http://www.ftc.gov/credit) for additional information.
- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer-reporting agency, the agency must investigate unless your dispute is frivolous. See [www.ftc.gov/credit](http://www.ftc.gov/credit) for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- **Access to your file is limited.** A consumer-reporting agency may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer-reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to [www.ftc.gov/credit](http://www.ftc.gov/credit).

- **You may limit “prescreened” offers of credit and insurance you get based on information in your credit report.** Unsolicited “prescreened” offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).
- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit [www.ftc.gov/credit](http://www.ftc.gov/credit).

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. Federal enforcers are:

| <b>TYPE OF BUSINESS:</b>  | <b>CONTACT:</b>  |
|---|--|
| Consumer reporting agencies, creditors and others not listed below  | Federal Trade Commission: Consumer Response Center – FCRA, Washington, DC 20580<br>Tel: 1-877-382-4357   |
| National banks, federal branches/agencies of foreign banks (word "National" or initials "N.A." appear in or after bank's name)        | Office of the Comptroller of the Currency Compliance Management, Mail Stop 6-6 Washington, DC 20219<br>Tel: 1-800-613-6743   |
| Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks)                           | Federal Reserve Consumer Help (FRCH) P. O. Box 1200<br>Minneapolis, MN 55480<br>Tel: 1-888-851-1920<br>Website Address: <a href="http://www.federalreserveconsumerhelp.gov">www.federalreserveconsumerhelp.gov</a><br>E-mail Address: <a href="mailto:ConsumerHelp@FederalReserve.gov">ConsumerHelp@FederalReserve.gov</a> |
| Savings associations and federally chartered savings banks (word "Federal" or initials "F.S.B." appear in federal institution's name) | Office of Thrift Supervision Consumer Complaints<br>Washington, DC 20552<br>Tel: 1-800-842-6929  |
| Federal credit unions (words "Federal Credit Union" appear in institution's name)   | National Credit Union Administration<br>1775 Duke Street Alexandria, VA 22314<br>Tel: 1-703-519-4600   |

|   |  |
|---|--|
| State-chartered banks that are not members of the Federal Reserve System  | Federal Deposit Insurance Corporation<br>Consumer Response Center, 2345 Grand Avenue, Suite 100<br>Kansas City, Missouri 64108-2638<br>Tel: 1-877-275-3342 |
| Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission | Department of Transportation, Office of Financial Management Washington, DC 20590<br>Tel: 1-202-366-1306   |
| Activities subject to the Packers and Stockyards Act, 1921  | Department of Agriculture Office of Deputy Administrator - GIPSA<br>Washington, DC 20250<br>Tel: 1-202-720-7051  |



**Authorization for Prior Employer to Release Information**

(Please read the following statements, sign below and return to Human Resources)

I, \_\_\_\_\_, hereby authorize my prior employer, \_\_\_\_\_, to release any and all information relating to my employment with them to ILTexas. I further release and hold harmless both ILTexas and my prior employer, \_\_\_\_\_ from any and all liability that may potentially result from the release and/or use of such information. I understand that any information released by my prior employer will be held in strictest confidence, that it will be viewed only by those involved in the hiring decision, and that neither I nor anyone else not so involved will have the right to see the information.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name – Printed

**Drug and/or Alcohol Testing Consent Form and Policy Acknowledgment Form**

I hereby agree, upon a request made under the drug/alcohol testing policy of ILTexas to submit to a drug or alcohol test and to furnish a sample of my urine, breath, and/or blood for analysis. I understand and agree that if I at any time refuse to submit to a drug or alcohol test under any ILTexas policy, or if I otherwise fail to cooperate with the testing procedures, I will be subject to immediate termination. I further authorize and give full permission to have ILTexas and/or its physician send the specimen or specimens so collected to a laboratory for a screening test for the presence of any prohibited substances under the policy, and for the laboratory or other testing facility to release any and all documentation relating to such test to ILTexas and/or to any governmental entity involved in a legal proceeding or investigation connected with the test. Finally, I authorize to disclose any documentation relating to such test to any governmental entity involved in a legal proceeding or investigation connected with the test.

I understand that only duly-authorized ILTexas officers, employees, and agents will have access to information furnished or obtained in connection with the test; that they will maintain and protect the confidentiality of such information to the greatest extent possible; and that they will share such information only to the extent necessary to make employment decisions and to respond to inquiries or notices from government entities.

I will hold harmless ILTexas, its physician, and any testing laboratory that it might use, meaning that I will not sue or hold responsible such parties for any alleged harm to me that might result from such testing, including loss of employment or any other kind of adverse job action that might arise as a result of the drug or alcohol test, even if an ILTexas or laboratory representative makes an error in the administration or analysis of the test or the reporting of the results. I will further hold harmless ILTexas, its company physician, and any testing laboratory that it might use for any alleged harm to me that might result from the release or use of information or documentation relating to the drug or alcohol test, as long as the release or use of the information is within the scope of this policy and the procedures as explained in the paragraph above.

I have had an opportunity to read the Drug-Free Workplace Policy included in ILTexas Employee Handbook, and I understand that I may ask my supervisor or Human Resource Department any questions I might have concerning the policy. I accept the terms of the Drug-Free Workplace Policy. I also understand that it is my responsibility to comply with the Drug-Free Workplace Policy, and any revisions made to it. I further agree that if I remain with ILTexas following any modifications to the policy, I thereby accept and agree to such changes.

This policy and authorization have been explained to me in a language I understand, and I have been told that if I have any questions about the test or the policy, they will be answered.

**I UNDERSTAND THAT ILTEXAS WILL REQUIRE A DRUG SCREEN TEST UNDER THIS POLICY WHENEVER I AM INVOLVED IN AN ON-THE-JOB ACCIDENT OR INJURY UNDER CIRCUMSTANCES THAT SUGGEST POSSIBLE INVOLVEMENT OR INFLUENCE OF DRUGS OR ALCOHOL.**

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name – Printed

## Searches

ILTexas reserves the right to conduct searches to monitor compliance with rules concerning safety of employees, security of company and individual property, drugs and alcohol, and possession of other prohibited items. "Prohibited items" include illegal drugs, alcoholic beverages, prescription drugs or medications not used or possessed in compliance with a current valid prescription, weapons, any items of an obscene, harassing, demeaning, or violent nature, and any property in the possession or control of an employee who does not have authorization from the owner of such property to possess or control the property. "Control" means knowing where a particular item is, having placed an item where it is currently located, or having any influence over its continued placement. In addition to ILTexas' premises, ILTexas may search employees, their work areas, lockers, and personal vehicles if driven or parked on company property, and other personal items such as bags, purses, briefcases, backpacks, lunch boxes, and other containers. In requesting a search, ILTexas is by no means accusing anyone of theft, some other crime, or any other variety of improper conduct.

There is no general or specific expectation of privacy in ILTexas' workplace, either on school premises, or while on duty. In general, employees should assume that what they do while on duty or on school premises is not private. All employees and all of the areas listed above are subject to search at any time; if an employee uses a locker or other storage area at work, including a locking desk drawer or locking cabinet, ILTexas will either furnish the lock and keep a copy of the key or combination, or else allow the employee to furnish a personal lock, but the employee must give ILTexas a copy of the key or combination. The areas in question may be searched at any time, with or without the employee being present. As a general rule, with the exception of items relating to personal hygiene or health, no employee should ever bring anything to work or store anything at work that he/she would not be prepared to show and possibly turn over to ILTexas officials and/or law enforcement authorities.

All employees of ILTexas are subject to this policy. However, any given search may be restricted to one or more specific individuals, depending upon the situation. Searches may be done on a random basis or based upon reasonable suspicion. "Reasonable suspicion" means circumstances suggesting to a reasonable person that there is a possibility that one or more individuals may be in possession of a prohibited item as defined above. Any search under this policy will be done in a manner protecting employee privacy, confidentiality, and personal dignity to the greatest extent possible. ILTexas will respond severely to any unauthorized release of information concerning individual employees.

No employee will ever be physically forced to submit to a search. However, an employee who refuses to submit to a search request by ILTexas will face disciplinary action, up to and possibly including immediate termination of employment.

**IN ACCORDANCE WITH ILTEXAS POLICY REGARDING SEARCHES, I UNDERSTAND THAT ALL DESKS, STORAGE AREAS, LOCKERS, AND ALL VEHICLES OWNED, FINANCED, OR LEASED BY ILTEXAS, OR USED BY IT TO TRANSPORT EMPLOYEES, GOODS, AND/OR PRODUCTS ARE SUBJECT TO SEARCH AT ANY TIME WITHOUT MY KNOWLEDGE, PRESENCE, OR PERMISSION. WITH THE EXCEPTION OF MY PERSONAL VEHICLE, I UNDERSTAND I AM PROHIBITED FROM LOCKING OR OTHERWISE SECURING ANY SUCH DESK, STORAGE AREA, LOCKER, OR VEHICLE WITH ANY LOCK OR LOCKING DEVICE NOT SUPPLIED OR APPROVED BY ILTEXAS. IF I USE MY OWN LOCK ON ANY SUCH ITEM, I AGREE TO GIVE MY SUPERVISOR A COPY OF THE KEY OR COMBINATION TO THE LOCK SO THAT [ILTEXAS MAY OPEN THE LOCK AT ANY TIME THAT IT MAY DEEM SUCH ACTION NECESSARY. IN THE EVENT THAT A SEARCH OF MY PERSONAL VEHICLE BECOMES NECESSARY, I AGREE TO ALLOW PERSONNEL DESIGNATED BY ILTEXAS TO CONDUCT SUCH A SEARCH AT ANY TIME ILTEXAS MAY DIRECT DURING MY DUTY SHIFT.**

**I FURTHER UNDERSTAND THAT IN ORDER TO PROMOTE THE SAFETY OF EMPLOYEES AND VISITORS OF ILTEXAS, AS WELL AS THE SECURITY OF THE FACILITIES AND RESIDENTS OF THE FACILITIES WHERE ILTEXAS IS LOCATED, ILTEXAS MAY CONDUCT VIDEO SURVEILLANCE OF ANY PORTION OF ITS PREMISES AND OPERATIONS AT ANY TIME, THE ONLY EXCEPTION BEING PRIVATE AREAS OF RESTROOMS, SHOWERS, AND DRESSING ROOMS, AND THAT VIDEO CAMERAS WILL BE POSITIONED IN APPROPRIATE PLACES WITHIN AND AROUND THE FACILITIES AND USED IN ORDER TO HELP PROMOTE THE SAFETY AND SECURITY OF PEOPLE AND PROPERTY. I HEREBY GIVE MY CONSENT TO SUCH VIDEO SURVEILLANCE AT ANY TIME ILTEXAS MAY CHOOSE.**

**I HEREBY RELEASE ILTEXAS FROM ALL LIABILITY, INCLUDING LIABILITY FOR NEGLIGENCE, ASSOCIATED WITH THE ENFORCEMENT OF THESE POLICIES AND/OR ANY SEARCHES OR SURVEILLANCE UNDERTAKEN PURSUANT TO THESE POLICIES.**

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name – Printed

\_\_\_\_\_  
International Leadership of Texas Representative

\_\_\_\_\_  
Date

## **Wage Deduction Authorization Agreement**

I understand and agree that my employer, ILTexas, may deduct money from my pay from time to time for reasons that fall into the following categories:

1. My share of the premiums for ILTexas' group medical/dental plan;
2. Any contributions I may make into a retirement or pension plan sponsored, controlled, or managed by ILTexas;
3. Installment payments on loans or wage advances given to me by ILTexas, and if there is a balance remaining when I leave ILTexas, the balance of such loans or advances;
4. Installment payments on loans based upon store credit that I use for my own personal purchases, including the value of merchandise or services that I purchase or have purchased for personal, non-business reasons using my employee charge account or credit card, an account or credit card assigned to another employee, or a general company account or credit card, regardless of whether such purchase was authorized, and if there is a balance remaining when I leave ILTexas, the balance of such store credit or charges;
5. If I receive an overpayment of wages for any reason, repayment to ILTexas of such overpayments (the deduction for such a repayment will equal the entire amount of the overpayment, unless ILTexas and I agree in writing to a series of smaller deductions in specified amounts);
6. The cost of personal long-distance calls I may make on ILTexas -owned phones or on its accounts, of personal faxes sent by me using ILTexas -owned equipment or its accounts, or of non-work related access to the Internet or other computer networks by me using ILTexas -owned equipment or its accounts;
7. The cost of repairing or replacing any of ILTexas' supplies, materials, equipment, money, or other property that I may damage (other than normal wear and tear), lose, fail to return, or take without appropriate authorization from ILTexas during my employment (except in the case of misappropriation of money by me, I understand that no such deduction will take my pay below minimum wage, or if I am a salaried exempt employee, reduce my salary below the federal FLSA minimum salary-basis amount);
8. The cost of any uniforms required in my employment with ILTexas, and of cleaning such uniforms;
9. The reasonable cost or fair value, whichever is less, of meals, lodging, and other facilities furnished to me by ILTexas in connection with my employment;
10. Administrative fees in connection with court-ordered garnishments or legally-required wage attachments of my pay, limited in extent to the amount or amounts allowed under applicable laws;
11. If I take paid vacation or sick leave in advance of the date I would normally be entitled to it and I separate from ILTexas before accruing time to cover such advance leave, the value of such leave taken in advance that is not so covered;
12. The value of any time off for absences to which paid leave is not applied (non-exempt salaried employees will have all such unpaid leave deducted from their salary, while exempt salaried employees will experience salary reductions only in units of a full day or week at a time, depending upon the exact nature of the absence, unless partial-day deductions are specifically allowed under federal law);
13. If ILTexas pays any insurance premiums or retirement system contributions ("payments") on my behalf that I would normally make under any applicable benefit plan offered by ILTexas during my employment, the amount of such payments made by ILTexas, such payments being an advance of future wages payable to me;

14. If I do not report for duty on the first or last day of school, the day before or after a holiday, or a state testing day, without prior approval from my Supervisor/Principal, I am subject to salary reduction for all days missed, to the extent allowed by law; and
15. Unauthorized use of ILTexas credit or debit card.

I agree that ILTexas may deduct money from my pay under the above circumstances, or if any of the above situations occur. I further understand that ILTexas has stated its intention to abide by all applicable federal and Texas wage and hour laws, and that if I believe that any such law has not been followed, I have the right to file a wage claim with appropriate Texas and federal agencies.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name – Printed

\_\_\_\_\_  
International Leadership of Texas Representative

\_\_\_\_\_  
Date

**Wage Overpayment/Underpayment Policy**

ILTexas takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck, and that employees are paid promptly on the scheduled paydays.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Supervisor, and/or Payroll Manager so that corrections can be made as quickly as possible. If the employee has been underpaid, ILTexas will pay the employee the difference as soon as possible. If the employee has been paid in excess of what he/she has earned, the employee will need to return the overpayment to ILTexas as soon as possible. No employee is entitled to retain any pay in excess of the amount he/she has earned according to the agreed-upon rate of pay. If a wage overpayment occurs, the overpayment will be regarded as an advance of future wages payable and will be deducted in whole or in part from the next available paycheck(s) until the overpaid amount has been fully repaid. Each employee will be expected to sign a wage deduction authorization agreement authorizing such a deduction.

I understand this policy and agree to its terms.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name – Printed

## **Public Access to Employee Information**

### **Employee Opt-Out**

In accordance with the provisions of the Texas Public Information Act (Section 552.024 of the Texas Government Code) employees of ILTexas have the option of withholding the following information from public disclosure:

1. The employee's address.
2. The employee's home telephone number.
3. The employee's personal cellular telephone number.
4. The employee's emergency contact information.
5. Information relating to whether the employee has family members.

Other information maintained by ILTexas regarding employees (including but not limited to employee names and work locations) is subject to public disclosure regardless of the election made below.

\_\_\_\_\_ PUBLIC ACCESS PERMITTED: I hereby elect to permit public access to my home address, home telephone number, personal cellular phone number, emergency contact information, and information relating to whether I have family members in my home.

\_\_\_\_\_ PUBLIC ACCESS DENIED: I hereby elect to deny public access to my home address, home telephone number, personal cellular phone number, emergency contact information, and information relating to whether I have family members in my home.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name – Printed



**Sick Leave Pool Donation Form**

\_\_\_\_\_  
Employee Name (please print)

\_\_\_\_\_  
Employee ID Number

\_\_\_\_\_  
Department

\_\_\_\_\_  
FT/PT

\_\_\_\_\_  
Regular Hours/WK

Initial Enrollment

I **DECLINE to donate** to the sick leave pool

Number of Days of Sick Leave

Donated Minimum 1 day, Maximum 5 days.

\_\_\_\_\_  
I elect to donate to the sick leave pool  
\_\_\_\_\_

\_\_\_\_\_  
Equivalent Number of Hours Donated

Sick leave must be donated in full-day increments (based on FT/PT status and the number of regular hours worked per week). For example:

- Full-time 40 hours / week: 1 Day = 8.0 hours
- Full-time 30 hours/ week: 1 Day = 6.0 hours

I understand in order to make a withdrawal from the sick leave pool, I must be a member. Membership is established by donating at least one sick day based on the guidelines of the Sick Leave Pool Program located at: [www.iltexas.org-human resources](http://www.iltexas.org-human resources)

**INITIALS** \_\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**FAX TO 972-479-9129 OR EMAIL COMPLETED FORM  
TO HUMAN RESOURCES at [hr@iltexas.org](mailto:hr@iltexas.org)  
Thank you for your donation.**

## Bullying Report Form

**Note to Person Reporting:** This form will be confidentially maintained in accordance with the Family Educational rights and Privacy Act (“FERPA”), and generally will not be shared with anyone except those working to investigate or respond to the report. You **ARE NOT** required to provide your name when completing this form.

Please return completed forms to the front office. Anonymous forms may be placed in a sealed envelope with directions to provide the envelope to the Principal.

|  |                         |          |
|--|-------------------------|----------|
| Name of Person Submitting Report (NOT REQUIRED):   |                         | Grade:   |
| Name of Potential Victim:  |                         | Grade:   |
| Name of Potential Bully:   |                         | Grade:   |
| Date of Incident:  | Time:                   | Location |
| What Happened?   | Describe what happened: |          |
| Please tell us if physical force or threats were used, or if cyberbullying was involved. | Please describe:        |          |
| What did the potential victim do?  |                         |          |
| Was anyone else involved? If so, who?  |                         |          |
| Were there any witnesses? If so, who?  |                         |          |
| How often has this happened?   |                         |          |
| Describe what happened immediately before the incident?                                  |                         |          |
| You may attach documentation to this report.   |                         |          |