

# International Leadership of Texas Employee Handbook



2021-2022

ILTexas Board Approved  
Approved July 21, 2021

The Board of Directors of International Leadership of Texas, 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.

Thank you for being part of our team.

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 by, in turn, supporting our students and their parents, and our teachers and other staff.

Thank you 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. 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 the information, policies, and benefits described in this handbook 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 in the handbook and in my letter of agreement, the information, policies, and benefits described in the "Letter of Agreement" shall control.

I have received my copy of the 2021–2022 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**

### **1.1 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.**

### **1.2 Motto**

**“Others Before Self”**

### **1.3 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**

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

*ILTexas does not discriminate against any employee or applicant for employment because of race, color, national origin, religion, sex or gender, disability, military or veteran status, genetic information, age, or any other basis prohibited by law as required by Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; Titles I and 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. Employment decisions will be made on the basis of each individual’s job qualifications, experience and abilities, and the needs of ILTexas, in accordance with applicable federal and state law.*

We are committed to providing an inclusive and welcoming environment for all members of our staff, volunteers, subcontractors, and vendors.

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 or the designated compliance coordinator identified in this section.

As required by Title IX, ILTexas does not (and is required not to) discriminate on the basis of sex in its educational programs or activities. This non-discrimination requirement applies to admission to and employment with ILTexas. Inquiries into issues related to Title IX may be referred to ILTexas' Title IX Coordinator (identified below), to the Assistant Secretary for Civil Rights of the Department of Education, or both.

ILTexas has designated Ms. Regina Jones following as the Title VII/Title IX Coordinator. The ADA Coordinator, and ADEA Coordinator is Mr. Tim Brightman, Chief Legal Officer, 1651 N. Glenville Dr. Suite 216, Ste. 100, Richardson, Texas 75081, 972-479-9078, jbrightman@ILTexas.org.

The Chief Legal Officer is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of race, color, national origin, religion, sex or 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.

## **2.2 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: Employee Rights Under the Fair Labor Standards Act; Job Safety and Health: It's the Law; Employee Rights and Responsibilities Under the Family and Medical Leave Act; Equal Employment Opportunity is the Law; Your Rights Under USERRA; Employee Polygraph Protection Act Notice (EPPA); Texas Payday Law; Texas Whistleblower Act Notice; Unemployment & Payday Law; Notice to Employees Concerning Workers' Compensation in Texas; and the Texas Hazard Communication Act Notice to Employees. Postings are in both English and Spanish for all employees to read.

## **2.3 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 the Chief Legal Officer, 1651 N. Glenville Dr., Ste. 216, Richardson, Texas 75081, 972-479-9078. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

## **2.4 Nondiscrimination Based on Religion**

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

## **2.5 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.

ILTexas 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”).

## **2.6 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.

## **2.7 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**

## **3.1 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 or the Superintendent 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 or the Superintendent.

### **3.2 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.

### **3.3 New Hire Reporting**

Federal and state law requires ILTexas to provide information about all new or rehired workers to the Employer New Hire Reporting Operations Center in the Texas Office of the Attorney General.

### **3.4 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.

### **3.5 In-Service Training**

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

### **3.6 Criminal History Records**

ILTexas will obtain criminal history records from a law enforcement or criminal justice agency for all prospective volunteers and applicants for employment as required by Chapter 22 of the Texas Education Code prior to employment or the commencement of volunteer service. Additionally, as allowed by state law, 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 affiliated with a commercial service.

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.

Additionally, 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.

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

ILTexas may not hire an individual who is prohibited from serving as an officer or employee of an open-enrollment charter school under Texas Education Code § 12.120(a). Additionally, 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 or placed on deferred adjudication community supervision for an offense for which a defendant is required to register as a sex offender under Chapter 62, Code of Criminal Procedure; or
2. The employee or applicant has been convicted of:
  - a. A felony under Penal Code Title 5, if the victim of the offense was under 18 years of age at the time the offense was committed, or
  - b. An offense under the laws of another state or federal law that is the equivalent to an offense under item 1 above (relating to registration as a sex offender).

However, ILTexas may not be required by law to discharge or refuse to hire an employee or applicant if the person committed an offense under Title 5 of the Texas Penal Code and:

1. The date of the offense is more than 30 years before:
  - a. June 15, 2007 in the case of an employee's employment by ILTexas as of that date; or
  - b. The date the applicant'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 make employment decisions in accordance with its policy regarding employment of personnel with criminal histories (or arrested or charged with a criminal offense). ILTexas' policy regarding employment of personnel with criminal histories is as follows:

As allowed by Commissioner of Education rule, a person may not serve as an ILTexas officer or employee if the person has been convicted of:

1. A misdemeanor involving moral turpitude or any felony;
2. An offense listed in Texas Education Code § 37.007(a); or
3. An offense listed in Code of Criminal Procedure, Article 62.001(5).

ILTexas shall also discharge or refuse to hire a person listed on the registry of persons not eligible for employment in public schools, as maintained and made available by the Texas Education Agency.

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 for Educator Certification ("SBEC").

Except as required by state or federal law or as determined by ILTexas to be in the best interest of student and employee safety (and in accordance with law), ILTexas does not automatically 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. Instead, ILTexas reviews these circumstances on a case-by-case basis and in accordance with applicable law.

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

### **3.8 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.

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

An employee must notify his or her Principal or 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 and/or 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. Moral turpitude includes, but is not limited to: (a) dishonesty; (b) fraud; (c) deceit; (d) theft; (e) misrepresentation; (f) deliberate violence; (g) base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor; (h) crimes involving any felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance; (i) felonies including driving while intoxicated; and (j) acts constituting abuse or neglect under SBEC rules.

The requirement to report an arrest, indictment, conviction, no contest or guilty pleas, or other adjudication after employment begins 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 other mobile equipment.

Failure to timely report the items listed in this section may result in disciplinary action, up to and including termination. If an educator is arrested or criminally charged, the Superintendent is also required to report the educator's criminal history to the Division of Investigations at TEA.

An arrest, indictment, conviction, no contest or guilty plea, or other adjudication after employment begins may not be an automatic basis for termination, unless the circumstances make the employee ineligible for

employment in a Texas public school. ILTexas shall consider the following factors (or other appropriate considerations as deemed by ILTexas) in determining what action, if any, should be taken against an employee who reports a criminal history 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, staff, and community.

### **3.10 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.

### **3.11 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 of an educator that involves evidence that the educator may have engaged in abuse or otherwise committed an unlawful act with a student or minor, or was involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor, despite the educator's resignation 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.

Pursuant to Education Code § 21.006(c-2), the Superintendent may not be required to notify SBEC or file a report with SBEC if the Superintendent completes an investigation into the alleged incident of misconduct before the educator's termination or resignation (not after) and the Superintendent determines the educator did not engage in the alleged incident of misconduct. The Superintendent should seek legal counsel before making any such determination, and if there is any doubt or concern, err on the side of reporting to SBEC.

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. ILTexas shall also notify the Board of Directors and the educator of the filing of the report.

### **3.12 Reporting Employee Misconduct (Non-Educators)**

In addition to any reporting requirements under Chapter 261 of the Texas Family Code, the Superintendent shall notify the Commissioner of Education, within seven business days, after knowing of a non-educator's termination or resignation if:

1. A non-educator's employment with ILTexas was terminated and there is evidence that the employee:
  - a. Abused or otherwise committed an unlawful act with a student or minor; or
  - b. Was involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor; or
2. The employee resigned and there is evidence that the employee engaged in misconduct described above.

This reporting requirement applies to any person who is employed by ILTexas and who does not hold a certification or permit issued under Subchapter B, Chapter 21 of the Texas Education Code.

The Superintendent shall complete an investigation of an employee that involves evidence that the employee may have engaged in misconduct described above, despite the employee's resignation from employment before completion of the investigation.

Principals must notify the Superintendent within seven business days after the date of an employee's termination or resignation following an alleged incident of misconduct described above.

### **3.13 Assignment and Reassignment**

All personnel are subject to assignment and reassignment by the Superintendent or designee, and may also be directed to perform additional or supplemental duties from time to time. Unless specifically required by applicable law or approved by the Board of Directors and/or the Superintendent, no additional financial compensation is provided for additional or supplemental 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.ILTexas.org](http://www.ILTexas.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 each individual's job qualifications, experience, and abilities and in accordance with applicable state and federal law. ILTexas reserves the right to select candidates from outside the school.

### **3.14 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. 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.

### **3.15 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.ILTexas.org](http://www.ILTexas.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.

### **3.16 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 complete and return to the Director of Human Resources the “Texas Government Code § 552.024 Public Access Option Form” included with this handbook if you wish to opt-out and have the above-identified information “exempted” from disclosure under the Texas Public Information Act. New or terminated employees have 14 days after hire or termination to submit the form. 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. 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.

### **3.17 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.

### **3.18 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.

### **3.19 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 may be 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.

### **3.20 Health Safety Training**

Certain employees (i.e., physical education teachers and coaches) who are involved in physical activities for students must maintain and submit to the Principal and Director of Athletics and Physical Fitness, proof of current certification in first aid, cardiopulmonary resuscitation (CPR), and the use of an automated external defibrillator (AED). Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, the University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification to Supervisor and the Director of Athletics and Physical Fitness at the start of each school year and each time the employee is re-certified.

### **3.21 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.

#### ***Outside Employment***

All employees must recognize that they owe a duty of loyalty to ILTexas. At all times when on duty, without regard to time or place, employees should devote their full attention to school business and their duties. Additionally, employees should not be engaged in outside employment that provides or could give rise to 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 Fraternalization***

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. 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 or 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. Where hardship exists, employees may appeal to the CEO in accordance with ILTexas' formal complaint procedures set forth herein.

Unless otherwise approved by the CEO, 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.

### **3.22 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.

### **3.23 Copyrighted Material**

Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Electronic media, including motion pictures and other audiovisual works, are to be used in the classroom for instructional purposes only. Duplications are to be used in the classroom for educational purposes only. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

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.

### **3.24 Media Consent Policy**

ILTexas retains the right to reproduce the photographs and/or video images taken of employees for the purpose of publication, promotion, or marketing, in any manner or in any medium. This is with the understanding that neither ILTexas nor its representatives, agents or employees will reproduce said photograph or likeness for any commercial value or receive monetary gain for use of any reproduction or broadcast of said photograph or likeness. Employees hereby release ILTexas and its legal representatives, agents and employees from all claims and liability relating to said images or video. Employees may contact Human Resources for questions concerning this policy, or to decline permission to allow a photograph or video image to be used by ILTexas for promotional or marketing purposes.

### **3.25 Non-Disclosure of Confidential / Proprietary Information**

The protection of confidential / proprietary 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 or other applicable federal or state law.

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.

### **3.26 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.

### **3.27 Termination or Resignation**

Employees are employed at-will and can be dismissed without notice or warning. Terminated employee's final paycheck will be distributed within six calendar days of termination in accordance with the Texas Payday Act.

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 any charter owned property, 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.

### ***Termination/Non-Renewal Grievances (General Complaints)***

A terminated employee may request a review of the dismissal decision. Termination grievances (other than whistleblower complaints) must be submitted in writing to Human Resources within five calendar days of notice of termination. A Human Resources representative will schedule and hold a conference within five business days of the request and shall issue a written decision within five business days after the conference. A former employee wishing to appeal this decision may appeal through the General Employee Complaint and Grievance Process described in Section 3.28 of this handbook, beginning at Level Three.

## **3.28 General Employee Complaint and Grievance Process**

### ***Purpose***

The purpose of the employee complaint process is to provide employees an orderly process for the prompt and equitable resolution of grievances. ILTexas intends that, whenever feasible, grievances be resolved at the lowest possible administrative level.

In using and applying the employee complaint process, all participants are expected to remain courteous and to adhere to the Code of Ethics and Standard Practices for Texas Educators.

### ***Informal Process***

ILTexas encourages employees to discuss their concerns with their supervisor, Principal, or other appropriate administrator who has authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level. Informal resolution is encouraged, but will not extend any deadlines in this grievance process, except by mutual written consent.

### ***Formal Process***

An employee may initiate the formal complaint process described below by timely filing a written complaint form. Even after initiating a formal complaint, employees are encouraged to seek informal resolution of concerns. An employee whose complaints are resolved may withdraw a formal complaint at any time.

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

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

Neither ILTexas nor any ILTexas employee shall unlawfully retaliate against an employee for bringing a concern or complaint.

## ***Guidelines for General Employee Complaints***

### **Definitions**

For purposes of understanding the General Employee Complaint and Grievance 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 or gender (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 Chief Equity Officer or designee set by policy; or
3. Specific allegations of unlawful discrimination or retaliation based on the employee’s exercise of constitutional rights.

The term “day” shall be defined as a school business day, unless stated otherwise in this policy. 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.”

### **Filing**

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication (including e-mail and fax), or by U.S. Mail. Hand-delivered filing shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filing shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

### **Scheduling Conferences**

ILTexas will make reasonable attempts to schedule conferences at a mutually agreeable time. If the employee fails to appear at a scheduled conference, ILTexas may hold the conference and issue a decision in the employee’s absence.

### **Response**

At Levels One, Two, and Three, “response” shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee’s e-mail address of record, or sent by U.S. Mail to the employee’s mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

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 grievant in writing of the necessity to extend the response time and a specific date by when the response will be issued.

A grievance official who fails to meet a time requirement, without providing written notice of an extended deadline, shall be considered to have denied the complaint as of the date of the missed deadline.

### **Representative**

“Representative” means a person designated to represent him or her in the complaint process. An employee may designate a representative through written notice to ILTexas at any level of the grievance process. The representative may participate in person or by telephone / video conference. If the employee designates a representative with fewer than three days’ notice to ILTexas before a scheduled conference or hearing, ILTexas may reschedule the conference or hearing to a later date, if desired, in order to include the school’s counsel. ILTexas may be represented by counsel at any level of the process.

### **Consolidating Complaints**

Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, ILTexas may consolidate the complaints.

### **Untimely Filings**

All time limits for an employee to file a complaint shall be strictly followed unless modified by mutual written consent. If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, upon written notice to the employee, at any point during the complaint process.

### **Costs Incurred**

Each party shall pay its own costs incurred in the course of the complaint.

### **Complaint and Appeal Forms**

Complaints and appeals under this policy shall be submitted in writing on a form provided by ILTexas.

Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be re-filed with all the required information if the re-filing is within the designated time for filing.

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

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

#### Level One

Level One complaints must be filed:

1. Within ten days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint; and
2. With the employee’s immediate supervisor and the Executive Director of Human Resources. If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, ILTexas may accelerate the complaint to Level Two or Level Three as appropriate.

The employee's immediate supervisor or designee shall investigate as necessary and schedule a conference with the employee within ten days of receiving the Level One complaint. The grievance officer may set reasonable time limits for the conference.

Absent extenuating circumstances, or if there is a need to gather additional information, the grievance officer shall provide the employee with a written response within ten days following the conference. The written response will set forth the basis of the decision. In reaching a decision, the grievance officer may consider information provided at the Level One conference and any other relevant documents or information the grievance officer believes will help resolve the complaint.

#### Level Two

If the employee did not receive the relief requested at Level One or if the time for a Level One response has expired, or if the employee is otherwise directed to do so by ILTexas, the employee may request an appeal conference with the Area Superintendent or designee. The appeal notice must be filed in writing to the Executive Director of Human Resources, on a form provided by ILTexas, within ten days of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One grievance officer will prepare and forward a record of the Level One complaint to the Executive Director of Human Resources.

The Area Superintendent or designee will schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. The Area Superintendent or designee may set reasonable time limits for the conference.

The Area Superintendent or designee shall provide the employee a written response within ten days following the appeal conference. The written response will set forth the basis of the decision. In reaching a decision, the Area Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Area Superintendent or designee believes will help resolve the complaint.

#### Level Three

If the employee did not receive the relief requested at Level Two or if the time for a Level Two response has expired, the employee may request an appeal conference with the Deputy Superintendent of School Leadership or designee. The appeal notice must be filed in writing to the Deputy Superintendent of School Leadership or designee, on a form provided by ILTexas, within ten days of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

After receiving notice of the appeal, the Level Two grievance officer will prepare and forward a record of the Level Two complaint (including the Level One record) to the Superintendent or designee.

The Deputy Superintendent or designee will schedule a conference within ten days after the appeal notice is filed. The Deputy Superintendent or designee may set reasonable time limits for the conference.

The Deputy Superintendent or designee shall provide the employee a written response within ten days following the appeal conference. The written response will set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One and Level Two records, information provided at the Level Three conference, and any other relevant documents or information the Deputy Superintendent or designee believes will help resolve the complaint.

#### Level Four

If the employee did not receive the relief requested at Level Three, or if the time for a Level Three response has expired, the employee may appeal to the Board of Directors. The appeal notice must be filed in writing to the Deputy Superintendent on a form provided by ILTexas within ten days of the written Level Three response or, if no response was received, within ten days of the Level Three response deadline.

The Deputy Superintendent or designee shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for consideration by the Board. The Board of Directors will consider the grievance and may, at its discretion, require the appearance of the employee and administration.

The Board of Directors will determine whether the appeal will be considered in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. Generally, complaints involving the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the employee bringing the complaint may be heard by the Board of Directors in a closed meeting. Complaints involving a complaint or grievance against another ILTexas employee, director, or officer shall be heard in a closed meeting unless an open meeting is requested in writing by the employee, director, or officer against whom the complaint or grievance is brought.

After considering the appeal, the Board of Directors may subsequently take action or no action. If the Board of Directors 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. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision from the previous grievance level. The Board's decision, if any, is final and may not be appealed.

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

**\*\*NOTE\*\*** The following procedures apply to allegations of Prohibited Conduct other than allegations of sex-based harassment prohibited by Title IX. For allegations of sex-based harassment that, if proved, would meet the definition of a formal complaint of sexual harassment under Title IX, please see the procedures outlined in "Sexual Harassment Prohibited," Section 7.8 of this Handbook.

ILTexas takes allegations of harassment and discrimination very seriously and intends to investigate all official complaints. 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 discrimination or 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 Executive 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, including a supervisor, who receives a report of suspected harassment or discrimination is expected to immediately contact the designated Compliance Coordinator.
- Complaints will be handled in a timely manner.

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

After receiving a report, the Compliance Coordinator shall determine whether the allegations, if proven, would constitute prohibited discrimination or harassment. If so, ILTexas shall immediately authorize or undertake an investigation. If appropriate, ILTexas shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

ILTexas' investigation may be conducted by the Compliance Coordinator or designee, or by a third party designated by ILTexas, such as an attorney. When appropriate, the Principal or supervisor shall be involved with or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

After completing an investigation, the investigator shall prepare a written report summarizing the outcome of the investigation.

If the results of an investigation indicate that prohibited conduct occurred, ILTexas shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct. ILTexas may also take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

To the greatest extent possible, ILTexas shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. 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. However, limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

An employee who is dissatisfied with the outcome of the investigation may appeal through the "General Employee Complaint and Grievance Process" described in Section 3.29 of this handbook, beginning at Level Three.

ILTexas prohibits retaliation against an employee who, in good faith, makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation. Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, or unjustified negative references.

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>.

ILTexas accepts no liability for harassment of one employee by another employee.

### **3.30 Whistleblower Complaints**

The Texas Whistleblower Act ("TWA") protects employees who make good faith reports of violations of law by ILTexas or another employee to an appropriate law enforcement authority. ILTexas is prohibited

from suspending, terminating the employment of, or taking other adverse personnel action against an employee who makes a report under the TWA.

An employee who alleges a violation of whistleblower protection must file a written complaint to Human Resources no later than the 90th day after the date on which the alleged suspension, termination, or other adverse employment action occurred or was discovered by the employee through reasonable diligence.

Following receipt of a whistleblower complaint, the Superintendent or designee will conduct an investigation and issue a written response to the complaint. An employee who is dissatisfied with the outcome of the investigation may file an appeal to the Board of Directors through the “General Employee Complaint and Grievance Process” described in section 3.29 of this Handbook, beginning at Level Four.

ILTexas may shorten its general timelines for investigating employee complaints and concerns to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. If the Board does not render a final decision before the 61st day after a whistleblower complaint is filed, an employee may:

1. Exhaust the ILTexas grievance procedure, in which case the employee must sue not later than the 30th day after the date those procedures are exhausted to obtain relief under the Texas Whistleblower Act; or
2. Terminate the ILTexas grievance procedures and sue within the timelines established by the TWA.

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

### **4.1 Payroll**

Employees are paid in accordance with administrative guidelines and an established pay structure, and as required under the Texas Payday Laws. 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.

### **4.2 Payroll Deductions**

ILTexas is required to make the following automatic payroll deductions:

- Teacher Retirement System of Texas or Social Security employee contributions.

- Federal income tax.
- Medicare tax.
- Child support and spousal maintenance, if applicable.
- Delinquent federal education loan payments, if applicable.

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance, or annuities. Salary deductions may also be made for unauthorized or unpaid leave in accordance with applicable law.

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.

## **4.3 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.

## **4.4 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.

## **4.5 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.

## **4.6 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.



#### **4.7 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 and per diem.

**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 their insurance company.

#### **4.8 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.

#### **4.9 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 employment position is designated as either EXEMPT or NON-EXEMPT under federal and state wage and hour laws in accordance with applicable federal law. Employees in NON-EXEMPT positions are entitled to overtime pay under the specific provisions of federal law. Employees in EXEMPT positions are excluded from specific provisions of federal and state wage and hour laws. A position'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 utilizes an electronic time keeping system called “True Time,” which enables employees to more accurately keep track of time worked. It will also allow ILTexas to more efficiently process time worked for payroll purposes. In order for this system to work to its fullest potential, ILTexas asks all non-exempt employees to follow the guidelines outlined below.

Official Time 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. 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 as allowed by applicable law.
- Employees are required to take a lunch break of at least 30 minutes when working more than six hours a day (failure to comply will result in disciplinary action up to and including termination).

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.

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 are entitled to overtime compensation. Depending on ILTexas’ need, employees may be requested to work overtime. 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 ADVANCE 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.

## **5.1 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://mybenefitshub.com/iltexas>. Employees should contact the Benefits Office for additional information.

All new employees must complete the enrollment process within the first 30 days of employment, 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.

## **5.2 Benefit Offerings**

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

- Health coverage benefit
- Teacher retirement
- 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.

## **5.3 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 Active Care.

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.

## 5.4 TRS Retirement

Employment that makes one eligible for membership in the Teacher Retirement System (“TRS”) is:

- Regular employment with ILTexas 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.

ILTexas employees meet these requirements if their 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 ILTexas 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 for TRS purposes.

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).

## **5.5 Benefits Continuation – COBRA**

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

## **5.6 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.

## **5.7 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.

## **5.8 Workers' Compensation**

ILTexas provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. This benefit is administered by AmTrust.

Coverage becomes effective on the employees' first day of employment, and 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.

All work-related accidents or injuries should be reported immediately to the employee's immediate supervisor. Employees who are unable to work because of a work-related injury or illness will be notified of their rights and responsibilities with respect to workers' compensation benefits.

An employee absent from duty because of a job-related illness or injury may be eligible for workers' compensation weekly income benefits if the absence exceeds seven, calendar days.

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use accumulated sick leave or any other paid leave benefits. An employee choosing to use paid leave will not receive workers' compensation weekly income benefits until all paid leave is exhausted or to the extent that paid leave does not equal the pre-illness or pre-injury wage. If the use of paid leave is not elected, then the employee will only receive workers' compensation wage benefits for any absence resulting from a work-related illness or injury, which may not equal the employee's pre-illness or pre-injury wage.

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.

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.

Additional information about ILTexas' workers' compensation benefit offering may be obtained from Human Resources or the Benefits Department.

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

ILTexas offers employees paid and unpaid leaves of absence in times of personal need. Following is a description of 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 during absence from work.

### **6.1 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. Any changes to an employee's schedule must be provided to HR.

#### ***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 and AESOP, (for positions requiring a substitute), for all days missed. The True Time System is an electronic timekeeping system only and does not record your absence. Failure to record your absences will result in disciplinary action up to and including termination of employment.

#### ***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 action.
- 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 not acceptable.

### ***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 three 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, and ILTexas will process the work separation as a voluntary resignation on the employee’s part.

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

No payment shall be made for accrued and unused 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.

## **6.2 Non-Duty (Holiday) 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.

## **6.3 Local Leave Overview**

ILTexas allocates leave days to all full-time employees to allow them the flexibility to attend to their personal and medical time-off needs. The allocation is available at the beginning of the year; however, an employee must complete the full year to earn the maximum allocation.

All employees will earn a total of eight leave days per school year; leave availability will be prorated for employees who begin employment with ILTexas after the start of the school 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.

Employees must take local leave in full or half day increments.

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

Requests for leave shall be considered on a first come, first serve basis. The employee shall submit request through Skyward Employee Access to the immediate supervisor or designee at least 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 or Supervisor. Local leave shall not be allowed in the following circumstances:

- The first and last 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 and such request is approved.

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.

### ***Medical Certification***

Any employee who is absent more than three days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and – in the case of personal illness – the employee's fitness to 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 notification of 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.

## **6.4 Limitations on Leaves of Absence (Unavailability for Work)**

With the exception of leaves of absence for military duty or approved leave under the Family and Medical Leave Act, if an employee accumulates more than ten days of absences after exhausting all available paid and unpaid leave, the employee will be separated due to unavailability for work, subject to any reasonable

accommodation duties ILTexas may have under the Americans with Disabilities Act (ADA). Any employee separated for unavailability for work following exhaustion of all available leave may be eligible for rehire and will be able to apply for any vacancies that may exist at any given time, depending upon qualifications and availability of job openings. In addition, leaves of absences are limited to 30 days in one semester and will require prior approval from HR (does not apply to military leave of absences or FMLA).

## **6.5 Extended Sick Leave**

ILTexas employees who have worked for a minimum of 90 consecutive days are eligible for 25 days of paid extended sick leave. This leave may only be used if an employee has exhausted his or her earned Local Leave benefits and only for the employee's personal illness or disability, including pregnancy-related complications or for the personal illness or disability of an employee's immediate family member. Immediate family is defined as an employee's husband, wife, child (including a biological, adopted, stepchild, a child for whom the employee stands in loco parentis, or foster child), father, mother, brother, sister, grandfather, grandmother, grandchildren, or any person who may be residing in the employee's household at the time of illness or disability.

Extended sick leave is to be used for single, long-term illnesses or conditions. An employee is eligible for extended sick leave once every three years.

A doctor's written statement confirming the need for extended sick leave shall be required before leave is granted, and periodically thereafter as determined by ILTexas. Extended sick leave will stop on the date the doctor releases the employee or when all extended sick leave has been exhausted, whichever comes first.

The daily rate of a substitute shall be deducted from an employee's daily pay during a period of extended sick leave. Employees who do not require a substitute will be paid at 60% of their daily rate. Additionally, any period of extended sick leave will run concurrently with any FMLA leave taken by the employee. The Superintendent shall adopt procedures to implement and control Extended Sick Leave benefits.

## **6.6 Emergency Leave**

Employees may be granted up to five days of emergency leave without loss of pay or accumulated Local Leave for destruction of their home or domicile due to flood, fire, storm, or other natural disasters. Such leave is subject to the approval of the Superintendent or designee. Any further leave granted will result in a deduction of accumulated Local Leave or will be considered unpaid leave, unless otherwise provided by ILTexas.

## **6.7 Family and Medical Leave Act**

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 a period of FMLA 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 adapted from the federal notice, *Employee Rights Under the Family and Medical Leave Act*. Specific information that ILTexas has adopted to implement the FMLA follows this general notice.

### ***Leave Entitlements***

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job; or
- For qualifying exigencies related to the deployment or military service of a family member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

### ***Benefits and Protections***

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

### ***Eligibility Requirements***

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; and
- Work at a location where the employee has at least 50 employees within 75 miles of the employee's worksite.

### ***Requesting Leave***

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

### ***Employer Responsibilities***

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

### ***Enforcement***

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, 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 that provides greater family or medical leave rights.

For additional information or to file a complaint:  
1-866-4-USWAGE  
(1-866-497-9243) TTY: 1-877-889-5627  
[www.dol.gov/whd](http://www.dol.gov/whd)

### ***Local FMLA Guidelines***

#### ***Calculating FMLA Leave Year***

ILTexas uses the following method to establish the 12-month period in which FMLA leave may be used:

- A "rolling" 12-month period, measured backward from the last date an employee uses leave under the FMLA. Under this "rolling" 12-month period, each time an employee takes FMLA leave, the remaining leave entitlement would be the balance of the 12 weeks which has not been used during the immediately preceding 12 months.

### ***Use of Paid Leave***

FMLA leave runs concurrently with accrued sick and personal leave, emergency leave, temporary disability leave, and absences due to a work-related illness or injury. ILTexas will designate the leave as FMLA, if applicable, and notify the employee that accumulated leave will run concurrently.

### ***Combined Leave for Spouses***

Spouses who are employed by ILTexas are limited to a combined total of 12 weeks of FMLA leave to care for a parent with a serious health condition, or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

### ***Intermittent 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.

### ***Fitness for Duty***

An employee that takes FMLA leave due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. If certification of the employee's ability to perform essential job function is required, ILTexas shall provide a list of essential job functions (e.g., job description) to the employee with the FMLA designation notice to share with the health care provider.

### ***Reinstatement***

With certain exceptions allowed under the FMLA, an employee returning to work at the end of FMLA leave will be returned to the same position held when the leave began or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FMLA entitlement, and ILTexas will maintain the employees group health insurance and reinstate the employee at the end of the leave according to school policy and procedure.

### ***Failure to Return***

If, at the expiration of FMLA leave, an employee is able to return to work but chooses not to do so, ILTexas may require the employee to reimburse ILTexas' share of insurance premiums paid during any portion of FMLA leave when the employee was on unpaid leave. If the employee fails to return to work for a reason beyond the employee's control, such as a continuing personal or family serious health condition or a spouse being unexpectedly transferred more than 75 miles from ILTexas, the school may not require the employee to reimburse ILTexas' share of premiums paid.

### ***School Contact***

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

## **6.8 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.

## **6.9 Bereavement Leave**

Full-time and part-time employees are eligible for bereavement leave.

ILTexas employees may be absent, without loss of pay, in the event of the death of one of the following relatives of the employee or his or her spouse: husband, wife, child (including a biological, adopted, stepchild, a child for whom the employee stands in loco parentis, or foster child), father, mother, brother, sister, grandfather, grandmother, grandchildren, or any person who may be residing in the employee's household at the time of illness or death. Paid bereavement leave is limited to three days of paid leave during any one school year unless otherwise approved by the Superintendent or designee. Bereavement leave must be used within 30 days of the date of death. Any exceptions must be approved by HR in advance.

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.

## **6.10 Jury Duty and Grand Jury Service**

ILTexas may not discharge, threaten to discharge, intimidate, coerce, reduce the salary, or otherwise penalize or discriminate against an employee because of the employee's compliance with a summons to appear as a juror or a grand juror. A leave of absence for jury or grand jury duty will be granted to any employee will be compensated at his or her regular daily or hourly rate for each day of absence due to jury or grand 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.

## **6.11 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.

## **6.12 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**

## **7.1 General**

The successful operation and reputation of ILTexas is built upon the principles of ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of all applicable laws and regulations, as well as scrupulous regard for the highest standards of conduct and personal integrity.

ILTexas will comply with all applicable laws and regulations, including its charter agreement with the State of Texas, and expects all employees to conduct their work in accordance with relevant law and to refrain from any illegal, dishonest or unethical conduct. Neither the Board of Directors nor any ILTexas employee shall retaliate against a person who in good faith reports perceived illegal, dishonest or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, discuss the matter with your immediate supervisor and, if necessary, Human Resources.

Every employee is responsible for complying with ILTexas' policy of proper business ethics and personal conduct. Disregarding or failing to comply with these standards may lead to disciplinary action, up to and including termination of employment.

## **7.2 Standards of Conduct**

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:

- Engage in professional communications and behavior toward students, fellow employees, service providers, and other ILTexas stakeholders.
- Express concerns, complaints, or criticism through appropriate channels.
- Know and comply with department and Board policies and procedures.
- Maintain confidentiality in all matters relating to students and coworkers.
- 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.

- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Report to work according to the assigned schedule.
- Use school time, funds, and property for authorized school business and activities only.

All 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.

### **7.3 Code of Ethics**

All employees must comply with the following Code of Ethics, which has been adapted from the Professional Code of Ethics and Standard Practices for Texas Educators:

#### *Ethical Conduct in General*

Employees 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. Employees, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. Employees, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. Employees, 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. Employees, 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. An employee 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 SBEC and its certification process.
- Standard 1.2. An employee 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. An employee shall not submit fraudulent requests for reimbursement, expenses, or pay.
- Standard 1.4. An employee shall not use institutional or professional privileges for personal or partisan advantage.
- Standard 1.5. An employee 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. An employee shall not falsify records, or direct or coerce others to do so.
- Standard 1.7. An employee shall comply with state regulations, written local Board policies, and other state and federal laws.
- Standard 1.8. An employee shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.
- Standard 1.9. An employee shall not make threats of violence against school employees, members of the Board of Directors, students, or parents of students.



- Standard 1.10. An employee shall be of good moral character and be worthy to instruct or supervise the youth of this state, as applicable.
- Standard 1.11. An employee 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. An employee shall refrain from the illegal use, abuse, or distribution of controlled substances, prescription drugs, and toxic inhalants.
- Standard 1.13. An employee shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.

#### Ethical Conduct toward Professional Colleagues

- Standard 2.1. An employee shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
- Standard 2.2. An employee shall not harm others by knowingly making false statements about a colleague or the ILTexas system.
- Standard 2.3. An employee shall adhere to written local Board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.
- Standard 2.4. An employee shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.
- Standard 2.5. An employee 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. An employee shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
- Standard 2.7. An employee 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.
- Standard 2.8. An employee shall not intentionally or knowingly subject a colleague to sexual harassment.

#### Ethical Conduct Toward Students

- Standard 3.1. An employee shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.
- Standard 3.2. An employee 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. An employee shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.
- Standard 3.4. An employee 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. An employee shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.
- Standard 3.6. An employee shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.
- Standard 3.7. An employee shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the employee is a parent or guardian of that child or knowingly allow

any person under 21 years of age unless the employee is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

- Standard 3.8. An employee shall maintain appropriate professional employee-student relationships and boundaries based on a reasonably prudent employee standard.
- Standard 3.9. An employee 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 another 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 employee 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 employee or the student.

#### **7.4 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:

- 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;
- Failure to disclose conflicts of interest as required by law or ILTexas policy;
- Failure to provide financial records required by state or local entities;
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document;
- Forgery or unauthorized alteration of any document or account belonging to ILTexas;
- Impropriety in the handling of money or reporting of ILTexas' financial transactions;
- Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment;
- Misappropriation of funds, securities, supplies, or other school assets, including employee time;
- 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; 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.

ILTexas will respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosure may be necessary to complete a thorough investigation or to comply with applicable law. All employees involved in an investigation shall be advised to keep information about the investigation confidential to the extent necessary as to not interfere with the investigation process.

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, ILTexas will take appropriate disciplinary action, which may include termination of employment and, when circumstances warrant, referral to appropriate law enforcement or regulatory authorities.

## **7.5 Unacceptable Employee Conduct**

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.

1. Abuse, including but not limited to sexual abuse of a student.
2. Administering corporal punishment (meaning the infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force used as a means of discipline) or verbal abuse of students, or the use of profanity or other language that is intended to belittle or degrade a student.
3. Behaviors that interfere with student safety or cause an unsafe environment.
4. Dishonest, immoral, or illegal conduct while on duty and/or on school property that would tend to bring discredit to ILTexas.
5. 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.
6. Disrupting the work environment.
7. Engaging in or soliciting a romantic, sexual, or otherwise inappropriate relationship with a student, regardless of whether the relationship is consensual.
8. 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.
9. Engaging in discrimination, harassment, or retaliation in any form.
10. Engaging in inappropriate electronic communications with students, as described in Section 7.10 of this handbook.
11. 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.
12. Engaging in rudeness, disrespectful, or unprofessional behavior toward parents and school contractors or vendors.
13. Excessive absenteeism or tardiness.
14. Failure to report child abuse or neglect as required by Chapter 261 of the Texas Family Code.
15. Fighting or threatening violence toward anyone on ILTexas property or when representing ILTexas, including "horseplay" or provoking a fight between others.
16. 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.
17. Giving to other schools, organizations, or persons information made confidential by law relating to ILTexas employees and/or students that is obtained from ILTexas' files or records in the course of employment.

18. Insubordination or other disrespectful conduct (including refusal to follow the lawful directives of a supervisor or the Superintendent).
19. Negligence or any careless action that endangers the life or safety of another person, or damages or destroys property of ILTexas.
20. Possession of firearms, weapons or explosives on ILTexas property, while on duty or while representing ILTexas.
21. Smoking and/or using tobacco products on school property, including the use of vaping devices.
22. Theft of ILTexas owned property or the property of fellow employees, students, contractors or visitors.
23. Threatening, intimidating or coercing fellow employees on or off ILTexas property, at any time, for any reason.
24. Unauthorized possession or removal of any ILTexas property, including documents, from the premises without prior permission from a supervisor;
25. Unauthorized use of ILTexas equipment or property, including using such equipment for personal use or profit.
26. Unsatisfactory performance or conduct.
27. Use, possession, distribution or sale of, or being under the influence of a controlled substance, alcohol, or tobacco as further described in Sections 8.2 and 8.9 of this handbook, or abusing a prescription drug, while at work or otherwise representing ILTexas.
28. Violation of the rules affecting the health and safety of students and the efforts of ILTexas to operate efficiently and effectively.
29. Violations of ILTexas' expectations for employee conduct, including but not limited to those set out in Sections 7.2 and 7.3 of this Handbook, or as otherwise distributed to employees by ILTexas. Additionally, educators must adhere to the Professional Code of Ethics and Standard Practices for Texas Educators as set forth at 19 Tex. Admin. Code § 247.2.

### ***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. Imposition of an employee growth plan / performance improvement plan
7. Suspension with or without pay.
8. 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.

### ***Investigation of Allegations***

Allegations of violations of conduct defined in sections 7.3 thru 7.5 will result in an investigation after a review of the allegation by the Deputy Superintendent of School Leadership, Deputy Superintendent of Academics and Student Services, and the Chief of Staff. In order to ensure that each allegation is carefully considered, the investigation will include a formal tasking order to an investigating officer that includes the exact allegation, recommendations by the applicable chain of command, and a legal review from the Chief Legal Officer and an equity review from the Chief Equity Officer. Allegations of violations of the 3 P's shall be reviewed and decided on by the Superintendent.”

## **7.6 Dress Code Faculty/Staff**

Faculty and staff members are expected to dress in a professional and appropriate manner. Proper grooming and attire have a positive impact on the teaching and learning environment.

The campus principal and/or supervisor will be solely responsible for initially interpreting and enforcing the faculty/staff dress requirements.

Employees will be neatly groomed and dressed with clean and neat hair. Neatly groomed and dressed shall be defined as dress and grooming that is standard and conforms to local community and school district etiquette and decorum. Grooming and dress that will disturb, interfere with, or detract from the educational process will not be allowed. It is within these principles that ILTexas will enforce the following dress code items, specifically but not limited to:

	Acceptable	Non-Acceptable
<p><b>All Professional Staff</b></p>	<ul style="list-style-type: none"> <li>• Dress professionally and take pride in your appearance (clothes should be clean and pressed)</li> <li>• Sport coats/jackets (including denim)/sweaters</li> <li>• Buttoned shirts or blouses</li> <li>• Dress shirts or blouses</li> <li>• Polo or golf style shirts</li> <li>• Turtlenecks</li> <li>• Belted slacks/pants if loops visible</li> <li>• Acceptable footwear includes dress shoes or casual shoes. Boots are also acceptable. Tennis shoes and/or athletic shoes should be coordinated with professional dress.</li> <li>• Tattoos that are not distracting to the professional environment and are not indecent, sexist, racist, or extremist. See further details at end of section 7.6.</li> </ul>	<ul style="list-style-type: none"> <li>• Denim (jeans, shirts, skirts, and dresses); This also includes colored denim (Jeans are only acceptable on days designated by the principal as student/faculty spirit days, and are expected to be worn with spirit shirts. Be sure that jeans worn to the work place fit appropriately, are not torn or overly faded and do not show signs of excessive wear)</li> <li>• Torn/ripped faded clothing</li> <li>• Leather and / or spandex pants / skirts / dresses</li> <li>• Off the shoulder tops</li> <li>• Shorts (Shorts should only be worn in Physical fitness classes.)</li> <li>• Wind-pants/warm-ups (Wind-pants / warm-ups should only be worn in Physical fitness classes; T-shirts (acceptable on college/spirit day or for physical fitness classes)</li> <li>• Sweatshirts/Hoodies (acceptable on college/spirit day or for physical fitness classes; hood not to be worn inside building)</li> <li>• Overalls</li> <li>• Visible undergarments</li> <li>• Backless apparel and exposed midriff</li> <li>• Shirts and tops that are not made to be worn out (i.e. shirts or tops with a tail) should be tucked in.</li> <li>• Casual sandals are not appropriate including Velcro and flip-flop type sandals</li> <li>• Flip-flops are not acceptable.</li> <li>• Tattoos on the face.</li> <li>• Visible body piercing/gauges/nose rings (face, eyebrow, tongue, etc.), other than earrings (women only) is not allowed.</li> <li>• Unnatural hair colors are not permitted.</li> <li>• Hats may not be worn inside the building except as designated by the principal. No backwards hats.</li> </ul>

	<b>Acceptable</b>	<b>Non-Acceptable</b>
<b>Men</b>	<ul style="list-style-type: none"> <li>• Collared shirts, such as polo style, oxford style or dress shirts</li> <li>• Full-length slacks/pants</li> <li>• Khaki pants</li> <li>• Socks worn with all footwear</li> <li>• Shirts should be worn tucked in</li> <li>• Acceptable sweater styles include pullover and cardigan styles</li> </ul>	<ul style="list-style-type: none"> <li>• T-shirts</li> <li>• Sweatshirts/Hoodies</li> <li>• Casual sandals are not appropriate</li> <li>• Flip-flops are not acceptable.</li> <li>• No Earing's</li> </ul>
<b>Women</b>	<ul style="list-style-type: none"> <li>• Dress/jumpers</li> <li>• Pants/Slacks</li> <li>• Pantsuits</li> <li>• Earing's (maximum of 3)</li> <li>• Blouses/sweaters/knit tops</li> <li>• Clothing should convey a professional image by being coordinated, modest and appropriate for a business setting</li> <li>• Collared or uncollared shirts and tops may be pullover or button style</li> <li>• Split skirts that look like a skirt in the front</li> <li>• Skirts should be of a modest, professional length, falling at or just above the knee.</li> <li>• Tops or sweaters that are worn as a dress must reach just above the knee unless they are worn with leggings and then they must reach mid-thigh.</li> <li>• Capri pants as long as they are below the knee and professional looking</li> <li>• Leggings as long as they are worn under a skirt, dress, top or sweater that comes to mid-thigh.</li> <li>• Appropriate shoes include dress shoes or pumps and boots.</li> <li>• Closed-toed slide styles are also acceptable (open-toed shoe with a dress appearance and/or a dress heel is acceptable).</li> </ul>	<ul style="list-style-type: none"> <li>• Low-fitting, "hip-hugger" pants are not appropriate for a business setting.</li> <li>• Dress/skirts more than 3 inches above kneecap</li> <li>• Spaghetti-strap dress/tops</li> <li>• Slits higher than 3 inches above the kneecap</li> <li>• Low cut/tight/revealing clothing</li> <li>• Casual sandals are not appropriate</li> <li>• Flip-flops are not acceptable.</li> <li>• Skirts or any clothes that are too tight, too short or too revealing are not appropriate for the workplace.</li> </ul>

The principal or supervisor may approve variations in the dress code for special situations such as field day, spirit day, workday, etc. and for those individuals whose responsibilities may necessitate an alternate form of dress, such as physical education teachers. Jeans may only be worn on a workday or a spirit day where students are allowed to wear jeans. Shorts may only be worn in the physical educational classroom and must be no higher than three inches from the top of the kneecap. Professional dress is always required in the classroom.

The following types of tattoos or markings on clothing are prohibited:

(1) Extremist. Extremist tattoos or brands are those affiliated with, depicting, or symbolizing extremist philosophies, organizations, or activities. Extremist philosophies, organizations, and activities are those which advocate racial, gender, or ethnic hatred or intolerance; advocate, create, or engage in illegal discrimination based on race, color, gender, ethnicity, religion, or national origin.

(2) Indecent. Indecent tattoos or brands are those that are grossly offensive to modesty, decency, propriety, or professionalism.

(3) Sexist. Sexist tattoos or brands are those that advocate a philosophy that degrades or demeans a person based on gender.

(4) Racist. Racist tattoos or brands are those that advocate a philosophy that degrades or demeans a person based on race, ethnicity, or national origin.

## **7.7 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 or gender, disability, veteran status, age, genetic information, or any other basis prohibited by law. While acting in the course of their employment, employees shall not engage in prohibited discrimination or harassment of other persons including Board members, vendors, contractors, volunteers, or parents.

Prohibited discrimination or harassment become potentially unlawful where:

1. Enduring the offensive conduct becomes a condition of continued employment; or
2. The conduct severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of prohibited discrimination or harassment. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people.

Prohibited and offensive conduct can include, but is not limited to, offensive jokes, slurs, epithets, or name-calling; physical assaults or threats; intimidation; ridicule or mockery; insults or put-downs; offensive objects or pictures; and/or interference with work performance. Harassment can occur in a variety of circumstances, including but not limited to the following:

1. The harasser can be the victim's supervisor, a supervisor in another area, an agent of the school, a co-worker, or a non-employee.
2. The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.
3. Unlawful harassment may occur without economic injury to, or discharge of, the victim.

### ***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, denial of promotion, 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 follow the “Employee Complaints and Grievances Regarding Harassment and Discrimination” process outlined in Section 3.29 of this Handbook. The process for making formal complaints regarding sexual harassment is discussed in “Sexual Harassment Prohibited,” Section 7.8 of this Handbook.

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 Chief Equity Officer, and take any other steps required by ILTexas policy.

## **7.8 Sexual Harassment Prohibited**

ILTexas prohibits discrimination on the basis of sex, including sexual harassment, by an employee, volunteer, or student.

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. A school employee conditioning the provision of aid, benefit, or service on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ILTexas’ educational programs or activities;
3. Sexual assault, dating violence, domestic violence, or stalking (as those offenses are defined in the Clery Act, 20 U.S.C. § 1092(f), and the Violence Against Women Act, 34 U.S.C. § 12291(a)).

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

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

### ***General Definitions***

A “complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

A “respondent” means an individual who is reported to be the perpetrator of conduct that could constitute sexual harassment.

A “formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that ILTexas investigate the allegation of sexual harassment.

“Supportive measures” means non-disciplinary, non-punitive individualized services offered appropriate and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to ILTexas’ educational program or activity without unreasonably burdening either party, including measures designed to protect the safety of all parties or ILTexas’ educational environment, or deter sexual harassment. Examples of supportive measures include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of class schedules, mutual restrictions on contact between the parties, and other similar measures.

### ***Reporting Sexual Harassment***

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by email, using the contact information listed for the Title IX Coordinator in Section 2.1 of this Handbook, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time, including during non-business hours, by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator.

ILTexas’ response to a report of sexual harassment must treat complainants and respondents equitably by offering supportive measures and by following a grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

After a report of sexual harassment has been made, the Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

### ***Notice of Allegations***

Upon receipt of a formal complaint, ILTexas must provide the following written notice to the parties who are known:

- Notice of ILTexas’ grievance process, including any informal resolution process.
- Notice of the allegations of sexual harassment, including, to the extent known, the identity of the parties, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident.
- Notice that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made known at the conclusion of the grievance process.
- Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
- Notice that the parties may inspect and review evidence related to the complaint.
- Notice that ILTexas prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, during an investigation, ILTexas decides to investigate allegations about the complaint or respondent that are not included in the initial notice of the complaint, ILTexas must provide notice of the additional allegations to the parties whose identities are known.

### ***Grievance Process***

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of ILTexas.

The following guidelines apply when ILTexas receives a formal complaint of sexual harassment. This process is designed to incorporate due process, principles, treat all parties fairly, and to assist ILTexas reach reliable responsibility determinations.

- ILTexas will require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and credibility determinations may not be based on a person’s status as a complainant, respondent, or witness.
- Any individual designated by ILTexas as a Title IX Coordinator, investigator, decision-maker, or to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or responsible. ILTexas will ensure that Title IX Coordinators, investigators, decision-makers, and anyone who facilitates an informal resolution process receive appropriate training related to the requirements of Title IX and ILTexas’ sexual harassment policy.
- ILTexas recognizes a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process.
- ILTexas shall attempt to complete an investigation of reported sexual harassment within 60 calendar days of receiving a complaint. However, the investigation process may be delayed or extended for a limited time for good cause with written notice to the complainant and the respondent of the delay or extension. Good cause may include considerations such as absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- Students found to have engaged in sexual harassment are subject to disciplinary action as outlined in the Student Code of Conduct.
- ILTexas shall employ the preponderance of the evidence standard to determine responsibility when reviewing formal complaints.
- ILTexas may not require, allow, rely upon, or otherwise use questions of evidence that constitute, or seek disclosure, of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

### ***Consolidating Formal Complaints***

ILTexas may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

### ***Dismissal of Formal Complaints***

ILTexas must investigate the allegations in a formal complaint.

ILTexas must dismiss a formal complaint if the conduct alleged in the formal complaint:

- Would not constitute sexual harassment, even if proved;
- Did not occur in ILTexas’ education program or activity; or
- Did not occur against a person in the United States.

ILTexas *may* dismiss a formal complaint or any allegations therein if, at any time during the investigation:

- A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled or employed by ILTexas; or
- Specific circumstances prevent ILTexas from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, ILTexas must promptly send simultaneous written notice to the parties of the dismissal and the reason(s) for the dismissal. Dismissal of a formal complaint does not preclude ILTexas from taking appropriate action under the Student Code of Conduct or any other school policy that may apply to the alleged conduct.

### ***Investigating Formal Complaints***

The following guidelines apply during the investigation of a formal complaint and throughout the grievance process.

- ILTexas will ensure the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on ILTexas and not on the parties.
- ILTexas cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless ILTexas receives that party's voluntary, written consent to do so.
- ILTexas will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- ILTexas will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- ILTexas will provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisory of their choice, and not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding. ILTexas may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- ILTexas will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.
- ILTexas will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- Prior to completing an investigative report, ILTexas must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completing the investigative report.
- ILTexas must create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a determination regarding responsibility, send to each party and the party's advisor,

if any, the investigative report in an electronic format or a hard copy, for review and written response.

- After sending the investigative report to the parties and before reaching a determination of responsibility, the decision-maker(s) must afford each party the opportunity to submit written relevant questions that a party wants asked of any witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

### ***Determination Regarding Responsibility***

The decision-maker(s) making a determination regarding responsibility cannot be the same person(s) as the Title IX Coordinator or the investigator(s). The decision-maker(s) must review the investigation report and make a written determination, based on the preponderance of the evidence standard, regarding responsibility. The written determination must include:

- Identification of the allegations potentially constituting sexual harassment;
- A description of the procedural steps taken from receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, or methods used to gather other evidence;
- Findings of fact supporting the determination;
- Conclusions regarding application of ILTexas' Code of Conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to ILTexas' education program or activities will be provided to the complainant; and
- ILTexas' procedures and permissible bases for the complainant and respondent to appeal.

ILTexas must provide the written determination to the parties simultaneously. The determination becomes final either on the date ILTexas provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

### ***Appeals***

ILTexas will offer both parties an appeal from a determination regarding responsibility, and from ILTexas' dismissal of a formal complaint or any allegations therein, on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

As to appeals, ILTexas will ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, or the investigator(s), or the Title IX Coordinator. ILTexas will provide both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome.

The decision-maker(s) for the appeal will issue a written decision, based on the preponderance of the evidence standard, describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties.

A party who is dissatisfied with the appeal decision may file an appeal to the Board of Directors through the process outlined in ILTexas' grievance procedures.

### ***Emergency Removals***

ILTexas is able to remove a respondent from ILTexas' education program on an emergency basis, provided that ILTexas undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. ILTexas' ability to do so may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504, or the Americans with Disabilities Act.

### ***Informal Resolution***

At any time prior to reaching a determination regarding responsibility, ILTexas may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. However, ILTexas may not require as a condition of enrollment or continuing enrollment, or employment or continued employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints. Additionally, ILTexas may not require the parties to participate in an informal process and may not offer an informal resolution process unless a formal complaint is filed.

Prior to facilitating an informal resolution process, ILTexas must:

- Provide to the parties a written notice disclosing the allegations and the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations. The notice must also inform that, at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, as well as of any consequence resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- Obtain the parties' voluntary, written consent to the informal resolution process.

ILTexas may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

### ***Retaliation Prohibited***

Neither ILTexas nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this policy.

Examples of retaliation may include, but are not limited to, intimidation, threats, coercion, or discrimination.

Complaints alleging retaliation may be filed according to the grievance procedure described above.

### ***Confidentiality***

ILTexas must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by FERPA or as required by law, or for purposes related to the conduct of any investigation, hearing, or judicial proceeding arising under the Title IX regulations.

### **Non-Sexual Harassment Sex Discrimination**

The formal complaint investigation and resolution process outlined above in this Section 7.8 applies only to formal complaints alleging sexual harassment as defined by Title IX, but not to complaints alleging sex discrimination that do not constitute sexual harassment. Complaints of non-sexual harassment sex discrimination may be filed with the Title IX Coordinator and will be handled under the process described in Section 3.30 of this Handbook.

## **7.9 Discrimination and Harassment of Students**

Discrimination and harassment of students by employees are forms of discrimination and are prohibited by law. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the Principal or other appropriate administrator. All allegations of prohibited harassment of a student by an employee or adult will be promptly investigated. An employee who knows of or suspects child abuse or neglect must also report his or her knowledge or suspicion to the appropriate authorities, as required by law.

ILTexas will take appropriate disciplinary action against employees or students who have engaged in discrimination or harassment of students, 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; making comments about a student's potential sexual performance; requesting details of a student's sexual history; requesting a date, sexual contact, or any activity intended for the sexual gratification of the employee; engaging in conversations regarding the sexual problems, preferences, or fantasies of either party; inappropriate hugging, kissing, or excessive touching; suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage; 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; requests 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 conduct of a sexual nature that 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.

Any sexual or romantic relationship between a student and an ILTexas employee is always prohibited, even if consensual.

## **7.10 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 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.

## **7.11 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:

1. Be respectful of the privacy and dignity of your co-workers, and do not post student photographs without appropriate authority.
2. 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.
3. 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.
4. Do not infringe on ILTexas' logos, taglines, slogans, trademarks, or other symbols.
5. Harassing, obscene, defamatory, threatening, or other offensive content must be avoided.
6. 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.
7. 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.
8. The employee may not set up or update the employee's personal social network page(s) using ILTexas' computers, network, or equipment.



9. 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.

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 or adversely impacts ILTexas and its service to students and parents (as solely determined by ILTexas), the employee is subject to disciplinary action, up to and including termination of employment.

### ***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 should 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. See Part 10 for more guidance and policy regarding teacher communication/content with students.

## **7.12 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.

## **7.13 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.

## **7.14 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.

## **7.15 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**

### **8.1 Accident Reporting**

Employees shall report any on-the-job injury or accident immediately to their supervisor. Supervisors must notify the Benefits Coordinator 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.

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

ILTexas is committed to maintaining an alcohol-and drug-free environment and will not tolerate the use of alcohol or illegal drugs in the workplace or at school-related or school-sanctioned activities on or off school property. Employees who possess, distribute, use, or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours or while representing ILTexas may be dismissed. ILTexas’ policy regarding employee alcohol and/or drug use is as follows:

#### **DRUG-FREE WORKPLACE NOTICE**

ILTexas explicitly prohibits:

- The unlawful manufacture, distribution, dispensation, possession, or use of narcotics or other illegal drugs, alcohol, or prescription medications 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 are subject to disciplinary sanctions, which may include:

- Referral to drug and alcohol counseling or rehabilitation programs;
- Referral to employee assistance programs;
- Termination from employment; and/or

- Referral to appropriate law enforcement officials for prosecution.

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 any time 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.

### **8.3 Asbestos Management Plan**

ILTexas is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan for school facilities. A copy of ILTexas' management plan is available for inspection during normal business hours by contacting the Facilities Office.

### **8.4 Communicable Diseases**

The following information will provide simple and effective precautions against the transmission of a communicable disease for all personnel who are potentially exposed to the bodily fluids of any person. No distinction is made between bodily fluids from persons with a known disease or those from persons without symptoms or with an undiagnosed disease.

The term "bodily fluids" includes: blood, semen, drainage from scrapes and cuts, feces, urine, vomitus, respiratory secretions and saliva. Contact with bodily fluids presents a risk of infection with a variety of germs. In general, however, the risk is very low and dependent on a variety of factors including the type of fluid with which contact is made and the type of contact made with it.

Transmission of communicable disease is more likely to occur from contact with infected bodily fluids of unrecognized carriers than from contact with fluids from diagnosed individuals, because simple precautions are not always carried out.

To avoid contact with bodily fluids, the following precautions should be observed:

- Avoid direct skin contact with bodily fluids. This also includes the mucous membranes (e.g. eyes, nose, and mouth);
- Wear disposable gloves when contact with bodily fluids is anticipated (e.g. when treating bloody noses; open cuts, abrasions and other lesions; handling contaminated clothing; and cleaning up body fluid spills);
- Always practice good personal hygiene through proper hand washing techniques;
- Request assistance from a custodian for proper cleaning of all bodily fluid spills.

### **8.5 Hazard Communication Act**

ILTexas is concerned about the safety of all employees and 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.

## **8.6 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.

## **8.7 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.

## **8.8 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.

## **8.9 Tobacco Products and E-Cigarettes**

State law prohibits smoking, using tobacco products, or e-cigarettes on all school-owned property and at school-related or school-sanctioned activities, on or off school property. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of school-owned vehicles are prohibited from smoking, using tobacco products, or e-cigarettes while inside the vehicle. Notices stating that smoking is prohibited by law and punishable by a fine are displayed in prominent places in the school building. Any violation of this policy may result in immediate termination.

For purposes of this policy, “e-cigarette” means 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. This 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 ILTexas property.

## **8.10 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 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.

## **8.11 Workplace Safety**

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.

## **8.12 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 discrimination and/or 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.

## **8.13 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.



## **PART 9: MISCELLANEOUS PROVISIONS**

### **9.1 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 close because of bad weather or emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning school closures. 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.

### **9.2 External Inquiries**

Employees should contact, ILTexas Chief Legal Officer, 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 Chief Legal Officer. The Chief Legal Officer should be notified as soon as possible. No employee other than ILTexas Chief Legal Officer 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 Chief Legal Officer as soon as possible.

### **9.3 Family Educational Rights and Privacy Act**

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 Family Educational Rights and Privacy Act ("FERPA").

### **9.4 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.

## **9.5 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.

## **9.6 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.

## **9.7 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.

## **9.8 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.

## **9.9 Student Issues**

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

ILTexas does not discriminate on the basis of race; religion; color; national origin; sex or gender; 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.

***Bullying***

ILTexas prohibits bullying of students, as well as retaliation against anyone involved in the complaint process. 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,” which 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.

ILTexas’ anti-bullying policy applies to:

- (1) bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
- (2) bullying that occurs on a publicly or privately-owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
- (3) cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying:
  - a. interferes with a student’s educational opportunities; or
  - b. substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Any employee or student who believes that he or she may have experienced or witnessed bullying should immediately report the alleged acts to the Principal or designee.

The Principal or designee will notify the victim, the student alleged to have engaged in bullying, and any student witnesses of available counseling options.

The Principal or designee will also provide notice of the incident of alleged bullying to:

- A parent or guardian of the alleged victim on or before the third business day after the date the incident is reported; and
- A parent or guardian of the alleged bully within a reasonable amount of time after the incident.

The Principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited discrimination or harassment, and if so, proceed with an investigation under ILTexas' anti-discrimination and harassment policy instead. The Principal or designee shall conduct an appropriate investigation based on the allegations in the report, and shall take prompt interim action calculated to prevent bullying during the course of an investigation, if appropriate.

The Principal or designee shall prepare a written report of the investigation, including a determination of whether bullying occurred. If the results of an investigation indicated that bullying occurred, the school shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the Student Code of Conduct. ILTexas may take action based on the results of an investigation, even if the school concludes that the conduct did not rise to the level of bullying under this policy.

Discipline for a student who receives special education services for conduct meeting the definition of bullying or cyberbullying must comply with applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.). ILTexas may not impose discipline on a student who, after an investigation, is found to be a victim of bullying, based on that student's use of reasonable self-defense in response to the bullying.

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

### ***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.

### ***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.

### ***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 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 Transportation***

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

### ***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,
  - 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 child abuse and reporting, sexual abuse prevention, sex trafficking, bullying and David's law, and other maltreatment of children, including prevention techniques for and recognition of child abuse, sex trafficking, and other maltreatment of children.

### ***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.

## **9.10 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.

## **9.11 Visitors in the Workplace**

All visitors are expected to enter any school facility through the main entrance and sign in or report to the main office. Authorized visitors will receive directions or be escorted to their destination. Employees who observe an unauthorized individual on school premises should immediately direct him or her to the building office or contact the administrator in charge.

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.

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

### **Technology Resources**

ILTexas' technology and information resources, including its networks, computer systems, email accounts, devices connected to its networks, and all ILTexas-owned devices used on or off school property, are primarily for administrative and instructional purposes.

Limited personal use is permitted if the use:

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

Email transmissions and other use of ILTexas' technology resources are not confidential and can be monitored at any time to ensure appropriate use.

ILTexas may permit remote access to its network from the Internet on a limited basis for authorized staff. Users are expected to maintain the same security standards when operating ILTexas computers or accessing the ILTexas network remotely. Access procedures and passwords are not to be shared with anyone. All policies and rules regarding network use apply to remote access.

Employees who are authorized to use ILTexas' technology and information resources are required to abide by the provisions of ILTexas' acceptable use policy and administrative procedures. Failure to do so can result in suspension of access or termination of privileges, and may lead to disciplinary and legal action. Employees with questions about technology and information resources can contact the IT Department.

### **Network Acceptable Use**

ILTexas provides students, staff, volunteers, and Board members access to the ILTexas electronic network. This network includes Internet access, email accounts, computer services, videoconferencing, computer equipment, and related equipment for educational and school-related purposes. This policy contains the rules and procedures for acceptable use of ILTexas' electronic network. Where the term "user" appears, the policy applies to any network user.

- The ILTexas electronic network has been established for a limited educational purpose and to allow the transaction of ILTexas-related business. The ILTexas electronic network has not been established as a public access service or a public forum. ILTexas has the right to place reasonable restrictions on material that is accessed or posted throughout the network.
- Access is a privilege – not a right.
- It is presumed that users will honor this policy. ILTexas is not responsible for the actions of users who violate this policy.
- ILTexas reserves the right to monitor all activity on its electronic network. Users will indemnify ILTexas for damage caused by users' inappropriate use of the network.
- Users are expected to follow the same rules, good manners, and common-sense guidelines that are used with other daily school activities, as well as applicable law, in the use of ILTexas' electronic network.



## **General Unacceptable Behavior**

While utilizing any portion of the ILTexas electronic network, unacceptable behaviors include, but are not limited to:

- Abusing network resources, such as sending chain letters or “spamming.” Emails sent to “all staff” are reserved for the Technology Department and administration. The use of the “all staff” group for other purposes must be approved by the Technology Department prior to sending.
- Attempting to access non-instructional systems, such as student information systems or business systems, without authorization.
- Attempting to circumvent web filtering through proxies or other means.
- Connecting any networkable device (either wired or wireless) to the ILTexas network without authorization. The use of a computer or device brought from home accessing the network in any way not designated as “guest access.”
- Displaying, accessing, or sending offensive messages or pictures.
- Engaging in activity that may be considered “cyberbullying,” including but not limited to threats of violence, extortion, obscene or harassing messages, harassment, stalking, child pornography, and sexual exploitation.
- Engaging in personal attacks, including prejudicial or discriminatory attacks.
- Gaining unlawful access to information or computer and communication resources.
- Generation, storage, transmission or other use of data or other matter, which is abusive, profane, pornographic, or offensive to a reasonable person.
- Illegal, fraudulent, or malicious activity or activity on behalf of organizations or individuals having no affiliation with ILTexas.
- Installation of any programs or software not approved by ILTexas.
- Intentional introduction of or experimentation with malicious code including but not limited to computer worms or viruses.
- Knowingly or recklessly posting false information about a person or organization.
- Personal use not related to the conduct of work on behalf of ILTexas.
- Posting information that could cause damage or danger of disruption.
- The intentional sending of messages that is likely to harm the recipient’s work or system and any other types of use which could cause congestion of the ILTexas network or otherwise interfere with the work of others. Prohibited uses include, but are not limited to, peer-to-peer applications such as LimeWire, Bit Torrent, or any other file sharing applications, as well as large (>5MB) file transfers from Internet sites without prior permission.
- Transmission of material in violation of applicable copyright laws.
- Unauthorized disclosure, use, or dissemination of personal information regarding students and staff.
- Using criminal speech or speech in the course of committing a crime such as threats against others, instructions on breaking into computer networks, pornography (including child pornography), drug dealing, purchase of alcohol, gang activities, etc.
- Using ILTexas equipment, network, or credential to threaten other users, or cause a disruption to the educational program.
- Using ILTexas equipment, network, or credentials to send or post electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal.
- Using the ILTexas electronic network for commercial or personal business purposes, or offering, providing, or purchasing products or services through the network.
- Using the ILTexas electronic network for political lobbying.

- Using speech that is inappropriate in an educational setting or that violates ILTexas' standards for employee conduct.

Employees who become aware of a user engaging in inappropriate use of the ILTexas electronic network or who receive any email containing inappropriate content should report the matter immediately to the Technology Department or designee.

### **No Expectation of Privacy**

ILTexas email accounts should be used primarily for school-related purposes. Personal use of ILTexas email accounts is only permitted on a limited basis so long as such personal use does not impede school functions, does not result in any direct cost paid with state funds, is not for private commercial purposes, and does not involve more than incidental amounts of employee time (time periods comparable to reasonable coffee breaks during the day).

ILTexas owns the rights to all data and files stored on any computer, network, or other information system used at ILTexas and to all data and files sent or received using any ILTexas system, including email, to the extent that such rights are not superseded by applicable laws relating to intellectual property.

ILTexas owns any communication sent via email or that is stored on ILTexas equipment or its cloud accounts. ILTexas employees shall have no expectation of privacy in anything they store, send, or receive on ILTexas' email system or computer equipment or cloud accounts. All communications sent via email or stored on ILTexas equipment may also be subject to the Texas Public Information Act. ILTexas reserves the right to access and/or monitor any material in an employee's email account at any time, without prior notice, as well as any computer equipment used to create, view, or access email. Violations of this policy may lead to disciplinary action, up to and including termination, and could also lead to referrals to appropriate law enforcement authorities.

No ILTexas employee may access another employee's computer, computer files, or email messages without prior authorization from the Technology Department or designee to allow access to email accounts.

### **System Security**

On occasion, ILTexas may need to access its technology and information resources including computer files, electronic-mail messages, and voicemail messages. Employees should understand, therefore, that the employees have no right of privacy with respect to any messages or information created or maintained on ILTexas' electronic network, including personal information or messages. ILTexas may, at its discretion, inspect all files or messages on its electronic network at any time in order to determine compliance with its policies, for purposes of legal proceedings, to investigate allegations of misconduct, to locate information, or for any other business purpose.

Users are responsible for their individual accounts and should take all reasonable precautions to prevent others from being able to use them. Users must not provide their user and access credentials including password(s) to another person. Users must immediately notify the technology department if they have identified a possible security issue, received malicious email/communications, or their account may be compromised. Users should not go looking for security problems, as doing so may be construed as an illegal attempt to gain access.

Users will not attempt to gain unauthorized access to any portion of the ILTexas electronic network. This includes attempting to log in through another person's account or accessing another person's folders, work, or files.

Users will not make deliberate attempts to disrupt ILTexas' electronic network or computer system, or destroy data by spreading computer viruses or by any other means.

Users will not attempt to access Web sites blocked by ILTexas policy, including the use of proxy services, software, or Web sites. Users will not use "sniffing" or remote access technology to monitor the network or other user's activity.

### **Software and Files**

Software is available to users to be used as an educational resource or to conduct school-related business. Users may not install, upload, or download software without permission from the Technology Department or designee. A user's account may be limited or terminated if a user intentionally misuses software on any ILTexas-owned equipment.

Files stored on the network are treated in the same manner as other school storage areas. Routine maintenance and monitoring of ILTexas' electronic network may lead to discovery that a user has violated this policy. Users should not expect that files stored on ILTexas servers are private.

When sharing or storing sensitive information, users must utilize approved network storage devices and applications. Appropriate storage protocols should also be followed.

### **Technology Hardware**

Hardware and peripherals are provided as tools to users for educational purposes and for school-related business. Users are not permitted to relocate hardware (except for portable devices), install peripherals, or modify settings to equipment without permission from the Technology Department or designee.

ILTexas may permit the use of personally-owned computing devices on its network, at the discretion of ILTexas. All "guest" users must comply with administrative regulations governing the use of ILTexas' technology resources and agree to allow monitoring of their usage and to comply with the regulations. Non-compliance may result in suspension of access or termination of privileges and other disciplinary actions consistent with ILTexas policy.

### **Vandalism**

Any malicious attempt to harm or destroy data, the network, other network components connected to the network, hardware, or software will result in cancellation of network privileges. Disciplinary measures in compliance with ILTexas policy will be enforced.

### **Personal Use of Electronic Media**

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

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

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

- 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 ILTexas business.
- The employee shall not use ILTexas' logo or other copyrighted material of ILTexas without express written consent.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
  - Confidentiality of student information, including photos.
  - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law.
  - Confidentiality of ILTexas records, including educator evaluations and private e-mail addresses.
  - Copyright law.
  - Prohibition against harming others by knowingly making false statements about a colleague or the school system.

### **Use of Electronic Media and Electronic Communications with Students**

Employees given approval by ILTexas may communicate through electronic media with students who are currently enrolled in ILTexas for educational purposes only. All other employees are prohibited from communicating with students who are enrolled in ILTexas through electronic media.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For instance, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization.

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

- *Electronic media* includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g.,

Facebook, Twitter, LinkedIn, Instagram). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.

- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee’s personal social network page or a blog) is not a communication: however, the employee may be subject to regulations on personal electronic communications. Unsolicited contact from a student through electronic means is not a communication.

An employee uses electronic media to communicate with students shall observe the following:

- Employees should avoid sending text messages to students. Exceptions may apply for a teacher or other employee who has an extracurricular duty, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging should attempt to include at least one of the student’s parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message. Additionally, for each text message addressed to one or more students, the employee must send a copy of the text message to the employee’s ILTexas email address.
- Employees shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with extracurricular duties, matters relating to the extracurricular activity).
- Employees are prohibited from knowingly communicating with students through personal social network pages.
- Employees shall not communicate directly with any student between the hours of 10:00pm and 6:00am, except when necessary to notify students about urgent scheduling or transportation issues. Employees may, however, make public posts to a social network site, blog, or similar application at any time.
- Employees do not have an absolute right to privacy with respect to communications with students and parents.
- Employees continue to be subject to applicable state and federal laws, local policies, administrative regulations, and the Professional Code of Ethics and Standard Practices for Professional Educators including:
  - Compliance with FERPA, including retention and confidentiality of student records;
  - Copyright law; and
  - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student.
- Employees shall not solicit or engage in sexual conduct or a romantic relationship with a student.
- Upon request from ILTexas’ administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more current-enrolled student.
- Upon written request from a parent or student, an employee shall discontinue communicating with a student through email, text messaging, instant messaging, or any other form of one-to-one electronic communication.
- Employees shall refrain from inappropriate communications with students. 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 employee 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 employee or the student.

### **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.

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**APPENDIX – FORMS**

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**Authorization for Background Check**

*Texas Education Code § 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.

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

\_\_\_\_\_  
Date

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

*Complete Background Check Form on Next Page*



**International Leadership of Texas  
2021–2022 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**

International Leadership of Texas (“ILTexas”) may obtain a consumer report (commonly known as a background report) from a consumer reporting agency for employment purposes. The consumer report may include information concerning your employment history, education, qualifications, character, general reputation, personal characteristics, criminal record, motor vehicle record, mode of living and/or credit standing, and indebtedness. This information may be obtained from public and/or private sources.

A consumer report and/or an investigative consumer report may be obtained in processing your application for employment, or at any time during your employment period, as authorized by state law and/or the Fair Credit Reporting Act (FCRA). Should an investigative consumer report (a consumer report in which the above types of information are obtained through personal interviews) be requested, you will have the right to obtain a complete and accurate disclosure of the nature and scope of the investigation requested and a written summary of your rights under the FCRA.

In the event that information from a consumer report obtained about you from a consumer reporting agency is used in whole or in part in making an adverse decision with regard to employment, you will be provided with a copy of the consumer report and a description in writing of your rights under the law.

A summary of your rights under the FCRA is also included with this notice. Individuals may request more information about the nature and scope of any investigative consumer reports by contacting the Human Resources Department.

### **AUTHORIZATION**

*I have carefully read and understand this Disclosure and Authorization Form and the attached Summary of Rights under the Fair Credit Reporting Act. I hereby authorize ILTexas to obtain and/or its agent(s) to obtain and furnish to ILTexas information related to my background to be used for employment purposes. I hereby authorize any law enforcement agency, institution (including learning institution), information service bureau, credit bureau, record/data repository, court, motor vehicle record agency, employer, military, and other individuals and sources contacted by ILTexas and/or its agent(s) to furnish the information requested by the consumer reporting agency for employment purposes.*

*I understand and agree that a facsimile or photographic copy of this authorization will be as valid as the original.*

*I hereby release ILTexas, all its agents and employees, and all other persons, agencies, and entities furnishing information or reports about me from all liability arising out of the request for or release of any of the above-mentioned information or reports.*

Applicant/Employee                      Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

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

Para información en español, visite [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

### **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). Here is a summary of your major rights under FCRA. **For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.**

- **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, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) 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.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) 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.

- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **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.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).
- **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).
- The following FCRA right applies with respect to nationwide consumer reporting agencies:

#### **Consumers Have the Right To Obtain a Security Freeze**

**You have a right to place a “security freeze” on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization.** The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.

As an alternative to a security freeze, you have the right to place an initial or extended fraud alert on your credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert display on a consumer’s credit file, a business is required to take steps to verify the consumer’s identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account that requests information in your credit report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

- **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.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).

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. For information about your federal rights, contact:

TYPE OF BUSINESS:	CONTACT:
<p>1.a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates</p> <p>b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:</p>	<p>a. Consumer Financial Protection Bureau 1700 G Street, N.W. Washington, DC 20552</p> <p>b. Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue, N.W. Washington, DC 20580 (877) 382-4357</p>
<p>2. To the extent not included in item 1 above:</p> <p>a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks</p> <p>b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and Insured State Branches of Foreign Banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act.</p> <p>c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations</p> <p>d. Federal Credit Unions</p>	<p>a. Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050</p> <p>b. Federal Reserve Consumer Help Center P.O. Box 1200 Minneapolis, MN 55480</p> <p>c. FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106</p> <p>d. National Credit Union Administration Office of Consumer Financial Protection (OCFP) Division of Consumer Compliance Policy and Outreach 1775 Duke Street Alexandria, VA 22314</p>
<p>3. Air carriers</p>	<p>Asst. General Counsel for Aviation Enforcement &amp; Proceedings Aviation Consumer Protection Division Department of Transportation 1200 New Jersey Avenue, S.E. Washington, DC 20590</p>
<p>4. Creditors Subject to the Surface Transportation Board</p>	<p>Office of Proceedings, Surface Transportation Board Department of Transportation 395 E Street, S.W. Washington, DC 20423</p>

5. Creditors Subject to the Packers and Stockyards Act, 1921	Nearest Packers and Stockyards Administration area supervisor
6. Small Business Investment Companies	Associate Deputy Administrator for Capital Access United States Small Business Administration 409 Third Street, S.W., Suite 8200 Washington, DC 20416
7. Brokers and Dealers	Securities and Exchange Commission 100 F Street, N.E. Washington, DC 20549
8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations	Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090
9. Retailers, Finance Companies, and All Other Creditors Not Listed Above	Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue, N.W. Washington, DC 20580 (877) 382-4357

**Authorization for Prior Employer to Release Information**  
**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 Printed Name

## 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.**

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

\_\_\_\_\_  
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 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;
4. If I receive an overpayment of wages for any reason, repayment to ILTexas of such overpayments (the deduction for such a repayment will be divided amongst the remaining months of the employee's School Year);
5. 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;
6. 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);
7. The cost of any uniforms required in my employment with ILTexas, and of cleaning such uniforms;
8. 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;
9. 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;
10. 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;
11. 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);
12. 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;
13. 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
14. 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.

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

\_\_\_\_\_  
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.

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

\_\_\_\_\_  
Date

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

**Texas Government Code § 552.024:**  
**Public Access Option Form**

The Public Information Act allows employees, public officials and former employees and officials to elect whether to keep certain information about them confidential. Unless you choose to keep it confidential, the following information about you may be subject to public release if requested under the Texas Public Information Act. Therefore, please indicate whether you wish to allow public release of the following information.

	PUBLIC ACCESS?	
	NO	YES
Home Address		
Home Telephone Number		
Emergency Contact Information		
Information that reveals whether you have family members		

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

\_\_\_\_\_  
Date

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

## 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.		