



EMPLOYEE HANDBOOK

2024-2025

INTRODUCTION

Thank you for forming part of a dedicated community of professionals who prove every day that different outcomes are possible when students from under-resourced communities are given access to high quality educational opportunities. Our jaw-dropping results are a proof point that better outcomes are not only possible, but probable when school systems invest in human capital, build a culture of high expectations, and create effective support systems to ensure that student achievement is at the forefront of every decision made.

The handbook is designed to set every employee up for success at YES Prep by providing clear guidance and instructions around their rights and responsibilities. Organized into five units, this handbook explains:

- **Employment Terms** - The legal expectations that govern YES Prep and its employees.
- **Professional Expectations** - Professional expectations within YES Prep's cultural framework.
- **Time Procedures and Protocol** - Expectations regarding attendance and how employees utilize time.
- **Information and Technology** - Policies on YES Prep's information and technology use for the workplace, and external and personal media handling.
- **Compensation and Benefits** - Compensation and benefit offerings for YES Prep employees.

HOW TO USE THIS HANDBOOK

It is our expectation that every employee understands the content of the entire handbook, thus we have designed it as an easily searchable resource for your regular reference. As a PDF document, employees can use the Ctrl+F function to search the handbook for particular words and phrases to find what they may be looking for.

If you have questions, you can always reach out to the Talent team at Talent@yesprep.org.

A LETTER FROM THE CEO

Welcome to YES Prep Public Schools!

Thank you for choosing to pursue a career in education and investing in Houston and the families and students we are privileged to serve. YES Prep's impact depends on having high-quality, mission-driven teachers in every classroom and expert staff members working to build and sustain an excellent school system. Thank you for taking on this often difficult yet always meaningful work!

As we do this impactful work together in the present, it is important for us to know where we are going together in the future. In 2021, YES Prep adapted its mission statement to emphasize our commitment to our students' college readiness and also their broad access to postsecondary opportunities—college, the work force, and/or military service. To ensure we realize this mission, we are committed to serving all children and recognizing and celebrating their unique identities and cultures. This is why we regularly ask, "How deeply do we believe in the potential of all kids?" and "How deeply do we value diversity on our team?" Serving all students who choose YES Prep and respecting the diversity of all YES Prep teammates are two of our core cultural values.

Mission statement: YES Prep Public Schools empowers all Houston students to succeed in college and to pursue lives of opportunity.

We have developed this employee handbook to highlight specific ways our employees show up each day to foster a culture that embraces these values. It contains opportunities, expectations, and information that will set you up to be a successful member of the YES Prep team. We expect you to familiarize yourself with this guide for the betterment of yourself, your school, and most importantly the students and families we serve. Thank you for setting aside time to read and digest this important document.

Serving all students with conviction and embracing the rich diversity of all our teammates are lofty goals, yet I am convinced that when we harness the power of our collective will for our students and for each other, we will exceed even our highest expectations of success. So, whether this is your first year at YES Prep or you are a seasoned veteran, I am excited to see YES Prep continue to thrive and grow with you as a member of our team!

Thank you again for committing to this important work for our city, for each other, and for the students and families we serve.



A handwritten signature in black ink, reading "Mark Dibella".

MARK DIBELLA | CHIEF EXECUTIVE OFFICER

TABLE OF CONTENTS

YES PREP 101.....	5
EMPLOYMENT TERMS	12
DISCLOSURES.....	13
EMPLOYMENT REQUIREMENTS	18
PERSONNEL TYPES.....	21
VERIFICATION OF EMPLOYMENT & RECORD RELEASE	23
ENDING EMPLOYMENT	23
STUDENT INTERACTIONS	25
PROFESSIONAL EXPECTATIONS.....	32
ETHICAL BEHAVIOR	33
PROFESSIONAL EXPECTATIONS.....	38
SAFETY & SECURITY	41
RELATIONSHIPS WITH OTHER EMPLOYEES	45
PERFORMANCE MANAGEMENT	47
ADDITIONAL EMPLOYMENT	49
OTHER OPPORTUNITIES AT YES	50
TIME PROCEDURES & PROTOCOLS	51
YES PREP WORKDAYS	52
ATTENDANCE AND PUNCTUALITY.....	54
TIMEKEEPING.....	55
ABSENCE TYPES.....	55
PAID TIME OFF	56
ALL HANDS ON DECK DAYS.....	59
INFORMATION & TECHNOLOGY	60
CONFIDENTIALITY	61
TECHNOLOGY USE	64
MEDIA EXPECTATIONS	68
BENEFITS & COMPENSATION	71
COMPENSATION	72
PAYCHECKS	74
REIMBURSEMENTS & CREDIT CARDS	76
BENEFITS	78
LEAVE OF ABSENCES.....	81
GRIEVANCE PROCESS	89
GENERAL EMPLOYEE COMPLAINTS AND GRIEVANCES PROCESS	90
GUIDELINES FOR GENERAL EMPLOYEE COMPLAINT PROCESS	91
TITLE IX POLICY	95
TITLE IX POLICY.....	96

YES PREP 101

WHO WE ARE

Since its foundation in 1998, YES Prep Public Schools has redefined what is possible in public education. With over 18,000 college-bound students across 24 campuses, we are a system of high-performing public charter schools proving that students from underserved communities can achieve at the highest academic levels. Our exceptional results demonstrate that better outcomes are not only possible, but also probable, when school systems invest in human capital, build a culture of high expectations, and create effective support systems to ensure that student achievement is at the forefront of every decision made.

MISSION

YES Prep Public Schools empowers all Houston students to succeed in college and to pursue lives of opportunity.

VISION

Every child in Houston will have equitable access to a public school that delivers a college-ready education.

OUR CORE VALUES

Our focus at YES Prep is to prepare thousands of underserved students in Houston to be college-ready, thereby transforming the city's educational landscape. As such, all YES Prep employees are expected to embody and demonstrate the YES Prep core values through their actions, their work, and their relationships. YES Prep's core values are:

- Eliminate Educational Inequity to Advance Social Justice
- Achieve Jaw-Dropping Results
- Grow Authentic Leaders
- Build Transformative Relationships
- Create Pathways to Opportunity

DIVERSITY, EQUITY, AND INCLUSION

Educational equity is at the core of who we are as a system and as such are committed to becoming an actively anti-racist organization. We seek to advance the cause of social justice at YES Prep and beyond. We dive deep to fight racism wherever we may find it, including ourselves. We imagine a YES Prep future where all staff, students, and families are affirmed in their identity, feel a sense of belonging, and share in the responsibility to eliminate injustice.

WHY WE EXIST

Across the nation, only half of all students from low-income communities graduate from high school and only 10% earn a college degree. Over the long term, these statistics damage our economy and prevent the next generation of leaders from emerging. In a country where a child's zip code often determines their life trajectory, YES Prep provides evidence that different outcomes are possible when students are given access to high-quality educational opportunities. At YES Prep, we believe that every student, regardless of race or socioeconomic status, deserves the opportunity to receive a world-class education.

OUR CHARTER SCHOOL STATUS

Charters are given flexibility to take creative approaches to teaching, allowing students to learn in the way that works best for them.

By delivering for students from diverse backgrounds public charter schools like YES Prep are preparing the workforce of tomorrow and supporting the future of Texas.

Charter schools are public schools! They are designed as complements to traditional ISDs. Charters exist to serve students that, for whatever reason, are not thriving in a one-size-fits-all traditional public school.

Charters are free and open to all, offering every child an opportunity for a great education. Charters are given the flexibility to take creative approaches to teaching students in the way that works best for them. In exchange for that extra flexibility, charters are subject to increased accountability and transparency standards. For example, charters that receive a failing grade from the state for three years straight are shut down – no appeals allowed. This ensures that only the highest quality public charters can exist in Texas.

YES Prep is a nonprofit organization. In fact, for-profit charter schools are illegal in Texas. That means that Texas charters are funded through community support and state funds. They receive no local taxpayer dollars.

Every student deserves the chance to get a public education at a school that puts their needs first, regardless of zip code, income, or ability level. By delivering for students from diverse backgrounds and teaching them how they learn best, public charter schools, like YES Prep, are preparing the workforce of tomorrow and the future of Texas.

OUR GOVERNANCE STRUCTURE

YES Prep is managed by a group of seasoned professionals who have dedicated their careers to challenging the status quo and are dedicated to continuous improvement and strategic innovation at all levels:

- Mark DiBella, Chief Executive Officer
- Luis Mena, Chief Financial Officer
- Carmen Darville, Chief Operating Officer
- Philip Wright, Chief Schools Officer
- Isy Gabriela Castillo, Chief External Officer
- Jose Muñoz, Chief Talent Officer
- Dana Foughty, Chief of Staff

YES Prep is governed by its own Board of Directors, which includes representatives from major energy, technology, financial, and legal firms as well as professional sports, real estate, and non-profit, community-based organizations.

YES PREP SECONDARY LOCATIONS



BRAYS OAKS

*GRADES SERVED 6-12

9000 West Bellfort Ave
Houston, TX • 77031
713.967.8400



EAST END

*GRADES SERVED 6-12

8329 Lawndale St
Houston, TX • 77012
713.967.7800



FIFTH WARD

*GRADES SERVED 6-12

1305 Benson St
Houston, TX • 77020
281.591.3780



GULFTON

*GRADES SERVED 6-12

6565 De Moss Dr
Houston, TX • 77074
713.967.9800



HOBBY

*GRADES SERVED 6-9

8787 Tallyho Rd
Houston, TX • 77061
713.842.5600



HOME OFFICE

5515 South Loop E Fwy,
Suite B
Houston, TX • 77033
281.967.9000



NORTH CENTRAL

*GRADES SERVED 6-12

13703 Aldine-Westfield Rd
Houston, TX • 77039
713.967.8800



NORTH FOREST

*GRADES SERVED 6-12

6602 Winfield Rd
Houston, TX • 77050
713.967.8699



NORTHLINE

*GRADES SERVED 6-11

5815 Airline Dr
Houston, TX • 77076
713.842.5400



NORTHSIDE

*GRADES SERVED 6-12

5215 Jensen Dr
Houston, TX • 77026
713.924.0400



NORTHWEST

*GRADES SERVED 6-10

14741 Yorktown Plaza Dr
Houston, TX • 77040
713.842.551



SOUTHEAST

*GRADES SERVED 6-12

353 Crenshaw Rd
Houston, TX • 77034
713.967.9400



SOUTHSIDE

*GRADES SERVED 6-12

5515 S. Loop E. Fwy., Suite A
Houston, TX • 77033
713.924.5500



SOUTHWEST

*GRADES SERVED 6-12

4411 Anderson Rd
Houston, TX • 77053
713.967.9200



THRIVE (DAEP)

*GRADES SERVED 6-12

8222 Manchester St.
Houston, TX • 77012
713.842.5423



WEST

*GRADES SERVED 6-12

10535 Harwin Dr
Houston, TX • 77036
713.967.8200



WHITE OAK

*GRADES SERVED 6-12

5620 West Tidwell Rd
Houston, TX • 77091
713.924.5200

YES PREP ELEMENTARY LOCATIONS



AIRLINE ELEMENTARY

*GRADES SERVED PK-3
5915 Airline Dr.
Houston, TX • 77076
713.261.7034

EAST END ELEMENTARY

*GRADES SERVED PK-3
8329 Lawndale St.
Houston, TX • 77012
713.924.0800

HOBBY ELEMENTARY

*GRADES SERVED PK-2
7660 Hansen Rd.
Houston, TX • 77061
713.967.9000

NORTH CENTRAL ELEMENTARY

*GRADES SERVED PK-5
1900 Strawn Rd
Houston, TX • 77039
713.842.5650

NORTH FOREST ELEMENTARY

*GRADES SERVED PK-4
6602 Winfield Rd.,
Bldg. A | Houston, TX
77039 | 713.842.5650

NORTH RANKIN ELEMENTARY

*GRADES SERVED PK-2
12537 Kuykendahl Rd.
Houston, TX • 77090
713.967.9000

SOUTHWEST OAKS ELEMENTARY

*GRADES SERVED PK-5
5212 Anderson Rd.
Houston, TX • 77053
713.967.9000

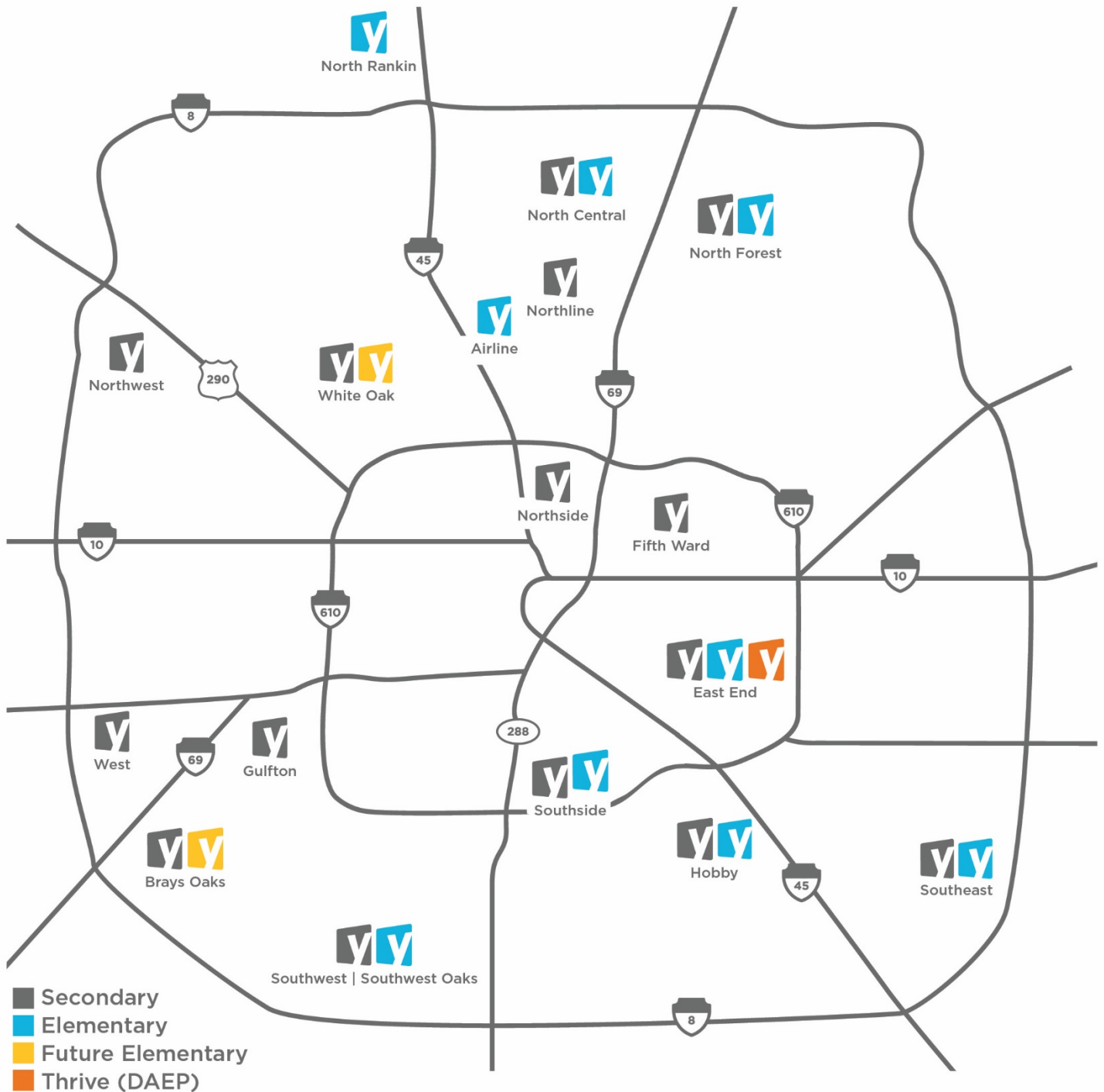
SOUTHEAST ELEMENTARY

*GRADES SERVED PK-5
507 Crenshaw Rd.
Houston, TX • 77034
713.842.5555

SOUTHSIDE ELEMENTARY

*GRADES SERVED PK-4
5515 S. Loop E. Fwy.,
Suite B | Houston, TX
77039 | 713.924.5300

YES PREP ON THE MAP





2024-2025 ACADEMIC CALENDAR

- Elementary Schools -

IMPORTANT DATES

August 15, 2024	First Day of School for Students
September 2, 2024	Labor Day
October 14, 2024	Fall Holiday
November 25 - 29, 2024	Fall Break
December 23, 2024 - January 3, 2025	Winter Break
January 20, 2025	Dr. Martin Luther King, Jr. Day
February 17, 2025	Presidents' Day
March 10 - 14, 2025	Spring Break
April 18, 2025	Spring Holiday
May 26, 2025	Memorial Day
May 29, 2025	Last Day of School for Students

GRADING PERIODS

Fall Semester

- Q1: August 14 - October 10
- Q2: October 15 - December 20

Spring Semester

- Q3: January 8 - March 6
- Q4: March 17 - May 29

SCHOOL HOURS

School Day Hours

- Monday - Friday: 7:25 a.m. - 3 p.m.

CALENDAR LEGEND

 Holiday - Students and Staff	 Staff Development (No School for Students)
 First Day of Grading Period	 Student Holiday/ Family Conference Day

Total Student (Instructional) Days: 172

JULY 2024

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

AUGUST 2024

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

SEPTEMBER 2024

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

OCTOBER 2024

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

NOVEMBER 2024

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

DECEMBER 2024

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

JANUARY 2025

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY 2025

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

MARCH 2025

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

APRIL 2025

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

MAY 2025

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

JUNE 2025

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					



Visit us at [yesprep.org](https://www.yesprep.org)

Calendar last updated on 4/22/2024



2024-2025 ACADEMIC CALENDAR

- Secondary Schools -

IMPORTANT DATES

August 15, 2024	First Day of School for Students
September 2, 2024	Labor Day
October 14, 2024	Fall Holiday
November 25 - 29, 2024	Fall Break
December 23, 2024 - January 3, 2025	Winter Break
January 20, 2025	Dr. Martin Luther King, Jr. Day
February 17, 2025	Presidents' Day
March 10 - 14, 2025	Spring Break
April 18, 2025	Spring Holiday
May 26, 2025	Memorial Day
May 29, 2025	Last Day of School for Students

GRADING PERIODS

Fall Semester

- Q1: August 14 - October 10
- Q2: October 15 - December 20

Spring Semester

- Q3: January 8 - March 6
- Q4: March 17 - May 29

SCHOOL HOURS

School Day Hours

- Monday - Friday: 8:30 a.m. - 4 p.m.

CALENDAR LEGEND

	Holiday - Students and Staff		Staff Development (No School for Students)
	First Day of Grading Period		

Total Student (Instructional) Days: 172

- AP exam schedule can be found on the College Board site - [Link Here](#)
- Major testing dates - [Link Here](#)



Visit us at [yesprep.org](https://www.yesprep.org)

JULY 2024

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

AUGUST 2024

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

SEPTEMBER 2024

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

OCTOBER 2024

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

NOVEMBER 2024

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

DECEMBER 2024

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

JANUARY 2025

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY 2025

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

MARCH 2025

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

APRIL 2025

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY 2025

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

JUNE 2025

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

EMPLOYMENT TERMS

This unit outlines the legal expectations that govern YES Prep and its employees. This unit includes disclosures, requirements for employment, personnel types, exiting procedures, and student interaction expectations.

DISCLOSURES

Statement of Eligibility

Equal Opportunity Employee

Transgender Employees

Harassment

Sexual Harassment Under Title IX

Inflammatory/Antagonistic Behaviors

Americans with Disabilities Act

Being Heard Policy

EMPLOYMENT REQUIREMENTS

Authorization to Work

Employment Eligibility Factors

Minimum Qualifications

PERSONNEL TYPES

Non-exempt and Exempt employees

Full-time and Part-time

Contractors

Volunteers

Temporary and Seasonal employees

Grant-funded positions

VERIFICATION OF EMPLOYMENT & REFERENCE RELEASE

ENDING EMPLOYMENT

Job Abandonment

Termination

STUDENT INTERACTIONS

Student Supervision

Inappropriate Social Relationships

Sexual Harassment

Sexual Abuse

Duty to Report

Reporting Abuse

Corporal Punishment

Administration of Medications

DISCLOSURES

Any violations of policies included herein may be subject to disciplinary action up to and including termination. Further, any exceptions to these policies for business reasons may be made by the Chief Executive Officer or their designee.

STATEMENT OF EMPLOYMENT

Employment with YES Prep Public Schools is “at will.” This means employment is voluntary and subject to termination by the employee or YES Prep Public Schools at any time, with or without reason, as long as employment is not terminated for an illegal reason. For specificity to at will employment in comparison to other school districts, YES Prep Public Schools does not have regularly scheduled employees on a contract.

WE ARE AN EQUAL OPPORTUNITY EMPLOYER

YES Prep Public Schools is an equal opportunity employer and makes employment decisions based on merit and in accordance with applicable state and federal law. YES Prep policy prohibits unlawful discrimination on the basis of race, color, age, national origin, religion, sex, sexual orientation, gender, gender identity, pregnancy, disability, military or veteran status, genetic information, medical condition, or any other consideration made unlawful by federal, state, or local law, ordinance, or regulation.

TRANSGENDER EMPLOYEES

YES Prep works to ensure that all employees feel safe and welcome in their identity, including transgender, gender diverse, and transitioning employees. As such, the needs of each employee who is transgender or gender non-conforming must be assessed on a case-by-case basis. Our guidelines are to address the needs of employees who identify as transgender, gender non-conforming to clarify how the law should be implemented in situations where questions may arise about the protection, safety, and legal rights of said employees. This policy does not anticipate every situation that may occur with respect to transgender or gender diverse employees.

A person does not need to identify as transgender in order for an employer’s nondiscrimination policies to apply to them. Employees who are transgender have the right to discuss their gender identity or expression openly, or to keep that information private. Leaders, Talent, or co-workers should not disclose information that may reveal an employee’s transgender status or gender diverse presentation to others. That kind of personal, or confidential, information may only be shared with the employee’s consent and with coworkers who truly need to know to perform their job function.

Talent may change an employee’s official record to reflect a change in name or gender upon request from the employee. Certain types of records, like those relating to payroll and benefit accounts, may require a legal recognition of change before the change can be made in systems. However, most records can be changed to reflect a person’s preferred name without proof of a legal name change. A request for a name change should be made in the form of a help desk ticket.

All employees have the right to be addressed by the name and pronoun corresponding to the employee’s gender identity.

HARASSMENT

YES Prep policy prohibits discrimination, including harassment, based on race, color, age, national origin, religion,

sex, sexual orientation, gender, gender identity, pregnancy, disability, military or veteran status, genetic information, medical condition, or any other consideration made unlawful by federal, state, or local law, ordinance, or regulation. YES Prep's anti-harassment policy applies to all persons involved in the operation of YES Prep and prohibits harassment by any employee of YES Prep, as well as by any person doing business with or for YES Prep.

Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment.

HARASSMENT

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

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

Remember that "hassle" is not a synonym for "harassment" under state or federal law. The legal definition of "harassment," which may be actionable and provide a legal basis for a complaint, involves the creation of a hostile environment based on an employee's protected class, e.g., age, sex, disability, gender, national origin, race, religion, etc. If the day-to-day actions that are making an employee's work environment uncomfortable are not based on their status in one of the protected areas, the employee is being hassled, not harassed. Such behavior, however, is not condoned in the workplace, and the employee may still file a grievance based on being hassled.

SEXUAL HARASSMENT UNDER TITLE IX

Sexual harassment is a form of discrimination and is strictly prohibited under Title IX of the Educational Amendments of 1972. All staff and students are entitled to specific rights under Title IX if sexual harassment is suspected.

SEXUAL HARASSMENT

YES Prep defines sexual harassment as, but not limited to, unwelcomed verbal or physical conduct that denigrates or shows hostility or aversion toward an employee because of their sex and:

- Has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Otherwise adversely affects an individual's employment opportunities.

Harassing conduct on or off campus may include but is not limited to (1) epithets, slurs, negative stereotyping or threatening, intimidating, or hostile acts that relate to gender either verbally, in writing, or online, and (2) written or

graphic material that denigrates or shows hostility or aversion toward an individual or group because of sex and that is placed on walls, electronically, on bulletin boards or elsewhere on or off YES premises,.

Unwelcomed sexual advances, requests for sexual favors, sexually motivated physical, verbal, or nonverbal conduct; or other unwelcomed conduct or communication of a sexual nature constitutes sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

If a staff member suspects sexual harassment for themselves or others, they should immediately report (same day) the concern:

If the allegation involves a student:

Report to the Director of Student Support or Principal for that campus.

If the allegation involves only staff members:

Report to the campus principal or department manager or;

Report using the Being Heard Form if the allegation involves the principal or department manager.

INFLAMMATORY/ANTAGONISTIC BEHAVIORS

YES Prep has a zero-tolerance policy for antagonistic or inflammatory behaviors or language that are disruptive to the school and work environment. Employees who instigate situations by use of inflammatory or antagonistic language or behaviors may receive corrective action, up to, and including termination.

AMERICANS WITH DISABILITIES ACT (ADA)

YES Prep is committed to complying fully with the ADA and ensuring equal employment opportunities for qualified people with disabilities. In accordance with applicable laws, we will consider all requests for reasonable accommodations for the known physical or mental limitations of an otherwise qualified employee or job applicant, as long as an undue hardship to YES Prep would not result. A request for accommodation does not guarantee automatic approval. Talent will review all accommodation requests formally submitted with the Employee, their health care provider, and the applicable principal or department manager. Any employee or job applicant who requires accommodation to perform the essential functions of their job should submit a request to Talent@yesprep.org. Please refer to the U.S. Department of Labor website for further information on ADA.

REASONABLE ACCOMMODATIONS FOR PREGNANT WORKERS POLICY

As the federal Pregnant Workers Fairness Act (PWFA) requires, YES Prep Public will provide reasonable accommodations to employees with limitations related to pregnancy, childbirth, or related medical conditions unless the accommodation will cause undue hardship to YES Prep's operations.

An employee may request an accommodation due to pregnancy, childbirth, or a related medical condition by submitting the request through the UNUM portal found on the Benefits SharePoint. The accommodation request will be processed, including an explanation of the pregnancy-related limitations, the accommodation needed, and any alternative accommodation(s) that might be reasonable. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a healthcare provider substantiating the need for the accommodation.

Upon receiving an accommodation request, Talent will determine if accommodation is reasonable and can be provided to the organization without significant difficulty or expense.

YES Prep prohibits any retaliation, harassment, or adverse action based on an individual's request for accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination.

RAISING CONCERNS (BEING HEARD POLICY)

At YES Prep, we value honesty. Having direct conversations, while difficult at times, further contributes to our desired culture. We acknowledge that having courageous conversations takes intestinal fortitude, skill, and empathy. To continue individual professional growth as well as organizational growth, we encourage employees to make an effort to resolve issues directly with the individual(s) involved. If there is a concern that is not resolved by a manager or campus/team leader, or the employee does not feel comfortable discussing directly with their manager or campus/team leader, a formal complaint may be filed through the Being Heard Process. The Being Heard Policy formalizes the process for conflict resolution and provides employees a pathway for raising and resolving concerns.

BEING HEARD PROCESS

The Being Heard Process is used when employees have concerns about:

- Hours or work conditions;
- Specific allegations of unlawful discrimination in employment based on the employee's race, color, age, national origin, religion, sex, sexual orientation, disability, military or veteran status, genetic information, medical condition, or any other consideration;
- Specific allegations of unlawful discrimination or retaliation based on the employee's exercise of legally protected rights;
- Specific allegations of unlawful retaliation for having raised a concern in good faith that is covered by this policy;
- Specific allegations of discrimination, harassment, or retaliation;
- Specific allegations of adverse personnel action based on the employee's good faith report to an appropriate law enforcement authority of a violation of a law by YES Prep or the organization employee, i.e., "whistle-blower complaints."

WORKPLACE INVESTIGATIONS POLICY

YES Prep is committed to ensuring that all company-initiated investigations are conducted fairly, impartially, thoughtfully, and in compliance with all applicable laws and policies. As a condition of your employment with YES Prep, you shall fully cooperate in any internal investigation conducted by Talent or when directed to do so by an

individual giving investigative authority. Your immediate response when contacted is important to ensure a speedy investigation. Failing to cooperate should be grounds for disciplinary action up to and including termination of employment. If an appeal happens, it will escalate to C-suite then finally to the Board.

The steps outlined below are listed in order of escalation. If at any particular step a resolution has been applied, the Being Heard Process concludes, and the employee need not further escalate in the process.

1. Employee attempts resolution at the work site.

Prior to engaging Talent in the process, the employee engaged in the employment conflict should attempt to resolve the conflict at their work site. If the pursuit of a resolution is unsuccessful, proceed to initiate a formal complaint.

2. Employee submits a formal complaint to Talent in writing.

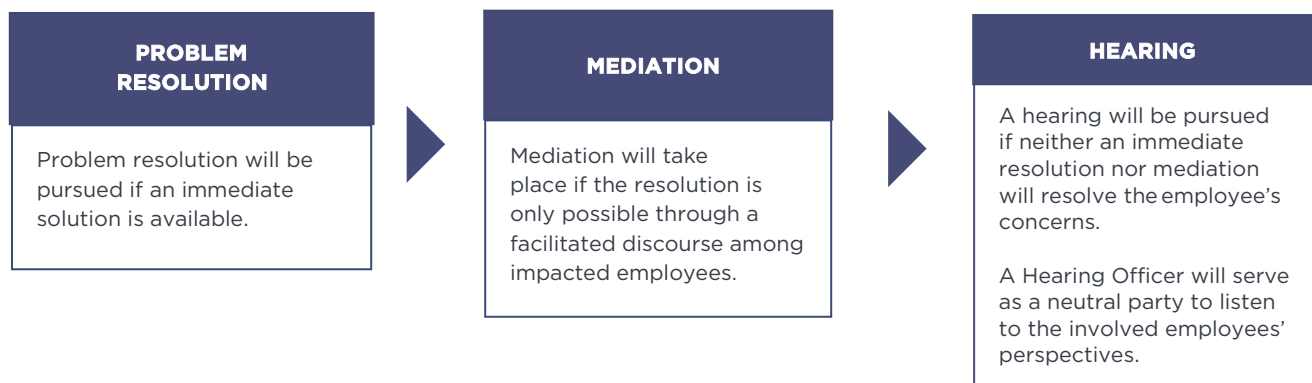
The employee will outline the desired outcome using the “Being Heard” form found on the Talent SharePoint.

3. Talent reviews the complaint to explore possible solutions.

Once Talent receives the complaint, Talent will begin the fact-finding process to learn if there are immediate solutions available.

4. Talent determines the appropriate action.

The Talent team will engage in one of the following processes, choosing the path of least intervention where appropriate:



5. Talent formalizes further action based on the route selected (resolution/mediation/hearing) in step four.

Upon conclusion of the action in step 4, within five business days, Talent will formalize any resolutions/decisions into a document for all parties.

6. If the complainant is dissatisfied with the outcome of the decision rendered, the employee may appeal.

An appeal must be submitted in writing using the Being Heard Appeal Form. If the employee has not exhausted all actions from step 4, Talent will choose the next available option. If the employee has engaged in a hearing (where appropriate), the appeal will be reviewed by C-Suite and the Board to determine a final decision.

7. C-Suite and Board renders a final decision.

Once C-Suite and the Board has made a final decision, the complainant has exhausted all available mechanisms for consideration.

Please note: If a complaint is made against the Chief Executive Officer, the claim will be reviewed by external counsel or the Board, as needed.

EMPLOYMENT REQUIREMENTS

There are several requirements in order to be, and remain, eligible for employment at YES Prep. This section outlines the minimum requirements for joining and continuing as a team member at any of our locations.

AUTHORIZATION TO WORK

While employees do not have to be US citizens, they must be legally authorized to work in the US. The Immigration Reform and Control Act of 1986 (IRCA) prohibits YES Prep from employing any person not legally authorized to work in the United States. In accordance with IRCA, all persons working after November 6, 1986, must submit documentation evidencing their right to work in the US. Anyone submitting false documentation shall be immediately terminated. YES Prep does not discriminate on the basis of citizenship. Any concerns regarding IRCA, and the required documentation should be brought to the Managing Director of Talent.

There are several requirements for the work authorization process:

- The completion of the I-9 Employment Eligibility is a document required by the Department of Homeland Security.
- In order to be employed by YES Prep, eligibility of all new hires must be established through the completion of section 2 of the I-9 form prior to, or within 3 days of, their start date.
- Rehires must also complete I-9s if the retention timeline has elapsed.
- New hires must present required, unexpired documents, or a receipt for the required documents, within three (3) business days of the employee's start date.
- Rehires must present required, unexpired documents, or a receipt for the required documents, within ninety (90) days of their start date if their retention timeline has lapsed.
- In accordance with federal law, if required documentation is not presented within the deadline, the employee will be separated from YES Prep.
- If a staff member with an expiring Employment Authorization status does not present updated document(s) in-person before their expiration date, YES Prep must terminate employment until work authorization document(s) are updated.

EMPLOYMENT ELIGIBILITY FACTORS

The Texas Education Code requires public schools, including charter schools, to require fingerprint-based criminal background reviews of school employees before they report to work. Background information will only be reviewed for reasons related to employment eligibility.

The fingerprinting process is conducted by the State of Texas. YES Prep will assist new employees with fulfilling this requirement:

All new hires are required to submit to a fingerprint-based criminal background check prior to beginning the first day of work, at the employee's expense. Talent will submit required information to the state, so new hires receive a FAST Fingerprint Pass with instructions to get their fingerprints completed. Information collected on an individual to comply with the requirements listed above is confidential and will only be reviewed by authorized personnel. The information will be reviewed in a secure environment and any information involved in the review process will be

destroyed or made inaccessible after the review. Unauthorized access or dissemination of background information can result in termination from YES Prep and prosecution as outlined by law (see Federal Bureau of Investigation Criminal Justice Information Services Policy Sections 2 – 5).

YES Prep does not prohibit employment or refuse to consider an application for employment solely on the grounds that an applicant/employee has a prior criminal record, arrest, conviction, or adjudication. However, YES Prep makes employment decisions based on the underlying conduct leading to the arrest or adjudication. State law also prohibits YES Prep from employing individuals who have been convicted of certain offenses.

A number of factors will be taken into consideration when determining whether or not an employee may be eligible for employment following an offense based in a specific criminal history. The factors for consideration will include, but are not limited to:

- Nature and gravity of the offense or offenses;
- Elapsed time since the conviction and/or completion of the sentence;
- Responsibilities of the job held or sought;
- Age of the person at the time of the crime;
- Adjudication of the offense (e.g., whether the person was found guilty, plead guilty, entered a no contest plea, or received deferred adjudication);
- Accuracy of disclosure;
- Possible impact on the professional environment;
- Facts and/or circumstances surrounding the offense or conduct;
- Number of offenses;
- Evidence that the individual performed the same type of work, post-conviction, with the same or a different employer, with no known incidents of criminal conduct;
- Duration and consistency of employment history before and after the offense; Rehabilitation efforts, e.g., education/training; and
- Employment or character references regarding fitness for the particular position.

YES Prep will take the necessary steps to determine an employee's eligibility for hire:

Upon consideration of the above or other appropriate factors, YES Prep shall inform the applicant/employee that they may be excluded because of the individual's criminal history and provide the individual an opportunity to demonstrate that the exclusion does not properly apply to him or her and the position in question.

YES Prep shall consider the additional information provided by the applicant/employee prior to making any final determination.

YES Prep may release 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.

Please note that the mishandling of any background data is a violation of policy and law and will result in corrective action up to and including termination.

MINIMUM QUALIFICATIONS

YES Prep has high expectations for all employees. This section outlines the expectations of employment while working for YES.

CERTIFICATION FOR TEACHERS

YES Prep Public Schools values teacher certification. Research suggests a direct correlation between teacher certification and student achievement. Any new teacher hired with less than one year of teacher of record experience, or any uncertified teacher hired in a high compliance area, must enroll and complete certification requirements within the given timelines of the Teaching Excellence ACP.

New Teacher Certification Requirements: Any new teacher hired after January 1, 2023, with less than 1 year of teacher of record experience, is expected to obtain a valid Texas teaching certification through Teaching Excellence ACP. If not already enrolled in a different ACP upon hire.

High Compliance Certification Requirements: In accordance with Texas state compliance, any teacher of record in Special Education, Bilingual, or Pre-K classrooms is required to hold a valid Texas teaching certificate.

External ACP Requirements: Any new hire enrolled in an external ACP prior to date of offer can continue enrollment in the program. A letter of good standing must be submitted to the YES Prep Talent Team to confirm enrollment. All teachers enrolled in external ACPs are expected to complete certification requirements and obtain a valid Texas teaching certification.

Failure to meet YES Prep certification standards may result in corrective action, up to, and including termination.

OFFICIAL TRANSCRIPTS

If a given instructional role requires a bachelor's or advanced degree, YES Prep requires an official, degree(s) conferred transcript(s) on file for each degree that the employee holds that is a qualification for their particular role. This must be submitted within the first 30 days of employment. For all other non-instructional roles for which a degree is required, employees may be required upon request to submit a copy of an official, degree conferred transcript as evidence of a degree.

MANDATORY TRAININGS

All employees will be required to complete trainings as assigned by the organization, YES Prep Home Office, campus or Home Office team, or manager by the deadlines assigned. This may include, but not limited to Cybersecurity, Sexual Harassment, Child Abuse, etc. Failure to complete trainings that are a requirement of the role could result in corrective action, up to and including termination.

PROFESSIONAL CREDENTIALING

Certain positions are required to have special certifications or credentialing as a requirement of their position. In these cases, it is a professional expectation of the employee to ensure that they remain in compliance at all times as defined in their job description. Failure to do so could result in corrective action, up to, and including termination.

PERSONNEL TYPES

NON-EXEMPT AND EXEMPT EMPLOYEES

All employees are classified as either exempt or non-exempt according to job duties as determined by the provisions of the federal Fair Labor Standards Act (FLSA).

NON-EXEMPT AND EXEMPT

Non-exempt employees are paid on an hourly basis and are covered by the overtime provisions of the federal Fair Labor Standards Act and by Texas wage and hour laws. Non-exempt employees will fulfill any responsibilities beyond their forty hours at a rate of time and a half. Non-exempt employees are required to report their work time within the applicable timekeeping system. Altering, overstating, understating, or falsifying time records may result in corrective action up to and including termination.

Exempt employees are salaried and classified based on specific tests as mandated by the Fair Labor Standards Act. Meeting these qualifications exempts them from overtime provisions of the FLSA. Exempt employees are paid a fixed salary determined by the duties to be performed rather than the number of hours worked.

Under the Salary Basis Requirement, Part 541, of the Fair Standard Labor Act, Teachers are specially treated and not subject to the same tests and requirements as other exempt positions.

YES Prep's positions are reviewed and assigned an FLSA (exempt or non-exempt) status that is maintained on a master record by the Talent team.

An employee's exempt or non-exempt classification may be changed only upon written notification by YES Prep, and in accordance with applicable federal law(s).

FULL-TIME OR PART-TIME

Full-time employees are those who are scheduled to work at least 20 hours per week.

Part-time employees are those who are scheduled to work less than 20 hours per week. For part-time employees, hours per week will determine their total benefits eligibility.

OTHER PERSONNEL TYPES

Contractors are not YES Prep employees but are required to operate in compliance with YES Prep policies and regulations. Contractors must undergo the appropriate background check process and are also required to have an official contract or professional services agreement on file that has been approved by Finance and Talent.

Volunteers are not YES Prep employees but are required to operate in compliance with YES Prep policies and regulations. Volunteers must undergo the appropriate background check process.

Temporary or Seasonal employees are those who are hired on a temporary basis. Seasonal employees can be either

full-time or part-time, depending upon the number of hours scheduled to work during a work week. Seasonal employees only become medical benefits eligible once they meet benefit eligibility thresholds under the Affordable Care Act (ACA). The ACA standards are set around a 30-hour work week for benefits eligibility.

Under the ACA, a seasonal employee may work an average of more than 30 hours per week without being considered full-time provided these employees are limited to seasonal work only and do not exceed 120 days of work within their 12-month measurement period, e.g. coaches.

If a seasonal employee works multiple events or jobs throughout the year, even if each separate event or job is seasonal, that exceed 120 total days worked, then the employee would no longer qualify as a seasonal employee and may become eligible for medical coverage.

Grant-funded roles will be employed for the duration of the grant. When the grant concludes or if funding is lost, there shall be no assumptions of continued employment with YES Prep. Grant-funded employees will be notified of their funding source upon employment and will sign annual acknowledgments for the duration of the grant.

VERIFICATION OF EMPLOYMENT & RECORD RELEASE

Prospective employers, financial institutions, and/or residential property managers routinely need to verify information on former or current employee's work history and salary.

Service Records

When requested, the Talent Team will provide work history information via service records. This includes a breakdown by school year, and includes Job Title/Position Held, Total Days Worked, Position Start Date, Position End Date, and accrual balances.

Please request a Service Record utilizing this [DocuSign Form](#). Please note: Service Records do not include wage information.

Salary & Wage Employment Verification

Employment Verifications that require wage verification are completed through Equifax. Requests can be made via:

- www.theworknumber.com
- 800-367-5690 M-F 8:00 am to 8:00 pm (ET)
- member@equifax.com

YES Prep Employer Code – 4666726

All Employment Verifications are to be completed by Talent, or an authorized partner. Campuses nor campus leaders are authorized to complete employment verifications.

ENDING EMPLOYMENT

While YES Prep is an at-will employer, if an employee decides to leave YES Prep, it is required that they provide a minimum of two weeks' notice to their supervisor. If an employee fails to do so, the manager should send an e-mail to Talent@yesprep.org including the employee's name, reason for leaving, last day at work, and information on any outstanding district property. Failure to provide two weeks' notice could result in an employee being marked as ineligible for rehire.

Upon ending employment, all YES Prep issued property must be returned. YES Prep property includes but is not limited to laptop, laptop charger, employee ID Badge, keys, YES Prep issued cell phone, and YES Prep issued credit cards. Please note that all laptops will be reimaged and any information retained on district equipment is the property of the district and subject to the Public Information Act. Funds may be deducted from the final paycheck of the employee for any YES Prep property not returned by their last day of employment. Managers should notify Talent@yesprep.org if items are not returned.

Any benefits with YES Prep will terminate on the last day of the month in which the last day of work occurs. For 10-month, campus based, exempt employees who work until the last day of their duty schedule, benefits will terminate on July 31.

When an employee's resignation becomes effective, the employee shall forfeit all accumulated local leave. Employees can take their available state days with them. In order to do this, they will need to request a service record from Talent using the Service Record request process.

After an authorized leave, if an employee is able to return to work, and chooses to resign, YES Prep may require reimbursement of paid leave benefits.

Employees wishing to retire should contact Teacher Retirement Systems (TRS) to follow their process for retirement. Once an employee has a projected retirement date with TRS, they should then follow the resignation process and inform their manager that they are retiring.

An employee must be present and actively at work on their last day of employment and cannot use PTO or holidays to extend their employment. For an employee to be eligible to receive holiday pay, they must work the day before the holiday and the day after the holiday. Similarly, if an employee ends employment after 3 or more days of PTO and prior to returning to work, their last day of work will be updated to reflect the last day they reported to work.

Resignation Process

1. Employee notifies manager they are voluntarily ending employment.
 2. Employee submits their Letter of Resignation to their manager immediately upon verbally resigning.
 3. Manager submits Letter of Resignation to Talent@yesprep.org and includes their applicable Business Partner or HO Director of Staffing.
 4. Talent emails employee and manager with confirmation of resignation and details of their end of employment.
-

JOB ABANDONMENT

Employees who fail to report to work without following the appropriate notification protocols for three (3) consecutive workdays may be considered to have abandoned or voluntarily resigned from their employment on the last day worked, in accordance with applicable federal and state laws.

INVOLUNTARY TERMINATION

Unless otherwise provided a specific written employment agreement or contract, employment with YES Prep Public Schools is "at will." That means that an employee can choose to leave YES Prep at any time and YES Prep can choose to terminate employment at any time, with or without notice and with or without reason, as long as employment is not terminated for an illegal reason.

STUDENT INTERACTIONS

YES Prep recognizes that because of the tight-knit relationships at a family-oriented school, many staff members may have familial or personal relationships with students or parents of students. However, YES Prep cautions staff members against engaging in, in-person friendships with students and families as well as social networking. Although the lines between public and private and personal and professional can become blurred, you will always be considered a YES Prep employee on or off campus. These guidelines are intended to support and protect YES Prep teachers, staff, students, and families so that YES Prep can provide the best education possible to each student.

STUDENT SUPERVISION

Students should be supervised by a YES Prep employee at all times, and parents/guardians should know where their children are at all times. If an accident should happen to a student or students, this question will be asked: “Where was the staff member?” The staff member should use their best judgment in terms of supervision so that they have a responsible answer to this question. Student supervision is expected on or off campus for any YES Prep official or unofficial events as well. Employee is expected to supervise students assigned to them unless there has been approval for a student to be formally removed or reassigned to another employee for supervision.

APPROPRIATE USE OF CLASSROOMS

It is YES Prep policy that employees should not be alone with a student, regardless of age or gender, behind a closed door or in any other isolated situation. If someone does end up in a situation alone with a student, it is the adult’s responsibility to move to an open location or to seat him/herself and the student in plain sight of the entry way. Under no circumstances may an adult tape up, block, or cover up windows in such a way as to prevent outsiders from being able to see into a classroom. Teachers and students must be visible through the doorway, or door window, of any classroom.

INAPPROPRIATE SOCIAL RELATIONSHIPS WITH STUDENTS

Inappropriate social relationships between YES Prep employees and students are strictly prohibited. Although this policy gives specific, clear direction, it is each staff member’s obligation to avoid situations, whether or not explicitly listed, that could prompt suspicion by parents, students, colleagues, or school leaders or give the appearance of an inappropriate relationship with a student on or off campus. Two viable standards that can be quickly applied, when an employee is unsure if certain conduct is acceptable, is to ask him or herself if they would engage in this conduct if other students, families, or adults were present. Would this behavior be appropriate if it were posted to social media?

UNACCEPTABLE BEHAVIOR WITH STUDENTS

Some activities may seem innocent from a staff member’s perspective but can be perceived as flirtation or sexual insinuation from a student or parent’s point-of-view. The examples below are unacceptable and strictly prohibited by YES Prep staff. The examples below are not intended to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as, professional misconduct. In addition to the examples below, all staff are expected to adhere to the [Texas Educator’s Code of Ethics](#).

- Communications with students on any platforms or devices about any topics that are not directly related to an employee’s assigned duties and responsibilities, e.g., the student’s homework, class or team activity, school club, other school-sponsored activity;

UNACCEPTABLE BEHAVIOR WITH STUDENTS

- Communications with students on any device or platform between the hours of 8 p.m. and 6 a.m., unless there have been specific arrangements made and consent given by the student's parent/guardian AND campus DSS/Principal;
- Communication with students using one's own personal device or through personal platforms. Staff should communicate with students using YES issued computers via Teams, Outlook, and/or other campus-approved systems (ex. Cardstock)
- Communications with or around students that includes profanity or language that is inappropriate in a school setting;
- Communications with or around students about your experiences with relationships, alcohol, drug use, or other personal matters;
- Excessive messaging, or e-mailing with a student on any device or platform;
- Excessive time spent on or off campus with a student;
- Attempting to, or the appearance of attempting to conceal communications or interactions with students;
- Requesting directly or indirectly for a student to conceal information from their family or other adults that poses a risk to themselves, YES Prep, or others
- Communications or actions that can be reasonably interpreted as soliciting sexual contact or illicit services;
- Sexually explicit communications with students;
- Rendering services from, or providing services to a student, regardless of gender or age, that would be deemed inappropriate in a school setting
- Negative communications on any device or platform including social media, with students and/or families about other students, other staff members, or campus policies;
- Engaging in personal conversations with students about either the student's or the employee's own personal relationships or problems with spouse, boyfriend, girlfriend, or significant other;
- Taking the student away from school during the school day without obtaining express permission of the student's parent AND Principal;
- Visiting students at their homes when a parent is not present or inviting a student to an employee's home, or socializing with the student without prior expressed permission of the student's parent/guardian and notification to your direct manager;
- Spending time with any YES Prep student after hours, on the weekend, over the summer, or during any other campus closures unless expressly approved by the parent/guardian AND principal or department manager;
- Cohabiting in the same room as a student on or off campus in any circumstance regardless of approval by parent/guardian
- Physical contact with a student including but not limited to intimate or excessive hugging, hand holding, kisses, shoulder rubs, touching of any body parts typically covered by clothing, sitting on laps, etc.
- Cohabiting or providing shelter for a student regardless of parent/legal guardian consent without clear documentation from DFPS submitted to the Chief Talent Officer for review prior to the initiation of the cohabitation;
- Giving gifts of a personal or intimate nature (clothing, perfume, cologne, jewelry, etc.) to students at school or at any time without the parent's knowledge and permission; and
- Giving gifts of any kind to student greater than \$50 without the knowledge of their parent/guardian AND principal/ department manager

UNACCEPTABLE BEHAVIOR WITH STUDENTS

- Displaying favoritism by allowing specific students to get away with conduct that is not permitted from other students.
- Failure to report suspected inappropriate behavior with students

SEXUAL HARASSMENT OF STUDENTS

Sexual harassment of students is illegal and prohibited by YES Prep policy and the Texas Educator Code of Ethics.

SEXUAL HARASSMENT OF STUDENTS

Sexual harassment is defined as welcomed or unwelcomed sexual advances, welcomed or unwelcomed requests for sexual favors, and other welcomed or unwelcomed verbal or physical conduct of a sexual nature when involving persons of a different sex or persons of the same sex. The following interactions or communications with students will be considered sexual harassment of students:

- Making sexually demeaning comments to a student;
- Making comments about a student's potential sexual performance;
- Requesting details of a student's sexual history; and
- Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.
- Taking, disseminating, transferring, possessing, or sharing obscene sexually oriented, lewd, or otherwise illegal images or other content, including, but not limited to, sexting.

Additionally, solicitation of a romantic relationship is illegal and strictly prohibited by YES Prep policy.

SEXUAL HARASSMENT UNDER TITLE IX

YES Prep Public Schools does not and is required by law to not discriminate based on sex in its educational programs or activities. This nondiscrimination requirement applies to admission to and employment with YES Prep Public Schools. Inquiries into issues related to Title IX may be referred to YES Prep Public Schools' Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both. School community members, including families, should bring any questions or concerns about YES Prep Public Schools' compliance with these federal programs to the attention of the Director of State Compliance & Legal Operations and the Chief of Staff who are designated as being responsible for coordinating compliance with these requirements.

SOLICITING A ROMANTIC RELATIONSHIP

The following interactions or communications with students may be considered solicitation of a romantic relationship:

- Behavior, gestures, expressions, or communications with a student that are unrelated to the educator's job duties and evidence a romantic intent or interest in the student, including statements of love, affection, or attraction;
- Requesting a date, sexual contact, or any activity intended for the sexual gratification of the employee;
- Inappropriate hugging, kissing, hand holding, or touching;

SOLICITING A ROMANTIC RELATIONSHIP

- Suggestions that a romantic relationship is desired after the student graduates, including post- graduation plans for dating or marriage;
- Any other acts tending to show that the educator solicited a romantic relationship with a student; and
- Enticing or threatening students to engage in any type of sexual behavior.
- Showing lewd or sexually explicit content to a student

Any violation of this policy will result in corrective action, up to and including immediate termination and referral to the appropriate legal authorities for prosecution to the full extent of the law.

SEXUAL ABUSE OF STUDENTS

Sexual abuse of students is illegal and prohibited by YES Prep policy.

SEXUAL ABUSE OF STUDENTS

Sexual abuse of a student occurs when an employee touches a student for the purpose of causing sexual arousal or gratification of the student or employee, even if the touching occurs at the request or with the consent of the student. Sexual abuse also may occur when a student touches an employee for the sexual arousal or sexual gratification of the student or employee, even if the touching occurs at the request or with the consent of the employee.

It is not a defense to a sexual abuse complaint that the student consented to the sexual contact, that there was a mistake as to the student's age, or that the sexual contact did not take place on school property or at a school function.

Any violation of this policy will result in disciplinary action, up to and including immediate termination and referral to the appropriate legal authorities for prosecution to the full extent of the law.

DUTY TO REPORT SEXUAL HARASSMENT, INAPPROPRIATE CONDUCT, OR SEXUAL ABUSE OF STUDENTS

Per Title IX Federal Requirements, when any employee becomes aware that another staff member or adult on campus has engaged in unacceptable behaviors as specified in this policy or behaviors regarding professional boundaries otherwise causing suspicion, they must immediately report the matter to the Principal. The same applies if a student is accused of inappropriate behaviors towards an employee. All reports shall be as confidential as possible under the circumstances. It is the duty of the administrator to investigate and thoroughly report the situation.

All allegations of sexual harassment, inappropriate conduct, or sexual abuse of students or staff will be reported to parents and promptly investigated.

Conduct that may be characterized as known or suspected child abuse will also be reported to appropriate authorities, as required by law, including reporting to the State Board for Educator Certification for all certified employees.

Employees with questions or concerns relating to alleged sexual harassment of a student or inappropriate social relationships with a student should contact their Principal and/or the Managing Director of Recruitment and Staffing.

If evidence of an allegation for inappropriate conduct with a student is deemed "more likely than not" to have occurred, per TEA policy, the superintendent is required to report the employee upon resignation or termination to TEA via the Misconduct Portal.

REPORTING SUSPECTED CHILD ABUSE, NEGLECT, AND TRAFFICKING

Any employee who suspects that a child has been or may be being abused or neglected has a legal responsibility, under state law, to report the suspected abuse or neglect to law enforcement or the Texas Department of Family and Protective Services (DFPS) within 48 hours of learning of the facts giving rise to suspicion. Reports of suspected abuse or neglect of a child by an individual who has the care, custody, or welfare of the child, including school employees and volunteers must be reported to DFPS. Reports to DFPS can be made to the Texas Abuse Hotline at (800)252-5400. Reporting a suspicion to a school counselor, Principal, or to another school staff member does NOT fulfill the employee's responsibilities under law.

Additionally, state law requires employees to report any suspected trafficking of a child directly to Texas DFPS or law enforcement within 48 hours.

CHILD TRAFFICKING

A person commits a child trafficking offense if the person:

- Knowingly traffics a child with the intent that the trafficked child engages in forced labor or services;
- Receives a benefit from participating in a venture that involves an activity in which a trafficked child engages in forced labor or services, including receiving labor or services the person knows are forced labor or services; or
- Traffics a child and by any means causes the trafficked child to engage in or become the victim of continuous sexual abuse of a young child or children; indecency with a child; sexual assault; aggravated sexual assault; prostitution; promotion of prostitution; aggravated promotion of prostitution; compelling prostitution; sexual performance by a child; or employment harmful to children.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from civil or criminal liability unless the report is made in bad faith or with malicious intent.

An employee's failure to report suspected child abuse, neglect, or trafficking may result in prosecution for the commission of a Class B misdemeanor. In addition, a certified employee's failure to report suspected child abuse, neglect, or trafficking may result in disciplinary procedures by SBEC for a violation of the Code of Ethics and Standard Practices for Texas Educators.

Employees who suspect that a student has been or may be abused, neglected, or trafficked should also report their concerns to the Principal.

Employees are not required to report their concern to the Principal before making a report to the appropriate agencies. In addition, employees must cooperate with child abuse and neglect investigators.

Reporting the concern to the Principal does not relieve the employee of the requirement to report to the appropriate state agency. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

Communication of Any Student-Specific Information

Legally any YES Prep employee can discuss student(s) issues with each other only if the employee's interaction with said student(s) affects their well-being. All YES Prep staff should only use students' initials when communicating all student information using system-wide methods of communication (Teams, email, YIP texts, etc.).

If an employee has an urgent matter that needs to be communicated to the appropriate person, please use verbal communication to protect the privacy of the student. Incident reports should be written in a document and added to a secure investigative folder. Only secure links to investigative folders should be shared via Teams, email, etc. Additionally, staff should avoid diagnosing students (i.e. they have ADHD, etc.). Staff members are expected to use the utmost discretion when discussing a student via email, Teams, or any other form of written communication and limit details as much as possible to preserve privacy. All documentation via text, email, or any other platforms are part of public record.

Emergency Placement of Students

We understand that there may be times when a student is in need of a temporary residence due to unforeseen or unfortunate circumstances. The state of Texas has established clear procedures in these situations to ensure the safety and wellbeing of minors. For this reason, YES Prep prohibits employees from allowing students to reside in their residence even if they have parental/guardian permission. Instead, the employee should report their concerns to DFPS and/or law enforcement immediately.

The only exception is if the Department of Family and Protective Services formally places a student under the care of an employee. In this situation, formal documentation from the state must be submitted to the Chief Talent Officer within 3 days of the decision being rendered by the state.

CORPORAL PUNISHMENT

Corporal punishment is prohibited as a method of discipline at YES Prep, and violations of this policy will result in corrective action up to and including termination. For policies related to student discipline, please review the Student Handbook.

CORPORAL PUNISHMENT

Corporal punishment is defined as physical punishment and includes, but is not limited to, lifting, hitting, spanking, swatting, pushing, punching, pinching, choking, or kicking. Participation in corporal punishment is prohibited and could lead to corrective action, up to, and including termination.

ADMINISTRATION OF MEDICATIONS

Medication should be administered outside of school hours, if possible. If medication is to be administered at school, Certified Medical Assistants and Nurses are YES's approved personnel for medication administration and are the only employees authorized to administer medications, including vitamins and food supplements, to students. If necessary, medication can be administered at school under the following circumstances:

- Non-prescription medication brought to school must be submitted to the school by a parent/guardian along with a written medical administration form. 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.
- Prescription medications must be submitted in a labeled container administered by a pharmacy showing the student’s name, name of the medication, reason the medication is being given, proper instructions, 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/guardian 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, the medication must be sent in the amount for a clearly specified period. Extra medication will not be sent home with the student.
- In certain emergency situations, the school may administer a non-prescription 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.
- Under no circumstances should an employee administer personal medicine or supplements of any kind to a student regardless of parental consent.

PROFESSIONAL EXPECTATIONS

This unit continues to outline professional expectations not only within the legal framework, but also in the cultural framework of the organization. This unit covers a wide array of topics from ethics to technology, sharing the parameters of operations to guide your success as an employee at YES.

ETHICAL BEHAVIOR

- Code of Ethics
- Code of Conduct
- Educator Misconduct
- Off-Duty Conduct
- Reporting Pending Investigations
- Conflicts of Interest
- Procurement and Contracts
- Accepting Gifts
- Crowdfunding, Fundraising, Selling of Goods
- Donating to YES Prep
- Reporting of Crimes/Convictions

PROFESSIONAL EXPECTATIONS

- Flexible Working Arrangements
- Virtual Work Requirements
- Dress Code

SAFETY & SECURITY

- Workplace Safety
- Weapons
- Alcohol, Tobacco (E-Cigarettes), and Controlled Substances
- Bullying
- Driving Vehicles for YES Prep Business
- Worker's Compensation and Accident Reporting

- Emergency Procedures and Crisis Management
- Emergency Contacts
- Visitors at Work
- Swimming
- Class Trips

RELATIONSHIPS WITH OTHER EMPLOYEES

- Relatives
- Romantic/Intimate Relationships Between Employees

PERFORMANCE MANAGEMENT

- Teacher Pathway Overview
- Non-Instructional Evaluation
- Disciplinary Action

ADDITIONAL EMPLOYMENT

- Primary Assignments
- Secondary Assignments
- External Employment
- Running for Office

OTHER OPPORTUNITIES AT YES

- Exploring other Opportunities at YES
- Role Reassignments/Restructuring

ETHICAL BEHAVIOR

YES Prep expects that all employees demonstrate the highest ethical standards at all times. This chapter of the handbook outlines YES's position on several topics of ethical behavior.

CODE OF ETHICS

The Educators' Code of Ethics is set forth in Texas Administrative Code to provide rules for standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community.

All educators employed at YES Prep shall comply with the following Code of Ethics from the Texas Educator Preamble:

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

CODE OF CONDUCT

Business dealings and relationships are to be conducted with integrity, honesty, and respect. Employees are expected to deal fairly and honestly with our students, parents, co-workers, and others with whom we do business and remain in compliance with applicable laws, regulations, and YES Prep policies. Any behavior that leads to the following will be considered a code of conduct violation:

- Harms YES Prep's reputation;
- Has consequences that render you unable to perform your job or any part of your job effectively;
- Leads other staff or students to refuse, be reluctant to, or unable to work with you;
- Leads to a potential hostile environment due to the severity or pervasiveness of the incidence(s); or
- Makes it difficult for YES Prep to manage its operations and/or direct its workforce efficiently.

CODE OF CONDUCT VIOLATIONS

The following should be considered violations of YES Prep's code of conduct:

- Insubordination and/or disregarding or being inattentive to working directions and instructions from a supervisor or refusal to comply with such working conditions and instructions.
- Willful violation of YES Prep rules, expectations, and/or regulations.

- Dishonesty of any kind in relation to YES, including but not limited to theft of YES property, the property of other employees, or property of others entrusted to YES.
- Unsatisfactory work performance or otherwise failing to perform work to the standards expected of YES employees.
- Excessive or unexcused absenteeism or tardiness, including violation of any rule pertaining to attendance.
- Misrepresentation of facts, omission of facts, or falsification of records, including but not limited to, personnel records, student records, reasons for requesting a leave of absence or time off, and information in connection with the obtaining of employee benefits or misuse of such benefits.
- Failure to return to work upon expiration of authorized leave, unless valid excuse is given and accepted, or leave is extended. If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so.
- Failure or refusal to perform work as required or directed.
- Engaging in any acts of violence, fighting, threats of violence, or otherwise engaging in disorderly conduct, horseplay, intimidating conduct.
- Bringing alcohol, drugs, or any controlled substances onto YES premises; consuming alcohol or using drugs or any controlled substances on YES premises; entering the premises under the influence thereof; or consuming alcohol or using drugs or any controlled substances while on the job.
- Sexual, verbal, physical, or visual forms of harassment directed at any person associated with YES, or discriminatory treatment of employees or applicants, where such discrimination or harassment is based on race, color, religion, national origin, sex, age, disability, sexual orientation, or any other protected status. This prohibition also covers any form of sexual harassment, including unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature.
- Knowingly permitting unauthorized persons to be in YES facilities or on YES property.
- Misuse of authority for personal benefit.
- Trespassing on property after business hours without prior consent from the principal or Department Manager.
- Misuse of YES Prep property or access.
- Failure to report severe incidences or suspected egregious acts involving staff or students in a timely matter to the campus Principal, Department Manager, or Talent (staff)/ School Culture (students).

Employees aware of colleagues in violation of YES Prep's code of conduct are expected to report such information to their manager and/or the Managing Director of Talent.

EDUCATOR MISCONDUCT

The CEO shall promptly notify the State Board of Educator Certification (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 or additional circumstances that would be deemed misconduct:

EDUCATOR MISCONDUCT

That an educator, applicant for, or holder of an educator's certificate has a reported criminal history;

That an educator or certificate holder was terminated for committing any of the following acts:

- Abused or otherwise committed an unlawful act with a student or minor;
- Was involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor;
- Possessed, transferred, sold, or distributed a controlled substance;
- Illegally transferred, appropriated, or expended school property or funds;
- 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;
- Committed a crime or any part of a crime while on school property or at a school-sponsored event; and
- Solicited or engaged in sexual conduct or a romantic relationship with a student or minor.

That an educator engaged in conduct that violated the assessment instrument security procedures established by Education Code section 39.0301.

That a certificate holder resigned and reasonable evidence supported a recommendation to terminate the individual because they committed one of the acts specified above.

OFF-DUTY CONDUCT

In general, YES Prep encourages staff to lead their personal lives in any manner in which they choose. However, staff should be cognizant of the ways in which their off-duty conduct impacts YES Prep's reputation, students, families, and/or work environment.

Accordingly, off-duty conduct, including social media conduct, will be considered a work-related matter and could be subject to disciplinary action, up to and including termination, if it:

- Harms YES Prep's reputation;
- Has consequences that render you unable to perform your job or any part of your job effectively;
- Leads other staff or students to refuse, be reluctant to, or unable to work with you;
- Leads to a potential hostile environment due to the severity or pervasiveness of the incidence(s); or
- Makes it difficult for YES Prep to manage its operations and/or direct its workforce efficiently.

REPORTING PENDING INVESTIGATIONS

In the event that any YES Prep employee is under investigation by any state, federal or local authority, they must notify Talent within 48 hours of receiving notice. Failure to notify Talent could be subject to discipline, up to, and including termination.

If YES becomes aware of evidence of inappropriate conduct with students, an investigation will be conducted immediately.

Within seven days of the criminal history, termination, or resignation following an alleged incident of misconduct

involving students, YES will report the information to the State Board Educational Certification (SBEC).

The investigation will conclude even if the educator resigns from employment before the completion of the investigation.

CONFLICTS OF INTEREST

Employees may not use their position with YES Prep or information acquired during employment in a manner that may create a conflict, or the appearance of a conflict, between the employee’s personal interests, the interest of YES Prep, and those with whom YES does business.

CONFLICTS OF INTEREST

A potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or an immediate family member (e.g., spouse or significant other, parents, or siblings).

Everyone must always place the lawful and legitimate interests of YES Prep over personal gain.

No one shall be affiliated with any buyer, purchasing agent, or provider of goods or services to YES Prep over which that person has influence or decision-making authority. Such affiliation generally is inconsistent with the employee’s capacity to deal equitably with all buyers, to fairly and honestly service YES Prep, and to discharge their responsibility to YES Prep.

If the employee has any reason to believe there may be a conflict of interest, they must immediately disclose the matter to an immediate supervisor, Principal, or member of the Executive Leadership Team.

Should any question about an action that may constitute as a violation of this policy arise, the employee should discuss the question with their immediate supervisor, Principal, and/or a member of the Chief Executive Team.

PURCHASING AND CONTRACTS

YES Prep Public Schools and its employees are responsible for maximizing the use of District funds to purchase goods and services to further the district’s mission and facilitate the implementation of the charter program. All district employees must adhere to purchasing requirements and any administrative procedures. If a district employee fails to follow the requirements established, including obtaining an approved purchase order prior to the purchase of any good and/or services, the employee may be financially responsible of the purchase. As deemed appropriate, the CEO or designee(s) shall take appropriate disciplinary action for employees who do not follow the code of conduct in regards to procurement.

ACCEPTING GIFTS

YES Prep requires that all employees follow the guidelines described in this section when receiving or giving gifts from or to vendors, potential vendors, students, and/or parents:

YES Prep employees will inform vendors and potential vendors that the receipt of any gifts or gratuities will not in any manner influence business dealings with YES Prep.

No one shall accept personal gifts of money, credits, or purchasing discounts (that are not offered system wide) in any amount.

Employees of YES Prep may accept non-monetary personal gifts that have a value of less than \$50 (including meals, gift cards, product samples, etc.), strictly as a gesture of goodwill, in the spirit of seasonal giving, or for public relations purposes, and only if such gifts are given and received with no expectation of reciprocal obligation.

Employees may accept event ticket(s) at or in excess of \$50 face value but may not accept tickets that would have total face value amount of more than \$250 per calendar year.

If an employee receives unsolicited gifts exceeding these restrictions, they will:

- Return the gifts to the senders; or
 - Pay the senders full market value for the gifts; or
 - Donate the gifts to YES Prep; or
 - Donate the gifts to another charitable organization.
-

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks, electronic textbooks, instructional materials, or technological equipment may result in prosecution of a Class B misdemeanor offense. This does not include staff development, teacher training, or instructional materials such as maps or worksheets that convey information to students or contribute to the learning process.

CROWDFUNDING, FUNDRAISING, AND SELLING GOODS

Crowdfunding is the practice of funding a project or venture by raising small amounts of money from a large number of people, typically via the internet (e.g. Donors Choose). YES Prep employees may not accept money from crowdfunding when it is directly related to being an employee at YES Prep, or for YES Prep business purposes. Should an exception be made, all materials that are a benefit of crowdfunding will be considered YES Prep property and cannot be in violation of our accepting gifts policy. All crowdfunding campaigns for YES Prep must be preapproved by the Principal and Head of Schools or Department Manager. Crowdfunding cannot be set up for students or families without the approval of the principal/ department manager and Managing Director of Recruitment and Staffing. Any crowdfunding campaigns cannot be done with a personal account that only the employee has access to.

If an employee is made responsible for fundraising or collecting funds for a specific project or function, they must follow all protocols for approval, cash handling, and receipt distribution/ procurement outlined by the finance and operational teams.

Employees are prohibited from selling goods or services to students for personal gain on YES Prep sites.

Additionally, any appearance of impropriety in terms of handling YES Prep or student funds could lead to an investigation of the use of funds. Evidence of misconduct could lead to corrective action, up to, and including termination.

DONATING TO YES PREP

Fundraising campaigns directed at staff may be initiated within YES Prep and organized at the system, Home office, or campus level. Employees are under no obligation to participate and are encouraged to do so at their own free will. Employees may not be penalized for forgoing participation.

REPORTING OF CRIMES/CONVICTIONS

Employees are required to report any arrest, charge, or conviction.

Any individual who is arrested, charged, or convicted of any criminal offense must notify Talent in writing, no later than 48 hours after the date of arrest, charge, or conviction, whichever is first.

At that time, Talent, in consultation with Counsel, as necessary, will make a determination based on the alleged underlying conduct regarding the ability of that individual to remain as an employee, hire, vendor and/or volunteer.

PROFESSIONAL EXPECTATIONS

FLEXIBLE WORKING ARRANGEMENTS

YES Prep is committed to helping employees face the demands of juggling work, family, and personal obligations by offering flexible work arrangements where possible. Flexible work arrangements are to provide employees with increased flexibility while allowing YES Prep to maintain a progressive and productive work environment. We believe that regardless of location, we can all lead for excellence and equity, to focus on what is best for our students and families.

All YES Prep employees will be considered for alternative work arrangements on a case-by-case basis in situations where the arrangement allows employees to accomplish work goals and core responsibilities as well as personal needs that would provide coverage for campus or department operations to serve YES Prep's mission with increased productivity. Alternative work schedule options include but are not limited to:

- Flextime – An employee works eight hours per workday, but there is flexibility in an employee's set scheduled starting and ending times.
- Compressed workweeks – An employee works 10 hours per workday, reducing the workweek to four days a week OR an employee works 9 hours a day, Monday – Thursday and four hours each Friday.

The Principal plus Director of Operations, or Home Office Director or above is responsible for identifying if any of the flexible working arrangements are workable within the campus, department, or team and serves its best interest.

Factors for consideration could include, but is not limited to:

- Role
- Core Responsibilities
- Does not transfer burden of work to others
- Impact of production
- Work outcome quality
- Absenteeism

- Campus or Department Operations
- Employee's performance

Managers and employees need to put in writing the flexible working adjustment including the timeline for the arrangement and submit it to the applicable Talent Business Partner. Upon approval of a flexible work schedule, a trial period will apply to assess the impact and effectiveness of the arrangement. Trial periods should be no less than 3 weeks and no more than the length of a grading period. After completion of trial period, the work arrangement will be reviewed for continued success, altered, or cancelled. An employee wishing to change or cancel an alternative work arrangement must obtain written approval from their Principal or Home Office Director/manager.

Flexible work arrangements are not appropriate for all employees or positions and are not a universal employee benefit. The nature of an employee's role and responsibilities must be conducive to a flexible work arrangement without causing significant disruption to performance and/or service delivery. If the flexible work arrangement is being requested as a result from a medical disability, the employee should pursue an ADA accommodations request. In order for a flexible work arrangement to be approved, the employee must have a satisfactory attendance record, meet performance and behavior expectations, consistently demonstrate the ability to complete tasks and assignments on a timely basis, and the role being reasonably executed with fidelity in a flexible working arrangement.

If an employee is not meeting expectations of their role, or agreements made of the flexible working arrangements, a manager has the right to alter or cancel the agreed upon flexible working arrangements for any reason without prior notice. In some circumstances, egregious or continued violations of the arrangement and/or other YES Prep policies will result in disciplinary action.

VIRTUAL WORK REQUIREMENTS

YES Prep recognizes that some roles, and some individual circumstances, may require virtual work on a full-time or intermittent basis. We believe that regardless of location, we can all lead for excellence and equity, to focus on what is best for our students and families. The following expectations for employees are being clarified to avoid issues that may cause disruption to the workday and/or during virtual meetings.

General Expectations:

- All YES Prep staff must have a primary residence in Texas and seek approval from their manager before working temporarily out of the state.
- All YES Prep norms and policies continue to apply to offsite work locations;
- Remote employees are expected to be available and communicative during scheduled work hours, set with their manager;
- Employees should seek a quiet and distraction-free working space, to the extent possible;
- Dress like you would on the most liberal dress day on campus (i.e. YES Prep t-shirt or college shirt);
- Employees are expected to log into the YES Prep VPN to access certain organizational systems, and if in a public or shared internet space;
- Employees should exercise the same discretion and confidentiality they would if in person when it comes to student information; and
- Employees are expected to maintain their workspace in a safe manner, free from safety hazards.

Virtual Meetings and Classrooms:

- Video conference is encouraged but not required;
 - If you cannot participate with video, please communicate this with your manager, or the meeting organizer, in advance of the meeting.
 - Employees should utilize video background settings to help limit distractions; and
 - Mute your microphone when not talking to limit background noise.
-

We appreciate the effort that all YES Prep employees show in a hybrid work environment, and we hope these guidelines help to clarify expectations when working remotely.

While reminders or verbal coaching may be all that is necessary in some circumstances, egregious or continued violations of these expectations and/or other YES Prep policies will result in corrective action.

DRESS CODE

YES Prep Public Schools believes in the power of community and school pride while also deeply valuing a person's right to express their individuality without the fear of unnecessary discipline, body shaming, or the confines of gender norms. Dress code enforcement at YES Prep Public Schools will not create disparities, reinforce, or increase the marginalization of any group, nor will it be unfairly enforced more strictly against a staff member because of racial identity, ethnicity, gender expression, sexual orientation, cultural or religious identity, household income, body size or type, or body maturity. As such, all staff members are role models for our students and are expected to carry this philosophy forward by modeling professional dress and appearance that is authentic to an individual's expression,

YES Prep's standard attire across all locations is smart casual, for when employees are on regular duty on-site, and for events, unless a different dress code is communicated by the event sponsor, however YES Prep Principals have autonomy in determining attire norms for their campus. For Home Office based staff that are on campus as a function of their job, they should use their discretion when determining their attire in accordance with the requirements of their position and campus norms.

In addition to making sure we are always appropriately dressed; we are also ensuring that we are creating an environment conducive to safe working conditions. Clothing, shoes, and accessories should not constitute a safety hazard.

In the summer months, the Home Office will move from smart casual to summer dress as long as the dress is appropriate for an office.

All staff members across the organization are also required to wear their YES Prep badge at all times they are on YES Prep property.

Staff who are not dressed in accordance with YES Prep policies or whose clothing leads to a disruption of the work environment, may be asked to change, sent home for the day, or face other corrective action.

SAFETY & SECURITY

WORKPLACE SAFETY

YES Prep believes maintaining a workplace free of harmful materials and unhealthy behaviors is vital to the well-being and safety of its employees and students. As staff members, we each have a responsibility to ensure that we act in a manner that is not threatening or could potentially hurt employees, students, vendors, or other visitors at any time. Anyone who engages in such behavior will be subject to corrective action, up to, and including termination of employment. YES Prep will report any such actions to the proper authorities and the employee could be prosecuted to the full extent of the law.

WEAPONS

YES Prep also prohibits employees to possess or use licensed or unlicensed weapons, including handguns, on all YES Prep premises, as well as inside motor vehicles parked in YES Prep parking lots.

ALCOHOL, TOBACCO (E-CIGARETTES), AND CONTROLLED SUBSTANCES

YES Prep maintains an alcohol-free, smoke-free, and tobacco-free work environment. It is a violation of state law to ingest or possess alcohol or smoke or use tobacco products (including, but not limited to, e-cigarettes, nicotine cigarettes, pipes, cigars, snuff, or chewing tobacco) on YES property or during YES-related or YES-sanctioned activities, on or off campus. Usage of controlled substances that lead to the appearance of being under the influence or impact the ability for an employee to fulfill their job duties, will be seen as a violation of this policy. If off-site, and no students are present at the event, supervisors may permit their employees to have alcohol, assuming the employees are of age.

TRESPASSING

YES Prep campuses are often open and available to staff members for extended hours in the morning and the afternoon. Campus and Home Office protocols should be followed for accessing a building after normal working hours. Employees are prohibited from staying overnight in buildings or going to YES Prep sites between 10pm-5:00am. The exception for visiting sites would only be for extreme circumstances with the permission of the Director of Campus Operations or HO Director of Facilities. Employees found to be accessing or attempting to access sites after hours without prior approval may be reported to law enforcement for trespassing and face criminal charges.

BULLYING

YES Prep prohibits bullying of any kind and strives to create a safe and healthy environment for staff and students. All employees must be treated as professionals in the workplace.

BULLYING

Bullying occurs when individual or groups of students and/or staff members, engage in negative and unhealthy written or verbal expression, expression through electronic means, or physical conduct on school property, at a school-sponsored or school-related activity, or in a vehicle operated by YES staff. Examples of bullying may include, but are not limited to, hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, public shaming, and ostracism.

The definition of “bullying” has expanded in accordance with Senate Bill 179 (David’s Law) that took effect on September 1, 2017. Cyberbullying is defined as “bullying through the use of electronic communication devices, including

BULLYING

cellular or other telephones, computers, cameras, e-mail, instant messaging, text messaging, social media applications, Internet websites, or any other Internet-based communication tool.”

David’s Law also clarifies when school districts and charter schools have jurisdiction over bullying. Specifically, schools have jurisdiction over:

- Bullying on school property or the site of a school-related activity on or off school property.
- Bullying that occurs on a school bus or vehicle being used for transportation of students to or from school or a school-related activity.
- Cyberbullying that occurs off school property or outside of a school-sponsored or school-related event, if the conduct interferes with a student’s educational opportunities or substantially disrupts the operations of a school, classroom, or school-related activity.

All employees are required to report bullying as soon as possible after witnessing or notice of an alleged act.

- A failure to report may impair YES Prep’s ability to promptly investigate and address the prohibited conduct.
 - If a staff member is being bullied by colleagues and/or students, the colleagues and/or students will be subject to disciplinary action.
 - If an employee is the perpetrator of bullying, YES may explore corrective action, up to, and including termination.
-

DRIVING VEHICLES FOR YES PREP BUSINESS

Employees must follow the proper processes to become an approved driver of YES Prep vehicles for YES Prep-related business needs including the transportation of staff or students. It is YES Prep’s practice that employees do not transport students in their personal vehicles under any circumstances even if a parent/guardian gives permission to do so. Students are expected to arrange for their own transportation, unless provided for by the school via a bus or YES Prep-rented vehicle. Parents or guardians should be contacted if a student does not have proper transportation so they can arrange an alternative transportation option. If an emergency arises in which a YES Prep vehicle is not available and a parent/guardian is unable to transport their child, employees should contact the proper authorities and seek support from their campus Director of Operations for further next steps.

If the employee is driving a personal vehicle or YES Prep-rented vehicle while performing any YES Prep business needs, the employee should be aware that while YES will provide primary coverage, the employee and the employee’s insurance carrier will be liable for any secondary coverage as a result of damages or injuries. Employees must also meet the following criteria by submitting this information to Talent@yesprep.org:

1. Have a current, valid driver’s license.
 2. Not have any pending vehicular violations (e.g. DUI, DWI).
 3. Maintain a clean driving record such that the employee is insurable under YES Prep’s liability insurance policy.
 4. Carry active and valid car insurance in the required coverage amounts:
 - a. Automobile Liability: \$100,000 per person; \$300,000 per occurrence;
 - b. Property Damage: \$50,000 per occurrence;
-

SWIMMING

Swimming at YES Prep sponsored field trips is only permissible at a pool or swim park if a certified lifeguard is on duty and the student has submitted a signed permission slip. Swimming in open water is prohibited even with a lifeguard on duty. YES Prep teachers who are certified lifeguards cannot be considered as lifeguards on duty. YES employees should refrain from swimming when monitoring students swimming to prioritize supervision of students in case of emergency.

CLASS TRIPS

It is a privilege to be able to take students on off-site trips. Staff and students are ambassadors to YES Prep and should represent themselves as such. Employees should plan all trips with the highest degree of safety plans built in to ensure consistent supervision of students. Class trips must be approved by the Principal, Director of Campus Operations, and additional leadership team members as applicable. For any trips that will be out of state or out of country whether officially sanctioned or not sanctioned by YES Prep, home office approval is required from the Head of Schools and Director of Student Culture in addition to the campus directors. Trips led by third party vendors but involving students and staff still need approval. All policies of YES Prep apply while on class trips for employees and students. Non-exempt employees who are overseeing or helping with class trips, are paid for their entire time while “on-duty” during the trip. Failure to follow guidelines set by departments and campuses for off-site trips could lead to corrective action, up to, and including termination.

EMERGENCY PROCEDURES AND CRISIS MANAGEMENT

Each campus and Home Office has emergency procedures that should be communicated directly with staff and should be posted in a public place for ease of accessibility. In accordance with the outlined emergency procedures, employees should be prepared to participate in all required drills and follow any outlined protocols. Each campus will also have an Emergency Operations Plan that employees on that campus will be expected to follow.

As a district, YES Prep utilizes the Raptor Emergency Management Alert app as a district-wide “panic button” and means for communication during emergencies. Staff receive Raptor training during new employee onboarding and are expected to download the app to their phones. From the app, staff can initiate a response to an emergency situation (Hold, Shelter, Lockdown, Evacuate, and Secure), share location and details during an emergency, and access student and staff information for reunification purposes following an emergency event.

Employees with questions or concerns relating to safety programs and issues may contact the Director of Campus Operations or equivalent at the school.

EMERGENCY CONTACTS

YES Prep strongly encourages employees to have at least one emergency contact on file. YES Prep is unable to release personally identifiable information on any employee in an emergency without this information.

VISITORS AT WORK

If an employee would like to host a visitor at their work location, the hosting employee should be aware that they are responsible for educating the visitor on applicable YES policies, as the visitor is subject to all work location guidelines. The employee may be held responsible for any visitor misconduct.

The hosting employee must seek approval from their supervisor at least 24 hours prior to the visitor’s arrival. Campus visitors must be prepared to present photo identification and must sign in upon arrival and sign out upon

departure.

Signing in with a valid photo ID is required for every visit, even if the visitor is a person recognized by staff.

Employees must meet visitors at the front office and escort them through the campus.

If an employee's visitor will need access to Wi-Fi during their visit, the employee hosting the visitor must submit a ticket to Support Services to receive a guest network password. This should take place prior to the visitor's arrival.

Visitors should not be left unattended with students at any point.

RELATIONSHIPS WITH OTHER EMPLOYEES

YES understands that as the organization grows, there may be an increased probability that staff members are connected through various relationships. As the matters of business will be the focus of interaction, this section outlines professional expectations for employees who have some relation to one another. This section does not apply to relationships between Board members and employees, and between employees and the CEO if the CEO has been delegated final authority to hire, which is governed by state law.

RELATIVES

The term “relatives” includes spouses, domestic partners, children, siblings, parents, in-laws, step- relatives, and extended family.

RELATIVES

Relatives are eligible to work at YES Prep. However, relatives cannot work directly for, or supervise, a relative within their management purview. This is considered a conflict of interest. Managers may not hire a person who is a known relative of theirs for a position that they have direct or indirect managerial authority over. A good question to ask yourself if you are unsure of your managerial authority is, “Am I allowed to hire, provide corrective action, start a performance plan, or terminate this employee?” If the answer is yes, you should not hire or manage them for a position under you.

Exceptions to this policy can be made by the Chief Talent Officer or their designee.

If relatives are in a direct supervisory relationship with one another, within their management chain, YES will try to reassign one of the relatives to another position if a position is available and the individual is otherwise qualified for the position.

If a position is not available, then someone will need to separate from YES Prep. Relatives will be able to decide who should transfer or resign, subject to YES Prep agreement.

If a decision is not made within 10 calendar days, YES will make a decision that can incorporate releasing one or both of the employees.

~~If employees become relatives after they are employed, then those employees must tell their manager and Talent to ensure organizational policies are followed.~~

ROMANTIC/INTIMATE RELATIONSHIPS BETWEEN EMPLOYEES

If an employee is in a personal relationship with a fellow employee (a romantic or intimate relationship), they cannot work directly for or supervise the employee with whom they are involved. Supervisors cannot date or engage in a romantic/intimate relationship with employees whom they directly supervise or are within their management purview. YES reserves the right to require one or both employees to move to another position or location in the system or to terminate employment.

Moreover, YES discourages any employee from engaging in a romantic/intimate relationship where a perceived or confirmed conflict of interest may occur. Some examples may include teachers working in the same department,

leaders on the same team, or two executive leadership team members. We also strongly discourage any member of the C-Suite team from being involved with a fellow member of the C-Suite team, any Managing Director, or Principal.

Employees must disclose any personal relationships with another employee to their hiring manager and Talent prior to accepting a position.

If a personal relationship develops after an employee starts working at YES Prep, it is the employee's responsibility and obligation to tell their direct manager and Talent about the relationship as soon as possible.

If moving to another position is possible, the move will take place no later than the beginning of the following semester or at the end of the school year, depending on when YES learns about the personal relationship.

Any relationships of the aforementioned nature must be disclosed to Talent within five (5) business days of the relationship's inception.

If employees fail to report relationships in accordance with this policy, they may be subject to corrective action up to and including termination

PERFORMANCE MANAGEMENT

PERFORMANCE MANAGEMENT

“Performance Management” is the process by which a manager and employee monitors and reviews an employee’s work objectives and contribution to their work location and organization.

THE TEACHER PATHWAY

We believe teachers are the key lever driving student growth and achievement. The Teacher Pathway exists to identify and recognize excellence in the classroom and develop teachers in their practice to ensure all YES Prep students have equitable access to an effective teacher.

The Teacher Pathway is a multi-measure teacher evaluation system including the following:

- Holistic rating on the Instructional Excellence Rubric (IER) based on teacher observation
- Student and/or family perception as measured by an external, research-based survey
- A Core Values Competencies rubric

NON-INSTRUCTIONAL EVALUATION

The Non-Instructional Evaluation is a performance evaluation tool designed to develop and grow our employees, as well as the organization, as we strive toward our 5-year strategic Leading Houston Forward goals.

Currently there are two iterations of the tool: one for Home Office staff, and one for campus-based staff. Each iteration also includes some variations for staff to allow for a meaningful evaluation that provides clarity on how an employee’s work is impacting the organization.

Both tools establish individual goals aligned to the campus, team, department, and organizational goals so all members of the YES Prep team are working towards the same outcomes. This tool monitors progress to goals, core value competencies, and provides an avenue to clear and transparent feedback.

CORRECTIVE ACTION

YES Prep is an at-will employer who works hard to retain its workforce by developing and coaching all employees to facilitate a strong professional learning community. YES Prep believes deeply in the importance of continuous learning and improvement, it strives to create a work environment in which staff members can make mistakes and learn from them. In some instances, however, the conduct of a staff member can have such significant organizational consequences that a formal response is required.

In most scenarios, an employee with a performance or behavior issue is typically given a warning so they have an opportunity to correct the problem. While YES Prep encourages progressive discipline, YES Prep reserves the right to proceed directly to a written warning, growth plan, demotion, suspension, or termination to match the severity of the performance or behavior situation.

GOOD STANDING

To qualify for certain opportunities, employees must demonstrate that they are in good standing. Good standing means that an employee cannot be currently on a Growth Plan or have received a Final Written Warning or worse within the past school year. Additionally, the employee must be meeting expectations on the Non-Instructional Evaluation (2+) or Teacher Pathway (2+).

ADDITIONAL EMPLOYMENT

YES Prep employees may pursue additional employment. This section outlines YES's expectations of its employees when working multiple jobs within YES or externally.

PRIMARY ASSIGNMENT

An employee's primary assignment is the job they were hired for. This is the role that determines benefits-eligibility and is the greater full-time equivalent (FTE) assignment.

SECONDARY AND ADDITIONAL ASSIGNMENTS

Primary assignments will determine eligibility for secondary and additional assignments. A secondary assignment or additional assignment is any job or assignment an employee holds with YES Prep, outside of their primary assignment. Secondary and additional assignments often come in the form of stipend work.

Non-exempt employees will fulfill any additional assignments beyond their 40 hours in a week at a rate of time and a half during that week.

The work required of an employee by a secondary or supplemental assignment shall not take precedence over that of their primary assignment; that is, the employee is expected to adhere to the work schedule and fulfill the duties of their primary assignment in full before reporting for a secondary assignment.

Supervisors/managers of the primary assignments are not obligated to approve the use of annual or accrued PTO so that employees can work at their secondary assignments.

TUTORING

Teachers shall not tutor their own student for pay, except during the summer months. An employee shall disclose in writing to his or her immediate supervisor any private tutoring of district students for pay.

EXTERNAL EMPLOYMENT

Employees can have other employment so long as it does not create a conflict of interest with YES Prep, YES Prep's workday, their roles or responsibilities, or affect their performance in their primary role.

When taking on external employment, staff should remember that all YES Prep equipment belongs to YES Prep and should not be used for non-YES Prep purposes without authorization by YES Prep. In addition, the intellectual property created by an employee in the course of the employee's employment at YES Prep, or on behalf of YES Prep, is owned by YES Prep Public Schools. Any reproduction or distribution of YES Prep intellectual property to external parties without authorization by YES Prep is strictly prohibited.

If YES determines that an employee's external employment interferes with the employee's job performance or may create a conflict of interest, the employee may have to terminate the external employment if they want to remain employed at YES Prep.

RUNNING FOR OFFICE

YES Prep employees, contractors, and volunteers may run for office at the local, state, and/or national level. As a charter school, YES Prep Public Schools cannot, however, endorse, contribute to, or otherwise support any specific candidates, regardless of their employment status. YES Prep employees may not promote their candidacy at any YES Prep campus or events unless opposing candidates also have the opportunity to do so on their behalf.

OTHER OPPORTUNITIES AT YES

EXPLORING OTHER OPPORTUNITIES AT YES

It is possible to explore other opportunities at YES Prep, as long as you are in good standing and meeting expectations in your current role.

- The Talent team orchestrates a series of internal application windows that are available on the internal job site and communicated at the system and campus level.
- Employees must inform their manager of their intention to seek other opportunities internally. An employee's manager can be their greatest advocate when attempting to maneuver across the system. Please be aware that any future manager is likely to contact the current manager.
- Talent encourages hiring managers to use internal feedback after the decision to hire has been made.
- If a position opens for immediate need during a school year, all YES Prep employees will need the approval of their manager and/or Principal prior to being considered for the role.
- Employees should only seek opportunities that commence at semester changes as to not disrupt the work of the campus. YES Prep encourages teachers to seek other opportunities that start at the conclusion of the instructional calendar.
- If an employee is not in good standing, they should not apply for other roles unless an exception has been granted by Talent. Good standing means not on a Final Written Warning or actively on a Growth Plan.

YES reserves the right to reassign employees in the best interest of the organization. All employees work at the will of the organization. At any time, an employee may be reassigned to best meet organizational needs and priorities.

Employees who have not been asked back to their role based on performance will not be eligible for the same role, or other roles, for at least one school year unless under certain circumstances approved by Talent. If wishing to return to the previous role, or other role, the employee and/or candidate will need to be able to speak to their growth and learning moments from the previous role.

ROLE REASSIGNMENTS / RESTRUCTURING

Our programmatic models will require YES Prep to reassign or restructure roles to best meet the needs of our students. A role reassignment occurs when YES Prep changes the fundamental aspects of a staff member's role and/or location due to staffing, programmatic, or capacity needs. A role restructure occurs when YES Prep changes some aspects of the responsibilities (typically of small significance) of a staff member's role. YES prep is an at-will employer and reserves the right to reassign and restructure roles, impacted staff will be notified of the change in a timely manner.

TIME PROCEDURES & PROTOCOLS

This unit outlines expectations with how employees may request to utilize time. Additionally, it includes expectations with regard to attendance, and how to manage absences given a variety of circumstances.

YES PREP WORKDAYS

Organizational Calendar + Holidays

Workday Policy

Duty Breaks

ATTENDANCE AND PUNCTUALITY

TIMEKEEPING

Overtime

ABSENCE TYPES

Religious Absences

Voting

Unplanned Closures

Professional Development

PAID TIME OFF (PTO)

Accrual of Days

State and Local Days

Holidays

ALL HANDS-ON DECK DAYS

Home Office Professional Development

YES PREP WORKDAYS

ORGANIZATIONAL CALENDAR + HOLIDAYS

YES Prep will follow the [24-25 Academic Calendar](#) and have our 24-25 organizational holidays listed below:

holiday pay	Holiday	Dates
	4th of July	Thursday, July 4, 2024
	Labor Day	Monday, September 2, 2024
	Fall Holiday	Monday, October 14, 2024
	Fall Break	Monday, November 25, 2024 - Friday, November 29, 2024
	Winter Break	Monday, December 23, 2024 - Friday, January 3, 2025
	Martin Luther King Jr. Day	Monday, January 20, 2025
	President's Day	Monday, February 17, 2025
	Spring Break	Monday, March 10, 2025 - Friday, March 14, 2025
	Spring Holiday	Friday, April 18, 2025
	Memorial Day	Monday, May 26, 2025
	Juneteenth	Thursday, June 19, 2025

Note: Calendar may change periodically.

WORKDAY POLICY

YES Prep depends upon its employees to serve students and schools. As such, it is an expectation that employees attend work as scheduled.

The YES Prep school day is structured to ensure all campuses are meeting student safety needs, and we are staying operationally sound as a district. The school day start and end times for students are as follows:

Secondary: 8:30am – 4:00pm

Elementary: 7:25am – 3:00pm

All employees will be expected to arrive a minimum of 15 minutes before the start of the school day and stay at least 15 minutes after the end of the school day. That would mean the minimum employee school day would look like the following:

Secondary: 8:15am – 4:15pm

Elementary: 7:10am – 3:15pm

Note: Principals have the discretion to ask employees to arrive early before the start of the school day or stay late after dismissal procedures to accommodate morning duties, afternoon duties, family/teacher conferences, events on campus, staff meetings, and weekly tutorials with or without notice. Principals have discretion to determine these required events and the expectations for campus staff to attend.

Additionally, there are times during the year when all teachers and campus personnel are needed to be in attendance and paid time off is prohibited. These are called All Hands on Deck Days (AHODD). On these days, employees will be expected to arrive and stay on site for the entirety of the day, as designated by the campus or content leader. Campuses and departments should share these specific events or dates on a calendar with all staff.

DUTY BREAKS

All employees are subject to federal and state requirements regarding wage and labor provisions for staff. Agencies that outline enforcement are including but not limited to the Department of Labor, Texas Workforce Commission, and Texas Education Agency. Within the Texas Education Code, there are sections that do not apply to charter schools. TEC 21.404 does not apply to charter schools, meaning YES Prep is not subject to the requirement of duty-free breaks. As a good practice to care for our employees, we will always do our best to allow employees the ability to have breaks without distraction, but it is not guaranteed.

NURSING/LACTATING EMPLOYEES

All employees are entitled to reasonable break times for lactation purposes for one year after the birth of a child. This includes all hourly, salaried, and exempt employees, including employees working remotely. YES Prep will provide nursing/expressing milk/lactating employees with a space shielded from view and free from intrusion. The space will be “functional” for pumping and will include a chair, table, electric outlet, adequate ventilation, and may include a sink. Employees may use campus refrigerators or may bring personal coolers to store their recently expressed milk.

LACTATION PRACTICES

Employees should provide reasonable notice to their supervisor of the intent to take lactation breaks.

Supervisors should attempt to provide as much schedule flexibility and break time as reasonably possible to accommodate the employee’s lactation needs.

Employees must give notice of breaks to supervisors and are required to provide notice to their supervisor when time for expressing breast milk is no longer required.

Employees will be provided reasonable break times to express milk.

Lactation breaks may be taken during existing break periods or lunch breaks may be shortened to account for lactation breaks.

ATTENDANCE AND PUNCTUALITY

YES Prep depends upon its employees to serve students and schools. As such, it is an expectation that employees attend work as scheduled and inform the proper leaders when situations arise that limit an employee's ability to meet their expected work schedule. The following are expectations of employees surrounding attendance and punctuality:

TARDIES AND EARLY DEPARTURES

Employees are responsible for notifying their Director of Campus Operations (DCO) and direct manager of late arrivals prior to their start time. Any requests for early departures must be made in advance to the employee's manager and DCO for approval. Requests to leave more than one hour prior to the end of the expected work schedule should be considered time off requests and follow the time off request process for the campus or department. A supervisor's notification and acknowledgement of tardiness or unscheduled early departure does not constitute approval. Employees are responsible for ensuring coverage of their duties in these circumstances when applicable, especially if student supervision is required. Excessive tardiness or excessive early departures could lead to corrective action, up to, and including termination.

PAID TIME OFF REQUESTS

Paid Time Off requests are simply requests for time off. Employees are allocated a certain number of Paid Time Off (PTO) days to use with approval per school year for their needs. It is our goal to approve planned PTO requests whenever possible. PTO policies and processes are communicated by campuses and/or managers, who may set a daily limit on the number of staff who are approved to take time off.

Some of the factors that a supervisor may consider include, but are not limited to, YES Prep's business needs, staffing and operational needs, employee performance, All Hands On Deck Days (AHODD), and the overall needs of the students. Once an employee exhausts their paid time off, all requests are deemed as unpaid time off (uPTO) requests.

PTO requests submitted five days before an absence date are considered planned PTO. Time off requested less than five days before the absence date is considered emergency PTO (ePTO). An employee should not expect that a request will be approved automatically even in emergency PTO situations.

Employees may be asked to provide the appropriate documentation to support the employee's inability to attend work when requested. Only forms of documentation that can be validated will be accepted as appropriate forms of documentation. Failure to provide proper documentation or falsifying documentation may result in corrective action, up to, and including termination.

Excessive absenteeism or unapproved PTO, ePTO, or uPTO may result in corrective action, up to, and including termination. Providing documentation does not make the absence automatically approved but will be used in consideration for determining corrective action for unapproved time off.

All employees should refer to their campus or Home Office Addendum for information on how to report tardies, request early departure, and request time off. Failure to follow proper procedures for attendance and punctuality may result in corrective action, up to, and including termination.

TIMEKEEPING

Federal and state laws require YES Prep to keep an accurate record of time worked for non-exempt employees in order to calculate pay and benefits.

All non-exempt employees are required to record their starting and ending time, as well as time in and out for unpaid breaks. Keeping track of hours is the employee's responsibility. Fraudulently reporting time is considered to be time theft and may lead to termination. If anyone asks an employee to work without reporting the time accurately, the Managing Director of Talent or a member of the campus leadership team must be notified immediately.

OVERTIME PAY AND BLENDED RATE METHOD

YES Prep Public Schools compensates overtime for non-exempt employees in accordance with federal wage and hour laws. Only non-exempt employees (typically employees who are paid by the hour) are eligible for overtime pay.

Non-exempt employees should not work more than 40 hours per week without prior approval from their direct manager.

Non-exempt employees who work more than 40 hours per week without obtaining permission from their manager(s) are subject to disciplinary action up to and including termination of their employment.

Paying employees at the Blended Rate Method:

- Overtime is defined as any time a non-exempt employee works beyond a standard 40-hour work week. According to the Fair Labor and Standards Act (FLSA), employees working over 40 hours should be paid 1.5 times their regular wage.
- In some instances, for some employees YES Prep Payroll may need to use a blended / weighted average rate to accurately pay employees that work different jobs at different rates because these employees are performing different duties/ tasks at different rates.
- The federal government's Fair Labor Standards Act requires that when work is performed at two or more rates, overtime must be paid out at a blended rate. A "blended rate" is a rate of not less than one-and-a-half times the weighted average of all non-overtime rates used during that workweek.

For additional questions on overtime or the blended rate method, please reach out to Payroll@yesprep.org.

ABSENCE TYPES

YES Prep has various policies and procedures for time away from work. Use this table as a quick reference for the different kinds of absences that may come up throughout the course of one's employment.

RELIGIOUS ABSENCES

Any leave requests for religious observances and practices must be submitted, in writing, at least two weeks in

advance and will be granted unless such a request cannot be reasonably accommodated without undue hardship on our operations. Employees must use PTO for this absence. If an employee has exhausted all PTO days, time will be unpaid.

VOTING

YES Prep complies with all applicable laws to ensure that anyone who is eligible to vote has the opportunity to exercise this right and privilege. If an employee does not have sufficient time to vote outside of working hours and is a full-time employee who is eligible to vote, they will be given the appropriate amount of time away to vote.

UNPLANNED CLOSURES

If YES Prep has to close because of inclement weather, or other unforeseen circumstances, the following will apply to employees and managers:

If the day has to be made up during one of the make-up days on the academic calendar, all employees are expected to be in attendance for the make-up day.

The unplanned closure will follow the same guidance we do for organizational holidays for employee paid status.

- Full-time salaried employees will be paid at their regular daily rate
- Full-time hourly employees will be paid at their regular daily rate
- Part-time salaried employees will be paid at their regular daily rate
- Part-time hourly employees will not be paid unless they were asked to work during the closure

Managers of part-time hourly employees should provide flexible work schedules to make-up the time and hours and earn back work time they may have lost during the closure.

Employees who may have previously approved PTO scheduled for that day, may redeem that day of PTO.

Even when the organization is closed, certain high-need employees may be required to work, and physically report on-site, subject to discretion by a C-Suite member, Principal, or DCO.

When this happens, those essential personnel who are in exempt positions may be asked to “bank” a day of compensatory time for future use at the discretion of their manager. For non-exempt positions, hours worked will be compensable at their [normal or 1 and ½ time rate] but they will also bank a day of leave.

PAID TIMEOFF

In addition to campus and system-wide holidays, all regularly scheduled YES Prep employees working more than 20 hours a week, earn Paid Time Off (PTO) that covers discretionary time away from work.

Paid Time Off allotment per full-time employee type					
10-month		11-month		12-month	
10 days		12 days		15 days	
5 state days	5 local days	5 state days	7 local days	5 state days	10 local days

Employees working less than 20 hours per week are not eligible to earn PTO.

Employees receive PTO in the form of state days and local days.

Salaried employees must take PTO in full or half day increments.

Hourly employee must take PTO in hourly increments.

Employees must exhaust any available PTO, for absences, before going unpaid.

If an employee exhausts their available PTO days, but needs to be absent, the employee's wages will be docked accordingly.

PTO time cannot be transferred from employee to employee.

All Paid Time Off time can be found in the Employee Self Service. Employees are encouraged to review Paid Time Off and make sure that all information, including all accruals and time taken, are correct. Errors can only be reconciled going back one school year. If there is an error, the Payroll department must be contacted immediately at Payroll@yesprep.org.

DAY

A "day" for purposes of earning, using, or recording shall mean the average number of hours per day equivalent to the employee's usual work assignment, whether full-time or part-time.

ACCRUAL OF DAYS

For all employees, all state days are available for usage beginning on your first paycheck. Remaining balances are accrued over time on subsequent paychecks. For staff members who begin after the start date for their duty schedule, their eligible PTO amount will be pro-rated. Accrual and eligibility of PTO days depends on employee status and type.

If a 10, 11, or 12-month employee begins employment past their role's duty schedule, their PTO accrual will be pro-rated based on how much time is left in the duty schedule.

PTO accruals roll over from year to year. Should an employee leave mid-year, and they have used more PTO than they have accrued, their last paycheck will include a deduction for the money equivalent of the time taken they had not accrued yet in the duty schedule.

STATE AND LOCAL DAYS

Texas law entitles full-time and part-time public-school employees to five (5) days of paid personal leave per year ("state days"), which accumulates from year to year, without limit, and which can be transferred to other Texas school districts upon the employee's request. Full-time and part-time regular employees who are scheduled to work 20 or more hours per week are eligible to receive five (5) state days per year which are accrued and provided in January. State days cannot be paid out upon separation of employment. If an employee has state days from another

district, they will need to provide Talent@yesprep.org a service record, from their most recent district, in order for us to be able to add the state days to one's total PTO time.

In addition, YES provides varying amounts of local PTO days based on employee type. Local days are not transferable to other districts and are not paid out upon separation of employment.

HOLIDAYS

During organization holidays, when YES Prep is closed, employees will receive payment in accordance with their employee type status.

- Full-time 12-month salaried employees will be paid at their regular daily rate
- Full-time hourly employees will be paid at their regular daily rate
- Part-time 12-month salaried employees will be paid at their regular daily rate
- Part-time hourly employees will not be paid unless they were asked to work during the closure

10 and 11-month salaried employees and those paid at a daily rate (such as Permanent Substitutes) are not actually paid Holiday Pay. They are only paid for actual days worked within their duty schedule. Even though duty schedules last 10 and 11-months, the pay spans the course of a 12-month period so there is no disruption or gap in pay over holidays and when off-duty.

ALL HANDS ON DECK DAYS

We are committed to ensuring that our students receive the highest quality instruction and service delivery. For this reason, on specific days called All Hands on Deck Days (AHODD), YES Prep requires campus staff to meet specific guidelines to be able to submit a request for PTO. Upon receiving the request, the campus may or may not approve the request. PTO requests cannot be submitted on AHODD unless the PTO request meets the following guidelines: must be a life event and must be submitted a minimum of 30 days in advance, or, in case of day of EPTO - must be an unforeseen emergency, and the request must be accompanied by sufficient documentation to be submitted to the Principal and DCO immediately upon return. Upon receiving the request, the campus may or may not approve the request. Any absences, tardies, or early departures on AHOD days, outside of approved PTO, may result in corrective action, up to, and including termination.

AHODD dates are the following:

- Content days,
- Reading days,
- Professional Development days,
- The day before and after Fall Break, Winter Break, and Spring Break,
- The first and last five days of each semester of the school year,
- Common or Interim Assessment days, and
- State testing days

These days are placed strategically throughout the school year to ensure campus staff are developed on the upcoming curriculum, centrally score student work, have staff on high need days that coverage is hard to guarantee, and complete any organizational-wide requirements. In addition to these days, there are critical times on campus where staff is needed to open, monitor, or close out with students and it takes the full campus team. On these dates, the expectation is that all employees are present at work for the entirety of the day. Departments and Campuses will share a calendar that outlines specific dates for AHOD days for staff to plan accordingly.

PROFESSIONAL DEVELOPMENT

YES Prep Development: Employees are expected to attend all required trainings relevant to their role and job description. Professional development days (including Content Team Days and Reading Days) are All Hands on Deck Days (AHODD). Please refer to the policy on page 59 for submitting PTO requests should they fall on professional development days.

External Development: Attendance at professional activities or courses during school hours must be approved in advance by the employee's Principal or Home Office manager, in accordance with the norms of time off requests for that location. Although approved absences for staff development do not count against the employee's paid time off (state or local days), absence requests must be entered in the absence management system for record-keeping purposes.

Home Office Professional Development: The Home Office routinely holds Professional Learning Modules, trainings, and mandatory diversity sessions for Home Office staff. All Home Office employees are required to attend the sessions.

INFORMATION & TECHNOLOGY

This unit outlines information from and used by YES Prep employees, confidentiality around information and the technology that holds it, technology use, and media expectations.

CONFIDENTIALITY

- Confidential and Proprietary Information
- Organizational Access
- Family Educational Rights and Privacy Act (FERPA)
- Student Privacy
- Public Information Act
- Privacy
- Photographs, Recording, and Digital Capturing
- Searches
- Employee Records Management

TECHNOLOGY USE

- Equipment and Software Usage
- YES Prep Issued Phones
- Bring Your Own Device Acceptable Use
- Device Protocols
- Restrictions on Authorized Use
- Restrictions of Personal VPNs
- Privacy and Organizational Access
- Multi-Factor Authentication
- Computer, Network, and Software
- Stolen or Lost Equipment
- Devices and Equipment upon Exit

MEDIA EXPECTATIONS

- Media Interactions
- Social Media

CONFIDENTIALITY

CONFIDENTIAL/PROPRIETARY INFORMATION

Employees are not to disclose or share any of YES Prep's confidential information, either during or after ending employment. In addition, certain employees may be required to sign a confidentiality agreement.

Furthermore, the intellectual property created by an employee in the course of the employee's employment at YES Prep Public Schools, or on behalf of YES Prep Public Schools, is owned by YES Prep Public Schools. Any reproduction or distribution without authorization by YES Prep Public Schools is strictly prohibited.

CONFIDENTIAL INFORMATION

The term "confidential information" includes all confidential, proprietary, and trade secret information; records and specifications owned or licensed by YES Prep and/or used by YES Prep in connection with the operation of its business including, without limitation, YES Prep's business processes, methods, student lists, student records, accounts, procedures; and other information that is not generally available in the businesses and industries in which YES Prep is directly or indirectly engaged or which YES Prep treats as confidential and proprietary information.

ORGANIZATIONAL ACCESS

Employees should not possess or use YES Prep property or proprietary and confidential information without authorization. In addition, YES maintains its access at all times to YES premises and YES property including equipment, information, records, documents, and files.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The protection of highly sensitive information regarding YES Prep's students and families is vital to the interest and success of YES Prep and confidential by federal law. Any employee who improperly uses or discloses confidential information, including student and family information, will be subject to disciplinary action, up to and including immediate termination and potential legal action.

FERPA

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records.

STUDENT PRIVACY

Staff must maintain confidentiality regarding students and families to information regarding YES Prep's students and families. YES Prep wants to ensure there are no disruptions to the educational environment or any records that could invade the privacy of others. For that reason, all YES Prep staff may only use approved platforms for video calls. All video calls for any student interaction should be treated as personally identifiable information and subject to federal and state laws. In addition, any employee who improperly uses or discloses confidential information, or removes student or staff files from YES Prep premises, including student and family information, will be subject to disciplinary action, up to and including termination and potential legal action.

CIPA

YES Prep uses technology that filters or blocks access to depictions that are harmful to students as defined by the Children's Internet Protection Act. Any staff member who attempts to circumvent this technology may be subject to discipline in accordance with YES Prep policies, and or local, state, and federal laws.

YES Prep may temporarily or permanently unblock access to sites containing appropriate material, if access to such sites has been inappropriately blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material by the employee.

PUBLIC INFORMATION ACT

The Public Information Act, formerly known as the Open Records Act, is located at Chapter 552 of the Government Code. The Act provides a mechanism for citizens to inspect or copy government records. Any information collected, assembled, or maintained by or for YES, regardless of where the information is stored, is subject to the Public Information Act.

If any individual employee receives a request from an outside party for either paper or electronic copies of YES Prep's documents, that employee must direct the request to publicinfo@yesprep.org, so that the requester may follow the Public Information Act protocols.

PRIVACY

As a public entity, there is no general or specific expectation of privacy in the workplace, either on YES property or working in a virtual environment. In general, employees should assume that what is done while on duty or on YES premises is not private. In addition, any device that is used for YES Prep purposes, including one's personal cell phone, laptop, etc. is subject to an Open Records Request. YES reserves the right to conduct a search at any time of YES property, including devices. YES property may include an employee's office, desk, file cabinet, closet, computer files, voicemail, electronic mail, or similar places where employees may store YES property or YES-related information, whether or not the places are locked or protected by access codes and/or password. Any information collected, assembled, or maintained by or for YES, regardless of where the information is stored, is subject to the Public Information Act. Additionally, no YES Prep employee is allowed to record the voice or image of another without the prior consent of the individual being recorded unless for the safety, wellbeing, and security of an individual or property.

PASSWORD INFORMATION

Passwords should not be stored in any online storage service or physical location and should not need to be given from one person to another unless as part of the new employee onboarding procedures.

SENSITIVE DATA

Data will be classified as sensitive if:

- It is protected under federal, state, or local laws
- Disclosure may have serious consequences to YES Prep reputation, resources, services, staff, parents, students, or third parties
- There is Intellectual Property, ethical, or Privacy concerns

PHOTOGRAPHS

No YES Prep employee or student is allowed to record the voice or image of another without the prior consent of the individual being recorded. YES Prep wants to ensure that there are no disruptions to the educational environment or any records that could invade the privacy of others. This does not prohibit YES Prep from taking photos or video for its own purposes, including for media, personal safety and security, and development purposes.

SEARCHES

Searches may be conducted based upon reasonable suspicion and in a manner protecting employee privacy, confidentiality, and personal dignity to the greatest extent possible.

REASONABLE SUSPICION

“Reasonable suspicion” suggests to a reasonable person that there is a possibility that one or more individuals may be in possession of a prohibited item as identified above.

EMPLOYEE RECORDS MANAGEMENT

YES Prep is required to keep all employees’ names and addresses current. YES Prep will keep employee information on file for 5 years past employment. After 5 years, the employee’s information will be deleted from YES Prep archived files.

An employee is responsible for notifying Talent, and updating any personal information and changes affecting the employee’s status within 30 days following the change.

Changes to any personal and identifying information such as name, address, telephone number, or emergency contact information must be submitted via the Employee Self Service.

Any changes to an employee’s new social security card depicting the employee’s new name and number must be submitted for name and social security number changes.

TECHNOLOGY USE

EQUIPMENT AND SOFTWARE USAGE

The use of YES Prep equipment, including computers, is for YES Prep business and for authorized purposes only, even when working in a virtual environment. Brief and occasional personal use of email and the internet is acceptable while working, as long as it does not interfere with normal job functions, responsiveness, or the ability to perform daily job activities.

All individual's data should be stored in the YES Prep provided OneDrive and SharePoint for departments or team use. YES Prep employees should not use their computer's desktop or C: Drive as long-term storage options. Any information stored in these locations is unrecoverable if the employee's computer is lost or stolen. The use of Dropbox, Google Drive, iCloud, or any other non-issued YES Prep storage containers is strictly prohibited unless specifically authorized on an approved case-by-case basis.

YES PREP ISSUED PHONES

YES Prep-issued and owned cell phones will be issued to certain employees who are required to be available for business outside of YES's traditional hours.

By being employed in a role that is issued a cell phone, employees understand that one of the primary purposes of the YES cell phone is to provide support for students, their parents, and fellow teammates outside of business hours. It is understood that employees will try their best to answer all calls as they come in; if the employee is unable to take a call immediately, the employee will make every effort to return calls the same day. Employees have no expectation of privacy regarding these YES-owned phones; in addition, information related to YES Prep business, or the discharge of an employee's duties may be subject to disclosure under the Texas Public Information Act.

BRING YOUR OWN DEVICE ACCEPTABLE TO USE

This policy establishes YES Prep's guidelines for employee use of personally owned electronic devices for work related purposes. Employees may have the opportunity to use their personal electronic devices for work purposes when authorized in writing, in advance, by the Information Technology (IT) department. Personal electronic devices include personally owned cellphones, smart phones, tablets, laptops, and computers. These devices must only be used on the guest wireless network.

DEVICE PROTOCOLS

Employees may not use cloud-based apps or backup that allows YES Prep-related data to be transferred to unsecure parties. Due to security issues, personal devices may not be synchronized with other devices in employees' homes. Making any modifications to the device hardware or software beyond authorized and routine installation updates is prohibited unless approved by Information Technology. Employees may not use unsecure Internet sites. Personal devices should be turned off or set to silent or vibrate mode during meetings and conferences and in other locations where incoming calls may disrupt YES Prep operations.

RESTRICTIONS ON AUTHORIZED USE

Employees whose personal devices have camera, video, or recording capability are restricted from using those functions anywhere in the building or on YES Prep property at any time unless authorized in advance by their

Principal, the Talent team, or the Communications and Marketing team.

While at work, employees are expected to exercise the same discretion in using their personal devices as is expected for the use of YES Prep devices. YES' policies pertaining to harassment, discrimination, retaliation, trade secrets, confidential information, public information, and ethics apply to employee use of personal devices for work-related activities.

Excessive personal calls, e-mails, text messaging, and general use of phone during the workday, regardless of the device used, can interfere with employee productivity and be distracting to others. Exceptions may be made for emergency situations and as approved in advance by the employee's supervisor.

Non-exempt employees may not use their personal devices for work purposes outside of their normal work schedule without authorization in advance from management. This includes reviewing, sending, and responding to e-mails or text messages, and making or responding to phone calls.

Employees may not use their personal devices for work purposes during periods of leave without authorization. YES reserves the right to deactivate any YES-owned applications and access on the employee's personal device during periods of leave.

RESTRICTIONS OF PERSONAL VPNS

Employees shall not use personal VPNs with YES Prep equipment. Employees shall not use personally owned VPNs while on YES Prep network. Applications restricting network traffic monitoring or sharing of files is strictly prohibited. This practice opens YES Prep data to be transferred to unsecure parties and prevents the organization from being able to access online resources safely and protect staff and student information.

PRIVACY AND ORGANIZATIONAL ACCESS

No employee using their personal device should expect any privacy except that which is governed by law. YES has the right, at any time, to monitor and preserve any communications that use YES's networks in any way, including data, voice mail, telephone logs, Internet use, and network traffic.

MULTI-FACTOR AUTHENTICATION

All employees will be required to use multi-factor authentication for their work device, and any other device they may access YES Prep information on when not using a YES Prep network. This is to protect from unauthorized account access in the event an employee's username and password are compromised. This requirement means that employees will have to download Microsoft Authenticator on any of their personal mobile devices and use this app as an additional method to verify their identity when not at a YES Prep site. This could include but is not limited to: Microsoft Outlook, Teams, SharePoint, etc.

TRAVEL ABROAD

All employees shall notify Support Services if they intend on using YES provided software services when travelling abroad. The employee shall provide Support Services departure and return dates to allow these services from location outside of the United States. This will prevent devices and services from being locked during travel.

COMPUTER, NETWORK, AND SOFTWARE

Use of YES Prep technology and all forms of internet access is for YES Prep business and for authorized purposes only. Brief and occasional personal use of the electronic mail system or the internet is acceptable as long as it is not

excessive or inappropriate, occurs during personal time (lunch or other breaks), and does not result in expense to YES Prep. Electronic communication should not be used to solicit or sell products or services that are unrelated to YES prep's business, distract, intimidate, or harass co-workers or third parties, or disrupt the workplace.

EXCESSIVE USE

Use is deemed "excessive" if it interferes with normal job functions, responsiveness, or the ability to perform daily job activities.

Use of YES Prep computers, networks, and Internet access is a privilege granted by management and may be revoked at any time for inappropriate conduct carried out on such systems, including, but not limited to:

- Participating in or intervening in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office as a representative of YES Prep (employees may engage in political activities in their individual capacity);
- Sending chain letters or participating in any way in the creation or transmission of unsolicited commercial e-mail ("spam");
- Engaging in private or personal business activities, including excessive use of instant messaging or chat rooms;
- Misrepresenting oneself or YES Prep;
- Violating the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way;
- Engaging in unlawful or malicious activities;
- Deliberately propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm YES Prep's networks or systems or those of any other individual or entity;
- Using abusive, profane, threatening, racist, or sexist language in either public or private messages;
- Accessing, creating, viewing, transmitting, or receiving racist, sexist, discriminatory, threatening, or illegal visual, textual, or auditory materials;
- Accessing, creating, viewing, transmitting, or receiving pornographic materials;
- Causing congestion, disruption, disablement, alteration, or impairment of YES Prep's networks or systems;
- Maintaining, organizing, or participating in non-work-related web logs ("blogs"), web journals, "chat rooms", or private/personal/instant messaging;
- Failing to log off any secure, controlled-access computer or other form of electronic data system to which employees are assigned and then leaving the computer or system unattended;
- Using recreational games; and/or

- Defeating or attempting to defeat security restrictions on YES Prep's systems and applications.

Additionally, engaging in any of the activities above could result in disciplinary action up to, and including, discharge and potential legal action, including criminal prosecution. YES Prep will comply with any reasonable request from law enforcement and regulatory agencies including, but not limited to logs, diaries, archives, or files on individual Internet activities, e-mail use, and/or computer use.

STOLEN OR LOST EQUIPMENT

Loss, damages, or theft of YES Prep property, including computers, should be reported to a direct supervisor immediately. For the first incident in which equipment valued at or above \$1,000 where the equipment is lost or stolen, the employee will be responsible for the first \$200 of the expense of replacing the equipment and their department/campus will pay the balance of the cost. The employee will be responsible for the full cost of replacing the equipment for any subsequent incidents requiring replacement of YES Prep property, including their computer. Moreover, negligence in the care and use of YES Prep property may be considered grounds for discipline, up to and including termination of employment.

DEVICES AND EQUIPMENT UPON EXIT

Upon resignation or termination of employment, or at any time on request, the employee may be asked to produce their YES Prep issued device, or personal device, for inspection. All YES Prep data on devices can be removed by the IT department upon termination of employment.

Any and all YES Prep devices, or technology equipment, not returned by an employee's last day, will be repaid to YES Prep in a deduction on their final paycheck.

If issued a YES-owned cell phone, the employee must sign out of the iCloud account and remove iTouch or passcode. If an employee fails to do so, their final paycheck could include a deduction for the cost of the cell phone.

The last day of an employee's employment is the last day they will have access to their YES Prep accounts (e.g. Outlook, OneDrive, OneNote, etc.).

MEDIA EXPECTATIONS

MEDIA INTERACTIONS

YES Prep's Communications team is the point of contact for all press and media inquiries.

There may be times when you are contacted by the press or other media (reporters, anchors, bloggers, producers, editors) with questions relating to YES Prep, its students, or employees. While maintaining a friendly and gracious tone, any and all such calls should be referred to the Managing Director of Marketing and Communications, without comment. This is necessary so that YES Prep may present itself to the public with one voice, especially at times of crisis or controversy.

In the event of a media or external entity inquiry, the Managing Director of Communications & Marketing will assess the request and may engage the appropriate YES Prep team(s) or staff member(s) to assist with gathering information for a formal response. The identified YES Prep team(s) or staff member(s) is responsible for:

- Gathering information, pulling and/or analyzing data, providing details. This may include cross-team collaboration and deducing information from multiple sources.
- Checking data and information for accuracy before sharing.
- Confirming the final data/details with appropriate leadership staff.
- Providing accurate and succinct information, details, or data that the Managing Director of Communications & Marketing can include directly in the response to the media.

Furthermore, except with permission from or upon instruction by the Chief Executive Officer, Chief External Officer or the Communications team, employees may not initiate contact with the media concerning the YES Prep's operations (including its services, policies, and procedures), its students, or its employees.

SOCIAL MEDIA

YES Prep believes that technology can be a powerful educational tool when used appropriately. While free speech protects individuals who want to participate in social media, the laws and courts have ruled that school districts can discipline employees if their speech, including personal online postings, disrupts school operations.

SOCIAL MEDIA

Social media sites include, but are not limited to, print, broadcast, digital, and online services such as blogs, wikis, social networking sites including but not limited to: Facebook, LinkedIn, Snapchat, Twitter, Instagram, Vimeo, TikTok, YouTube, Flickr.

All communications within and outside of the workplace, including verbal and written communications as well as internet social networking, are expected to be appropriate and professional. Although the lines between public and private, personal, and professional, can become blurred in the digital world, you will always be considered to be a YES Prep employee. Whether it is clearly communicated or not, you will be identified as an employee of the school district in what you do and say online

These guidelines are intended to support and protect YES Prep teachers, staff, students, and families so that YES Prep can provide the best education possible to each student.

Engaging in personal social networking friendships on any social media site is prohibited between YES Prep employees and students, and strongly discouraged with parents or guardians of students. For more information about student interactions, please refer to page 25.

Staff members may use an approved school issued technology account for interacting with students and families outside of school. Please refer to page 23.

YES Prep employees must respect the privacy rights of their fellow employees by seeking their permission before writing about or posting photos that might be considered to be a breach of their privacy and confidentiality.

YES Prep Public Schools' media release covers official YES Prep use only. Employees may not personally post media showing students, staff, or parents, including but not limited to photographs, videos, audio clips, and/or statements on personal or social networking sites (described above), without prior approval from the Communications and Marketing team.

Engaging in social media activities that may impair their own work, or the work of others, is prohibited; specifically, engaging in social media in a way that is harassing, demeaning, disruptive to the smooth and orderly flow of work within YES Prep, is harmful to the goodwill or reputation of YES Prep, or creates a hostile work environment is prohibited.

Commentary, content, or images that are deemed to be defamatory, pornographic, proprietary, harassing, or that could create a hostile work environment, may subject the employee to disciplinary action, up to and including immediate termination. Employees also can be sued by fellow employees or other individuals that may consider the commentary, content, or images and defamatory, pornographic, proprietary, harassing, libelous, or as creating a hostile work environment.

YES Prep wants to ensure that there are no disruptions to the educational environment or any records that could invade the privacy of others. This does not prohibit YES Prep, however, from taking photos for its own purposes including for marketing or media uses. If you have questions or concerns about complying with YES Prep's Fair Use Agreement below, please contact Talent@yesprep.org or Communications@yesprep.org.

PHOTOGRAPHY & VIDEO

Employees grant permission to YES Prep and its team members to use photographs or videos taken of them or their spoken words in publications, resources, internal development or hiring materials, and/or display boards.

Employees also grant to use electronic versions of the same publications on YES Prep's websites or other electronic forms or media, and to offer them for use or distribution in non-YES Prep publications, electronic or otherwise, without notification.

Employees waive the right to inspect or approve the finished photographs, statements, and/or printed electronic materials that may be used in conjunction with them now or in the future, whether that use is known or unknown to them.

Employees waive the right to royalties or other compensation arising from or related to the use of the photograph, video, or statements.

Employees release YES Prep and its team members, including any firm publishing and/or distributing the finished product in whole or in part, whether on paper, via electronic media, or on web sites, from and against any claims, damages, or liability arising from or related to the use of photographs or videos. This includes, but is not limited to, any misuse, alteration, or use in composite form, either intentionally or otherwise, that may occur or be produced in taking, processing, reduction, or production of the finished product, its publication, or distribution.

BENEFITS & COMPENSATION

This unit outlines benefits offerings for YES Prep employees, as well as all topics related to employee compensation: how payments are issued, when payments occur, forms of payment, and processes for adjustments. The unit also includes the processes for reimbursement and reconciliation of business credit cards.

COMPENSATION

- Staff Compensation
- Fair Labor Standards Act
- Exempt and Non-Exempt
- Stipends
- Interim Compensation
- Compensatory/Flex Time

PAYCHECKS

- Pay Schedule
- Direct Deposit
- Overpayment, Underpayment
- Wage Deductions
- Unclaimed Payroll Checks
- Prorated Salary

REIMBURSEMENTS AND CREDIT CARDS

- Reimbursements
- Business Credit Cards

BENEFITS

- Eligibility
- Insurance Types
- Account Types
- Retirement Plans

LEAVE OF ABSENCES

- Family Medical Leave (FMLA)
- 20% Rule
- YES Prep's Leave Policy
- Return from Leave
- Paid Leave
- Unpaid Leave
- Military Leave
- Bereavement Leave
- Leave Restrictions
- Misrepresentation of Leave Rationale
- Administrative Leave

COMPENSATION

YES Prep strives to be an employer of choice for exceptional, high-achieving employees who are committed to working every day to create pathways for opportunity for the students we serve. Our compensation philosophy reflects our desire to attract, retain, and reward top performers.

STAFF COMPENSATION

YES Prep is committed to ensuring continuity of pay for all of our teammates. As academic calendar and/or staffing changes are made, YES Prep will attempt to limit the compensation impact to employees, where possible. While operating virtually or in-person, staff will be paid the same salary or hourly rate that was outlined in their offer letter/compensation statement, unless informed otherwise by Talent. Staff who have roles that are restructured or reassigned will be paid at their regular rate of pay, unless informed otherwise by Talent. Non-exempt hourly staff should work with their managers to ensure their schedules remain aligned to their full-time/part-time status. Please visit the [Compensation SharePoint page](#) for more details on compensation related policies and procedures.

FAIR LABOR STANDARDS ACT

All employees are classified as either exempt or non-exempt, according to job duties as determined by the provisions of the federal Fair Labor Standards Act (FLSA).

Non-exempt employees are:

- Paid on an hourly basis;
- Required to fill out timesheets accounting for all hours worked in a pay period;
- Entitled to overtime pay at 1.5 times their rate of pay for all hours worked in excess of 40 hours per week according to FLSA and Texas wage and hour laws.

Exempt employees are:

- Paid a fixed salary determined by the duties to be performed rather than the number of hours worked;
- Classified as such based on specific tests as mandated by the FLSA; and
- Exempt from overtime provisions of the FLSA.

YES Prep reviews and assigns a FLSA status (exempt or non-exempt) that is maintained by the Talent and Payroll team;

An employee's exempt or non-exempt classification may be changed only at the written approval from Talent, and in accordance with applicable federal law.

STIPENDS

Certain employees may receive additional compensation, or a stipend, for additional duties.

STIPEND

Stipends are supplemental income and are not part of an employee's base pay.

The Talent Team will make the determination, in accordance with YES Prep policy, about who is eligible for stipends or extra duty compensation.

Stipends will be prorated for any eligible employee who begins stipend related duties after the first day of instruction or ends employment before the last day of instruction.

Stipend amounts and disbursement terms are reviewed each year and may change if there is a change in organizational priorities and/or a change in state, private, or local funding streams.

INTERIM COMPENSATION

Employees who take on significant additional responsibilities for substantial periods of time can be compensated on a temporary basis for the extra duties. Read below for guidance on our interim compensation policy.

INTERIM COMPENSATION

Interim compensation occurs when the responsibilities being undertaken by the employee are significant, which is generally defined as being larger in scope than current responsibilities and would account for approximately greater than 25% of an employee's time (the Talent team can assist with determining whether additional responsibilities are significant). The responsibilities being undertaken by the employee must be those of another position that is vacant. The interim role shall normally be for no less than four (4) consecutive weeks and no more than twelve (12) consecutive months.

This policy is not applicable to any employee taking on responsibilities lower than or lateral to their current position grade.

This policy cannot be applied to account for the duties of a lateral employee on leave. If an interim promotion occurs, the employee shall receive the entry rate of the new role or an increase of 5% of their current pay for each pay grade, whichever is greater.

At the end of the interim duties, the affected employee shall have their salary reduced to its original level including any salary increase which the employee would have received in their regular position.

Final determinations on interim titles and compensation will be at the sole discretion of Talent.

COMPENSATORY/FLEX TIME

Supervisors have the discretion to allocate flex/comp time for their exempt employees who have worked outside of traditional business hours. A supervisor may choose to grant compensatory time off to exempt employees who are required to work in excess of their traditional work schedule for special projects or during weekends or any normally scheduled time off.

PAYCHECKS

Employees are paid semi-monthly, typically on the 15th and the 30th of each month. If a payday falls on a holiday, employees will receive that paycheck on the last workday prior to the holiday. If a payday falls on a weekend, employees will receive that paycheck on the Friday before the weekend.

All salaried, exempt employees, including 10 and 11-month employees, will receive their pay over a 12-month payment schedule. All hourly, non-exempt employees will only receive pay for time worked, and in accordance with holiday and unplanned closure pay.

Employees are encouraged to review paychecks and make sure that all information, including all earnings and deduction amounts are correct. If there is an error, the Payroll department must be contacted immediately at Payroll@yesprep.org. If an error is not brought forward within the same school year, YES Prep will not be able to backdate pay to previous fiscal years that have ended.

PAYING IN ARREARS

YES Prep pays in arrears, which means that employees are paid for work performed after it has been performed, rather than in real time.

- Work performed on the 1st through the 15th of any month will be paid out on the 30th of that month.
- Work performed on the 16th through the last day of any month will be paid out on the 15th of the following month.

While YES pays in arrears, the costs of benefits are current and deducted from each paycheck to ensure employees have timely access to all elected services.

DIRECT DEPOSIT

We strongly encourage employees to have their paycheck deposited directly into their bank account to expedite availability of funds.

Employees can enroll in or change direct deposit in the Employee Self Service.

Employees not enrolled in direct deposit will automatically be enrolled in our pay card program.

Paper checks will no longer be an option outside of the initial pre-note process of a new direct deposit account set up.

If an employee is not enrolled in direct deposit, they may experience a delay in receiving funds.

The federal government's Fair Labor Standards Act requires that when work is performed at two or more rates, overtime must be paid out at a blended rate. A "blended rate" is a rate of not less than one-and-a-half times the weighted average of all non-overtime rates used during that workweek.

OVERPAYMENT, UNDERPAYMENT

YES Prep takes all reasonable steps to ensure that employees receive an accurate paycheck paid promptly on scheduled paydays.

If there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Payroll Team so any corrections can be made as quickly as possible. If an error is not brought forward within the same school year, YES Prep will not be able to backdate pay to previous fiscal years that have ended.

If the employee has been underpaid, YES Prep will pay the employee the difference as soon as possible.

If the employee has been paid in excess of what they have earned, the employee will be required to return the overpayment to YES Prep by a date determined by Payroll leadership.

No employee is entitled to retain any pay in excess of the amount they have earned according to the agreed-upon rate of pay.

WAGE DEDUCTIONS

YES Prep is required by law to withhold certain federal and state taxes from wages paid to employees. The rates at which these deductions are made and the total amount that must be withheld varies in accordance with applicable federal and state laws. Additionally, other payroll deductions, such as retirement plan contributions, employee benefit premiums, or expenses owed to YES Prep, including expenses for participation in the Teaching Excellence program, may be made upon appropriate authorization. Finally, if YES Prep receives an order to garnish wages, it must comply with that order and reduce an employee's take-home pay accordingly.

Staff are required to pay premiums in accordance with their benefit elections and any mandatory state or federal deductions. Should a staff member go unpaid for any length of time, premiums are still owed for benefits and premiums owed will be tracked from the time the employee is unpaid. Once the employee's pay is reinstated, all premiums owed will be collected on their first check.

UNCLAIMED PAYROLL CHECKS

If an employee does not collect their pay within 90 days, the Payroll team will secure such pay and the wages will be recorded. The employee will be required to present proper identification to YES Prep before pay will be reissued. In the event that the unclaimed pay is not claimed for a period of one year from its date of issuance, the pay amount "escheats," or transfers 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.

PRORATED SALARY

All 10- and 11-month month salaried employees who start after the first day of their duty/work schedule will receive a pro-rated salary based on the number of days remaining in the duty/work schedule.

To calculate the gross amount a salaried employee will be paid, the fully yearly salary is divided by the number of days of in the salaried employee's duty schedule. This amount is the "daily rate." The daily rate is then multiplied by the number of days the employee is actually working for the remainder of their duty schedule. This number determines the pro-rated salary. The staff member will be paid the pro-rated salary evenly over the remaining number of pay periods remaining for the school year.

REIMBURSEMENTS & CREDIT CARDS

REIMBURSEMENT

For Lost, Damaged, or Stolen Property

YES Prep is not responsible for any personal property brought to YES Prep sites or events that are on or off campus. If an employee brings their own personal property, they are responsible for their own personal property for the entire duration of time that is at YES Prep regardless if a student or other staff member is asked to care for an item for any amount of time. YES Prep is not liable if a personal item is lost or stolen while at a YES Prep site or event.

For Business Expenses

YES Prep reimburses employees for YES Prep related business expenses according to the current rate schedule established by YES Prep. YES Prep is a tax-exempt organization and is prohibited by law from reimbursing anyone for sales tax. All receipts must be provided for purchases made with YES funds or for request for reimbursement.

Business expenses should be made through the procurement process, and we should discourage employees from incurring expenses that would require reimbursement. Last minute urgent expenses can be paid for with a PCard or a request for check through A/P.

For Professional Development

YES Prep, within its sole discretion, may choose to reimburse eligible employees for job-related supplemental professional development expenses. Only costs incurred by pursuing opportunities that are job-related or that are related to the employee's work will be reimbursed.

To be eligible for consideration for potential reimbursement under this policy, the employee must: Be a full-time employee, Have completed a year of service, Agree to remain with YES Prep as a full-time employee for a term to be mutually agreed upon (typically one year of service for every fiscal year of reimbursement), and Must remain in good standing to retain their eligibility for this benefit.

YES Prep, in its sole discretion, will determine whether a professional development offering, or course is job-related.

YES Prep may elect to reimburse up to 50% of all pre-approved expenses, but in no event will the amount reimbursed exceed \$3,000 any one fiscal year.

Reimbursement is available for a maximum of three (3) consecutive years.

PURCHASING CARDS OR PCARDS

YES Prep may provide eligible employees (typically Managing Directors and above at the Home Office, and Director of Campus Operations and Principals at campuses) with a YES Prep credit card for business use. The use of a YES Prep-issued credit card is a privilege that YES Prep may withdraw in the event of abuse.

The credit card can only be used for business, essential purposes. The employee will be held responsible for any non-business charges made on the credit card.

Employees must request approval from their manager before any business expenses are incurred.

All expense claims must be submitted through the Munis Employee Self Service portal along with applicable receipts within 30 days of incurred expenses to be considered for reimbursement.

Any reimbursement request not submitted within 30 days of the expense may be denied at the sole discretion of YES Prep.

Additionally, any reimbursement request that was not approved in advance or for which there is no receipt (other than business mileage) may be denied at the sole discretion of YES Prep.

Employees may obtain a copy of YES Prep's Sales Tax-Exempt form from the Home Office Finance team and should provide that form when making purchases for YES Prep purposes.

BENEFITS

YES Prep offers employees a competitive and comprehensive array of benefits to ensure employees are able to take care of themselves and their families. The handbook will provide general information about each of the benefits offered, but it is not intended to, and does not, provide all the details or requirements of these benefits, nor does anything in this handbook change or otherwise modify the terms of the official plan documents. In the case that any of the information contained in this handbook is inconsistent with the official plan documents, the plan documents will govern. Employees are asked to contact the benefit provider directly with coverage or benefit questions.

The employee is responsible for all premiums resulting in their benefit elections.

Additionally, nothing contained in the benefit plans described in this handbook creates a promise of employment or future benefits, or a binding contract between YES Prep and its employees, retirees, or dependents, for benefits or for any other purpose. YES Prep reserves the right, at its discretion, to amend, modify, or terminate, any or all of the benefits programs described in this handbook.

BENEFITS ELIGIBILITY

Non-seasonal employees who work at least 10 to 19 hours per week are only eligible for medical benefits with YES Prep.

Employees who work at least 20 or more hours per week are eligible for all other benefits mentioned below through YES Prep.

Under the Affordable Care Act (ACA), temporary employees who work 30 hours per week are eligible for benefits unless they fit the definition of seasonal employees.

For additional information on benefits, please visit the Benefits SharePoint site or contact the Benefits Advocate Center at BAC.yesprepbenefits.org and (833) 888-6697.

WORKPLACE INJURIES

Worker's compensation is insurance coverage for when an employee is injured or falls ill as a result of the employee's job. This includes a spectrum of first aid injuries, serious injuries, and even fatalities. Under Workers' Compensation in Texas, the employee may receive medical care if they are injured, no matter who was at fault, and benefits eligibility is determined by YES Prep's third-party Workers' Compensation insurer, Texas Mutual.

All injuries must be reported to both Texas Mutual and YES Prep Talent. The injured employee and the manager on duty should refer to the [Workplace Injury Sharepoint](#). Injured employees receiving medical care must do so with an approved WorkWell, TX provider or their medical expenses may not be covered by the insurer.

Time away due to a workplace injury:

Staff who experience a workplace injury and need to take time away for recovery or treatment must follow standard PTO processes. Documentation is required for all absences related to workplace injuries and a Work Status Report from the treating physician should be supplied to campus leadership (DCO and Principal) or Home Office manager, if not a campus-based employee.

If three or more days away from work is necessary, this time away MUST be reported to benefits@yesprep.org along with campus leadership/Home Office manager (as applicable) with supporting documentation via a Work Status Report from an approved WorkWell, TX provider via the Texas Worker's Compensation Work Status Report (DWC073).

Pay While Out Of Work Due to a Workplace Injury:

To receive pay while out of work staff must use PTO. If no PTO is available, staff will be unpaid for their absence.

Staff who require a leave due to a workplace injury and will have their time away tracked as Family Medical Leave. In these cases, staff may be eligible for temporary income benefits (wages due to missed work) through Texas Mutual if they opt out of pay through PTO from YES Prep. Staff approved for leave due to a workplace injury are not eligible to receive wages from YES Prep while receiving temporary income benefits. Staff who are receiving temporary income benefits MUST report this to benefits@yesprep.org immediately and are required to pay back any overpayments issued by YES Prep while receiving temporary income benefits for their workplace injury.

INSURANCE TYPES

Medical Insurance

YES Prep offers various medical insurance plan options that enable employees to elect the plan that is right for them. In addition, YES Prep offsets the cost of premium expenses through school and state contributions.

Dental Insurance

YES Prep offers dental insurance plans that cover preventative care, basic care, and restorative care, and reduces prices once out of pocket maximums have been met. Employees enrolled in the dental insurance plan are free to use the dentist or specialist of their choice; however, using an in-network dentist, may lower out-of-pocket costs.

Vision Insurance

YES Prep's vision insurance plan coverages span from eye exams to prescription lenses and a frame allowance.

Employee Assistance Program

The Employee Assistance Program (EAP) is a no-cost program offered to employees and their households designed to help manage daily life, work stress, major life events, and anything else that might affect quality of life. Coverage is paid by YES Prep, is confidential, and is available 24 hours a day, and seven days a week.

Voluntary Benefits

YES Prep offers voluntary benefits to eligible employees including short- and long-term disability, accident, hospital indemnity, voluntary life, critical illness/cancer, group term life insurance, whole life insurance, pet insurance, as well as pre-paid legal aid.

HEALTHCARE ACCOUNT TYPES

Health Savings Account

A Health Savings Account (HSA) is used to cover eligible out-of-pocket expenses for staff in certain elected plans. Contributions to this account are pre-tax and the money in this account rolls over from year to year. The employee can only spend the amount of funds that have already been contributed to the account and the funds will continue to be available beyond an employee's time at YES. If staff are contributing or receiving contributions from YES Prep

to an HSA, they are not permitted to have a standard FSA account. To be eligible to contribute or receive contributions to an HSA account, staff must be enrolled in a High-Deductible (HD) healthcare plan.

Flexible Spending Account

A Flexible Spending Account (FSA) is used to pay for eligible out-of-pocket health care and dependent care expenses with pre-tax dollars. Contributions to this account are pre-tax. For medical FSAs, up to \$500 will roll over from year to year. For dependent care FSAs, funds do not roll over.

RETIREMENT PLANS

Teacher Retirement System of Texas

The Teacher Retirement System of Texas (TRS) is a retirement system for public school employees in the state of Texas. Employees who are regularly scheduled to work at least 20 hours per week will make contributions into TRS instead of contributing to Social Security. As of 09/01/2023, employee contributions will be set at 8.25% of earnings. In addition to the contributions made by the employee, the state of Texas also contributes to the TRS account. Employees are always vested in their contributions and will vest in the state contributions following five years of eligible service. Employees wishing to pursue retirement should contact TRS directly and then follow the resignation process once a date has been determined for retirement.

457(b)

Full-time and part-time employees who are 21 and over are eligible for YES Prep's 457(b) plan. To enroll in the 457(b) retirement plan, please visit www.corebridgefinancial.com. We also invite you to speak with a [designated retirement advisor](#) for additional information at no cost. YES Prep does not offer a match for employee contributions to this plan.

LEAVE OF ABSENCES

Any request for an absence with a duration that exceeds two weeks during the school year, will be considered a request for a leave of absence. Employees are asked to request leave, when planned, at least thirty (30) days in advance. However, if a 30-day notice is not possible, the employee must provide notice of absence to the direct supervisor as soon as possible. Employees must comply with standard call-in practices and PTO policies. Leaves may be paid or unpaid based on the leave type, employee tenure, and PTO balance.

FAMILY MEDICAL LEAVE (FMLA)

The Family Medical Leave Act (FMLA) provides employees with up to 12 weeks of unpaid leave if they have a qualifying need, have been employed by YES Prep for at least 12 months, and have worked at least 1,250 hours during the previous 12-month period prior to leave. Compensation during a leave under the FML is based on YES Prep's leave of absence policies.

FAMILY MEDICAL LEAVE (FMLA)

YES Prep's leave management company, UNUM will provide employees with a Notice of Eligibility and Rights/Responsibilities. Staff requesting leave may be required to provide a Certification of Health.

YES Prep's leave management company, UNUM will then indicate whether or not the request is approved by FMLA standards.

Upon determining if the request is approved, YES Prep's leave management company, UNUM will provide the employee with a Designation Notice outlining approval dates and expectations while on leave.

In general, anyone who completes a period of FMLA, unpaid, job-protected leave will be returned to either the same position or to a position equivalent in pay, benefits, and conditions of employment.

Employees are encouraged to contact YES Prep's leave management company, UNUM regarding a leave of absence and eligibility.

If an employee meets employment eligibility requirements under FMLA, qualifying FMLA events include:

- The birth and care of the newborn child of the employee (applicable to parents of the newborn children)
- The placement with the employee of a child by adoption or foster care
- When the employee is unable to work because of a serious health condition as defined by FMLA
- Caring for an immediate family member (spouse, child, or parent) with a serious health condition
- Certain qualifying exigencies arising out of a covered military member's active-duty status, or notification of an impending call or order to active-duty status, in support of a contingency operation
- Caring for a covered service member recovering from a serious injury or illness incurred in the line of duty while on active duty

While an employee is on FMLA, they will be able to keep their group health benefits at the same level and manner

that they had when the leave began. If an employee is on unpaid leave, the employee must continue to pay their portion of all elected benefit premiums. Premiums will be collected on the first check that pay is restored once an employee's unpaid status has ended.

If an employee is eligible for time off under FMLA, typically the employee can take up to 12 weeks of unpaid, job-protected leave for qualifying events. If the employee and their spouse are both employed with YES Prep and are eligible for FML, they may be limited to a combined total of 12 weeks of leave for bonding with a child.

20% Rule

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

To take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

To transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits, and which better accommodates recurring periods of leave than does the employee's regular position.

PERIOD OF PARTICULAR DURATION

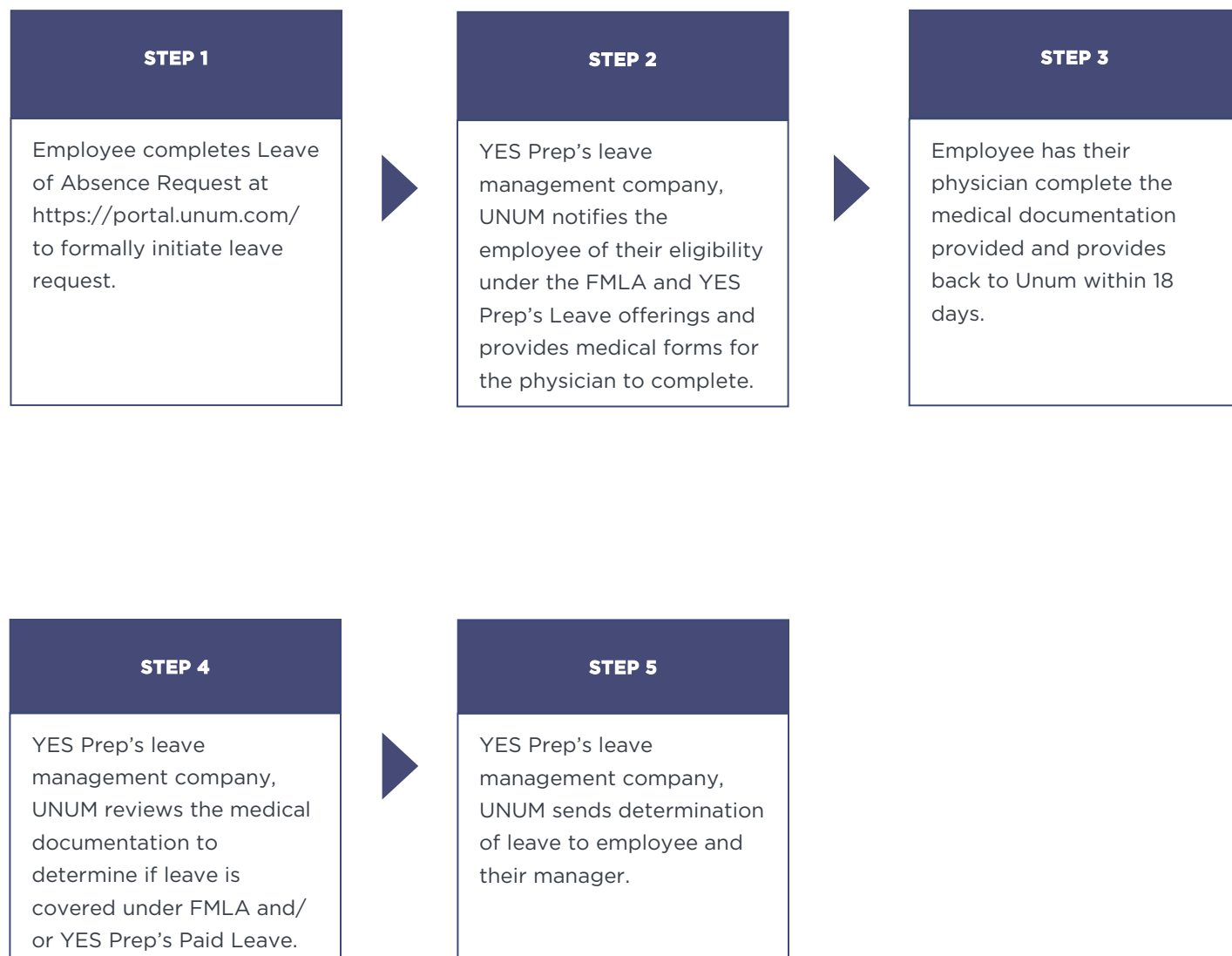
Periods of a particular duration means a block or blocks of time beginning no earlier than the first day for which leave is needed and ending no later than the last day on which leave is needed and may include one uninterrupted period of leave. If an employee chooses to take leave for "periods of a particular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

YES PREP'S LEAVE POLICY

At YES Prep, a Leave of Absence is extended time away from work to cover unusual circumstances or life events. In order to be eligible for leave at YES Prep, an employee will be required to provide documentation to YES Prep's leave management company, UNUM.

Employees are required to inform YES Prep's leave management company, UNUM of their need for a leave of absence at least 30 days prior to their request leave start date in order determine if the time away can be considered an approved leave of absence. If an employee must start their leave prior to their leave approval determination, the employee is required to follow standard PTO processes established by their campus/team.

Further information on this process can be found on the [Benefits SharePoint page](#). See the image below for an understanding of the leave approval process:



PAID LEAVE

Employees who are in need of a leave of absence may be eligible for Paid Leave provided by YES Prep. Facing a serious medical challenge or experiencing a life event due to the birth, adoption or placement of a child is often stressful enough without the fear of going unpaid during the time away.

The following are eligibility requirements for YES Prep's Paid Leave Programming:

- Employees must work at least 30 hours per week (or .75 FTE)
- Employee must be employed with YES Prep at least one year prior to leave start
- Leave meets FMLA parameters, with exception of military leave
- Employee is on duty

All staff members that meet the above requirements are eligible for YES Prep's Paid Leave Programming, including staff members who are married.

The amount of paid leave an employee is eligible for is based on consecutive tenure and type of leave requesting. Years of experience are credited based on the most recent hire date. If an employee is a re-hire, tenure is calculated from their most recent hire date and not from their original hire date.

Additionally, an employee's total paid leave and FMLA (if applicable) resets on a rolling 12-month calendar year, from the first day of previous leave.

PAID CHILDBIRTH RECOVERY AND BONDING LEAVE

YES Prep is proud of the diversity of our staff and the various ways our staff grow their families. We offer paid birth and bonding leave to allow staff to have time to recover from childbirth and care for their newborn child or with a child placed in their care under foster or adoption. Paid leave allotments are outlined below.

Tenure at YES Prep	Birthing Persons
1 - 2.99 years	6 weeks
3.00+ years	10 weeks

Tenure at YES Prep	Non-Birthing Persons
1 - 2.99 years	3 weeks
3.00+ years	7 weeks

Bonding Leave entitlement is based on the employee's consecutive leave as of the leave start date. Bonding leave can be taken by a non-childbearing parent in the first 12 months of the child's birth or placement and must be taken continuously from the leave start date (intermittent or reduced schedule leave is not approved for bonding leave).

PAID FAMILY MEDICAL LEAVE

YES Prep provides paid leave to support our staff and their families when they need us most. This leave is meant to provide paid time off work without use of PTO to cover childbirths and leaves for an employee's own serious health condition. This leave will also offer paid time to care for a child, spouse, or parent with a qualifying FMLA covered condition. Paid leave allotments are outlined below.

Tenure at YES Prep	Paid Family Medical Leave
1+ years	3 weeks

TENURE

Tenure with YES Prep is based on consecutive time worked at YES, unless in a rehire status given the employee returned within a calendar year (within 365 days).

How continuous leave paid will be applied:

- Begins on their first day of approved leave
- Runs concurrent with FMLA during the school year (Thanksgiving, Winter, and Spring breaks are not counted against someone's paid leave entitlements).
- Paid leave runs concurrent to summer months regardless of employee's duty schedule.
- Pays out at one hundred percent (100%) of the employee's regular salary
- Paid Leave must be exhausted prior to using PTO, and PTO must be exhausted prior to going unpaid
 - Pay Sequence: Paid Leave Programming > PTO > Unpaid
- Paid leave will not be applied until formally approved by Unum
 - If leave is not approved or pending approval by Unum, employee must follow PTO processes

All leave of absences will be handled by YES Prep's leave management company, UNUM. To contact UNUM you may visit <https://portal.unum.com> or at 866-868-6737. Leave specialists are available 7 a.m. to 7 p.m. CST Monday-Friday. Any concerns about how leave is being handled can be escalated to benefits@yesprep.org and a member of the team will be able to support.

UNPAID LEAVES

In special circumstances, YES Prep may grant an unpaid personal leave of absence and any requests for an unpaid leave of absence must be in writing to Talent@yesprep.org. The request will be evaluated by the employee's supervisor in conjunction with Talent, based on a number of factors, including, but not limited to, performance, business needs, and staffing requirements. If the employee does not come back to work when scheduled and does not communicate within three business days after an approved leave of absence ends, YES will assume that they have voluntarily resigned from employment with YES Prep.

Unpaid leaves may also be given to employees as a result of their behaviors or actions as a form of corrective action.

MILITARY LEAVE

Employees of YES, excluding substitute or temporary employees, who are active members of the state or federal military forces or of the reserve components of the United States Armed Forces are eligible for military leave for authorized training or duty ordered or authorized by proper authority. Under Texas law (Tex. Govt. Code 431.005(a)), a public employee is entitled to 15 workdays of paid military leave per federal fiscal year. Unused Military leave carries over to the next federal fiscal year, but the total amount must not exceed 45 workdays. This does not cover employees who are pursuing the armed forces but not officially a member of the U.S. Military or

reserve components.

The employee shall notify their supervisor by presenting a copy of the order, directive notice, or other document(s) requiring the employee's absence from work for military training or service. Employee must also submit a leave request with copy to <https://portal.unum.com/> to apply for military leave.

The employee shall provide at least thirty (30) days' notice before leave is to begin if the need is foreseeable. If unforeseeable, an employee shall provide notice as soon as practical under the facts and circumstances of the particular case.

For employees who need to take leave, due to military service for activity duty in response to a disaster, will receive an additional 7 days of leave. This is in addition to the standard 15 days provided to all leaves for military service.

SHORT-TERM MILITARY LEAVE

Short-term military leave shall not exceed fifteen (15) workdays and shall not be used more than once in a federal fiscal year. The fifteen (15) days do not have to be consecutive. Employees, whose participation in the uniformed services or other military duty is mandatory, will be granted time off without pay after they have exhausted paid military leave. However, exempt employees who work any portion of a work week in which they also take military leave will receive their full salary for that work week. Employees may elect to substitute accrued vacation days during any unpaid leave due to military duty.

LONG-TERM MILITARY LEAVE

Long-term military leave is leave of more than six (6) months and cannot exceed a period of longer than five (5) years. To be entitled to reemployment, the employee must be discharged or released from active military service under honorable conditions, no later than the fifth anniversary after the date of induction, enlistment, or call to active military service. The employee must notify YES Prep thirty (30) days in advance prior to returning to work. The leave shall be without pay. However, an employee with available accrued leave may elect to use the leave for compensation during a term of active military service. Upon return from an excused military leave, the employee will be reinstated to their former position or another position, to the extent required by applicable law.

The Family and Medical Leave Act permits a "spouse, son, daughter, parent, or next of kin" to take up to twenty-six (26) work weeks of leave to:

Care for a "member of the Armed Forces, including a member of the National Guard or Reserves, who is recovering from a serious illness or injury sustained in the line of duty on active duty, is undergoing medical treatment, recuperation, or therapy is otherwise in outpatient status, or is otherwise on the temporary disability retired list.

Attend to a qualifying exigency arising out of the fact the employee's spouse, son, daughter, or parent is a covered military member of covered active duty or has been notified of an impending call to active-duty status, in support of a contingency operation. Qualifying exigencies may include attending military events, arranging alternate childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending pre and post deployment activities.

RETURN FROM LEAVE

An employee must return to work the day following their leave end date, as dictated by their medical documentation and FMLA regulations.

RETURNING TO WORK

Any employee returning from leave for their own serious health condition that needs an accommodation or has a work restriction must provide a Fitness-for-duty statement signed by the treating physician submitted prior to their last day of leave.

YES Prep is committed to providing reasonable accommodations, and to do so, documentation must be provided to determine what supports can and will be provided upon an employee's return to work from a medical leave.

An employee must give reasonable advance notice of the date they intend to return to work, if it is earlier than the first business day following the leave approval end date.

If an employee does not return to work after they have exhausted their eligible leave allotment, Talent shall provide the employee with written notice that the maximum allotted leave time has been exhausted and that the employee will be terminated if the employee does not return to work. The employee's eligibility for reasonable accommodation, as required under the Americans with Disabilities Act (ACA), shall be considered before termination. If terminated, the employee may apply for reemployment with YES Prep.

BEREAVEMENT LEAVE

The difficulties one is faced with when a death occurs cannot be overstated. As such, YES Prep provides its employees the following days of paid bereavement leave to grieve, take care of arrangements related to the death, and/or attend the funeral, wake, or memorial of the passed:

3 days for the death of a grandparent, aunt, uncle, or cousin (including step-relations and in-laws).

5 days for the death of a spouse, partner, child (including step-relations and miscarriages), parent (including in loco-parentis), or sibling (including step-relations and in-laws).

Leave requests that exceed the above-mentioned time frames, or are for friends or family not covered under the above-mentioned policy, should follow the PTO or leave of absence policy pertinent to the situation.

LEAVE RESTRICTIONS

At no time may an employee take a paid leave of absence and receive payment from other employment, either as an employee or a contractor, unless otherwise approved by the Chief Executive Officer of YES Prep.

Jury duty and other court appearances for full-time employees will receive leave with pay and without loss of accumulated leave for jury duty. The employee will be required to provide documentation of jury duty service the

JURY DUTY

Employees will be granted paid leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding.

Absences for court appearances related to an employee's personal business must be taken as personal leave or unpaid leave (if no personal leave is available).

In cases other than jury duty, employees may be required to submit documentation (copy of subpoena) of their need for leave for court appearances.

MISREPRESENTATION OF LEAVE RATIONALE

Misrepresentation of the reason for an employee's leave is not permissible and may result in corrective action up to and including termination. Misrepresentation may also result in denial of leave if the employee does not qualify for the leave.

ADMINISTRATIVE LEAVE

Administrative Leave is used rarely and only when it is necessary to temporarily address a particular situation. The most common reasons for placing an employee on administrative leave include, but are not limited to:

- To facilitate the investigation of allegations of misconduct
- To remove an individual from the workplace who is behaving disruptively pending assessment of the situation
- As a prudent business practice to secure particularly sensitive information or resources when warranted by the circumstances

Administrative Leave may end when the employee returns to work, if the employee resigns, or if the employee is terminated.

ADMINISTRATIVE LEAVE

Administrative Leave describes the situation when an employee is temporarily relieved of some of their current responsibilities at their current location. Administrative leave describes a person's work status. An employee may be placed on leave with or without pay, without prior written warning, at the sole discretion of YES Prep. During paid Administrative Leave, an employee may be reassigned to work from another YES Prep location or to work on home assignment. An employee on administrative leave is expected to respond during normal working hours and be able to attend meetings with same day notice.

GRIEVANCE PROCESS

GENERAL EMPLOYEE COMPLAINTS AND GRIEVANCES PROCESS

Purpose

Informal Process

Formal Process

Freedom from Retaliation

GUIDELINES FOR GENERAL EMPLOYEE COMPLAINT PROCESS

Definitions

Filing

Scheduling Conferences

Response

Representative

Consolidating Complaints

Untimely Filings

Costs Incurred

Complaint and Appeal Forms

GENERAL EMPLOYEE COMPLAINTS AND GRIEVANCES PROCESS

PURPOSE

The purpose of the employee complaint process is to provide employees an orderly process for the prompt and equitable resolution of grievances. YES Prep 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

YES Prep 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 grievance process described below by timely filing a written complaint form.

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

The 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 YES Prep Public Schools nor any YES Prep employee shall unlawfully retaliate against an employee for bringing a concern or complaint/grievance.

GUIDELINES FOR GENERAL EMPLOYEE COMPLAINT PROCESS

DEFINITIONS

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

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

1. Grievances concerning an employee’s wages, hours, or conditions of work;
2. Specific allegations of unlawful discrimination in employment based on the employee’s sex (including allegations of sexual harassment and/or wage discrimination on the basis of sex), race, religion, national origin, age, veteran status, or disability, following completion of an investigation by the designated compliance coordinator or designee set by policy; 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 complaint process. 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

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

RESPONSE

At Levels One and Two, “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 YES Prep 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 YES Prep before a scheduled conference or hearing, YES Prep may reschedule the conference or hearing to a later date, if desired, in order to include the school’s counsel. YES Prep 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, YES Prep 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 YES Prep.

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 refiling is within the designated time for filing.

FORMAL COMPLAINT PROCESS

[A1] 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 complaints to the Board of Directors, as outlined below.

Level One

Level One complaint forms 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 lowest-level administrator who has the authority to remedy the alleged problem.

In most circumstances, employees assigned to work at a school campus shall file Level One complaints with the Principal. Other YES Prep employees shall file Level One complaints with their immediate supervisor.

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

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

The appropriate administrator shall investigate as necessary and schedule a conference with the employee within ten days of receipt of the Level One complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, or if there is a need to gather additional information, the administrator 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 administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator 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 response has expired, or if the employee is directed to do so by YES Prep, the employee may request a conference with the Chief Talent Officer. The appeal notice must be filed in writing, on a form provided by YES Prep, within ten days of the date 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 administrator will prepare and forward a record of the Level One complaint to the Level Two administrator.

The Chief Talent Officer 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 Chief Talent Officer may set reasonable time limits for the conference.

The Chief Talent Officer shall provide the employee 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 Chief Talent Officer may

consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Chief Talent Officer 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 response has expired, the employee may appeal the decision to the Board of Directors. The appeal notice must be filed in writing, on a form provided by YES Prep, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Chief Talent Officer 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 complaint will be presented 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 YES Prep 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 act or no action. If the Board of Directors acts, it may make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board of Directors meeting. If the Board does not decide regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two. A decision by the Board of Directors, if any, is final and may not be appealed.

TITLE IX POLICY

TITLE IX POLICY

Definitions

Reporting Sexual Harassment

Notice Of Allegations Upon Receipt Of A Formal Complaint

Grievance Process

Consolidating Formal Complaints

Dismissal Of Formal Complaints

Investigating Formal Complaints

Determination Regarding Responsibility

Appeals

Emergency Removals

Informal Resolution

Retaliation Prohibited

Confidentiality

Non-Sexual Harassment Sex Discrimination

TITLE IX POLICY

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a federal law that prohibits discrimination based on sex in the programs or activities of educational institutions which receive federal financial assistance. Under Title IX, discrimination on the basis of sex can include sexual harassment or sexual violence, such as rape, sexual assault, sexual battery, intimidation, and sexual coercion. Title IX “sexual harassment” can exist between employees of the school or district, or employees and students.

DEFINITIONS

A. “Sexual harassment” under Title IX includes:

- Sexual assault, including rape and fondling, which is touching a person’s private body part without consent and for purposes of sexual gratification;
- Domestic violence;
- Dating violence: physical or emotional violence in or after a dating or similar relationship;
- Stalking (at least two instances);
- Employee quid pro quo: an employee of the school or District conditioning a service or benefit of the school or District on participation in unwelcome sexual conduct;
- Grooming: manipulative behaviors that the abuser uses to gain access to a potential victim, coerce them to agree to the abuse, and reduce the risk of being caught); and
- Hostile environment: any other conduct that is so (a) severe, (b) pervasive, and (c) objectively offensive that it would effectively deny a reasonable person similarly situated to the victim access to the school or District’s education program or activity.

B. “Complainant” is an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

C. “Respondent” is an individual who is reported to be the perpetrator of conduct that could constitute sexual harassment.

D. “Formal complaint” is a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent that requests YES Prep to investigate the allegation of sexual harassment.

E. “Supportive measures” refers to 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 a YES Prep educational program or activity without unreasonably burdening either party, including measures designed to protect the safety of all parties, the YES Prep educational environment, or deter sexual harassment. Examples of supportive measures include, but are not limited to, counseling, extension of deadlines or other course-related adjustments, modification 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 on Page 16 of this Employee Handbook, or by any other means that results in the receipt of the person's verbal or written report by the campus Principal or Department Manager. All reports should be made within 48 hours of the alleged sex discrimination. Such a report may be made at any time of day, including during non-business hours, by using the telephone number, email address, or the office mailing address listed for the campus Principal or Department Manager.

The YES Prep 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, Talent 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

YES Prep must provide the following written notices to the parties who are known:

1. Notice of the YES Prep grievance process, including any informal resolution process.
2. 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.
3. 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.
4. Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. Notice that the parties may inspect and review evidence related to the complaint.
6. Notice that YES Prep prohibits knowingly making false statements or knowingly submitting false information during the grievance process. If during an investigation YES Prep decides to investigate allegations about the complaint or respondent that are not included in the initial notice of the complaint, YES Prep must provide notice of the additional allegations to the parties whose identities are known.

GRIEVANCE PROCESS

1. At the time of filing a formal complaint, a complainant must be an employee of YES Prep or must be participating in or attempting to participate in the education program or activity of YES Prep.
2. The following guidelines apply when YES Prep receives a formal complaint of sexual harassment. These

guidelines are designed to ensure YES Prep staff make reliable responsibility determinations by incorporating due process and fair principles.

3. YES Prep 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.
4. Any individual designated by YES Prep as a Title IX Coordinator, investigator, decision-maker, or facilitator of an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally, nor an individual complainant or respondent. YES Prep will ensure that Title IX Coordinators, investigators, decision-makers, and facilitators of an informal resolution process receive appropriate training related to the requirements of Title IX and the YES Prep sexual harassment policy.
5. YES Prep 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.
6. YES Prep shall attempt to complete an investigation of reported sexual harassment within 120 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 of the delay or extension to the complainant and the respondent. Good cause may encompass the following considerations:
 - 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.
7. Employees found to have engaged in sexual harassment are subject to disciplinary action as outlined in the Employee Handbook.
8. YES Prep shall employ the standard of a preponderance of the evidence to determine responsibility when reviewing formal complaints.
9. YES Prep 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

YES Prep 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

YES Prep must investigate the allegations in a formal complaint.

YES Prep must dismiss a formal complaint if the conduct alleged in the formal complaint:

1. Does not constitute sexual harassment, even if proven;
2. Did not occur in a YES Prep education program or activity; or
3. Did not occur against a person in the United States.

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

1. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
2. The respondent is not employed by YES Prep; or
3. Specific circumstances prevent YES Prep from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, YES Prep must promptly send simultaneous written notice of the dismissal to the parties along with the reason(s) for the dismissal. Dismissal of a formal complaint does not preclude YES Prep from taking appropriate action under the Employee Handbook or any other district 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.

1. YES Prep will ensure the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on YES Prep and not on the parties.
2. YES Prep 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 YES Prep receives that party's voluntary, written consent to do so.
3. YES Prep will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
4. YES Prep will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
5. YES Prep 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. YES Prep 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.
6. YES Prep 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.

7. YES Prep 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.
8. Prior to completing an investigative report, YES Prep must send to each party and any advisor(s), 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.
9. YES Prep must create an investigative report that fairly summarizes relevant evidence and must, at least 10 days prior to a determination regarding responsibility, send to each party and any advisor(s), the investigative report in an electronic format or a hard copy, for review and written response.
10. 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 to be 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 an irrelevant question.

DETERMINATION REGARDING RESPONSIBILITY

The decision-maker(s) designated to determine 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 standard of a preponderance of the evidence, regarding responsibility. The written determination must include:

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from receipt of the formal complaint through to the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, or methods used to gather other evidence;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the YES Prep Employee Handbook to the facts;
5. 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 a YES Prep education program, activity, or campus/Home Office will be provided to the complainant; and

6. The YES Prep procedures and permissible bases for the complainant and respondent to appeal.
7. YES Prep must provide the written determination to the parties simultaneously. The determination becomes final either on the date YES Prep provides the parties with the written determination of the result of the appeal, on the date an appeal is filed, or if an appeal is not filed, on the date which an appeal would no longer be considered timely.

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

APPEALS

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

1. Procedural irregularity that affects the outcome of the matter;
2. 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
3. The Title IX Coordinator, investigator(s), or decision-maker(s) have 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, YES Prep will ensure that the decision-maker(s) for the appeal is not the same person as the investigator(s), Title IX Coordinator, or the decision-maker(s) that reached the determination regarding responsibility or dismissal. YES Prep 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 standard of a preponderance of the evidence, 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 the YES Prep grievance process.

EMERGENCY REMOVALS

YES Prep is able to remove a respondent from a YES Prep education program or campus/Home Office on an emergency basis, provided that YES Prep undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any staff member, or other individual arising from the allegations of sexual harassment justifies removal, and notifies the respondent of the opportunity to challenge the decision immediately following the removal. The ability of YES Prep ability to engage in an emergency removal 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, YES Prep may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. However, YES Prep may not require as a condition of employment or continued employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints. Additionally, YES Prep 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, YES Prep must:

1. Provide written notice to the parties 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.
2. Obtain the parties' voluntary, written consent to the informal resolution process.

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

RETALIATION PROHIBITED

Neither YES Prep 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 process described above.

CONFIDENTIALITY

YES Prep must keep confidential, 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, 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.

NON-SEXUAL HARASSMENT SEX DISCRIMINATION

The formal complaint investigation and resolution process outlined above in this Page 16 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 campus Principal or Department Manager and will be handled under the process described in Page 14 of this Handbook.