



**WESTLAKE
ACADEMY**

2025-2026 Personnel Manual

Adopted December 16, 2025

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Introduction

The purpose of the Westlake Academy Personnel Manual is to provide information that will help with questions and pave the way for a successful year. Not all Westlake Academy policies and procedures are included. Some policies have been summarized. Employees are responsible for reviewing and following all Westlake Academy policies adopted by the Town Council/Board of Trustees. Suggestions for additions and improvements to this handbook are welcome and may be sent to the Westlake Academy Human Resources Office, located at 1500 Solana Blvd., Building 7, Suite 7200, phone (817) 490-5734.

This handbook is neither a contract nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide providing an explanation of Westlake Academy's employee policies and procedures. These policies and procedures may change at any time; and such changes shall supersede any handbook provisions that are not consistent with the change. For more information, employees may contact the Human Resources Office.

Westlake Academy Information

Description of Westlake Academy

Westlake Academy is an Open Enrollment Charter School which opened in the fall of 2003 in Westlake, Texas. Westlake Academy distinguishes itself among neighboring educational offerings with a particular focus on international-style academics. The programs of the International Baccalaureate Organization (PYP, MYP, and Diploma) have been certified as the educational model. Educational technology is pervasive and infuses the classroom curriculum.

Westlake Academy Mission, Vision & Values

Westlake Academy is a public charter school offering the International Baccalaureate (IB) curriculum. Founded in 2003, with a mission to achieve academic excellence and develop life-long learners who become well-balanced, responsible global citizens, Westlake Academy is the first and only municipally-owned school in the state to receive a charter designation. Westlake Academy is the fifth school of only ten in the United States, and the only public school, to offer the full IB curriculum for grades K-12.

Great care and consideration were given to the mission and vision of the Academy and the impact that these have on both the long-term goals of the Academy and its day-to-day operations. The vision and mission statements represent the outcome of this discussion and evidence the Board's continued dedication to academic excellence and personal achievement. The values statements are currently being reviewed by the Board and are listed here for reference only.

MISSION STATEMENT

Westlake Academy is an IB Continuum School where students become compassionate, life-long learners through an internationally-minded, balanced education that empowers students to contribute to our interconnected world

VISION STATEMENT

"Westlake Academy inspires college bound students to achieve their highest individual potential in a nurturing environment that fosters the traits found in the IB Learner Profile Attributes."

*~ Inquirers, Knowledgeable, Thinkers, Communicators,
Principled, Open-minded, Caring, Risk-takers, Balanced, and
Reflective~*

VALUES

*Maximizing Personal Development
Academic Excellence
Respect for Self and Others
Personal Responsibility
Compassion and Understanding*

The following desired outcomes summarize the goals and objectives established by the Board of Trustees and leadership staff at the Academy.

DESIRED OUTCOMES

High Student Achievement
Strong Parent & Community Connections
Financial Stewardship & Sustainability
Student Engagement-Extracurricular
Activities Effective Educators & Staff

Governing Board

The Texas Education Agency (TEA) granted the Town of Westlake the charter to operate Westlake Academy. The TEA charter recognizes the Town Council as the governing board, and the members of the Town Council serves as the Board of Trustees, responsible for overseeing the management of Westlake Academy. The Board is the policy-making body within the Academy and has overall responsibility for the annual budget, employment of the Head of School, and providing necessary facilities for the Academy. The Board is responsible for the successful operation of the Academy within the limits established by state and federal laws and regulations.

The Town Council/Board of Trustees is elected by registered voters of the Town of Westlake to represent the community's commitment to a strong educational program for our students. Trustees are elected every year in May and serve staggered two-year terms. Trustees serve without compensation, must be registered voters, and must reside within the Town of Westlake.

Westlake Academy 2025-2026 Board of Trustees

Kim Greaves, President
Tammy Reeves, Trustee
Todd Gautier, Trustee
Michael Yackira, Trustee
T.J. Duane, Trustee
Kevin Smith, Trustee

Westlake Academy Administrative Officials

The Board of Trustees meets regularly in the council chambers of Westlake Town Hall, located at 1500 Solana Blvd., Building 7, Suite 7100, Westlake, Texas 76262. Notice is posted for regular and special meetings on the Westlake Town Hall bulletin board and at the Westlake Academy Central Administration Office, 2600 JT Ottinger Road, Westlake, Texas 76262, at least three business days before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting, clearing identifying Westlake Academy agenda items. In emergencies, a meeting may be held with a two-hour notice. Meeting notice is also posted on the Town of Westlake website at <https://westlaketx.portal.civicclerk.com/> and is accessible from the Westlake Academy website at <https://www.westlakeacademy.org/about-us/governance/board-of-trustees>.

All meetings are open to the public and are conducted in accordance with the Texas Open Meetings Act. In certain circumstances, Texas law permits the Board to go into a closed session. Closed session may occur for such things as discussing prospective gifts or donations, real-property acquisition, certain personnel issues, security matters, matters that identify personally identifiable student information, to consult with attorneys regarding pending litigation, or other matters as allowed by law.

Helpful Contacts

From time to time, employees have questions or concerns. The contacts for various Westlake Academy Departments are listed below. A complete list of staff telephone extensions is available in the Academy's Main Office.

Dr. Kelly Ritchie, Head of School
Beth Hughes, Elementary Principal
Farah Rehman, Elementary Asst. Principal
Maxwell Ituah, Director of Secondary Education
Serena McMillon, Middle School Principal
Dr. James Owen, High School Principal
Michelle Briggs, Director of Innovation
Darcy McFarlane, Director of Accountability
Dr. Shelly Myers, Exec. Director of the WAF/Director of Development
Sarah Jones, Athletic Director
Alison Schneider, PYP Coordinator
Sarah Stack, MYP Coordinator
Jennifer Posey-Stockton, DP Coordinator
Maria "Rosie" Miller, Administrator of Facility Operations

*Cayce Lay Lamas, Director of Finance
*Jon Sasser, Director of Communications
*Sandy Garza, Director of Human Resources
*Jason Power, Director of Technology

**Asterisk denotes shared services personnel between Westlake Academy and the Town of Westlake*

Employment

Equal Employment Opportunity

Westlake Academy does not discriminate against any employee or applicant for employment on the basis of race, color or national origin; religion; sex; age; disability; genetic information; military status; or on any other basis prohibited by law. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

In accordance with Title IX, no person, on the basis of sex, shall be excluded from participation in, denied the benefits of, or be subjected to discrimination by the Academy. Inquiries about the application of Title IX may be referred to the Academy's Title IX coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

The Academy designates and authorizes the following employee as the Title IX coordinator for concerns or inquiries regarding discrimination based on sex, including sexual harassment: Michelle Briggs, mbriggs@westlakeacademy.org, 817-490-5767.

Reports can be made at any time and by any person, including during non-business hours, email, or phone. During Academy business hours, reports may also be made in person.

The Academy designates and authorizes the following employee as the ADA/Section 504 coordinator for concerns regarding discrimination on the basis of a disability: Sandy M. Garza, Director of Human Resources, 1500 Solana Blvd., Bldg. 7, Ste. 7201, sgarza@westlakeacademy.org, and 817-490-5734.

Questions or concerns relating to discrimination for any other reason should be directed to the Head of Schools.

Job Vacancy Announcements

Announcements of job vacancies will be made by one or more of the following methods: through email for internal postings and/or on the Academy's website for external postings.

Employment after Retirement

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed in limited circumstances on a full- or part-time basis without affecting their benefits, according to TRS rules and state law. Detailed information about employment after retirement is available in the TRS publication *Employment After Retirement*. Employees can contact TRS for additional information by calling 800-223-8778. Information is also available on the TRS Web Site (<https://www.trs.texas.gov/Pages/Homepage.aspx>).

Contract and Noncontract Employment

Certain provisions in the Texas Education Code are not applicable to open-enrollment charter schools. For example, as an open-enrollment charter school, Westlake Academy is not required by state law to employ professional employees under a contract subject to Chapter 21 of the Texas Education Code.

Noncertified professional and administrative employees

Employees in professional and administrative positions (such as non-instructional administrators) may be employed under an employment contract or at-will at the discretion of the Head of School.

Paraprofessional and auxiliary employees

All paraprofessional and auxiliary employees, regardless of certification, are employed at-will and not by contract. Employment is not for any specified term and may be terminated at any time by either the employee or by the Academy with or without cause.

Other Employees

Employees in all other Academy positions are employed at-will and may be terminated at any time by the Academy, with or without cause.

Certification and Licenses

Professional employees employed in positions that require SBEC certification or professional license are responsible for taking actions to ensure their certifications or permits do not lapse. Employees must submit documentation they have passed the required certification exam for their assigned position and/or obtained or renewed their certification or permits to the Human Resources Office in a timely manner.

A certified employee's contract is voidable if the individual does not hold a valid certificate or fails to

fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, or permit. A contract is also voidable if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact the Human Resources Office if you have any questions regarding certification or licensure requirements.

Recertification of Employment Authorization

At the time of hire all employees must complete the Employment Eligibility Verification Form (Form I-9) and present documents to verify identity and employment authorization. Employees whose immigration status, employment authorization, or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact the Human Resources Office if you have any questions regarding verification of employment authorization.

Employee Searches and Drug/Alcohol Testing

Non-investigatory searches in the workplace, including accessing an employee's desk, file cabinets, locker, or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the Academy reserves the right to conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. When the Academy has reasonable suspicion to believe a search will uncover evidence of work-related misconduct, the Academy may search the employee, the employee's personal items, work areas, lockers, and private vehicles parked on Academy premises or work sites or used in Academy business. This policy also applies to school-sponsored trips and offsite training programs attended by employees.

Constitutional Rights of Employees

Westlake Academy respects the constitutional rights of its employees. All actions taken by Academy officials shall be consistent with the Constitution and laws of the United States and the State of Texas.

Notification of Supervisor of Authorized Drug Use

Each employee shall report the use of medically authorized drugs or other substances that can impair job performance to the employee's immediate supervisor and provide proper written medical authorization to work from a physician. It is the employee's responsibility to determine from the physician whether or not the drug would impair employee job performance depending on the nature of the employee's job. Failure to report the use of such drugs or other substances or failure to provide proper evidence of medical authorization will result in disciplinary action. Any information received from an employee under this provision will be kept confidential except to the extent it may be shared with individuals who are in a need-to-know position.

Westlake Academy reserves the right to have a physician of its own choice determine if the medication produces hazardous effects at the prescribed dosage and may restrict the employee's work activity.

Additional Employee Responsibilities

Employees are expected to be fit for duty upon reporting to work. Each Academy employee who observes or has knowledge of another employee in an impaired condition to perform his or her job duties or who poses a hazard to the safety and welfare of the employee or others shall promptly report this fact to the immediate supervisor. The employee making the observation must file a written report to the

suspected employee's supervisor within 24 hours of observing or learning of the condition. The supervisor will also forward the employee's written report immediately to the Head of School in a confidential manner. Any employee failing to make such a report will be subject to disciplinary action, including suspension or termination.

If, after investigating a report of an employee's impaired condition, the supervisor finds that the reporting employee has knowingly provided false information regarding the suspected employee, disciplinary action may be taken against the individual who filed the report and knowingly gave such false information.

All employees are responsible for recognizing reasonable suspicion of drug or alcohol use by employees, and for carrying out the provisions of this policy.

Drug and/or Alcohol Testing

When there is reasonable suspicion that an employee is under the influence of alcohol or drugs used in violation of Academy policy, the employee may be required to undergo a controlled substance and/or alcohol test at the Academy's expense. The exam shall consist of a urine and/or breath and/or blood test and may include a physical examination by a physician. Any employee who is required to undergo a drug or alcohol test shall be given the opportunity to provide relevant information about prescription or nonprescription medications that may affect the screening.

An employee who fails to comply with a directive to submit to testing based upon reasonable suspicion shall be subject to disciplinary action, which may include termination. Additional information on testing procedures and consideration of test results is included at Exhibit A of this Personnel Manual.

Employee Cooperation

All employees are expected to cooperate with a request for drug or alcohol testing. Refusal to submit to testing or refusal to sign the consent form will be considered cause for termination. Failure to provide adequate breath or urine specimens for testing without a valid medical explanation is also considered a refusal to submit to testing. Any conduct that clearly obstructs the testing process, such as tampering with a specimen or the testing procedure, including the use of adulterants, may result in termination.

Operation of Vehicles and Equipment

Under no circumstances shall an employee operate motor vehicle or motorized equipment while under the influence of drugs or alcohol or under the influence of medication that may affect the employee's ability to operate such equipment. Additionally, when the supervisor has information from another employee when reasonable suspicion exists, an employee shall not be allowed to operate any motor vehicle or motorized equipment until the supervisor has investigated the situation and determined if testing for drugs or alcohol is warranted. If the supervisor determines that reasonable suspicion does not exist, the employee will be allowed to return to his or her regular duties.

Employees Required to have a Commercial Driver's License

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

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, when an employee returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following

accidents. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the Academy's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs.

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

Health Safety Training

Certain employees who are involved in physical activities for students may be required to maintain and submit to the Academy proof of current certification in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion, and extracurricular athletic activity safety. Certification must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification to the Human Resources Office within 30 days of the date of hire.

School nurses and employees with regular contact with students must complete a Texas Education Agency approved, online training regarding seizure disorder awareness, recognition, and related first aid.

Reassignments and transfers

All personnel are subject to assignment and reassignment by the Head of School or designee. Employees with extracurricular or supplemental duty assignments may be reassigned or removed from extracurricular or supplemental duty assignments at any time. Employees who object to a reassignment may follow the process for employee grievances as outlined in this handbook.

Guidelines for Employees with Family Members Enrolled at Westlake Academy

Westlake Academy recognizes the unique position of employees who have children, step-children, grandchildren, or other related family members enrolled as students at the school. In this document, the term "employees with family" will be used to refer to all such relationships. The goal of these guidelines is to prevent conflicts of interest and define professional conduct for employees who are also parents of students on campus. These guidelines aim to ensure fairness, maintain professionalism, and avoid any appearance of favoritism or impropriety.

Conflict of Interest: Employees must not engage in any personal activity during duty hours that conflicts with their duties and responsibilities or that creates the appearance of using their position for personal benefit, including benefit to their own child enrolled at the school. Parent-employees must take appropriate steps to avoid a conflict of interest, which may include choosing to recuse themselves from decisions related to their child's education, such as matters involving curriculum, grading, disciplinary actions or taking other action to avoid a conflict. Employee must take appropriate steps to ensure their professional role does not improperly influence outcomes or result in a perception of improper influence.

Any actual or potential conflict of interest must be disclosed promptly and in writing to the Section Principal or the Head of School. Failure to avoid, disclose, or appropriately manage a conflict of interest may result in corrective or adverse employment action.

Professional Boundaries: Parent employees are expected to maintain clear professional boundaries between their roles as staff members and their roles as family members of a student. Decisions or actions taken in the scope of employment must always reflect impartiality and fairness to all students.

- All electronic communication about a WA parent employee's child should take place via the parents' personal email address and their student's Westlake Academy staff email address.
- WA parent employees will refrain from using text messaging or calls to WA employee personal cell phones regarding their own student's needs.
- When a WA parent employee needs to conference about their student with a WA staff member, the meeting will be requested in advance, no matter if in person, via phone, or video conference, so that all parties are prepared for the content of the meeting and have the appropriate amount of time set aside for the interaction.
- Access to data, anecdotal observations, and general assumptions of our pedagogical practices that can only be harnessed from working within the Westlake Academy organization are not intended to be used as leverage or a means to undermine the school's integrity but rather may support an informed dialogue between the school and you.
- In any confidential meetings, such as 504, ARD, or LPAC, refrain from speaking about services of other students that the parent employee only knows because they work at Westlake Academy, as this violates student privacy, breaches professional ethics, and undermines the trust placed in staff to protect confidential information.
- Parent employees are expected to prioritize their professional responsibilities during contract hours. Personal parental tasks like coordinating logistics or informal check-ins should be minimized during the workday and handled outside of school hours whenever possible.

Confidentiality: Confidentiality regarding student information is crucial, even when that student is the teacher's own child. Information gained through employment at Westlake Academy, such as academic insights, behavioral incidents, services WA provides, must remain confidential and not be shared, even if it involves or impacts the parent employee's student.

Workload and Work Schedules

Professional Employees

Professional employees and academic administrators are exempt from overtime pay and are employed according to the work schedules set by the Academy. A school calendar is adopted each year designating the work schedule for Academy employees and all school holidays. Notice of work schedules including required days of service and scheduled holidays will be distributed each school year. To ensure the effective operation of the Academy, exempt employees are generally expected to limit any off-duty lunch break to thirty (30) minutes during the school day.

Paraprofessional and Auxiliary employees

Support employees are employed at-will and will be notified of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees are not exempt from overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor.

ADA Accommodations

The Academy will provide reasonable accommodations to employees with a disability if the accommodation would allow the individual to perform the essential functions of their job, unless doing so would create an undue hardship. An employee or their supervisor may initiate a request for a reasonable accommodation by contacting Sandy Garza, Director of Human Resources, 817-490-5734_ and identifying an adjustment or change at work that is needed because of a disability. An employee may also submit a written request to Human Resources using the ADA Accommodation Request Form, which is available by contacting the Human Resources department.

Upon receiving the reasonable accommodation request, HR or the ADA coordinator will meet with the employee and conduct an informal, interactive discussion to identify a reasonable accommodation that will allow the employee to perform the essential functions of the job effectively. The Academy may request medical information concerning the employee's disability and to assist in determining what reasonable accommodation(s) may be available and appropriate. The employee will be responsible for obtaining the information from their health care provider. Medical information received will be confidential and kept separate from the employee's personnel file.

After meeting with the employee and reviewing medical documentation, HR or the ADA coordinator will determine whether the employee is a qualified individual with a disability and develop a reasonable accommodation plan for the employee. The reasonable accommodation will be determined on a case-by-case basis. HR or the ADA coordinator will work closely with the employee and supervisor to ensure that reasonable accommodation is provided and effective.

Breaks for Expression of Breast Milk

Westlake Academy supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk. The Academy shall provide a lactation location that is not a bathroom, is shielded from view and free from intrusion from other employees and the public and is functional for pumping.

A reasonable amount of break time will be provided each time the employee has a need to express milk. For nonexempt employees, these breaks are unpaid and employees are completely relieved from duties during the entirety of the break. Employees should meet with their supervisor to discuss their needs and arrange break times.

The Providing Urgent Maternal Protections of Nursing Mothers Act (PUMP Act) requires an employee to notify the Academy if they believe the Academy is out of compliance in providing breaks for a nursing mother. The employee must give the Academy 10 days to come into compliance before making any claim of liability against the Academy. An employee with concerns should contact Sandy Garza, Director of Human Resources, 817-490-5734.

Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (PWFA) provides consideration of accommodations to employees who have known limitations related to pregnancy, childbirth, or related medical conditions. An employee seeking a PWFA accommodation should contact Sandy Garza, Director of Human Resources at 817-490-5734 to begin the interactive process.

Notification to Parents Regarding Qualifications

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) or individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request.

Outside employment and tutoring

Employees who wish to accept outside employment during the school year or engage in other activities for profit, including tutoring, must obtain prior written approval from the Head of School in advance. Approval from the Head of School will be based on whether outside employment interferes with

regularly assigned duties, that no conflict of interest exists, or other factors as determined by the Head of School. No paid tutoring will be allowed on the Westlake Academy campus. Teachers may not receive payment from families for tutoring Westlake Academy students at any time.

Westlake Academy recognizes the professional contributions of staff members who serve as International Baccalaureate Educator Network (IBEN) leaders, presenters, or facilitators. To support their professional engagement and the advancement of the IB community, the Academy will provide up to five (5) additional days of leave for participation in IBEN activities. Use of this leave must be approved in advance by the Head of School and must comply with the IBEN Activity Leave Guidelines.

Performance evaluations

Evaluation of an employee's job performance is a continual process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. Ongoing evaluation of employees will occur throughout the school year for the purposes of providing feedback or correcting performance problems. Written evaluations will be completed on forms approved by the Head of School or designee. Reports, correspondence, and memoranda may be used to document performance information. Employees will receive a copy of their written evaluation, have a performance conference with their supervisor, and have an opportunity to respond to the evaluation. Employee evaluations will be retained in the employee's personnel file, located in the Human Resources Office.

Staff Development

Staff development activities are organized to meet the needs of employees and the Academy. Staff development for instructional personnel is related to achieving performance objectives and approved by the Head of School. Staff development for noninstructional personnel is designed to meet specific licensing requirements, and continued employee skill development. Individuals holding renewable certificates from the State Board of Educator Certification (SBEC) are responsible for obtaining the required training hours and maintaining appropriate documentation. All teachers will receive the necessary training required to familiarize themselves with the IB educational model and provide a basis for continued professional development.

Mental Health Training

All Academy employees who regularly interact with students are required to complete an evidenced-based mental health training program that is designed to provide instruction regarding the recognition and support of children and youth who experience mental health or substance use issues that may pose a threat to school safety. Employees must provide a certificate of completion to the Academy that includes the name of the training course, along with supporting documentation confirming that the training meets the requirements of the commissioner rules for mental health training.

Campus staff required to complete the training includes, but is not limited to, teachers, coaches, librarians, instructional coaches, administrators, administrative support personnel, school resource officers, paraprofessionals, substitutes, custodians, cafeteria staff, bus drivers, crossing guards, and Academy special program liaisons, and supervisors of personnel who regularly interact with students.

Enrollment of Employee's Child at Westlake Academy

A full-time employee of Westlake Academy may submit an application for their child to enroll at the Academy regardless of whether the child resides in the geographic area served by the school. Applications submitted by full-time employees are exempt from the lottery process and are given priority in admission to Westlake Academy subject to the limitations identified in the Westlake

Academy Admission Policy. Once enrolled in the Academy, the child of a full-time employee retains the right to re-enrollment only if the student's parent continues to be employed by the Academy on a full-time basis.

Compensation and Benefits

Salaries, Wages, and Stipends

Employees are paid in accordance with the compensation plan approved annually by the Board of Trustees. All positions are classified as exempt or non-exempt according to federal law. Professional employees and academic administrators employed by contract are generally classified as exempt and are paid annual salaries and are not entitled to overtime compensation. Other employees are generally classified as non-exempt and are paid based on hourly wages or provided compensatory time for each authorized overtime hour worked (See *Overtime*, page 14).

Notice of work schedules including required days of service and scheduled holidays will be distributed each school year as well as salary schedules. Contract employees who perform extracurricular or supplemental duties may be paid a stipend in addition to their salary.

Employees should contact the Human Resources Office for more information about the Academy's compensation plan or their own pay.

Paychecks and Wage and Earnings Statement

All employees are paid biweekly on every other Friday. Wage and Earnings statements may be reviewed online through the Employee Access Center using the link provided at time of hire. Wage and Earnings statement or paychecks will not be released to any person other than the Academy employee named on the check without the employee's written authorization, except as required by law. An employee's wage and earning statement contains detailed information including earnings, deductions, and withholding information. Employees are responsible for regularly reviewing the accuracy of their pay statement and should contact Human Resources if they have any questions.

Supervisors will review and approve electronic timesheets before submitting the timesheets for payroll processing. Approved timesheets must be received by the Human Resources Department no later than 10:00 a.m. on the Monday preceding payday.

Direct Payroll Deposit

Employees are encouraged to have their paychecks electronically deposited into their bank account. A notification period of at least 7 business days prior to the next scheduled payday is necessary to activate this service. With direct deposit, an employee's pay is immediately available on the pay date. Contact the Human Resources Office for more information about the direct payroll deposit.

Payroll Deductions

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

Other payroll deductions employees may elect include deductions for the employee's share of premiums

for health, dental, life, and vision insurance; annuities; and other employer-sponsored benefits. Salary deductions are automatically made for unauthorized or unpaid leave.

Annualized Compensation

The Academy pays all salaried employees over a 12-month period regardless of the number of days employed during the school year. Salaried employees will be paid in equal biweekly payments, beginning with the first pay period of the school year. Employees that separate after the last day of instruction will continue to receive paychecks through the end of July.

Overpayments. Employees are not entitled to any funds the Academy overpays. An overpayment occurs if an employee is paid more than the amount the employee should have been paid under the assigned pay grade and applicable supplemental pay.

If an overpayment is reported in the current fiscal year, a payment plan will be developed to recoup the payment. Generally, an overpayment will be paid in one pay cycle. However, if this creates an undue hardship for the employee, the Academy has the discretion to develop a plan for regular payroll deductions in the same fiscal year.

An agreement between an employee and the Academy must be in place in order to deduct any overpayment.

Timekeeping

Accurately recording time worked is the responsibility of every employee, and records must represent actual time worked on the job performing assigned duties. Federal and state law requires that Westlake Academy keep accurate records of time worked in order to calculate employee pay and benefits.

Non-exempt (hourly) employees are required to record actual time worked to their supervisor on a weekly basis, using the Academy's electronic timekeeping system. It is the immediate supervisor's responsibility to accurately document and/or verify the time his or her subordinates begin and end their work period, each meal period, split shift, and departure from work for personal reasons.

Supervisors will review and approve electronic timesheets before submitting for payroll processing. Timesheets must be approved and received by the Human Resources Department no later than 10:00 a.m. on the Monday preceding payday. Each timesheet must be submitted by the employee for supervisor approval, and submission constitutes an electronic signature by the employee indicating that the time recorded is correct. Falsification of a timesheet may be punishable by disciplinary action, up to and including termination.

All Westlake Academy employees are required to record absences in the Aesop system, regardless of exemption status. Employees leaving the campus for any period of time must record their time out when leaving campus and record their time in upon returning.

Overtime Compensation

Westlake Academy will compensate non-exempt (hourly) employees for all overtime hours worked in accordance with federal wage and hour laws. Only non-exempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Non-exempt employees are not authorized to work overtime hours without advance written approval from their supervisor. A non-exempt employee who works overtime without prior approval may be subject to disciplinary action.

Overtime is legally defined as all hours worked in excess of 40 hours in a work week and is not measured by the day or by the employee's regular work schedule. For the purpose of calculating overtime, a workweek begins at 12:00 a.m. on Monday and ends at 11:59 p.m. on Sunday.

Employees may be compensated for overtime at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

- Employees can accumulate up to 60 hours of comp time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval as workload permits, or at the supervisor's direction.
- An employee may be required to use comp time before using any other available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.
- Comp time balances cannot be carried over from one school year to the next. Employees will be required to receive a cash payment at their current hourly rate at the end of each school year for unused comp time.

Health, dental, and life insurance

Group health insurance coverage is provided through TRS-ActiveCare, the statewide public school health insurance program. The Academy's contribution to employee insurance premiums is determined annually by the Board of Trustees.

Employees eligible for benefits must work twenty (20) or more hours per week and work in a TRS eligible position.

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) and employees who are not contributing TRS members who are regularly scheduled to work less than 20 hours per week are not eligible to participate in TRS-ActiveCare.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g., marriage, divorce, birth). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees electronically. Employees should contact the Human Resources Office for more information.

Supplemental Insurance Benefits

Employees may enroll in supplemental insurance programs at their own expense through the Region 11 Benefits Cooperative. Premiums for these programs are paid by payroll deduction. Employees should contact the HR Office for more information.

Cafeteria Plan (Section 125)

Employees may be eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e., dental, disability, accidental death and dismemberment, cancer insurance, and additional term life insurance). Pre-tax deduction eligibility is for each policy by IRS guidelines. New employees must accept or reject this benefit during their first month of employment. All employees must accept or reject this benefit on an annual basis and during the specified open enrollment period.

Unemployment Compensation Insurance

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

Teacher Retirement (TRS)

All personnel employed on at least a half-time basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitutes not receiving TRS service retirement benefits who work at least 90 days a year are eligible to purchase a year of creditable service in TRS. TRS provides members with an annual statement of their account showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

Employees who plan to retire under TRS should notify the Human Resources Office as soon as possible. Information on the application procedures for TRS benefits are available in the Human Resources Office. Additional inquiries should be addressed to: Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web (www.trs.state.tx.us).

Leaves and Absences

Westlake Academy offers employees paid and unpaid leaves of absence in times of personal need. This personnel manual describes the basic types of leave available and restrictions on leaves of absence. Employees who have personal needs that will require an absence of five (5) days or more are required to notify the Human Resources Office as well as their campus administrator or supervisor. When the need for a long leave is foreseeable, employees must provide a 30-day advance notice.

Employees who take an approved unpaid leave of absence may continue their insurance benefits at their own expense. Health care benefits for employees on authorized leave under the Family and Medical Leave Act will be paid by the Academy, to the same extent as when the employee is working. Otherwise, the Academy does not make benefit contributions for employees who are on unpaid leave.

Personal leave is earned on an annual basis. Regular full-time and part-time employees (as opposed to temporary, substitute or seasonal) earn personal leave. Leave is available for the employee's use at the beginning of the school/contract year. If an employee leaves the Academy before the end of the work year, the cost of any unearned leave days already taken shall be deducted from the employee's final paycheck.

An employee earns ten (10) days of personal leave per year – five (5) state leave days and five (5) local leave days. A day of personal leave is equivalent to the number of hours per day in an employee's usual assignment, whether full-time or part-time.

Unless an employee requests a different order, available leave will be used in the following order:

- Earned Comp Time
- Local Leave
- State Leave

Employees **must** follow the Academy procedures to report or request any leave of absence and complete the appropriate form or certification. Unauthorized absences will result in payroll deductions for any day(s) missed.

Immediate Family. For purposes of leave other than family and medical leave, immediate family is defined as the following:

- Spouse
- Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands in loco parentis.
- Parent, stepparent, parent-in-law, or another individual who stands in loco parentis to the employee.
- Sibling, stepsibling, and sibling-in-law
- Grandparent and grandchild
- Any person residing in the employee's household at the time of illness or death

For purposes of family and medical leave, the definition of family is limited to spouse, parent, son or daughter, and next of kin.

Medical Certification. Any employee who is absent more than 5 days because of a personal or family illness may be required to submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee's fitness to return to work.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we ask that employees and health care providers do not provide any genetic information in any medical certification. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Continuation of Health Insurance. Employees on an approved leave of absence other than family and medical leave may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the Academy as they were prior to the leave. Otherwise, the Academy does not pay any portion of insurance premiums for employees who are on unpaid leave. Under TRS-Active Care rules, an employee is no longer eligible for insurance through the Academy after six months of unpaid leave other than FML. If an employee's unpaid leave extends for more than six months, the Academy will provide the employee with notice of COBRA rights.

State Personal Leave

State law entitles all employees to five days of paid personal leave per year. Personal leave is available for use at the beginning of the year. A day of personal leave is equivalent to the number of hours per day in an employee's usual assignment, whether full-time or part-time an assigned workday. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. Personal leave may be used for two general purposes: nondiscretionary and discretionary.

Nondiscretionary: Leave that is taken for personal or family illness, emergency, a death in the family, or active military service is considered nondiscretionary leave. This type of leave allows very little or no advance planning and will be granted to employees in the same manner as sick leave.

Discretionary: Leave that is taken at an employee's discretion and that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a notice of the request five (5) days in advance of the anticipated absence to his or her principal or supervisor. The effect of the employee's absence on the educational program, as well as the availability of substitutes, will be considered by his or her principal or supervisor.

Use of discretionary personal leave shall be considered granted unless the principal or supervisor notifies the employee to the contrary, within a reasonable period of time prior to the anticipated absence and stating the reason for denial.

Discretionary personal leave may not be taken for more than five consecutive workdays except in extenuating circumstances as approved by the principal or supervisor.

Discretionary leave shall not be allowed on the day before a school holiday, the day after a school holiday, days scheduled for end-of-semester or end-of-year exams, days scheduled for exams, state tests (ex: STAAR tests), the first or last day of instruction, nor on professional or staff development days, except with prior approval of the principal or supervisor.

Leave Proration: If an employee separates from employment with the Academy before his or her last duty day of the year, or begins employment after the first duty day, state personal leave will be prorated based on the actual time employed. When an employee separates from employment before the last duty day of the school year, the employee's final paycheck will be reduced by the amount of state personal leave the employee used beyond his or her pro rata entitlement for the school year.

Local Personal Leave

Local leave is earned at a rate of one-half workday for each 18.7 days of employment, up to a maximum of five (5) days per year. A day of earned local leave is equivalent to an assigned workday. There is no limit on the accumulation of local leave, and local leave is not transferrable to other Texas school districts or education service centers. Local leave can be used only in whole or half-day increments, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis, or with Workers' Compensation benefits.

Local personal leave may not be taken for more than five consecutive workdays except in extenuating circumstances as approved by the principal or supervisor. Local leave cannot be combined with scheduled holidays, staff development days, or days scheduled for state tests (ex: STAAR tests).

Other Local Leave (Community Sick Leave Program)

The Academy will establish a sick leave bank that full-time employees may join through contribution of state or local personal leave days.

Leave contributed to the bank shall be solely for the use of participating full-time employees. An employee who is a member of the bank may request leave from the bank if the employee experiences a catastrophic illness or injury and has exhausted all paid leave and any applicable compensatory time.

The Head of School shall develop regulations for the operation of the sick leave bank that address the following:

- Membership in the sick leave bank, including the number of days an employee must contribute to become a member;
- Procedures to request leave from the sick leave bank;
- The maximum number of days per school year a member employee may receive from the sick leave bank;

- The committee or administrator authorized to consider requests for leave from the sick leave bank and criteria for granting requests; and
- Other procedures deemed necessary for the operation of the sick leave bank.

An employee may appeal a decision regarding the sick leave bank in accordance with the employee grievance policy beginning with the appropriate administrator.

Compensated Holidays

Employees who are regularly scheduled to work year-round (260 days) will receive eleven (11)* paid holidays throughout the school year. Employees shall be compensated at their regular hourly/daily rate and for the regularly scheduled number of hours.

Observed holidays for employees include the following:

- Labor Day, 1st Monday of September
- Thanksgiving Day in November
- Friday after Thanksgiving in November
- Christmas Eve, December 24th
- Christmas Day, December 25th
- New Year's Day, January 1st
- Martin Luther King, Jr. Day in January
- President's Day in February
- Good Friday in March/April*
- Memorial Day in May
- Juneteenth Day in June
- Independence Day, July 4th

* Good Friday is observed only if it is designated as a non-workday on the Academy calendar.

Holidays that fall on Saturday shall normally be observed on the preceding Friday and holidays that fall on Sunday shall normally be observed on the following Monday.

Employees working less than 260 days in an Academic year are not eligible to receive paid holidays.

Family Medical Leave (FMLA) – General Provisions

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

FMLA Leave Entitlements. FMLA requires covered employers to provide eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;

- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings to care for the servicemember with a serious injury or illness.

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

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

Benefits and Protections. While employees are on FMLA leave, the employer must maintain the employee's health coverage as if the employee were not on leave. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

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

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

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

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

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

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

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection.

Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that

hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

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

Employer Responsibilities. Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible

for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

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

Enforcement. Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

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

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300 (a) may require additional disclosures.

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
www.wagehour.dol.gov

Local Family and Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period measured forward from the date an individual employee's first FML begins.

Use of Paid Leave. FML runs concurrently with accrued sick and personal leave, compensatory time, assault leave, and absences due to a work-related illness or injury. Westlake Academy will designate the leave as FML, if applicable, and notify the employee that accumulated leave will run concurrently.

Combined Leave for Spouses. Spouses who are both employed by Westlake Academy are limited to a combined total of 12 weeks of FML to care for a parent with a serious health condition; or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

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

Fitness for Duty. An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. When leave is taken for the employee's own serious health condition, the certification must address the

employee's ability to perform essential job functions. The Academy shall provide a list of essential job functions (e.g., job description) to the employee with the FML designation notice to share with the health care provider.

Reinstatement. An employee returning to work at the end of FML will be returned to the same position held when the leave began or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

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

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

Contact Information. Employees that require FML or have questions should contact the Human Resources Department for details on eligibility, requirements, and limitations.

Workers' Compensation Insurance

Westlake Academy, in accordance with state law, provides Workers' Compensation benefits to employees who suffer a work-related illness or are injured on the job. The Academy has Workers' Compensation coverage from The Hartford Insurance, effective August 31, 2025. Worker's Compensation benefits help pay for medical treatment and make up for part of the employee's income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to the Human Resources Office. Employees who are unable to work due to a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code.

Workers' Compensation Benefits

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

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

In the event of illness or injury, employees are required to utilize medical service providers within the workers' compensation insurance network. In the event an employee chooses to use an out-of-network provider (except in life-threatening, emergency situations), that employee may be responsible for any charges that exceed the network-approved amount.

Assault leave

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An incident involving as assault is a work-related injury and should be immediately reported to the Head of School and the Human Resources Office.

An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person non-responsible for purposes of criminal liability.

An employee who is physically assaulted at work may take all the leave time medically necessary (up to one year) to recover from the physical injuries he or she sustained. At the request of an employee, the Academy will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation the Academy may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

Bereavement Leave

Use of state leave and/or local sick leave for death in the immediate family shall not exceed five (5) workdays per occurrence, subject to the approval of the Head of School.

Jury Duty

The Academy provides paid leave to employees who are summoned to jury duty including service on a grand jury. The Academy will not discharge, threaten to discharge, intimidate, or coerce any regular employee because of juror or grand juror service or for the employee's attendance or scheduled attendance in connection with the service in any court in the United States. Employees who report to the court for jury duty may keep any compensation the court provides. An employee should report a summons for jury duty to his or her supervisor as soon as it is received and may be required to provide the Academy a copy of the summons to document the need for leave.

An employee may be required to report back to work as soon as they are released from jury duty. The supervisor may consider the travel time required and the nature of the individual's position when determining the need to report to work. A copy of the release from jury duty or documentation of time spent at the court may be required.

Compliance with a Subpoena

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding for a school-related appearance and will not be required to use personal leave. Employees may be required to submit documentation of their need for leave for court appearances.

Religious Observance

The Academy will reasonably accommodate an employee's request for absence for a religious holiday or observance. Accommodations such as changes to work schedules or approving a day of absence will be made unless they pose an undue hardship to the Academy. The employee may use any accumulated personal leave for this purpose. Employees who have exhausted applicable paid leave may be granted an unpaid day of absence.

Military leave

Paid leave for military service. Any employee who is a member of the Texas National Guard, Texas State Guard, or reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team will be granted a paid leave of absence without loss of any accumulated leave for authorized training or duty orders. Paid military leave will not exceed 15 days each federal fiscal year (September 1–August 31). In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

Reemployment after military leave. Employees who leave the Academy to enter into the United States uniformed services or who are ordered to active state military duty (Texas National Guard or Texas State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the Academy will be reemployed provided they can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment to the Head of School or the Human Resources Office. In most cases, the length of federal military service cannot exceed five years.

Continuation of health insurance. Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact the Human Resources Office for details on eligibility, requirements, and limitations.

Emergency Closure Pay

In the event of an emergency school closure lasting up to five (5) workdays, and when those days are not scheduled to be made up at a later date, employees will continue to receive their regular rate of pay. If an emergency closure is expected to extend beyond five (5) workdays, continued compensation will be evaluated by the Board on a case-by-case basis, based on recommendations provided by the Head of School.

Employee Relations and Communications

Employee recognition and appreciation

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the Academy. Employees are recognized at board meetings, and through special events and activities.

Employee Grievance Procedures

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

Neither the Board of Trustees nor any Westlake Academy employee shall unlawfully retaliate against an employee for bringing a concern or complaint. The purpose of the grievance process is to resolve conflicts in an efficient and expeditious manner. All employees are entitled to utilize the grievance process, but employees involved in the process are expected to be courteous to one another and adhere

to the Code of Ethics and Standard Practices for Texas Educators.

Initiating a Formal Grievance. A grievance must specify the harm alleged by the employee, describe the circumstances that led to the alleged harm, and identify the remedy sought. An employee is prohibited from bringing separate or serial grievances regarding the same event or action. Multiple grievances may be consolidated at the Academy's discretion.

All time limits shall be strictly complied with unless modified by mutual consent. Costs of any grievance shall be paid by the party incurring them. For purposes of this section, "days" means business days when the Academy's administrative offices are open. The Academy reserves the right to assign a designee to consider complaints based on the scope and subject matter of the complaint and/or to escalate the complaint to the appropriate level based on the requested relief.

Except for sexual harassment complaints where the Principal or Supervisor is the subject of the complaint, all employees shall first bring their work-related complaints or concerns to their immediate Principal/Supervisor. A formal written complaint must be submitted to the appropriate Academy Principal/Supervisor within ten (10) days of the date the employee knew or should have known of the event(s) or incident(s) giving rise to the complaint. The Principal/Supervisor or designee may schedule a conference with the employee to obtain additional information about the basis for the complaint. The Principal/Supervisor or designee shall provide the employee with a written response to the complaint and a decision regarding the requested relief within ten (10) days of the date the grievance is filed or the date of the grievance conference, whichever is later.

Appeal to Head of School. If an employee is not satisfied with the decision of the Principal/Supervisor or if no decision is received within the timeline identified above, the employee may appeal the decision, or lack thereof, to the Head of School. An appeal must be in writing, must include the specific reasons the employee disagrees with the lower-level response and must be received by the Head of School within five (5) days of the date the lower-level response is received or due from the Principal/Supervisor. The Head of School or her designee shall schedule a conference with the employee to discuss the complaint and reasons for appeal. The Head of School or designee will then respond in writing within ten (10) days of the appeal conference.

Review by Board of Trustees. Employees who are dissatisfied with the response of the Head of School may request a review of the Head of School's decision by the Board of Trustees. Any such request for review must be submitted to the Director of Human Resources within five (5) days of receiving the Head of School's decision, or if no written decision is received from the Head of School, no later than five (5) days from the date such decision was due. The request for review must include a copy of the original written complaint and any responses received at lower levels.

The Board of Trustees will consider whether the complaint is appropriate for its review based on the record of the complaint and the requested relief. If the complaint is appropriate for review, the Board will place the matter on an upcoming agenda within the next 60 days to the extent practicable. The Board may uphold the decision by the Head of School, overturn the decision and grant the requested relief or some other relief the Board determines is appropriate, or the Board may take no action. The failure of the Board of Trustees to act on a complaint has the effect of upholding the preceding decision.

Employee Conduct and Welfare

Standards of Conduct

The attitude and behavior of all employees is seen as a direct reflection of Westlake Academy, its programs and policies. Employees should at all times present themselves in such a manner as to promote good will and a favorable attitude of the general public toward Westlake Academy. All employees are expected to work together in a cooperative and professional manner to serve the best interests of the Academy and to be courteous to students, one another, and the public. In addition to the following, all Academy employees are expected to comply with the standards identified in the Texas Educators Code of Ethics, included in Exhibit B. Expectations of professional conduct for employees include, but are not limited to, the following:

- Demonstrate professional conduct and courtesy at all times in the workplace and in public.
- Recognize and respect the rights and property of the public, students, and co-workers and maintain confidentiality in all matters relating to students and co-workers.
- Report to work according to the assigned schedule.
- Follow proper protocols in accordance with the Academy's policies, procedures, and organizational structure.
- Faithfully perform all assigned duties with high ethical standards.
- Notify immediate supervisors in advance (or as early as possible) if absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action.
- Know and comply with all Academy procedures and policies.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use Academy time, funds, and property for authorized Academy business or activities only.
- Discuss or share information related to Academy business to appropriate or authorized parties only.

Unprofessional Behavior and Misconduct. Unprofessional behavior and/or misconduct compromises the best interests of the Academy and the safety of all students, staff, parents, and visitors. Violation of any provision of this policy may result in disciplinary action, up to and including termination of employment. Examples of misconduct include, but are not limited to, the following:

- Violation of Academy rules, regulations, policies or procedures.
- Unsatisfactory performance or conduct.
- Theft of, unauthorized removal of, or unauthorized possession or use of school property.
- Falsification, unauthorized use, or unauthorized disclosure of official Academy documents, records, or information.
- Being unruly, disruptive, threatening violence, or fighting.
- Willful disobedience of a legal directive issued by a supervisor.
- Displaying any disrespectful, insolent, or abusive acts towards another employee, parent, volunteer, or member of the Westlake Academy Board of Trustees.
- Wasting or damaging school equipment, property, supplies, or resources.
- Unauthorized absence from the workstation or classroom.
- Use of any Westlake Academy resource for personal benefit.
- Unlawful treatment of persons protected by federal law due to their sex, age, religion, race, ethnic background, or disability status.
- Sexual or other form of unlawful harassment.
- Conviction of a felony or any other criminal history that is prohibited by Academy policy.

- Insubordination.
- Fraudulent timekeeping.
- Use, possession, or being under the influence of a controlled substance without proper written medical authorization; misuse of prescribed medication, possessing, consuming, or being under the influence of an alcoholic beverage in an Academy-owned, leased, or rented vehicle, while operating Academy equipment, or while on call or on standby duty; possessing or consuming an alcoholic beverage during working hours or on Academy property.
- Unauthorized or improper use of official authority.
- Illegal, unethical, abusive, or unsafe acts.
- Failure to use available safety equipment, including seat belts, or disregard for the safety of others.
- Refusal to sign a form acknowledging receipt of the Westlake Academy Personnel Manual or job description.
- Use of cell phones or other non-educational electronic devices outside of break times without prior authorization.
- Disruptive or distracting behavior during staff meetings, workshops, or training sessions.
- Possession of contraband while at work or on Westlake Academy property, which includes but is not limited to: drug paraphernalia, illegal or prohibited weapons, firearms, explosives, incendiaries, stolen property, and counterfeit money.
- Making false accusations or knowingly providing false information about a student's or another employee's behavior or actions.
- Unauthorized absences, chronic absenteeism, tardiness, or failure to follow procedures for reporting absences.
- Violation of any of the provisions of this Handbook.

All Academy employees should perform their duties in accordance with state and federal law, Academy policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines, including intentionally making a false claim, offering false statements, or refusing to cooperate with a Academy investigation may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the Head of School knew of the incident. See *Reports to Texas Education Agency*, page 32 for additional information.

Dress Standards

Westlake Academy is a public service organization; employees are in constant contact with students, parents, guests, citizens, outside business/professional representatives, and the general public. Employees shall act as role models by exemplifying the highest standard of professional appearance for the educational purposes of teaching community values and proper grooming and hygiene. Grooming standards will not discriminate against a hair texture or protective hairstyle commonly or historically associated with race.

Dress and Grooming General Guidelines:

Dress and grooming expectations for Westlake Academy employees shall be consistent with professional dress standards in a manner appropriate for their assignment, while maintaining the high expectations applied to Academy students and in accordance with the following standards:

- Dresses, skirts, and all outer garments should be of professional length, falling at or just above the knee or longer. Skirts or any clothes that are too tight, too short or too revealing are not appropriate for the workplace
- Halters, tank tops, see-through garments, or clothing with revealing/provocative necklines, bare backs, bare midriff, or spaghetti straps shall not be permitted. In addition, clothing with symbols,

phrases, or slogans advertising tobacco, alcohol products, or any controlled substances are unacceptable.

- No hats, caps or other head coverings should be worn inside the building.
- Hair should be clean, neatly trimmed, and well-groomed.
- Beards and mustaches must be neatly trimmed.
- No flip flops or slippers are permitted.
- Clothing that reveals undergarments is prohibited.
- Shorts, leggings, warm-ups, spandex or similar tight pants, exercise clothes, or any garment that may appear to be an undergarment are unacceptable.
- Jeans may be worn on days designated by the Head of School, which may include spirit days and teacher in-service days.
- Jewelry shall not be worn in a visible pierced area other than the ear.

Exceptions to Guidelines:

- Physical Education staff may wear attire approved by the Head of School or designee, during the physical education instructional periods.
- Instructors in certain courses, such as art or science courses, may wear aprons, smocks, or other protective garments during instructional periods when such garments are appropriate.
- Auxiliary employees in maintenance, custodial, transportation, food service, and positions requiring uniforms are exempted from the general guidelines but shall comply with dress and grooming guidelines specified by their supervisors.

Exceptions to these general guidelines may be made by the Head of School or designee, as necessary. Employee requests for such exceptions shall be made in writing and will be considered on a case-by-case basis. This policy may be revised by the Head of School at any time.

Discrimination, Harassment, and Retaliation

It is the policy of Westlake Academy to prohibit harassment, including sexual harassment, in the workplace by any person in any form. Employees shall not engage in prohibited harassment, including sexual harassment, of other employees, unpaid interns, student teachers, or students. While acting in the course of their employment, employees shall not engage in prohibited harassment of other persons, including board members, vendors, contractors, volunteers, students, or parents. A substantiated charge of harassment will result in disciplinary action.

Sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. No employee, either male or female, should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal, written, visual or physical. It refers to behavior that is not welcome, that is personally offensive, that lowers morale, and that, therefore, interferes with our work effectiveness. Sexual harassment is also a violation of Title VII of the Civil Rights Act of 1964, **and thus it is illegal for any employee to sexually harass another.** Examples of sexual harassment include, but are not limited to the following:

Verbal

- unwelcome comments about appearance
- sexual jokes
- sexually explicit, derogatory, or otherwise offensive language
- humor and jokes about sex or gender-specific traits
- unwelcome and repeated flirtations, propositions, or advances

Non-Verbal

- suggestive or insulting sounds
- leering

- whistling
- obscene gestures
- display in the workplace of sexually suggestive objects or pictures that use gender-based stereotypes in a derogatory manner.

Physical

- touching
- pinching
- "brushing" the body
- coerced sexual intercourse
- other sexual contact

Written

- suggestive notes or other written/electronic communications

Employees who believe they have been discriminated against, retaliated against, or harassed are encouraged to promptly report such incidents to the Head of School or the Human Resources Office. A complaint against the Head of School may be made directly to the Board of Trustees. All complaints shall be investigated in a timely manner. If appropriate, the Academy shall promptly take interim action to prevent harassment during the course of an investigation. The investigation may be conducted by the Director of Human Resources or by a third party designated by the Academy. The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

The Academy's obligation to conduct an investigation is not satisfied by the fact that a criminal or regulatory investigation regarding the same or similar allegations is pending. Absent extenuating circumstances, the investigation should be completed within 10 (ten) business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation. In the event that a thorough investigation of an alleged incident of sexual harassment reveals that an employee has engaged in actions or conduct constituting sexual harassment, disciplinary action will be taken, up to and including termination.

Given the nature of this type of discrimination, false accusations of sexual harassment can have serious effects on innocent employees. All employees should act responsibly in making such accusations. False accusations that are determined to be intentional in nature will be investigated and will be subject to the same disciplinary actions. Employees will be required to attend a sexual harassment training session during their introductory period of employment.

Harassment of Students

Harassment in any form is prohibited, including but not limited to verbal, psychological, sexual, and physical harassment. Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and Academy employees are prohibited.

Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the Head of School or another appropriate Academy official. Any Academy employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct based on sex, including sexual harassment, of a student shall immediately notify the Academy's Title IX coordinator, the ADA/Section 504 coordinator, or Head of School and take any other steps required by Academy policy.

All allegations of harassment or abuse of a student will be reported to the student's parents and promptly investigated.

An employee who knows of or suspects has reasonable cause to believe that child abuse or neglect occurred must also report his or her knowledge or suspicion to the appropriate authorities as required by law.

See *Reporting Suspected Child Abuse*, page 31 for additional information. The Academy's policy that includes definitions and procedures for reporting and investigating harassment of students are as follows:

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

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

Romantic or inappropriate social relationships between students and Academy employees are prohibited. Any sexual relationship between a student and an Academy employee is always prohibited. Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

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

Examples of sexual harassment of a student may include, but are not limited to, sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact. Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.

Any student who believes that he or she has experienced harassment should immediately report the alleged acts to a teacher, counselor, or other Academy employee. Any Academy employee who receives notice that a student has or may have experienced harassment is required to immediately report the alleged acts to the Head of School. Any other person who knows or believes that a student has experienced harassment should immediately report the alleged acts to the Head of School.

Reports of known or suspected child abuse or neglect shall be made as required by law and shall be made as soon as possible after the alleged acts. A failure to promptly report alleged harassment may impair the Academy's ability to investigate and address the harassment allegation. Oral or written reports of prohibited harassment shall normally be made to the Head of School. A person shall not be required to report harassment to the alleged harasser; nothing in this policy prevents a person from reporting

harassment directly to the Head of School.

A report against the Head of School may be made to the Board. Upon receipt of a report of harassment, the Board shall promptly notify the parents of any student alleged to have experienced prohibited harassment by an Academy employee or another adult associated with the school. In cases of student-to-student harassment, the Academy shall promptly notify the parents of any student alleged to have experienced harassment when the allegations presented, if proven, would constitute sexual harassment or other prohibited harassment as defined by the Academy's policy.

To the extent allowed by law, the Academy shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law. The Head of School may request a written report. If a report is made orally, the Head of School shall reduce the report to written form.

Upon receipt or notification of a report, the Head of School shall determine whether the allegations, if proven, would constitute sexual harassment or other harassment as defined by this policy. If so, the Head of School shall immediately authorize or undertake an investigation.

If appropriate, the Academy shall promptly take interim action to prevent harassment during the course of an investigation. The investigation may be conducted by Head of School, or by a third party designated by the Academy. The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

The Academy's obligation to conduct an investigation is not satisfied by the fact that a criminal or regulatory investigation regarding the same or similar allegations is pending. Absent extenuating circumstances, the investigation should be completed within ten business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

Reporting Suspected Child Abuse

All employees with reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect, as defined by Texas Family Code §261.001, are required by state law to make a report to a law enforcement agency, the Department of Family and Protective Services (DFPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the facility) within 24 hours after the employee has reasonable cause to believe that the child has been abused or neglected. Law enforcement agency includes the Texas Department of Public Safety (DPS), a municipal police department, a county sheriff's office, or a county constable's office and does not include the Academy police.

A person responsible for the care, custody, or welfare of the child (including a teacher) is required to report alleged abuse or neglect to DFPS even if a report is made to law enforcement.

Employees are also required to make a report if they have reasonable cause to believe that an adult was a victim of abuse or neglect as a child and they determine in good faith that the disclosure of the information is necessary to protect the health and safety of another child, elderly person, or person with a disability.

Reports to DFPS can be made using the Texas Abuse Hotline (<https://www.txabusehotline.org/Login/Default.aspx> or 800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

Under state law, a person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the Academy is prohibited from taking an adverse employment action against a certified or licensed professional who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

An employee's failure to make the required report may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report may result in disciplinary procedures by SBEC for a violation of the Texas Educators' Code of Ethics.

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agency.

Reporting the concern to the principal does not relieve the employee of the requirement to report it to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. 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.

Child Sexual Abuse and Maltreatment of Children

The Academy has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed through the Head of School's office. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or maltreated. Abuse in the Texas Family Code is defined to include any sexual conduct harmful to a child's mental, emotional, or physical welfare, including conduct that constitutes the offense of continuous sexual abuse of a young child or disabled individual, indecency with a child, improper relationship between an educator and a student, sexual assault, or encouraging a child to engage in sexual conduct, as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who has reasonable cause to believe that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect following the procedures described above in *Reporting Suspected Child Abuse*.

Reports to the Texas Education Agency

The conduct of an employee must be reported to TEA if there is evidence that the employee was involved in any of the following:

- Any form of sexual or physical abuse of a minor, or any other unlawful conduct with a student or a minor
- Soliciting or engaging in sexual contact or a romantic relationship with a student or minor
- Engaged in inappropriate communication with a student or minor
- Failed to maintain appropriate boundaries with a student or minor

For a certified employee the conduct below must also be reported:

- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of Academy or school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on Academy property or at a school-sponsored event.

The reporting requirements above are in addition to the Head of School’s ongoing duty to notify TEA when a certified employee or an applicant for certification has a reported criminal history or engaged in conduct violating the assessment security procedures established under TEC §39.0301. “Reported criminal history” means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction that is obtained by a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

Reporting Crime

The Texas Whistleblower Act protects employees who make good faith reports of violations of law by the Academy to an appropriate law enforcement authority. The Academy is prohibited from suspending, terminating the employment of, or taking other adverse personnel action against, an employee who makes a report under the Act. State law also provides employees with the right to report a crime witnessed at the school to any peace officer with authority to investigate the crime.

Personal Use of Electronic Communications and Equipment

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

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

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

- The employee shall not use the Academy’s logo or other copyrighted material of the Academy without express, written consent.
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct Westlake Academy business.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on Academy business unless the employee first obtains written approval from the employee’s immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
 - i. Confidentiality of student records.
 - ii. Confidentiality of health or personnel information concerning colleagues, unless

- disclosure serves lawful professional purposes or is required by law.
- iii. Confidentiality of Academy records, including educator evaluations and private e-mail addresses.
 - iv. Copyright law
 - v. Prohibition against harming others by knowingly making false statements about a colleague or the school system.

See *Use of Electronic Communications with Students*, on page 39, for regulations on employee communication with students through electronic media.

Information Technology Systems Policy

This policy establishes rules governing the use of Information Technology systems. These systems include Internet services, electronic communication systems, telephone communication systems, email, voicemail, facsimiles, cellular phones, computer networks, and computer directories and files.

Westlake Academy provides Information Technology Systems for business use. *Employees should not expect privacy with respect to any of their activities using these systems.* Westlake Academy reserves the right to review any files, messages, or communications sent, received or stored on its computer, telephone, and electronic systems. This policy also applies to third-party offsite services provided by the Academy for official business use.

Westlake Academy's prohibition against sexual, racial, and other forms of harassment is extended to include the use of electronic and telecommunications systems. Offensive, harassing, vulgar, obscene, or threatening communications are strictly prohibited, as are sexually oriented messages or images.

Privileged or confidential material, which includes, but is not limited to, attorney-client communications, should not be exchanged haphazardly by e-mail, facsimiles, instant messaging or other means.

Use of Information Technology must be conducted in accordance with local, state and federal law; engaging in illegal, fraudulent, or malicious conduct is prohibited. Violation of any provisions of this policy may result in disciplinary action, up to and including termination.

Governance

- All Westlake Academy employees who are granted a system account to access the Academy's network are responsible for the proper use of the account at all times.
- Teachers may apply for a class account and, in doing so, are ultimately responsible for using it.
- The Academy will require that all passwords be changed on a regular basis and as necessary. All passwords must remain confidential and may not be shared.
- Any system user identified as a security risk or as having violated Academy any provisions of this policy may be denied access to the Academy's network, services and systems.
- All users will be required to sign a user agreement annually each August for issuance or renewal of an account. Academy employees in violation of the user agreement or the Academy's Technology Policy may be subject to disciplinary action, up to and including termination of employment.
- All Academy electronic communication systems are business assets and are not private. The Academy may access and review all Web pages and e-mails sent to and from employees, during transmission or storage.

System User Responsibilities

The following standards will apply to all users of Westlake Academy's Information Technology systems:

- The individual in whose name a system account is issued will be responsible at all times for its proper use.
- The system may not be used for illegal purposes, in support of illegal activities, or for any other activity prohibited by Academy policy or guidelines.
- System users may not disable or attempt to disable a filtering device on the Academy's Information Technology system.
- Communications may not be encrypted so as to avoid security review by system administrators.
- System users may not use another person's system account without written permission from the Head of School or designate, as appropriate.
- Employees should ensure that students do not distribute personal information about themselves or others by means of the electronic communications system; this includes, but is not limited to, personal addresses and telephone numbers.
- System users must purge and/or make hard copies of electronic mail and file such in accordance with established retention guidelines.
- System users may not redistribute copyrighted programs or data except with the written permission of the copyright holder or designee. Such permission must be specified in the document or must be obtained directly from the copyright holder or designee in accordance with applicable copyright law, Academy policy, and administrative regulations.
- System users should avoid actions that are likely to increase the risk of introducing viruses to the system, such as opening e-mail messages from unknown senders and loading data from unprotected computers.
- System users may not send or post messages that are abusive, obscene, pornographic, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- System users may not purposefully access materials that are abusive, obscene, pornographic, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- System users should be mindful that use of school-related electronic mail addresses might cause some recipients or other readers of that mail to assume they represent the school, whether or not that was the user's intention.
- System users may not waste Academy resources related to the electronic communications system.
- System users may not gain unauthorized access to resources or information.
- Artificial intelligence (AI) should only be used as a support tool to improve student outcomes, not to replace the decisions made by teachers or students
- System users understand and agree that all documents and communications are the property of the Academy. As such, a system user may not copy, download, disseminate, e-mail, or disclose Academy property to third parties not directly related to Academy business without the express written authority of the Head of School or designate.

Prohibited Activities

- Engaging in illegal, fraudulent, or malicious conduct.
- Harassing individuals.
- Transmitting or storing material that is threatening, obscene, sexually explicit or disparaging of others based on race, national origin, sex, sexual orientation, age, disability, religious or political beliefs.
- Communication of Westlake Academy-related business to any party through social networking websites (such as Facebook, Instagram, X, etc.).
- Employees shall not electronically record conversations or meetings related to their employment unless each person participating in the conversation or meeting is notified in advance.

- Obtaining unauthorized access to any computer system.
- Using another individual's account or identity without explicit authorization.
- Academy employees shall not provide or allow access to a nonemployee for any Academy or Town systems without an express written agreement approved by the Head of School or Town Manager.
- Conducting political campaigns or other prohibited activity.
- Gambling or playing a game for money or other stakes.
- Downloading software products from internet sites is prohibited without prior approval of the Head of School or designee.
- Except where approved exceptions apply, the use or installation of the social media service TikTok or any successor application or service developed or provided by ByteDance Limited, or an entity owned by ByteDance Limited is prohibited on all Academy-owned or -leased devices, including cell phones, tablets, desktop and laptop computers, and other internet-capable devices. The Academy will identify, track, and manage all Academy-owned or -leased devices, including mobile phones, tablets, laptops, desktop computers, or any other internet-capable device to:
 - a. Prohibit the installation of a covered application.
 - b. Prohibit the use of a covered application.
 - c. Remove a covered application from an Academy-owned or -leased device that was on the device prior to the passage of S.B. 1893 (88th Leg, R.S.).
 - d. Remove an application from an Academy-owned or -leased device if the Governor issues a proclamation identifying it as a covered application.
 - The Academy may permit exceptions authorizing the installation and use of a covered application on Academy-owned or leased devices consistent with the authority provided by Government Code Chapter 620. Government Code Section 620.004 only allows the Academy to install and use a covered application on an applicable device to the extent necessary for: (1) Providing law enforcement; or (2) Developing or implementing information security issues.
- The Academy will verify compliance with this policy through various methods, including but not limited to IT/security system reports and feedback to leadership.
- An employee found to have violated this policy may be subject to disciplinary action, including termination of employment.

Personal Computers and Electronic Equipment

A personal computer and access to Westlake Academy's internal network is provided to an employee for the purpose of conducting Academy business and improving productivity.

All computers and electronic equipment issued to employees are the property of Westlake Academy. Employees should utilize these resources for business purposes, and very limited or incidental personal use is acceptable. Such use must be infrequent.

Personal use must not:

- Involve any illegal activity or any prohibited activity listed above.
- Interfere with the productivity of the employee or co-workers.
- Consume system resources bandwidth or storage capacity on an on-going basis.

All Academy-related files, emails, and other communications stored on any computer are property of Westlake Academy. All files should be considered public information, and subject to the Academy's established electronic retention schedule. Employees are prohibited from deleting any files without the express consent of the Head of School or designate.

Employees are required to return any Westlake Academy equipment issued to them prior to terminating employment. Employees will be required to sign for all equipment prior to issuance. Failure to return any

equipment may result in disciplinary action, up to and including termination of employment, and/or payroll deduction for the fair-market value of any missing, lost, or equipment that is unaccounted for. Westlake Academy reserves the right to repossess any electronic equipment issued to an employee at any time.

Internet Access and Email

The Internet is a powerful communication tool and a valuable source of information. Internet service includes but is not limited to e-mail, file transfer protocol (FTP), web browsing and newsgroups.

Employees should be aware that information transmitted over the internet is potentially not secure. Internet communication systems may accommodate the use of passwords for security, however the reliability of such for maintaining confidentiality cannot be guaranteed. (Employees should assume that someone other than the intended recipient could read any and all Internet communications).

Westlake Academy reserves the right to filter incoming and outgoing network communications for the purpose of securing the network, restricting access to inappropriate content or to determine compliance with this policy. Web page requests may also be filtered to restrict access to questionable or inappropriate content. Requests to access content restricted by the filtering mechanism must be approved by the Head of School or designee.

Westlake Academy maintains an electronic mail system, commonly called e-mail, to assist in conducting business and as a means to enhance the ability of employees to communicate. All employees must be aware that the use of e-mail messages creates a public record and is subject to public record regulations with respect to inspection, disclosure, scheduled retention, and disposition.

The Academy reserves the right to retrieve and read any message composed, sent, or received and also reserves the right to filter email for the purpose of security and to restrict inappropriate usage.

Employees are expected to use a high-level of professional discretion when communicating by email. Privileged, confidential, or sensitive information may not be secure when transmitted by email. Additionally, email should not be used to communicate information as an alternative to a personal meeting, when appropriate.

Social Media

An employee's use of social media, both on-duty and off-duty, must not interfere with or conflict with the employee's duties or job performance, reflect negatively on the Academy or violate any Academy policy. The intent of these standards is to regulate the creation and distribution of information concerning the Academy, its employees, and citizens through electronic media, including, but not limited to online forums, instant messaging and internet social media and blogging sites. Employees have the right to speak out as private citizens on matters of public concern, so long as the speech does not unduly disrupt the operations or mission of the Academy. This policy is designed to protect the Academy's reputation and ensure that an employee's communications not only reflect positively on the employee as an individual, but also on the Academy. Online behavior, whether on- or off-duty, must not otherwise cause harm to or misrepresent the Academy or its interests. Harassing, bullying, or demeaning coworkers, or otherwise creating a hostile work environment for any employee through online posting, violates this policy.

The term "social media" encompasses: X, Facebook, LinkedIn, blogs, and other online journals and diaries; bulletin boards and chat rooms, microblogging and all other social networking sites, instant messaging, and the posting of video on YouTube and similar media.

Use of Westlake Academy's Social Media During Work Time

- Any blogging or posting of information on the Internet or other Academy social media sites must comply with the Academy's guidelines, regardless of where the blogging or posting is done.
- Blogging or posting information of a personal nature on the Internet or other Academy social media sites is prohibited during work hours unless it promotes the Academy's best interest. Employees are not permitted to engage in social networking of a personal nature while using any of the Academy's electronic social media sites.
- Employees must obtain written authorization from the Head of School or the Communications Director to update or post on social media sites on behalf of the Academy and all content must be approved prior to posting. All the employee's time spent updating or posting on Academy social media sites as part of the employee's job duties is compensable time that must be reported and counted in the calculation of overtime.
- No use of social media on work time and on Academy equipment on Academy-operated networks is considered private or confidential, even if password protected or otherwise restricted. The Academy reserves the right to access, intercept, monitor and review all information accessed, posted, sent, stored, printed, or received through its communications systems or equipment at any time.
- Never disclose any confidential information concerning another employee of the Academy in a blog or other posting to the Internet. Posting confidential information may violate state law and subject the user to criminal penalty. All requests for Academy documents must be processed through the Public Information Act.
- Employees must abide by all federal and state law and policies of the Academy regarding information sent through the Academy's Internet.
- Individual supervisors do not have the authority to make exceptions to these guidelines.

Use of Personal Social Media While Off Duty

- The Academy recognizes that many Academy employees utilize social media when not at work. The Academy requires that employees be aware of guidelines regarding posting work-related information on personal social media sites, and they are listed below.
- If the employee's social networking includes any information related to the Academy, the employee must make it clear to the readers that the views expressed are the employee's alone and not reflective of the views of the Academy.
- Employees are encouraged to act responsibly on and off duty, and to exercise good judgment when using social media. Recognize that postings on your social media site, even if done off premises and while off duty, could have an adverse effect on the Academy's legitimate business interests.
- Respect coworkers and the Academy. Do not put anything on your personal social media site that may defame, embarrass, insult, demean or damage the reputation of the Academy or any of its employees.
- Do not put anything on your personal social media site that may constitute violation of the Academy's Harassment policy. Do not post any pornographic pictures of any type that could identify you as an employee of the Academy. Be mindful that the Academy's harassment policy covers both work and non-work time, including postings on social media sites.
- Do not post pictures of yourself or others on your personal social media site containing images of Academy uniforms or insignia, Academy logos, Academy equipment or Academy work sites.
- Do not post information on your personal social media site that could adversely impact the Academy and/or an employee of the Academy.
- Do not permit or fail to remove postings violating this policy, even when placed by others on your social media site.

Information from Third Parties

Employees with access to the Academy's Information Technology system should be aware that, despite the Academy's use of technology protection measures as required by law, use of the system may provide access to other electronic communications systems in the global electronic network that may contain inaccurate and/or objectionable material.

Any student or employee who gains access to such material is expected to discontinue the access as quickly as possible and to report the incident to a supervisor.

An employee knowingly bringing prohibited materials into the school's electronic environment will be subject to disciplinary action in accordance with Academy policies.

Disclaimers

Opinions, advice, services, and all other information expressed by system users, information providers, service providers, or other third-party individuals in the system are those of the providers and not Westlake Academy.

Westlake Academy will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the Academy's electronic Information Technology systems.

Use of Cell Phones

Cell phones are to be turned off and put away during instruction periods. The Head of School or designee may grant exceptions to this policy upon request in the event of extenuating circumstances.

Use of Electronic Communications with Students

A certified or licensed employee, or any other employee designated in writing by the Head of School or a campus principal, may communicate through electronic media with students who are currently enrolled in the Academy consistent with the procedures identified below. Electronic communications between all other employees and students who are enrolled in the Academy are prohibited. Employees are not required to provide students with their personal phone number or e-mail address.

An employee is not subject to these provisions for personal, non-school-related communications that occur due to an employee's social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization.

An employee who claims an exception based on a social relationship shall provide written consent from the student's parent. The written consent shall include an acknowledgement by the parent that:

- The employee has provided the parent with a copy of this protocol
- The employee and the student have a social relationship outside of school;
- The parent understands that the employee's communications with the student are excepted from Academy regulation; and
- The parent is solely responsible for monitoring electronic communications between the employee and the student.

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

- *Electronic communications* means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, or computer network. The term

includes e-mail, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website.

- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee’s personal social network page or a blog) is not a *communication*; however, the employee may be subject to Academy regulations on personal electronic communications. See *Personal Use of Electronic Communications and Equipment*, on page 36. Unsolicited contact from a student through electronic means is not a communication for purposes of this policy, but any response to unsolicited contact is subject to this policy.
- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

An employee who communicates electronically with students shall observe the following:

The employee may use any form of electronic media **except** text messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:

- The employee shall include at least one of the student’s parents or guardians whenever possible as a recipient on each text message to the student so that the student and parent receive the same message; and the employee shall always include his or her immediate supervisor as a recipient on each text message to a student so that the student and supervisor receive the same message.
- For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee’s Westlake Academy e-mail address.
- The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
- The employee shall not communicate directly with any student between the hours of 5 p.m. and 7 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:
 - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records.
 - Copyright law
 - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student.

- Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student.
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.

An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.

Criminal History Background Checks

All employees are subject to a review of their criminal history record information at any time during employment. National criminal history checks based on an individual's fingerprints, photo, and other identification will be conducted and entered into the Texas Department of Public Safety (DPS) Clearinghouse. This database provides the Academy and SBEC with access to an employee's current national criminal history and updates to the employee's subsequent criminal history.

Employee Arrests and Convictions

An employee must notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, and any of the other offenses listed below:

- Crimes involving school property or funds
- Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator
- Crimes that occur wholly or in part on school property or at a school-sponsored activity
- Crimes involving moral turpitude

Moral turpitude includes the following:

- Dishonesty
- Fraud/Theft
- Deceit/Misrepresentation
- Deliberate violence
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor
- Crimes involving any felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance
- Felonies involving driving while intoxicated (DWI)
- Acts constituting abuse or neglect under the Texas Family Code.

If an educator is arrested or criminally charged, the Head of School is also required to report the educators' criminal history to the Division of Investigations at TEA.

The Head of School is required to report the misconduct or criminal history of an employee to TEA. Information about misconduct or allegations of misconduct of an employee obtained by a means other than the criminal history clearinghouse will be reported to TEA.

Drug Abuse Prevention

Westlake Academy is committed to maintaining an alcohol and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the workplace or on school property. This policy does not prevent the consumption of alcohol at school-related events held offsite, outside of regular business hours, and not attended by children.

Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be terminated. The Academy's policy regarding employee drug use is as follows:

Employees shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, narcotics, hallucinogens, stimulants, depressants, amphetamines, or barbiturates.
2. Alcohol or any alcoholic beverages.
3. Any abusable glue, aerosol paints, or any other chemical substance for inhalation.
4. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.

An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance. An employee who possesses or dispenses a substance listed above as part of the employee's job responsibilities, or who uses a drug authorized by a licensed physician prescribed for the employee's personal use shall not be considered to have violated this policy.

Drug-Free Schools Requirements

Westlake Academy prohibits the unlawful distribution, possession, or use of illegal drugs, inhalants, and alcohol on school premises or as part of any of the Academy's activities. Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the Academy, and referral to appropriate law enforcement officials for prosecution. (*41 U.S.C. 702(a)(1)(A); 28 TAC 169.2*)

Compliance with these requirements and prohibitions is mandatory and is a condition of employment. [This notice complies with notice requirements imposed by the federal Drug-Free Schools and Communities Act Amendments of 1989 (20 U.S.C. 3224a and 34 CFR 86.201)]

Tobacco Use and E-Cigarette Use

State law prohibits smoking, using tobacco products, or e-cigarettes on all Westlake Academy property and at school-related or school-sanctioned activities, on or off school property. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of Academy-owned vehicles are prohibited from smoking, using tobacco products, or e-cigarettes while inside the vehicle.

Fraud and Financial Impropriety

All employees should act with integrity and diligence in duties involving the Academy's financial resources. The Academy prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety include the following:

- Forgery or unauthorized alteration of any document or account belonging to the Academy

- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, other Academy assets, including employee time
- Impropriety in the handling of money or reporting of the Academy's financial transactions
- Profiteering as a result of insider knowledge of school information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the Academy
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the Academy
- Inappropriately destroying, removing, using records, furniture, fixtures, or equipment
- Failing to provide financial records required by state or local entities
- Failure to disclose conflicts of interest as required by policy
- Any other dishonest act regarding the finances of the Academy
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards

Conflict of Interest

Employees are required to disclose in writing to their supervisor any situation that creates a potential or real conflict of interest with proper discharge of assigned duties and responsibilities or creates a potential or real conflict of interest with the best interests of the Academy. This includes, but is not limited to, the following:

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

Gifts and Favors

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 any employee that might reasonably tend to influence the selection of textbooks may result in prosecution of a Class B misdemeanor offense. This does not include staff development, teacher training, or instructional materials that convey information to students or contribute to the learning process.

It is a serious violation of standards for any employee to use his or her position with the Academy to seek personal or professional advantages through the acceptance of gifts, gratuities, entertainment, or other favors. Westlake Academy employees are prohibited from accepting anything of value or benefit, including but not limited to entertainment, travel, food, and lodging, from any one person, student, parent, or entity the employee knows is interested in or likely to become interested in any contract, purchase, payment, claim, or transaction with the Academy. This provision shall not apply to gifts or things of value or benefit to which the employee is lawfully entitled or when the individual is acting in a capacity other than as an Academy employee. This provision also does not apply to employees receiving gifts of nominal value from students which are intended to convey personal appreciation.

Participation is allowed in the activities of widely attended events, such as luncheons, dinners, hospitality rooms, and similar gatherings for the discussion of matters of mutual interest to the Academy. Employees may accept expense-paid trips that are part of the normal business activities of the Academy. Trips taken by employees shall be approved in advance by the Head of School.

Copyrighted Materials

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

Associations and Political Activities

Westlake Academy will not discourage or prohibit employees from participating in political affairs outside of duty hours or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization.

An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work. Use of the Academy's resources, including work time, for political activities is prohibited.

Safety

The Academy has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. To prevent or minimize injuries to employees, coworkers, and students and to protect and conserve Academy equipment, employees must comply with the following requirements:

- Observe all safety rules.
- Keep work areas clean and orderly at all times.
- Immediately report all accidents or incidents to their supervisor.
- Operate only equipment or machines for which they have training and authorization.

Employees with questions or concerns relating to safety and issues can contact the Head of School's office or the Human Resources Office.

Possession of Firearms and Weapons

Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other school provided parking area, provided the handgun or firearm or ammunition is properly stored, and not in plain view. To ensure the safety of all persons, employees who observe or suspect a violation of the Academy's weapons policy should report it to the school office immediately.

Visitors in the Workplace

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

Pest Control Treatment

Employees are prohibited from applying any pesticide or herbicide without appropriate training and prior approval of the integrated pest management (IPM) coordinator. Any application of pesticide or herbicide must be done in a manner prescribed by law and the Academy's integrated pest management program.

Notices of planned pest control treatment will be posted in affected building(s) 48 hours before the treatment begins. Notices are generally located in the Teacher's lounge. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written or electric means. Pest control information sheets are available from the Director of Facilities upon request.

General Procedures

Bad Weather Closing

The Academy may close because of bad weather or emergency conditions. When such conditions exist, the Head of School or designee will make the official decision concerning the closing of the Academy's facilities. When it becomes necessary to open late or to release students early, notifications will be posted on the Academy's website. Every effort will be made to provide timely notice of closures to local media.

Emergencies

All employees should be familiar with the safety procedures for responding to emergencies, including medical emergencies. Employees should locate evacuation diagrams posted in their work areas and be familiar with shelter in place, lockout, and lockdown procedures. Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Each building is equipped with an automatic external defibrillator. Fire extinguishers are located throughout all buildings. Employees should know the location of these devices and procedures for their use.

Purchasing Procedures

All requests for purchases must be submitted to the Head of School. The Academy will not reimburse employees or assume responsibility for purchases made without prior authorization. Employees are not permitted to purchase supplies or equipment for personal use through the Academy's business office. Contact the Head of School or Finance Director for additional information on purchasing procedures.

Name and Address Changes

It is important that employment records be kept up to date. Employees must notify the Human Resources Office if there are any changes or corrections pertaining to their name, home address, home telephone number, marital status, emergency contacts, or beneficiary. Forms to process a change in personal information can be obtained from the Human Resources Office.

Personnel Records

Most Academy records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal e-mail address is confidential and may not be released without the employee's permission. Employees may choose to have the following personal information

withheld:

- Address
- Phone number, including personal cell phone number
- Information that reveals whether they have family members
- Personal e-mail address

The choice to not allow public access to this information or change an existing choice may be made at any time by submitting a written request to the Human Resources Office. New or terminated employees have fourteen (14) days after hire or termination to submit a request. Otherwise, personal information may be released to the public until a request to withhold the information is submitted or another exception to release of information applies. An employee is responsible for notifying the Human Resources Office if he or she is subject to an exception for disclosure of personal information.

Travel Policy/Expense Reimbursement

Before any travel expenses are incurred, an employee must obtain advance written approval for such expenses from the Head of School or designee. For approved travel, employees will be reimbursed in accordance with the procedures described in Exhibit C.

For additional information or questions about travel and/or reimbursement procedures, please contact the Director of Finance at 817-490-5721.

Building Use

To schedule the use of school facilities for academic or extracurricular activities, employees should submit a request through School Dude. Questions about facility use may be directed to the Facilities Manager at 817-490-5856. Non-school use of Academy facilities must be scheduled in compliance with the Board Policy on Use of Academy Facilities by Non-School Related Groups.

Separation of Employment

Resignations

Contract Employees. Contract employees may resign their position by delivering to the Head of School written notice of such intent to terminate their contract at least 45 calendar days prior to the termination date. A written notice of resignation should be submitted to the Head of School.

Failure to meet the required notice obligation will result in ineligibility for future employment with the Academy and will also require the Academy to file a complaint with the State Board for Educator Certification (SBEC).

The principal is required to notify the Head of School within seven business days if an educator resigns and there is evidence that the educator engaged in any of the following misconduct: :

- Certain misconduct, abuse, unlawful act
- Involvement or solicitation of a romantic relationship with a student or minor
- Solicitation or engaging in sexual conduct with a student or minor
- Inappropriate communications with a student or minor
- Failure to maintain appropriate boundaries with a student or minor
- Possession, transfer, sale, or distribution of a controlled substance

- Illegal transfer, appropriation, or expenditure of Academy or school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on Academy property or at a school-sponsored event.

The Head of School is required to report such conduct to SBEC.

Noncontract Employees. Noncontract employees may resign their positions at any time. A written notice of resignation should be submitted to the Head of School and the Human Resources office at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

The principal is required to notify the Head of School within seven business days if an educator resigns and there is evidence that the educator engaged in any of the following misconduct: Alleged incident of misconduct of abuse or otherwise committed an unlawful act with a student or minor,

- Was involved in or solicited a romantic relationship with a student or minor
- Engaged in inappropriate communications with a student or minor
- Failed to maintain appropriate boundaries with a student or minor

The Head of School is required to report such conduct to SBEC.

Dismissal of Contract Employees

Employees on professional contracts can be terminated by providing written notice to the employee at least 45 calendar days prior to the termination date. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force shall receive notice of the recommended action, an explanation of the charges or reasons and an opportunity for appropriate process and review. Timelines and procedures to be followed will be provided when written notice of the pending action is issued. The reporting requirements for termination of a contract are the same as those listed above in Resignations/Contract Employees.

Advance notification will not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee's certification is revoked for misconduct.

Suspension/Administrative Leave of Contract Employees

Contract employees may be suspended with pay or placed on administrative leave by the Head of School during an investigation of alleged misconduct by the employee, or at any time that the Head of School determines that the Academy's best interest will be served by suspension or administrative leave.

Dismissal of Noncontract Employees

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the Academy to dismiss any employee for reasons of race, religion, sex, national origin, disability, military status, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the process outlined in this

handbook when pursuing the grievance. (See *Complaints and Grievances* policy, page 24)

The reporting requirements for termination of a noncertified employee are the same as those listed above in Resignations/Noncontract Employees.

Discharge of Convicted Employees

The Academy shall discharge any employee who has been convicted of a felony under Title 5 Penal Code or convicted of or placed on deferred adjudication community supervision for the following:

- An offense requiring the registration as a sex offender
- Improper relationship between an educator and a student
- Sale, distribution, or display of harmful materials to a minor
- Public indecency
- A felony offense involving school property

If the Title 5, Penal Code offense is more than 30 years before the date the person's employment began or the person satisfied all terms of the court order entered on conviction the requirement to discharge does not apply.

Exit Interviews and Procedures

Exit interviews will be scheduled for all employees leaving the Academy by the Human Resources Office. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the Academy with a forwarding address and phone number and complete a questionnaire that provides the Academy with feedback on his or her employment experience.

All Academy keys, books, property, and equipment must be returned upon separation from employment. The Academy may withhold the cost of any unreturned items from the final paycheck.

Reports Concerning Court-Ordered Withholding

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

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

Student Issues

Equal Educational Opportunities

Westlake Academy does not discriminate on the basis of race, color, religion, national origin, gender, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

Questions or concerns about discrimination of students on the basis of race, color, religion, sex, disability, or national origin should be directed to the Head of School or designee.

Student Records

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records. Only the following individuals are authorized to have general access to a student's records:

- Parents of a minor or of a student who is a dependent for tax purposes
- The student (if 18 or older or attending an institution of postsecondary education)
- School officials with legitimate educational interests

The Parent/Student Handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the Head of School for assistance.

Parent and Student Complaints

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the Academy has adopted a parent complaint procedure. The Head of School's office can provide parents and students with information on filing a complaint.

Parents are encouraged to discuss problems or complaints with the teachers at any time. Parents and students with complaints that cannot be resolved should be directed to the Head of School. The formal complaint process provides parents and students with a multi-tiered opportunity for review if they are dissatisfied with the initial response. Additional information is available in the Parent/Student Handbook.

Administering Medication to Students

Only designated employees can administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. Exceptions apply to the self-administration of asthma medication, medication for anaphylaxis (e.g., EpiPen®), and medication for diabetes management, if the medication is self-administered in accordance with Academy policy and procedures.

A student who must take medication during the school day must bring a written request from his or her parent and the medicine, in its original, properly labeled container. Contact the Head of School or the school nurse for information on procedures that must be followed when administering medication to students.

Dietary Supplements

Westlake Academy employees are prohibited by state law from knowingly selling, marketing, or distributing a dietary supplement that contains performance-enhancing compounds to a student with whom the employee has contact as part of his or her Academy duties. In addition, employees may not knowingly endorse or suggest the ingestion, intranasal application, or inhalation of a performance-enhancing dietary supplement to any student.

Psychotropic Drugs

A psychotropic drug is a substance used in the diagnosis, treatment, or prevention of a disease or as a component of a medication. It is intended to have an altering effect on perception, emotion, or behavior and is commonly described as a mood- or behavior-altering substance.

Academy employees are prohibited by state law from doing the following:

- Recommending that a student use a psychotropic drug
- Suggesting a particular diagnosis
- Excluding from class or school-related activity a student whose parent refuses to consent to a psychiatric evaluation or to authorize the administration of a psychotropic drug to a student

Student Conduct and Discipline

Students are expected to follow the classroom rules, and rules listed in the Parent/Student Handbook. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management strategies that have been adopted by the Academy. Other employees that have concerns about a particular student's conduct should contact the classroom teacher or Head of School.

Teachers must file a written report with the Head of School or another appropriate administrator when they have knowledge that a student has violated the Student Code of Conduct. A copy of this report will be sent by the Head of School to the student's parents within 24 hours.

Student Attendance

Teachers and staff should be familiar with the Academy's policies and procedures for attendance accounting. These procedures require minor students to have parental consent before they are allowed to leave the Academy campus. When absent from school, the student, upon returning to school, must bring a note signed by the parent that describes the reason for the absence. These requirements are addressed in campus training and in the Parent/Student Handbook. Contact the Principal's office for additional information.

Bullying

Bullying is defined by TEC §37.0832. All employees are required to report student complaints of bullying, including cyberbullying, to the Head of School or designee. The Academy's policy containing definitions and procedures for reporting and investigating bullying of students may be found in the Westlake Academy Parent/Student Handbook.

Hazing

Students must have prior approval from the Head of School or designee for any type of "initiation rites" of a school club or organization. While most initiation rites are permissible, engaging in or permitting "hazing" is a criminal offense.

"Hazing" means any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization if the act:

(A) is any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;

(B) involves sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other similar activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;

(C) involves consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, other than as described by Paragraph (E), that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;

(D) is any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code; or

(E) involves coercing, as defined by Section 1.07, Penal Code, the student to consume:

(i) a drug; or

(ii) an alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated, as defined by Section 49.01, Penal Code.

Any teacher, administrator, or employee who observes a student engaged in any form of hazing, who has reason to know or suspect that a student intends to engage in hazing or has engaged in hazing must report that fact or suspicion to the Head of School or designee.

EXHIBIT A

Employee Drug and/or Alcohol Testing Standards & Procedures

When there is reasonable suspicion that an employee is under the influence of alcohol or drugs used in violation of Academy policy, the employee may be required to undergo a controlled substance and/or alcohol test at the Academy's expense.

Reasonable Suspicion Considerations

Indications of possible impairment or intoxication include, but are not limited to, the following:

- Slurred speech
- Disorientation
- Job impairment (inability to perform the job in a routine manner)
- Odor of alcoholic beverages
- Odor of other substances
- Unsteady gait or balance
- Glassy eyes
- Drowsiness
- Euphoria
- Mood swings
- Inattentiveness
- Excitement or confusion
- Irritability
- Aggressiveness
- Other erratic behavior

If an on-the-job accident or an accident occurs and the supervisor determines that reasonable suspicion exists to warrant testing, the employee will be tested for both drugs and alcohol as soon as possible. The employee will provide the necessary authorization for the Academy to obtain these results. In a medical emergency, the first consideration will be the health and welfare of the employee.

Drug and Alcohol Policy Definitions

Adulterant means a masking agent that prevents the detection of drug use in a drug testing specimen or any other substance used to tamper with the specimen.

Alcoholic beverage means alcohol, or any beverage, containing more than one-half of one percent alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.

Alcohol concentration (or content) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an Evidential Breath Test (EBT).

Contraband means any article, the possession of which on Academy premises or while on Academy business causes an employee to be in violation of an Academy rule or penal law. Contraband includes illegal drugs and open containers of alcoholic beverages, drug paraphernalia, illegal or prohibited

weapons, firearms, explosives, incendiaries, stolen property, and counterfeit money. Nothing shall preclude the possession of contraband for the purposes of educational instruction pursuant to the employee's job responsibilities.

Controlled substances means any drug, substance, or immediate precursor listed in Schedules I-V or Penalty Groups 1-4 of the Controlled Substances Act of 1988 as it may be revised from time to time.

Drug or Illegal drug means any drug in any detectable amount that is not legally obtainable; any drug that is legally obtainable but has not been legally obtained; any prescribed drug not legally obtained; any prescribed drug not being used for the prescribed purpose; any over-the-counter drug being used at a dosage level different than recommended by the manufacturer or being used for a purpose other than intended by the manufacturer; and any drug being used for a purpose not in accordance with bona fide medical therapy. Examples of illegal drugs are cannabis substances such as marijuana and hashish, cocaine, heroin, phencyclidine (PCP), and so-called designer drugs and look-alike drugs.

Drug Paraphernalia means equipment, a product or material that is used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, or concealing a controlled substance in violation of this policy or in injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance.

Medical Review Officer (MRO) means a licensed physician (doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive or adulterated test result together with his or her medical history and any other relevant biomedical information.

Physician means a physician licensed by the State Board of Medical Examiners.

Proper medical authorization means a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the name of the substance, quantity/amount to be taken, the period of authorization, and whether the prescribed medication may impair the employee's job performance. This requirement also applies to refills of prescription drugs.

Refusal to submit to alcohol or drug test means that an employee:

- Refuses to sign a consent to testing form;
- Fails to provide adequate breath or urine for testing without a valid medical explanation after he or she has received notice of the requirement for testing;
- Engages in conduct that clearly obstructs the testing process;
- Uses adulterants to prevent the detection of drug use in a drug-testing specimen or uses any other substance to tamper with the specimen. Any refusal to submit to testing will be treated the same as a positive controlled substances test result.

Substance abuse is exemplified by, but not limited to, the following:

- Ingestion, inhalation, or injection of a controlled substance without proper written medical authorization;
- Ingestion of an alcoholic beverage during working hours or on Academy property;
- Ingestion of an alcoholic beverage while operating Academy equipment;
- Ingestion, inhalation, or injection of a controlled substance without proper medical authorization, or ingestion of an alcoholic beverage during non-working hours, which causes an employee to be unable to work in a safe and effective manner during working hours;
- Use of prescription or over-the-counter medication in a manner for which it was not intended.

Testing facility means a hospital, clinic, or laboratory approved by the Academy to be used to collect body fluid or breath samples to be analyzed for specific controlled substances or alcohol. The facility will have all required personnel, materials, equipment, and supervision for the collection, security, temporary storage, and transportation of samples to the testing lab, or to conduct alcohol testing.

Under the influence or Impaired is defined as abnormal behavior during working hours or during Academy-sponsored events outside of normal working hours which results from indulging in an alcoholic beverage, controlled substance, or drug which may limit an employee's ability to safely and efficiently perform his or her duties or poses a threat to the safety of the employee or others.

Working hours means from the time the employee arrives at the job site until the time the employee leaves, including all lunch or other types of breaks.

Drug Testing Procedures

A copy of the Westlake Academy Drug and Alcohol Policy (contained in this handbook) shall be provided to the testing facility before any tests are conducted.

A supervisor shall transport the employee to the testing facility where the employee will be required to show positive picture identification. Consequently, employees are required to carry their valid driver's license with them while at work.

The employee shall complete a consent form prior to testing. If the employee does not understand what he or she is signing, the supervisor shall explain the form to the employee. The form authorizes the

exam/test and the release of medical information regarding the employee's medical condition and any test results. Failure to sign a consent form will be regarded the same as a positive drug test result.

The medical facility staff member shall provide the employee with a container. A portion of the urine placed in this container shall be used for a second test in case the employee requests a re-test of an initial positive or adulterated result. The specimen shall be produced in a location that provides privacy.

Alcohol Testing Procedures

The employee shall complete a consent form prior to testing. If the employee does not understand what he or she is signing, the supervisor shall explain the form to the employee. The form authorizes the exam/test and the release of medical information regarding the employee's medical condition and any test results. Failure to sign a consent form will be regarded the same as a breath alcohol content equal to or greater than 0.04.

The employee's breath alcohol content shall be analyzed using an Evidential Breath Testing device (EBT) operated by a Breath Alcohol Technician (BAT). The test shall be conducted in a private setting.

Medical Examination

If the employee is unable to provide adequate breath or urine to conduct testing, the Academy may require the individual to undergo a medical evaluation to develop pertinent information concerning whether the individual's inability to provide a specimen is genuine or constitutes a refusal to test. The cost of the medical exam shall be paid by the Academy and the employee will remain in a leave without pay status while awaiting the results of the medical exam.

Post-Test Procedure

The supervisor who makes a determination that reasonable suspicion exists to conduct a drug or alcohol test will prepare a written record of the observations leading to the test.

At the conclusion of an alcohol test, the supervisor will provide instructions to the employee based on the test results and shall immediately hand-deliver the employer's copy of the results to the Head of School and the Human Resources Department in a confidential manner.

When a drug test is conducted, the employee shall remain off-duty in a leave without pay status pending the results of the exam and any other type of investigation the Academy may conduct. Exam results will be sent confidentially to the Head of School and the Human Resources Department.

Any time a drug test is conducted or when an alcohol test produces a breath alcohol content equal to or greater than 0.02, the supervisor shall ensure that the employee does not drive him or herself home.

Exam Results Confidentiality

The results of any drug or alcohol test shall be strictly confidential and shall not be disclosed without the prior written approval of the employee tested unless otherwise required by law. However, nothing in this paragraph will prohibit the lab, the MRO, or testing facility from releasing information relevant to an

employee's test results to the Head of School and the Human Resources Department. Additionally, only those persons in management directly involved in the decision-making process related to the tested employee will obtain any drug or alcohol testing information retained by the Academy. There may be some instances where overriding public health or safety concerns may require the release of information otherwise considered confidential. All records of the Academy are subject to the

provisions of the Texas Open Records Act.

A copy of the results of the exam shall be supplied to the employee examined, and the original exam results shall be maintained in a locked cabinet in the Human Resources office for a period of at least two

(2) years, after which time they may be destroyed. The Human resources Office may, however, maintain the exam results and any reports on individuals who have violated this policy for the purpose of recording the number of violations.

Management and supervisory personnel who are authorized to have access to alcohol or drug test results or medical information pertaining to this policy will maintain complete confidentiality regarding this information.

Drug and Alcohol Testing Results

The employee shall remain off-duty in a leave without pay status until the results of testing are received by the Head of School and Human Resources Department and until any other investigative procedures are complete. If the results are negative and unadulterated, no disciplinary hearing will be held, and the employee will be given backpay as though the employee worked as scheduled.

EXHIBIT B

Texas Educators' Code of Ethics

The following standards of ethical conduct shall apply to all Westlake Academy employees regardless of the individual's position.

Purpose and Scope

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. (19 Tex. Admin. Code Section 247.1(b))

Professional Standards

1. Professional Ethical Conduct, Practices, and Performance

Standard 1.1

The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the Academy, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

Standard 1.2

The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

Standard 1.3

The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.

Standard 1.4

The educator shall not use institutional or professional privileges for personal or partisan advantage.

Standard 1.5

The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.

Standard 1.6

The educator shall not falsify records, or direct or coerce others to do so.

Standard 1.7

The educator shall comply with state regulations, written local school board policies, and other state and federal laws.

Standard 1.8

The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of

professional qualifications.

Standard 1.9

The educator shall not make threats of violence against school Academy employees, school board members, students, or parents of students.

Standard 1.10

The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.

Standard 1.11

The educator shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.

Standard 1.12

The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.

Standard 1.13

The educator shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.

Standard 1.14

The educator shall not assist another educator, school employee, contractor, or agent in obtaining a new job as an educator or in a school, apart from the routine transmission of administrative and personnel files, if the educator knows or has probable cause to believe that such person engaged in sexual misconduct regarding a minor or student in violation of the law.

2. Ethical Conduct toward Professional Colleagues

Standard 2.1

The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.

Standard 2.2

The educator shall not harm others by knowingly making false statements about a colleague or the school system.

Standard 2.3

The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.

Standard 2.4

The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.

Standard 2.5

The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.

Standard 2.6

The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.

Standard 2.7

The educator shall not retaliate against any individual who has filed a complaint with the SBEC or provides information for a disciplinary investigation or proceeding under this chapter.

3. Ethical Conduct toward Students

Standard 3.1

The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.

Standard 3.2

The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.

Standard 3.3

The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.

Standard 3.4

The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.

Standard 3.5

The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.

Standard 3.6

The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.

Standard 3.7

The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

Standard 3.8

The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.

Standard 3.9

The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication.

Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

- (i) the nature, purpose, timing, and amount of the communication;
- (ii) the subject matter of the communication;
- (iii) whether the communication was made openly or the educator attempted to conceal the communication;
- (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- (v) whether the communication was sexually explicit; and
- (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

EXHIBIT C

Travel & Training Policy

The Town of Westlake and Westlake Academy are committed to the development of staff and students. In support of this commitment, both entities include funds in their respective budgets to support appropriate and job-specific training opportunities to increase the capabilities of both staff and students.

Scope

This policy applies to all travel and/or training attended by Town of Westlake/Westlake Academy staff. It is effective with the respective 2024-2025 fiscal year of the entity. If this policy does not provide direction on a travel/training scenario, advance written approval from the Town Manager/Head of School is required.

Allowable Travel & Training

All travel and training must be approved and budgeted prior to staff registration, any payments, and/or the commencement of the activity. Travel/training should have minimal disruption to an employee's workload, relate to their job function and development goals, and provide a benefit to Westlake.

Examples of generally allowed travel & training include:

- Continuing education related to a job requirement
- Activities mandated by the State, Federal government, or other oversight bureau
- Education to stay current on industry standards & changes
- Active participation in industry organizations
- Opportunities to increase knowledge in line with defined development goals
- Activities that support partner relationships
- Social events or excursions subsidized to a minimal cost by the conference organizer

There may be occasions when staff identifies a travel/training opportunity that does not directly relate to their job, is unbudgeted, and/or does not provide a benefit to Westlake. In those instances, the employee may be allowed to take leave (either using paid vacation or unpaid leave) to attend the training. Westlake will not pay for nor reimburse these activities. Advance written approval is required from the Town Manager/Head of School.

Per Diem/Reimbursement/Compensation

To be eligible for any per diem, reimbursable expenses, or compensation adjustments, staff must have a travel/training estimate approved by the appropriate level of oversight, as laid out in this policy, prior to incurring any expenses. Requests made by the listed approver for per diem, reimbursement, or compensation adjustments require their supervisor's approval. Travel/training for Town Manager/Head of School require approval from the Director of Finance.

Per Diem

Westlake utilizes per diem rates established by the US General Services Administration (GSA) for meals and incidentals within the continental United States, the US Department of Defense (DOD) for meals and incidentals in non-foreign areas outside the continental United States, and the US Department of State for meals and incidentals outside the United States. First and last days of travel are paid at 75% of the daily rate. Per diems are provided for all meals not covered by the conference or travel/training event, including taxes and tips. Incidentals are defined here as any fees or tips provided to staff assisting with travel, food and beverages outside the normal daily three meals, and any costs associated with a hotel stay outside the room and applicable taxes or fees. Per diems are required for all overnight travel. When a per diem is required, meals and incidentals are prohibited to be purchased via p-card and will not be eligible for reimbursement.

Failure to disclose “double-dipping” (regardless of employee intention) equates to theft of public funds and is punishable by termination and prosecution. Per diems can be paid up to two weeks prior to travel or as part of the travel/training summary report. Per diems disbursed prior to travel are subject to claw back for instances when a Westlake p-card is used for a covered expense or a meal is provided as part of the conference itinerary.

Westlake prefers staff utilize an issued p-card for all non-per diem expenses whenever possible. Charges made on a personal card when the employee has access to a p-card may not be reimbursed without documented explanation and supervisor approval. All reimbursements require an itemized receipt.

Reimbursement

Reimbursement for costs incurred outside of the per diem will be paid after the travel/training has occurred. Staff is required to submit a travel/training summary, with the appropriate supporting documentation, within 10 days of returning. If the employee has unapproved expenses for which Westlake needs to be reimbursed, those funds must be remitted with the summary or subtracted from the amount due to the employee. Reimbursement is issued by the Accounts Payable process, not Payroll.

Compensation

Westlake recognizes that travel/training opportunities may interrupt the employee’s regular work schedule or occur outside of it. However, travel/training opportunities are a benefit that Westlake chooses to extend to staff and may not be mandated outside regular work schedules. Therefore, Westlake views participation as not generally eligible for additional compensation above an employee’s regular work schedule. This extends to travel time outside the employee’s regular schedule, events lasting longer than the employee’s normal hours in a day, or additional days worked outside their contract. As such, non-exempt employees are discouraged from participating in activities that require travel outside the metroplex or overnight stays. Comp or flex time may be granted if a training event falls on a holiday observed by the employee’s organization (Town or Academy). It is the employee’s responsibility to confirm any adjustments to compensation as part of the initial approval estimate. Additional hours or days worked, including travel time, may not be paid without preapproval, per the Texas Constitution (Article III, Section 44, 51, 53). Whenever possible and appropriate, staff is encouraged to time manage in the same week. Employees are not compensated for optional or non-attended portions of an itinerary, including, but not limited to, networking events, training courses/sessions the employee elected to skip for non-business reasons, or social events.

Onsite & Virtual Trainings

Onsite and virtual training options are viewed as a low cost benefit to staff. Per diems are not granted for these. Westlake prefers that non-exempt employees utilize these options before traveling offsite.

Onsite training may be offered throughout the year. Staff will organize these offerings to ensure maximum exposure with minimal cost and schedule disruption for the general employee body. These offerings may be mandatory. It is the responsibility of staff to confirm with their supervisor prior to attending the impact on compensation. Leadership may provide food or beverage options during these events; these should be budgeted and a p-card should be used. Because it is generally scheduled by leadership staff, onsite training is the only exception to providing a travel/training estimate for appropriate approval.

Virtual trainings are generally the lowest cost, most efficient delivery method for staff technical training. When possible, staff is encouraged to utilize these offerings to allow for the maximum use of public funds. Approved virtual training should be scheduled within the employee’s regular work schedule whenever possible. It is the responsibility of staff to confirm with their supervisor prior to registration or payment whether there will be any impact on compensation. A travel/training estimate approved by their supervisor is required for participation.

Local/DFW Metroplex

The local area considered for this policy is 30 miles from the centrally-located Fire Station at 2900 Dove Road, Westlake, TX 76262. The DFW metroplex is defined in this context as Tarrant, Denton, Dallas, and Collin counties. Offsite training within the local/DFW area requires a travel/training estimate approved by Department Directors/Principals prior to registration, payment, and/or attendance.

Per Diem

It is expected that employees participating in travel/training within the local/DFW area do not require lodging and are therefore ineligible for per diem. Exceptions for overnight stays and corresponding per diem will be considered on a case-by-case basis; exceptions must be budgeted and approved by the Town Manager/Head of School.

Reimbursement

For travel/training within the local/DFW area, reimbursements for mileage, parking/tolls, and lunch are considered allowable. Mileage reimbursement is calculated as the miles traveled over the employee's normal commute when not traveling from/back to Westlake. Lunch expenses are limited to the Arlington/Fort Worth/Grapevine lunch GSA rate plus 20% gratuity. Exceptions may be made for activities in which options are not available under the GSA rate or outside parties are involved; this will require documentation and supervisor approval prior to expense.

For routine business meetings outside of Westlake, reimbursement for mileage, parking/tolls, and meals are allowable without a travel/training estimate. Reimbursement requests must be approved by the Department Director/Principal.

State of Texas

Travel and training outside the local area or DFW metroplex, but within state limits, requires a travel/training estimate to be approved by the Department Director/Principal.

Per Diem

Westlake uses a per diem rate based on location from the GSA for meals and incidentals. Lodging does not use the GSA rate; employees should select either the conference hotel or most economical option. In instances where an employee chooses not to utilize these options, neither reimbursement nor Westlake funds will be granted. If an employee has access to a p-card, they are required to use it for lodging.

Reimbursement

Due to the size of Texas, the most economical method of transportation may be driving one's vehicle, renting a vehicle through Westlake's Enterprise account, or flight. Mileage to/from the training, car rental pickup/drop off, or airport is calculated as the miles traveled over the employee's normal commute when not traveling from/back to Westlake. Mileage will be paid for one-way only when employees are being dropped off or picked up. Employees leaving a personal vehicle at the airport must use the remote parking option. Ride share or taxi usage is allowed; tipping up to 20% of the trip is allowed. Employees may choose the method of travel that best aligns with their purpose and schedule, as long as they remain within budget and receive preapproval.

Outside Texas, within the US

For travel and training outside the state of Texas, the Town Manager/Head of School is required to approve the travel/training estimate.

Per Diem

Westlake uses a per diem rate based on location from the GSA (or DOD for non-continental US travel) for meals and incidentals. Lodging does not use the GSA rate; employees should select either the conference

hotel or most economical option. Depending on the location of the conference and starting/ending times, it may be necessary to arrive a day early or stay a day late; Westlake will pay for lodging in those scenarios with documentation and appropriate approval. In instances where an employee chooses not to utilize these options, neither reimbursement nor use of Westlake funds will be granted. If an employee has access to a p-card, they are required to use it for lodging.

Reimbursement

Mileage to/from the airport is calculated as the miles traveled over the employee's normal commute when not traveling from/back to Westlake. Mileage will be paid for one-way only when employees are being dropped off or picked up. Employees leaving a personal vehicle at the airport must use the remote parking option. Ride share or taxi usage is allowed; tipping up to 20% of the trip is allowed. Employees have access to the Enterprise account if a rental car is necessary during a stay. Local transportation, including public transit, ride share, or taxi usage is allowed. Employees may choose the method of travel that best aligns with their purpose and schedule, as long as they remain within budget and receive preapproval.

Extending Travel

Employees are allowed to extend out-of-state travel for personal experiences. Vacation leave must be used, as appropriate. If an employee chooses to arrive early or stay late when there is no business purpose, all lodging, meals, and incidentals are the responsibility of the employee. Westlake will pay only the equivalent costs of round-trip travel; this must be documented.

International

For travel and training outside the United States, the Town Manager/Head of School is required to approve the travel/training estimate. Employees are responsible for their passport requirements. Westlake will pay for travel visas or other destination-specific costs, such as tourist fees, that would not be otherwise incurred. All allowable expenses for international travel will be reimbursed in US dollars at the closing exchange rate on the last day of travel, as listed on the WSJ website.

Per Diem

Westlake uses a per diem based on location from the Department of State for meals and incidentals. There are no currency conversions provided for per diem. Lodging does not use the Department of State rate; employees will utilize the most economical choice based on their itinerary.

Reimbursement

Mileage to/from the airport is calculated as the miles traveled over the employee's normal commute when not traveling from/back to Westlake. Mileage will be paid for one-way only when employees are being dropped off or picked up. Employees leaving a personal vehicle at the airport must use the remote parking option. Ride share or taxi usage is allowed; tipping up to 20% of the trip is allowed. Local transportation, including public transit, ride share, or taxi usage is allowed. Employees may choose the method of travel that best aligns with their purpose and schedule, as long as they remain within budget and receive preapproval. For cellular or internet service with \$10 limit

Extending Travel

Employees are allowed to extend foreign travel for personal experiences. Vacation leave must be used. If an employee chooses to arrive early or stay late when there is no business purpose, Westlake will pay only the equivalent costs of round-trip travel; this must be documented.

Travel with Westlake Academy Students

Staff is occasionally responsible for the custody of Westlake Academy students for sanctioned travel in support of the IB curriculum. Travel with students does not exempt employees from any part of this policy. Refer to the appropriate section based on destination.

All travel with students requires a travel/training estimate be approved by the Head of School prior to any activities occurring. Student trips typically have fundraised or donated funds in student activity funds; this must be disclosed in the estimate and funds must be available prior to travel. Staff is responsible for ensuring all students participating have signed authorization from their parent/guardian.

Per Diem

Per diem is required to be requested by employees for any travel including at least one overnight stay, even when all meals are included, to provide for the appropriate incidental expenses. Reimbursement for these items will not be permitted under normal circumstances. Students are not eligible for per diem or any kind of reimbursement for trip expenses from Westlake operating funds.

Compensation Adjustments

Compensation adjustments are only considered for full days outside the contracted number of days. They must be requested on the initial travel/training estimate approved by the Head of School. Because this travel is completed on a voluntary basis and not a job requirement, adjustments will likely not be granted.

Emergency Purchases

Due to the nature of chaperoning students, occasions may occur when an employee must make an emergency purchase (defined here as an expense required to preserve the safety or well-being of a student). These purchases can be made on an employee p-card or reimbursement requested upon return. A memo documenting the emergency must accompany the itemized receipt.

Extending Travel

Extending travel when chaperoning students is generally not allowed.

Prohibited Activities/Expenses

The following is a non-comprehensive list of activities or expenses that are not allowed:

- Using Westlake funds for alcohol or entertainment
- Using a scooter, bicycle, e-bike or equivalent transportation
- Travel upgrades including, but not limited to, non-economy airline tickets, paid seat choice, fees for early or late check ins, internet or phone service when free options are available or use is not required and it must be preapproved, additional baggage handling, valet parking when self-parking is available, non-standard lodging, upgraded airline/TSA status
- Avoidable late bookings or change fees
- Travel insurance for individual arrangement bookings
- Using a personal rewards account for group bookings
- Using a personal payment method when a p-card or purchase order is an available option
- Guest travel expenses
- Using a p-card for meals and incidentals when a per diem is disbursed
- Claiming a per diem for a meal included with registration costs

Misapplication, abuse, or disregard of this policy is expressly prohibited and can result in actions including written reprimand, revoked permission to participate in future opportunities, probation, termination, or referral to the Academy attorney or Texas Ethics Commission.