



2025-2026
EMPLOYEE HANDBOOK

Mission

To develop an accelerated learning environment that clearly charts a path for empowerment for primarily at-risk students to become tomorrow's problem solvers, thinkers, and leaders through participation in a wide variety of educational experiences appropriate to their age, interests, and needs. Our school staff will be encouraged to be innovative and will be given vehicles to plan, develop, and implement programs and activities that foster responsibility, academic achievement and lifelong learning in a safe and nurturing environment. To provide innovative and accelerated classroom training in Remedial Basic Skills, Life Skills, and academic programs for Pre-K to 8th grade.

2024-2025 Board Members

Mr. Tommy Brooks	Board President
Dr. Jams Douglas	Board Vice-President
Mr. Isaac Ledesma	Board Secretary
Dr. Veda Brown	Board Member
Mr. Percy Creuzot	Board Member

Mr. Brandon Chandler
Superintendent of Schools

The Academy of Accelerated Learning, Inc. does not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, disability, military status, sexual orientation, gender identity, genetic information, or any other class, characteristic or activity protected under state and federal law. Employment decisions will be made on the basis of each applicant's job qualifications, experience and abilities

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DISCLAIMER: Employee At-Will Status

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

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

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

INTRODUCTION

Welcome to The Academy of Accelerated Learning, Inc.

Welcome to AAL and to what we hope will be a long, productive, and satisfying career at one of Texas' finest public charter schools. AAL strives to create an exciting, challenging, and rewarding work environment. We want you to build a successful relationship with AAL and be a happy and productive member of our school community.

This employee manual was prepared to help you become familiar with AAL and its personnel standards and procedures. Please read it carefully and if you have questions or concerns speak with your supervisor. If you need further information or assistance, please contact AAL's Human Resources Department at (713) 668-8237.

On behalf of our AAL extended family, thank you for joining us. We look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brandon Chandler', written in a cursive style.

Brandon Chandler
Superintendent of Schools

About this Employee Handbook

The purpose of this Employee Handbook is to provide employees with a source of information about AAL's procedures and policies. The policies and procedures in this Employee Handbook are to serve as guidelines and address the minimum requirements established by applicable or relevant legal requirements and best practice. Although AAL has tried to be comprehensive, the Employee Handbook does not, and cannot, include procedures and policies which address every situation that may arise. Such a list would be limitless.

AAL has, and reserves, the right to adopt new procedures and policies, or modify, alter, change or cancel existing policies and procedures at any time. Violation of any board policy or a provision within this Employee Handbook may lead to disciplinary action up to and including discharge from employment.

The AAL Schools, Inc. dba The Academy of Accelerated Learning, Inc. will be referenced throughout this document as "AAL".

Questions regarding this Employee Handbook or any of the policies/procedures should be directed to your supervisor or to the Human Resources Department.

About The AAL Schools, Inc. dba The Academy of Accelerated Learning, Inc. (AAL)

Mission Statement:

To develop an accelerated learning environment that clearly charts a path for empowerment for primarily at-risk students to become tomorrow's problem solvers, thinkers, and leaders through participation in a wide variety of educational experiences appropriate to their age, interests, and needs. Our school staff will be encouraged to be innovative and will be given vehicles to plan, develop, and implement programs and activities that foster responsibility, academic achievement and lifelong learning in a safe and nurturing environment. To provide innovative and accelerated classroom training in Remedial Basic Skills, Life Skills, and academic programs for Pre-K to 8th grade.

Board Adopted AAL Goals:

G1 – Develop and implement short and long-range succession plan strategies to ensure continuity and success of the existing AAL leadership team.

G2 - Position AAL to be a high-performing, college preparatory district providing high quality, advanced academics for pre-k through 12th grade students in the greater Houston area.

G3 – Assess staffing requirements across the AAL system and recruit and retain the best administrators, teachers, counselors, district operations staff available in the greater Houston area.

G4 – Achieve superior achievement ratings (highest under rating system) as evidence of premier status.

G5 – Expand opportunities for community outreach and parent engagement.

G6 – Upgrade and maintain state-of-the-art technology and security operations.

G7 – Strengthen financial, administrative, and operational management processes and internal controls.

G8 – Acquire and maintain facilities that maximize student learning potential.

Vision

To provide families with the opportunity to choose a high-quality school, so that all students achieve their full potential.

Acknowledgement of Receipt of Employee Handbook

The information contained in this Employee Handbook is important and I should consult with the District Facilitator if I have a question that is not answered in this Employee Handbook.

I acknowledge that the AAL Employee Handbook does not create an employment contract or otherwise modify my at-will employment status. I understand that no one has the authority to alter my at-will employment status, or to guarantee my employment for a specific period of time, unless it is approved by the board of directors, in writing, and signed by both myself and the chair of the board of directors.

I understand that AAL may amend or withdraw any or all portions of this Employee Handbook at any time. I understand that it is my responsibility to comply with the board policies and the provisions in this Employee Handbook, including any revisions, and that failure to comply may lead to disciplinary action. I further acknowledge that any revised information may supersede, modify, or eliminate existing provisions within this Employee Handbook. By remaining employed by AAL following any modifications to this Employee Handbook, I thereby accept and agree to such changes.

I acknowledge that I have read this Employee Handbook and agree to read any amendments of the Employee Handbook. Specifically, by signing this form, I acknowledge that I have read, understood, and agree to comply with all policies in this Employee Handbook, including but not limited to, Timekeeping Procedures manual. Finally, in the event of any inconsistency between the information, policies, and benefits described in this Employee Handbook and in my Employment Agreement, the information, policies, and benefits described in the Employment Agreement will control.

I hereby sign and date this Acknowledgment of Receipt and return it to the Human Resources Department. I understand that a copy of my signed form will be retained in my personnel file.

Print Employee's Name

Date

Employee's Signature

Open Door Policy

AAL has adopted an Open Door Policy for all employees. The purpose of our Open Door Policy is to encourage open communication, feedback, and discussion about any matter of importance to an employee. Our Open Door Policy means that employees are encouraged to bring any workplace concerns or problems they might have or know about to their supervisor or some other school administrator.

The Academy of Accelerated Learning, Inc. values each employee and strives to provide a positive work experience. By listening to you, AAL is able to improve, to address complaints, and to foster employee understanding of the rationale for practices, processes, and decisions. The Open Door Policy is not a substitute for a formal complaint. If an employee has a formal complaint or grievance, the employee should timely pursue it in accordance with the grievance section of this Employee Handbook.

SECTION 1: STARTING YOUR JOB

Accuracy of Information

AAL relies upon the accuracy of information contained in the employment application, as well as the accuracy of other information presented throughout the hiring process and employment. Employees are expected to provide truthful and accurate information in connection with their employment at AAL.

Any falsification or misrepresentation in connection with application materials, or during the course of employment, is a serious offense and may lead to discharge from employment or non-selection of an applicant.

Pre-employment Affidavit for Applicants and Applicants Offered Employment

All applicants for employment for educator positions (as defined by Texas Education Code §21.003) must submit a pre-employment affidavit indicating whether the applicant has ever been charged with, or adjudicated for, having an inappropriate relationship with a minor.

An applicant offered employment for an educator position (as defined by Texas Education Code §21.003) must submit a Pre-Employment Affidavit for Applicant Offered Employment prior to the start of employment with AAL. The Pre-Employment Affidavit must be signed by a notary public. AAL offers applicants the opportunity to have the affidavit notarized for free by AAL.

Employment Application & Other Forms

New employees are asked to review and/or complete the required forms.

Current employees may be required to update or execute any of the above forms. Any employee who fails or refuses to complete the above forms or to provide AAL with requested documentation in a timely manner may be subject to the loss of employment benefits, the delay of employment benefits, disciplinary action, or withdrawal of the employment offer.

Criminal History Background Checks

AAL will obtain criminal history records from a law enforcement or criminal justice agency for all prospective volunteers and applicants for employment, including substitutes and contractors, as required by Chapter 22 of the Texas Education Code prior to employment or the commencement of volunteer service. Additionally, as allowed by state law, criminal history checks of employees (or volunteers whose duties are performed where students are regularly present) may be obtained at any time during employment or volunteer services.

Criminal history records must also be obtained and reviewed prior to the employment of any driver for student transportation (bus drivers, bus monitors, and bus aides) either directly or through a commercial service. During the tenure of an employee's employment, the Board of Directors shall be informed of a criminal record of a felony or misdemeanor involving moral turpitude and must affirmatively vote to employ such driver, monitor, or aide.

Information collected on an individual to comply with the requirements listed above is confidential

and may not be released except as authorized by law or with the consent of the person who is the subject of the information.

All employees and applicants must complete the Permission for Criminal History Check Form.

Do Not Hire Registry and Prohibition Against Employing Individuals Convicted of Certain Offenses

A person may not be employed or serve as a AAL employee unless the person has been approved by the Texas Education Agency (TEA) and the results from a review of the person's National Criminal History Record Information and the Do Not Hire Registry do not reveal any prohibitive conduct.

AAL may not hire an individual who is prohibited from serving as an officer or employee of an open-enrollment charter school under Texas Education Code § 12.120(a). Additionally, AAL shall discharge or refuse to hire an employee or applicant for employment if it obtains information through a criminal history review that:

1. The employee or applicant has been convicted of or placed on deferred adjudication community supervision for an offense for which a defendant is required to register as a sex offender under Chapter 62, Code of Criminal Procedure; or
2. The employee or applicant has been convicted of:
 - a. A felony under Penal Code Title 5, if the victim of the offense was under 18 years of age at the time the offense was committed, or
 - b. An offense under the laws of another state or federal law that is the equivalent to an offense under item 1 above (relating to registration as a sex offender).

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

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

AAL may make employment decisions in accordance with its policy regarding employment of personnel with criminal histories (or arrested or charged with a criminal offense). AAL's policy regarding employment of personnel with criminal histories is as follows:

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

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

Additionally, AAL shall discharge or refuse to hire a person listed on the registry of persons not eligible for employment in Texas schools, as maintained and made available by the Texas Education Agency ("TEA").

AAL may discharge an employee if it obtains information of the employee's conviction of a

felony or misdemeanor involving moral turpitude that the employee did not disclose to AAL or the State Board of Educator Certification (“SBEC”).

Except as required by state or federal law or as determined by AAL to be in the best interest of student and employee safety (and in accordance with applicable law), AAL does not automatically prohibit employment or refuse to consider an application for employment solely on the grounds that an applicant/employee has a prior criminal record. AAL does not prohibit employment or refuse to consider an application for employment based solely on the grounds that the applicant/employee has been arrested. Instead, AAL reviews these circumstances on a case-by-case basis.

AAL reserves the right to annually (or more frequently) perform criminal history record checks on current employees.

Fair Credit Reporting Act

AAL may utilize consumer reports – e.g., credit, criminal, employment references and Department of Public Safety reports to assist us in making employment decisions. In addition, AAL may conduct annual driving record checks to verify that the licenses and driving records of those employees required to drive school-owned vehicles are valid and acceptable to our insurance carrier.

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

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

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

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

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

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

Certifications and Licenses

Employees whose positions require certification through the State Board for Educator Certification (“SBEC”), or another professional license are responsible for taking actions to ensure their credentials do not lapse. It is solely the employee’s responsibility to maintain a valid certification or license. An employee’s employment may be terminated if he or she falsely represents holding a valid certificate or license or fails to fulfill the requirements necessary to renew or extend a certificate or license. Employment may also be terminated if SBEC suspends or revokes an employee’s certification.

New Hire Reporting

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

Hiring Retirees

AAL recognizes the wealth of experience of retired teachers and other retired employees and provides them with the opportunity for reemployment.

Defining Retiree Employment

AAL defines retiree as an individual who retired from TRS and is eligible for reemployment. During employment after retirement, a retiree will not earn additional service credit, and TRS contributions will not be due on amounts earned.

Half-time retiree employment is working less than one-half of the time required for a similar full-time (FTE) position. For your employment to not be subject to TRS retiree surcharges, one must work for AAL in a 0.49 (or less) FTE position or an hourly position working one hour less than half-time for a particular calendar month.

Teacher Retirement System Rules

A one-month separation period is required of a person retiring from TRS if the retiree plans to return to work for AAL. A retiree may not return to work or volunteer his or her services during this separation period or at any time during employment. The following guidelines will apply:

1. If the retiree retired before January 1, 2011, the employee may work in any capacity without losing his or her annuity; however, retiree surcharges will apply to any retiree who retired after September 1, 2005, who is working half-time or more. [See the TRS Website (www.trs.state.tx.us/) for additional information].
2. If the retiree retired on or after January 1, 2011, the employee may work one hour less than half-time, as a substitute, or as a combination of substitute and half-time without forfeiting his or her annuity.
3. If the retiree retired on or after January 1, 2011, the employee must wait 12 consecutive months before accepting full-time TRS eligible employment to avoid forfeiting his or her annuity.
4. However, the following will apply:
 - (i) TRS retiree surcharges will still apply to any retiree working half-time or more, for which AAL will be responsible for paying.
 - (ii) Failure to observe the 12-month break in the service period will result in forfeiture of the

employee's monthly annuity for each month in which that work occurs.

Salary

Retirees working full-time who retired on or after January 1, 2011, will be compensated according to the initial placement of a new employee on the AAL pay scale. Retirees who retired prior to January 1, 2011, or retirees who are working less than half-time (49% or less), may be compensated according to the AAL pay scale.

Medical Benefits

Medical leave and benefits are as follows:

1. The rehired TRS retiree will be eligible for medical insurance based on AAL's eligibility policy.
2. Leave time will be advanced and accrued at the same rate as a new hire.

Compensation

The guidelines regarding compensation are as follows:

1. The rehired TRS retiree will pay Medicare taxes according to federal guidelines.
2. Rehired TRS retired employees will no longer receive career ladder compensation.

Pre and Post Offer Medical Testing

Employees may be required to submit to certain medical tests (including drug testing) before beginning employment with AAL.

New Employee Orientation

During the first few weeks of employment, an employee must attend an orientation that will include the following subject areas:

- A review of this personnel manual;
- A tour of the campus;
- Receipt of credentials necessary for parking, access to the school building and computers, and other materials as appropriate for the employee's employment position;
- Prevention techniques for, and recognition, of sexual abuse and other maltreatment of children.

Employee Election Form to Withhold Certain Information from Public Access

Employees of AAL may elect whether to keep certain information about them confidential and not subject to disclosure under the Texas Public Information Act. Unless an employee chooses to keep it confidential, the following information about an employee of AAL may be subject to public release if requested under the Texas Public Information Act:

- Home Address
- Home Telephone Number
- Social Security Number
- Emergency Contact Information
- Information that reveals that the individual has family members

Employees must complete and submit the Release of Personal Information Form to the Human Resources Department to keep certain information about them confidential under the Texas

Public Information Act. The Human Resources Department shall provide the employee with the Release of Personal Information Form upon employment with AAL.

Arrest & Conviction Occurring After Employment Begins

An employee must notify his or her Campus 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; or
- Crimes involving moral turpitude.

Moral turpitude includes, but is not limited to: (a) dishonesty; (b) fraud; (c) deceit; (d) theft; (e) misrepresentation; (f) deliberate violence; (g) base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor; (h) crimes involving any felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance; (i) felonies including driving while intoxicated; and (j) acts constituting abuse or neglect under SBEC rules. If an educator is arrested or criminally charged, the Superintendent is also required to report the educator's criminal history to the Division of Investigations at TEA.

The requirement to report a criminal history after employment begins shall not apply to minor traffic offenses. However, a first offense of DWI or DUI must be reported if the employee drives or operates (or is authorized to do so) an AAL vehicle or other mobile equipment. Failure to timely report may result in disciplinary action, up to and including termination.

Conviction may not be an automatic basis for termination, unless the conviction makes an employee ineligible for employment in a Texas public school. AAL shall consider the following factors (or other appropriate considerations as deemed by AAL) in determining what action, if any, should be taken against an employee who is convicted of a crime during employment:

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

Personnel Records

AAL maintains a personnel file on each employee. This file includes the employee's job application, résumé, records of training, documentation of performance appraisals and salary increases, and other employment records.

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

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

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

Employees who wish to review their own personnel file should contact the Human Resources Department.

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

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

Please complete and return to the Human Resources Department the "Texas Government Code § 552.024 Release of Personal Information Form" if you wish to opt-out and have the above-identified information "exempted" from disclosure under the TPIA. New or terminated employees have 14 days after hire or termination to submit a request; otherwise, personal information will be released to the public in accordance with the TPIA. A request to deny public access to personal information is effective only for public information requests made after the date the employee submits to the Human Resources Department the request to deny access. With respect to certain medical information protected by state and federal law and evaluation documents exempted from disclosure under state law, AAL will seek to exempt and protect such documentation from disclosure to the extent permitted by law.

Name and Address Changes

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

Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This section of the Employee Handbook establishes only the framework within which AAL wishes to operate. AAL's framework is also guided by applicable state and federal law governing conflicts of interest and nepotism applicable to Texas open-enrollment charter schools and nonprofit tax-exempt entities. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Human Resources Department for more information or questions about conflicts of interest.

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All AAL employees shall avoid employment, financial, business, social, or other relationships that might be opposed to the interests of AAL or might create the appearance of impropriety or might cause a conflict with the performance of their duties. Employees shall at all times conduct themselves in a manner that avoids even the appearance of conflict between their personal interests and those of AAL.

Conflict of interest situations may arise in many ways. Examples include, but are not limited to, the following:

1. Employment with a vendor/contractor, regardless of the nature of the employment, while employed by AAL.
2. Contract award with a vendor in which an employee or his or her family have a substantial ownership or management interest.
3. Ownership of, or substantial interest in, a company that is a supplier of AAL.
4. Acting independently as a consultant to an AAL supplier.
5. Accepting expense-paid invitations to sports or entertainment events from a long-time friend who is also an AAL vendor.
6. Socializing with vendors or persons interested in doing business with AAL under circumstances that create the appearance of impropriety.

Any employee who may have a conflict situation, actual or potential, shall report all pertinent details in writing to his or her supervisor. If the proper resolution is not apparent to the supervisor, the supervisor shall refer the matter to the Superintendent of Schools or designee for resolution. If a conflict of interest develops accidentally or unexpectedly, the matter shall be reported to the supervisor immediately.

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

Employment of Relatives and Fraternization

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

While relatives of employees or the Board of Directors may be employed by AAL in accordance with applicable law, a familial relationship among employees can also create an actual, or at least a potential conflict of interest in the employment setting, especially where one relative has professional supervisory responsibility over another relative. Additionally, AAL may not employ relatives of the Superintendent if the Superintendent has final hiring authority over the position sought, unless the relative of the Superintendent was hired prior to September 1, 2013.

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

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

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

For the purposes of this section, a "relative" is any person who is related by blood or marriage within the third degree, as described below, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

<u>First Degree</u>	Parent, Child
<u>Second Degree</u>	Grandparent, Grandchild, Sibling
<u>Third Degree</u>	Great-Grandparent, Great-Grandchild, Aunt/Uncle, Niece/Nephew

Non-Disclosure

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

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

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

Special Rules for Social Studies Courses

For any social studies course offered by AAL, a teacher may not be compelled to discuss a particular current event or widely debated and currently controversial issue of public policy or social affairs. A teacher who chooses to discuss such a topic shall to the best of the teacher's ability strive to explore the topic from diverse and contending perspectives without giving deference to any one perspective.

Assignment and Reassignment - Reassignments and Transfers

All personnel are subject to assignment and reassignment by the Superintendent or designee and may also be directed to perform additional or supplemental duties from time to time. Unless specifically required by applicable law or approved by the Board of Directors and/or the Superintendent, no additional financial compensation is provided for additional or supplemental duties. AAL's criteria for approval of reassignments will be consistent with school policy regarding equal opportunity employment.

Any employee may request reassignment to another position for which he or she is qualified. All interested employees who meet a position's minimum qualifications are encouraged to apply. Selection is based on the school's needs and a candidate's qualifications and performance. Decisions concerning job vacancies will be based on each individual's job qualifications, experience, and abilities and in accordance with applicable state and federal law. AAL reserves the right to select candidates from outside the school.

All employees are subject to assignment and reassignment by the Superintendent or designee when the Superintendent or designee determines that the assignment or reassignment is in the best interest of the district. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract. Campus reassignments must be approved by the Campus Principal receiving campus except when reassignments are due to enrollment shifts or program changes. Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this Employee Handbook and district policy.

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by the 3rd week of June. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Human Resource Department and must be approved by the receiving supervisor.

Professional Development

AAL is committed to the professional development of all its employees. For educators, AAL provides training before the start of the school year, on-site coaching and modeling throughout the school year, day-to-day instructional leadership, and access to external workshops. For non-instructional staff, AAL provides technical training before the start of the school year and throughout the year.

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

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is predominantly campus-based or district-based, related to achieving campus performance objectives, and intended to build instructional capacity. Staff development for non-instructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development. Individuals holding renewable SBEC certificates are responsible for obtaining the required training hours and maintaining appropriate documentation.

SECTION 2: REPORTING TO WORK

Official AAL Office Hours

During the school year, standard hours of operation in the administrative office areas are from 8:00 a.m. until 5:00 p.m.

Regular Work Schedules

AAL has a standard workweek of forty (40) hours per week. Scheduled hours for employees may vary from department to department.

All full-time, non-exempt employees generally work a Monday through Friday schedule of forty (40) hours divided into (5) eight-hour workdays unless a different schedule is approved in writing by the employee's supervisor. Non-exempt employees must have prior written approval before working overtime.

Exempt employees are expected to work the hours necessary to complete their assigned work to the satisfaction of their supervisor without regard to scheduled hours and without expectation of additional compensation.

All employees are expected to be at work during their scheduled office hours unless otherwise required or approved by the employee's supervisor.

Employee Absences and Attendance

When it is necessary for an employee to be absent, the procedures listed below must be followed:

1. Employee is expected to report anticipated absences to his/her respective Campus Principal/supervisor as soon as possible.
2. Employee must contact his/her Campus Principal/supervisor to report an absence no later than 8:00 p.m. of the preceding day. If this is not possible, notification must be made to his/her Campus Principal/supervisor before 6:00 a.m. on the day of the absence. Campus Principals/supervisors will provide emergency contact information to the employee during employee orientation.
3. All leave and absences for non-exempt and exempt staff shall be entered in Skyward Time Off by the employee.
4. AAL employees are expected to be reliable and punctual in reporting for work each scheduled day. If an employee will be late to work or is unable to work as scheduled, the employee should notify their supervisor immediately.
5. Excessive absenteeism, tardiness and leaving work prior to designated time are disruptive to the operations of AAL and may lead to disciplinary action, up to and including discharge from employment. Failure to attend work for up to three days in a row (unless prevented by circumstances beyond the employee's control) without notice to the charter school will constitute job abandonment and/or voluntary resignation on the last day worked, in accordance with applicable federal and state law, and AAL shall process the work separation as a voluntary resignation on the employee's part.
6. In the event of a voluntary resignation, all school-owned property (e.g., keys, uniforms, etc.) must be returned immediately to AAL. No payment shall be made for accrued or unused sick leave or any other type of leave upon voluntary resignation or job abandonment, regardless of whether or not the employee provided advance notice of resignation.

Medical Certification

School administration has the right to and will ask for periodic information from an employee's treating doctor to verify the need for medical absences and to give an indication of when an employee will be able to return to duty. Employees may be asked for a note from their doctor for absences the day before or following a weekend and holiday. Failure to provide the necessary information can affect employee eligibility for leave and will be treated as a failure to follow district policy and procedures.

Medical Examinations

The school administration has the right to, and will ask for, a medical or psychological examination, paid for by the district, if we believe an employee's condition is interfering with the performance of their regular duties. Failure to cooperate will be treated as a failure to follow district policy and comply with directives.

On-the-Job Injuries

In the event of employee injury, even a slight injury, while performing job duties for AAL, an incident report must be completed with the nurse. The incident report should immediately be delivered to the Director of Operations to allow the school to stay in compliance with workers' compensation laws. AAL provides workers' compensation coverage for all employees. If an injury at work causes an employee to be absent, it is their responsibility to inform school administration whether they wish to use accumulated leave in order to receive full pay during an absence, to the extent of available accumulated leave, or whether they wish to save accumulated leave and receive only the temporary income benefits that are available under the workers' compensation laws. If you do not inform the school administration of your choice, absences will NOT be charged to accumulated leave and the employee will receive only temporary income benefits.

Disability

Full-time employees are eligible for disability leave due to non-occupational illness, injuries, or pregnancy. Employees requesting leave must provide written notice of the disability and an expected date of return to work to the Human Resources Department.

AAL recognizes there will be occasions when an illness or other personal event may result in an unscheduled absence. As such, AAL has a leave policy (See Section 3) It is the charter school's expectation that each employee attends work every day unless approved paid or unpaid leave is granted pursuant to the charter school's leave policy.

Textbook and Materials Acquisition

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

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

Copyrighted Material

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

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

Proprietary Information

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

Performance Evaluations

Evaluation of an employee’s job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee’s assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually.

Evaluations will be completed on forms approved by AAL. Reports, correspondence, and memoranda may also be used to document performance information.

The job performance of all employees will be reviewed by the employee’s supervisor on an annual basis.

Performance evaluations are based on an employee’s assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually according to a schedule developed by the Superintendent. These evaluations provide both the employee and his or her supervisor the opportunity to discuss job performance, identify and correct weaknesses, encourage and recognize strengths, and discuss purposeful approaches for meeting goals.

Written evaluations will be completed on forms approved by the Superintendent at least annually. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, have a performance conference with

their supervisor, and be given an opportunity to respond to the evaluation. Evaluation documents are confidential.

Employees are strongly encouraged to discuss job performance with their supervisor on an informal day-to-day basis. Additional formal performance evaluations are conducted to provide employees and their supervisor the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

SECTION 3: TIME AWAY FROM WORK

Holidays & School Breaks

AAL will be closed during the following recognized school holidays:

Labor Day	September 1, 2025
Indigenous People's Day	October 17, 2025
Thanksgiving Day	November 27, 2025
Christmas Day	December 25, 2025
New Year's Day	January 1, 2026
Dr. Martin Luther King, Jr. Day	January 19, 2026
Good Friday	April 20, 2026
Memorial Day	May 25, 2026
Independence Day	July 4, 2026

Additionally, during the following dates, AAL will be closed for school break:

Thanksgiving Break	November 24, 2025 – November 28, 2025
Winter Break	December 22, 2025 – January 2, 2026
Spring Break	March 19, 2026 – March 13, 2026

Leave Policy and Procedures

It is the policy of AAL to provide opportunities for employees to take leave under appropriate conditions. AAL recognizes a variety of circumstances when leave may be appropriate. An employee who qualifies for leave must follow the procedures below.

To request a leave of absence, the employee must submit an Absence from Duty request in Skyward Time Off to his/her Campus Principal/supervisor that provides the appropriate information that may include:

1. The type of leave that is being requested.
2. The period requested.
 - a. When appropriate (e.g., Sick Leave, Family Medical Leave, Disability Leave) a written statement from an attending physician on official letterhead outlining the nature of the illness and anticipated recovery time.
3. Adoption documents from the appropriate Adoption Agency; and
4. Official Military Duty assignment documents.

The request for leave is to be submitted to the Supervisor at least two (2) weeks before the date the leave is requested. In the event circumstances will not permit a leave request two weeks in advance, the request must be made as soon as possible. No action will be taken until documentation for Absence from Duty has been submitted in Skyward Time Off.

Please note that all requests must be in writing; no verbal requests or mentioning of an Absence from Duty in casual conversation will be accepted.

Local personal leave days may not be combined with a school holiday. For example, if an employee takes a local personal leave day, the day before or after a school holiday, the employee will not be paid for the local personal leave day.

An Absence from Duty Form that has been denied may be appealed in accordance with AAL's Grievance Policy and Procedures. Local personal leave days may not be combined with school holidays. See Section 7. Grievance Procedures.

Leave Terms and Conditions

Terms:

Immediate Family – for family leave, the term "immediate family" includes:

1. Spouse or partner;
2. Son or daughter, including a biological, adopted, or foster child; a stepchild; a legal ward; or a child for whom the employee stands in loco parentis;
3. Parent, step-parent, parent-in-law, or other individual who stands in loco parentis to the employee;
4. Sibling, step-sibling, sibling-in-law, son-in-law, or daughter-in-law;
5. Grandparent and grandchild; and
6. Any person who may be residing in the employee's household at the time of illness or death if such person is treated by the employee as a member of the employee's family.

Family Emergency – The term "family emergency" shall be limited to natural disasters and life-threatening situations involving the employee or a member of the employee's immediate family.

Workday – A "workday" means the number of hours per day equivalent to the employee's work assignment, whether full-time or part-time. If the employee transfers to a position with different hourly requirements, the leave is not adjusted, and future accumulations of leave will be based on the current assignment.

Conditions:

Absence/Leave Request Form – An Absence from Duty Form is required for leave. The absence from duty is a record established to track and maintain an employee's leave status. The absence can be paid or non-paid and can also be discretionary (foreseen absence) or nondiscretionary (unforeseen absence).

Notice of Early Return to Work – An employee who wants to return to work before the "return to work date" on the approved Absence/Leave Request Form shall notify the Human Resources Department before a "return to work" date is permitted.

Responsibility of Employee – The employee shall submit leave request forms, return to duty forms from an appropriate entity, and related leave of absence documentation to Human Resources Department before the employee is allowed to return to work.

Recording of Leave Taken – Except for employees who are receiving workers' compensation wage benefits and are on Family Medical Leave Act (FMLA), employees shall use all local personal/vacation time before any type of leave subject to Workers' Compensation and FMLA. Leave is recorded in work days, except in accordance with provisions for intermittent leave under FMLA. Employees shall be charged leave for all leave taken. The Business and Finance Department shall monitor and accurately report employees' use of leave time.

Medical Certification – An employee who is absent three (3) or more consecutive days due to illness shall require certification of a health care provider, either before or on the day he/she returns to work.

Health Care Provider – Medical certification shall be made by a health care provider as defined by the Family and Medical Leave Act.

Certification of Long-Term Illness – Upon request for a long-term leave of absence for an employee's serious health condition or for that of an immediate family member, the employee should provide medical certification of the disability or illness at a minimum of 30-day intervals when he or she is:

1. In a temporary disability leave status only, or
2. On FMLA leave and has exceeded the date of disability assigned by his or her physician.

An employee's failure to provide proper notice and required documentation for an extension of the leave may result in denial of a leave request.

Medical Release – An employee's request to return to work shall be accompanied by written medical certification of the employee's ability to perform essential job functions, with or without reasonable accommodation, immediately upon return to duty. This certification must be provided to the Campus Principal/ supervisor and Human Resources before the first day of returning to work. An employee cannot provide a medical certification on the same day that he or she returns to work.

Failure to Return to Work – An employee's failure to return from maximum available long-term leave may result in his or her termination of employment. In the event a contract employee fails to return to active duty as soon as he or she is released by the physician to perform regular duties, and the employee is not on an approved FMLA or Temporary Disability Extended Leave, and has not requested a release from his or her contract, he or she may be subject to termination. In the event a non-contract employee fails to return to active duty as soon as he or she is released by the physician to perform regular duties, and the employee is not on an approved FMLA or Temporary Disability Extended Leave, the employee may be deemed to have resigned from his or her position with AAL and to have waived any and all rights to further employment by AAL.

Employee Reinstatement – All employees of AAL are subject to assignment by the Superintendent. Therefore, an employee returning from any type of absence or leave may be assigned to a different position, just as an employee not on leave. However, when possible to meet the educational needs of AAL's students, efforts shall be made to return the employee to the same school and position held by the employee before the leave. If the educational needs of AAL do not allow such an assignment, a suitable assignment will be made subject to availability. AAL shall meet return to work provisions found in the various leave laws. The employee's pay and benefits shall resume or continue as specified in the policy under which the employee's leave was granted. An employee returning from leave shall be entitled to return no later than the start of the next school year after making a written request to AAL to return. An employee's reinstatement may be delayed until the start of the next school year if:

1. The employee's leave begins more than five (5) weeks before the end of the semester if the leave lasts at least three weeks and intended return date is during the three-week period before the end of the semester;
2. If the employee's leave begins during the five (5) week period before the end of the semester because of the birth of a son or daughter or the placement of a son or daughter for adoption or foster care, or to care for a spouse, son, daughter or parent with a serious health condition, or to care for a covered service member, when the leave lasts more than two weeks and the intended return date is during the two-week period before the end of the semester;
3. If the employee's leave begins during the three (3) week period before the end of the semester because of the birth of a son or daughter or the placement of a son or daughter for adoption or

foster care, or to care for a spouse, son, daughter or parent with a serious health condition, or to care for a covered service member, when the leave lasts more than five working days.

If an employee is required to take leave until the end of the semester, only the period of leave until the employee is ready and able to return to work shall be charged against the employee's FMLA entitlement. If an employee is required to take leave until the end of the semester, health insurance provided to the employee through AAL shall be maintained.

Restricted Duty – If a physician recommends restricted duty, the Superintendent may approve the employee's return to duty subject to the availability of a position allowing designated restrictions. An employee assigned to restricted duty who refuses to accept the assignment may be subject to termination of his or her employment.

Availability – Should the employee cease to be employed by AAL before the end of his or her contract year, leave earned will be prorated based on actual days employed. Any leave days used but not earned shall be deducted from the employee's final paycheck. Employees who resign shall forfeit all local personal days.

Local Personal Leave

Local Personal Leave – Local personal leave may be used for the following:

1. Employee's local personal business;
 2. Illness of the employee;
 3. Illness of a member of the employee's immediate family;
 4. Death in the employee's immediate family; and
 5. Maternity leave.
- **Eligibility for Local Personal Leave.** Each full-time employee, whether working in an exempt or non-exempt position, will be granted five (5) days per school year for local personal leave. Part time and temporary employees are not eligible for Local Personal Leave. Exempt (salaried) employees must take local leave in full or half day increments. Non-exempt (hourly) employees must take leave in hourly increments in agreement with the number of hours of the absence.
 - **Use of Local Personal Leave.** Local Personal Leave is paid leave and may be used for an employee's illness, for the illness of a family member, family emergencies (i.e., natural disasters, or life threatening situations), death in the immediate family (parents, stepparent, child, stepchild, sibling, grandparents, or cousin), active military service in conjunction with any applicable military leave of absence, or for any other personal reason as determined by the employee. Unless previously approved by the employee's supervisor, local personal leave may not be taken on the first day of school, on the last day of school, on any testing day, on any professional development days, or on any day immediately before or after a school holiday or school break.
 - **Approval for Local Personal Leave.** At least two (2) days prior to the anticipated absence, employees are required to complete an Employee Request for Leave Form and submit it to their direct supervisor and to the Business and Finance Department for approval. For unexpected illnesses of an employee or of an employee's family member, employees are required to submit a completed Employee Request for Leave Form no later than the day that the employee returns to work.

- **Accumulation of Local Personal Leave.** At the end of each school year, any unused Local Personal Leave will not be paid to the employee. Local Personal Leave will not be paid to any employee who is separated from employment during the school year, either because of resignation, retirement, or termination. Local Personal Leave will not accumulate from one school year to the next school year.

Rate of Accrual for Local Personal Leave – Each employee working for a full school year is entitled to local personal leave, in equivalent workdays, of five (5) days per year as mandated by law. This local personal leave may not accumulate from year to year. Each person regularly employed for a partial year shall earn local personal leave, in equivalent workdays, prorated based on the first day of employment, up to the maximum of five (5) workdays per year. Local personal leave days may not be combined with a school holiday or utilized before the week of standardized testing.

Temporary Disability Leave – The maximum length of temporary disability leave for auxiliary personnel shall be 60 calendar days. The maximum length of temporary disability leave for all other employees shall be 180 calendar days. Recertification is required at 30-day intervals. Temporary disability leave shall run concurrently with FMLA and/or workers' compensation. If a temporary disability is foreseen, then the request for temporary disability leave must be completed 30 days in advance. If the temporary disability is unforeseen, then the request must be submitted as soon as possible. If an employee does not return to work after 12 weeks of FMLA leave all benefits will be terminated. Employees may continue to participate in AAL's group insurance programs during their twelve weeks of leave but must pay their portion of those benefits.

Short-Term Leave – An employee may qualify for short-term leave in extraordinary circumstances, and where the employee is absent three (3) or fewer consecutive days and where the employee does not qualify for another leave under this Employee Handbook. If an employee is granted short-term leave, the employee must submit to his or her supervisor an Absence from Duty Form immediately after returning to duty from short-term leave. The Business and Finance Department shall record short-term leave based on the information provided on the employee's Absence from Duty Form.

Long-Term Leave – An employee may qualify for short-term leave in extraordinary circumstances, and where the employee is absent for more than three (3) consecutive days and where the employee does not qualify for another leave as provided in this Employee Handbook. An employee who is eligible for long-term leave shall submit to his or her supervisor an Absence from Duty form and such medical or other certification documents, as appropriate, immediately after returning to duty from long-term leave. The Business and Finance Department shall record long-term leave based on the information provided on the employee's Absence from Duty Form. Other Absences – Any other leaves granted or days of absence shall result in a deduction of the daily rate of pay for each day of absence unless otherwise provided.

Vacation Leave

AAL provides Vacation Leave to all eligible employees and requires employees to plan for its use in advance.

Requests for Use of Vacation Leave

Requests for Vacation Leave should be submitted in writing to the Campus Principal/Supervisor at least two (2) weeks in advance. Requests are approved at the discretion of the Campus

Principal/Supervisor and Superintendent. Vacation before and/or after a Holiday will be approved at the discretion of the Superintendent.

When possible, requests for vacation will be granted as requested by employees. However, employees must bear in mind that operating the school requires an adequate number of trained staff at all times. To maintain quality education services, knowledgeable employees must be in key areas whenever the school is open. This must be kept in mind when scheduling vacations and this can mean that a request for vacation will be denied if it would cause insufficient staffing of the school. To request Vacation Leave, the employee must submit a completed Absence from Duty Form to the supervisor at least two (2) weeks before the date the vacation is requested. In the event, circumstances will not permit a vacation request at least two weeks in advance; the request must be made as soon as possible.

Compensation for Unused Vacation Leave

Employees will not be paid for unused Vacation Leave.

When an official holiday occurs during a vacation, that day is not charged against vacation time. Sickness during vacation may be taken as local personal days if verified by a doctor's certificate. (Please see Holidays – (Section 3) for guidance concerning the use or accrual of Vacation Leave during closed or open holidays.)

Forfeited Vacation Days

Vacation days not taken within the school year are forfeited at the end of the year.

Vacation time is important, and staff certainly earn and deserve the vacation time coming to them. Requests for vacation time will be honored but must be balanced against adequately staffing the schools to serve the public best.

Please note that all requests for vacation must be in writing; no verbal requests or mentioning of a vacation in casual conversation will be accepted.

Family and Medical Leave Act (FMLA)

The FMLA provides employees who meet certain eligibility criteria with unpaid leave for certain family and medical reasons during a 12-month period. During a period of FMLA leave, eligible employees are entitled to continue group health plan coverage as if they had continued to work. During approved FMLA leave, AAL will maintain the employee's health benefits as if he/she continued to be actively employed. If paid leave is substituted for unpaid FMLA leave, AAL will deduct the employee's portion of the health plan premium as a regular payroll deduction. If the leave is unpaid, the employee must pay his/her portion of the premium by submitting a check to the Business and Finance Department as necessary. An employee's health care coverage will cease if his/her premium payment is more than 30 days late. If the employee's payment is more than 15 days late, we will send the employee a letter to this effect. If we do not receive premium payment within 15 days after the date of this letter, coverage may cease. If an employee elects not to return to work for at least 30 calendar days at the end of the approved leave period, the employee will be required to reimburse AAL for the cost of the health benefit premiums paid by AAL for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or other circumstances beyond his/her control. Employees may not earn additional paid time off while on FMLA. At the conclusion of the leave, subject to some exceptions, eligible employees generally have the right to return to the same or an equivalent position and equivalent pay,

benefits and working conditions.

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

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

Leave Entitlements

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

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

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

AAL requires the use of accrued paid leave while taking FMLA leave. If an employee substitutes paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

Benefits and Protections

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

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

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

Eligibility Requirements

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

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

Requesting Leave

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

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

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

Employer Responsibilities

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

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

Enforcement

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

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

For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-497-9243) TTY: 1-877-889-5627

www.dol.gov/whd

Local FMLA Guidelines

Calculating FMLA Leave Year

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

- A “rolling” 12-month period measured backward from the date of any FMLA leave usage. *(Each time an employee takes FMLA leave, the remaining leave is the balance of the 12 weeks not used during the 12 months immediately before the FMLA leave is to start.)*

Use of Paid Leave

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

Combined Leave for Spouses

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

Intermittent Leave

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

Fitness for Duty

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

Reinstatement

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

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

Contact

Employees that require FMLA leave or have questions should contact the Human Resources Department at (713) 668-8237 for details on eligibility, requirements, and limitations.

Bereavement Leave

In the event that full time employees experience the death of an immediate family member, AAL will provide up to three (3) days of paid time off per school year. An employee may request to use additional vacation or personal paid leave time if the employee has such leave available. An immediate family member is defined as a spouse, child or stepchild, parent, grandchild, grandparent, sibling, father-in-law, and mother-in-law, spouse's grandparent, daughter-in law/son-in-law, any other family member residing in the employee's home.

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

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

Military Leave of Absence

AAL is committed to protecting the rights of employees absent on military leave and complying with all employment and reemployment rights granted under the Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA") and corresponding state military leave rights. Specifically, AAL will not deny employment, reemployment, retention, promotion, or any benefit of employment based on an individual's membership, or application for membership, in the uniformed services. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under USERRA and corresponding state law. If any employee believes that he or she has been subjected to discrimination in violation of this provision, the employee should immediately contact Human Resources.

Service members of the Texas military forces who are ordered to state active duty or to state training and other duty by the Governor, the Adjutant General, or another proper authority under Texas law are entitled to the same benefits and protections provided to persons performing service in the United States uniformed services.

Eligibility

Employees taking part in a variety of military duties are covered under this policy. This includes leaves of absence taken by members of the United States uniformed services, including active duty, reserve, or National Guard, for training, periods of active military service, funeral honors duty, and time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the law, these benefits are generally limited to five years of leave of absence.

Procedures for Military Leaves of Absence

Employees must contact Human Resources Department to obtain a military leave of absence form. Notice of the need for leave should be provided as far in advance as is reasonable under the circumstances, unless providing advance notice is prevented by military necessity or is otherwise impossible or unreasonable. Written notice is preferred, but not required under law. Human Resources Department will review the request for military leave of absence and issue written notice as to whether the request is approved.

Benefits

An employee on military leave is entitled to continuation of health insurance coverage as follows:

- **Absences of 31 or more days:** The employee may elect to continue coverage for up to 24 months or for the period of military service (including the time period allowed to reapply for reemployment), whichever is shorter. The employee may be required to contribute up to 102% of the overall (both employer and employee) premium. Upon reinstatement, the employee must be reinstated immediately into the health plan without any waiting periods or pre-existing condition exclusions.
- **Absences of fewer than 31 days:** The employee is entitled to coverage under the health benefits plan as if he or she were employed continuously. The employee must continue to pay his or her portion of the regular premium.
- If the employee is participating in TRS-ActiveCare, the employee must elect to continue participation in the plan. If the employee does not elect continuation, coverage will end on the last calendar day of the month in which the employee enters active, full-time military service.

Group term life insurance provided by AAL will terminate the day the employee becomes active military. Group long-term disability insurance provided by AAL will terminate the day the employee becomes active military. Voluntary supplemental insurance will terminate the day the employee becomes active military. Converting to an individual policy may continue voluntary dependent life insurance coverage.

With respect to any retirement plan sponsored by AAL, employees who have taken military leave will be credited upon reemployment for purposes of vesting with the time spent in military service and will be treated as not having incurred a break in service. Upon reemployment, the employee may, at his or her election, make any or all employee contributions that the employee would have been eligible to make had employment not been interrupted by military service. Such contributions must be made within a period that begins with the individual's reemployment and that is not greater than three times the length of the employee's military service. Employees will also receive all AAL matches for such contributions.

Please contact the Human Resources Department for additional information on benefit continuation during a military leave of absence.

Employees on a military leave of absence may elect, at his or her option, to use paid leave available; the remainder of military leave will be unpaid. Employees will not accrue paid leave during periods of military leave.

Reemployment

To be entitled to reinstatement following military service, the following conditions must be satisfied:

- The employee provided AAL notice of the need for military leave.
- The period of military service did not exceed five years. (Note: Some types of duty do not count against this five-year limit. Employees with disabilities have two years after their return dates—for purposes of recuperation and convalescence—to seek reemployment.)

- The employee was released under honorable conditions.
- The employee returned and reapplied for re-employment within the following time restrictions:
 - **Leaves of fewer than 31 days:** The employee must report to work on the first regularly scheduled work period following the completion of military service; no application is required.
 - **Leaves of more than 31 but fewer than 180 days:** The employee must apply for reinstatement within 14 days after completion of military service.
 - **Leaves of more than 180 days:** The employee must apply for reinstatement no more than 90 days after completion of military service.

When the employee returns from military service, he or she is entitled to return to the position the employee would have attained if he or she had not been called to uniformed service. In limited circumstances based on business necessities, reinstatement may not be possible.

A reemployment position includes the seniority, status, and rate of pay that an employee would ordinarily have attained in the position, given the employee's job history, if the employee had been continuously employed.

Protection from Discharge

Under USERRA, a reemployed employee may not be discharged without cause: (1) for one year after the date of reemployment if the person's period of military service was for 181 days or more; or (2) for 180 days after the date of reemployment if the person's period of military service was for 31 to 180 days. Persons who serve for 30 or fewer days of military service are not protected from discharge without cause. Cause can be based on conduct or on job elimination. However, they are protected from discrimination because of military service or obligation.

General Benefits Upon Reemployment

Employees reemployed following military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have attained, with reasonable certainty, had the individual remained continuously employed. An employee's time spent on active military duty will be counted toward eligibility for FMLA leave.

Jury Duty/Court Appearance

AAL will grant employees time off for mandatory jury duty or for court appearances as a witness when the employee must serve or is required to appear as a result of a jury summons, court order, or subpoena. A leave of absence for jury or grand jury duty will be granted to any employee and will be compensated at his or her regular daily or hourly rate for each day of absence due to jury or grand jury duty, up to a total of three (3) days of paid absence per school year. A copy of the jury summons, court order or subpoena must be supplied to the employee's supervisor when requesting time off.

Other Court Appearances. Employees will be granted leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Employees must submit documentation of their need for leave for court appearances to their supervisor and Human Resources Department. AAL will not discharge, discipline, or otherwise penalize an employee

because he or she complies with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding.

Workers' Compensation

AAL provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. AAL's workers' compensation coverage is administered by Texas Mutual.

Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits depend on coverage eligibility and requirements, and the circumstances of each case.

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

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

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

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

Additional information about AAL's workers' compensation benefit offerings may be obtained from the Human Resources Department.

Voting Leave

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

SECTION 4: BENEFITS

Health Coverage Benefits

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

AAL's medical coverage plan(s) and AAL's annual contribution(s) to such plan(s) are reviewed annually and approved as needed by the Board of Directors. Detailed information and descriptions of coverage, premiums, and eligibility are available through Human Resources Department or by visiting the benefit portal at <https://web.auth.thebenefitshub.com/academyofaccelerated>.

Dental

Lincoln Life Dental is the dental insurance provider for the Academy of Accelerated Learning, Inc. Lincoln Life Dental offers a choice of two plans providing comprehensive dental coverage through two district networks. Information and link to Lincoln Life Dental can be found on the Benefit Portal at <https://web.auth.thebenefitshub.com/academyofaccelerated>.

Vision

Eyetopia Vision Care is the vision provider for the employees of AAL. Eyetopia Vision Care offers a choice of two plans providing comprehensive vision coverage through two district networks. This provides a large choice of providers from which employees may choose. Information on the vision plan can be obtained through the benefit portal at <https://web.auth.thebenefitshub.com/academyofaccelerated>.

Benefits

This section is intended to provide a broad overview of the benefits AAL offers its employees. Unless otherwise specified, only regular, full-time employees are eligible for these benefits. Moreover, if any of the eligibility criteria or benefits described below conflict with an applicable benefit plan, plan summary or other plan document, the plan documents shall govern. AAL reserves the right to add, eliminate, or modify any benefit as it deems fit, in its sole discretion and consistent with applicable law.

Medical/Health Benefits

Medical insurance benefits are available to all employees during the annual open enrollment period and during the first 30 days of employment. Supplemental benefits are available to all new employees. These benefits include participation in group dental, other voluntary plans, and options to participate in a retirement plan, and health insurance for family members.

AAL will contribute a flat amount towards the cost of the coverage for medical insurance for all employees who work full-time hours. However, all employees must pay the remaining cost of medical insurance benefits. Other medical/health benefits are available to all full-time employees at the employee's expense.

Cafeteria Plan Benefits (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. A third-party administrator handles employee claims made on these accounts.

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 during the school's open enrollment period.

Supplemental Teacher Retirement

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitute personnel not receiving TRS service retirement benefits who work at least 90 days a year are also eligible for TRS membership and to purchase a year of creditable service. 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 Human Resources as soon as possible. Information on the application procedures for TRS benefits is available from TRS at 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).

Unemployment Compensation Insurance

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

Worker's Compensation Insurance

AAL, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. AAL has workers' compensation coverage from Texas Mutual.

Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to your campus administrator. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code.

Teacher Retirement System of Texas

The Teacher Retirement System of Texas (TRS) administers a pension trust fund that has been serving the needs of Texas public education employees for over 75 years. A charter school is eligible for membership in TRS when the employee has:

- Regular employment with a **single** public, state-supported education institution in Texas that is expected to last for a period of 4 ½ months or more,
- For one-half or more of the full-time workload, and
- With compensation paid at a rate comparable to the rate of compensation for other persons employed in similar positions.

Substitutes not receiving TRS service retirement benefits who work at least 90 days a year are also eligible for TRS membership and to purchase a year of creditable service. To earn a year of TRS membership credit, an employee must work in a TRS-eligible position or receive paid leave from a TRS-eligible position for at least 90 days during the school year. If an employee will not meet the 90-day requirement and has worked in excess of five days in a workweek, it is the employee's responsibility to ensure the additional day(s) have been reported. Members should carefully review years of service reported when TRS provides them 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.

An employee of a public, state-supported educational institution in Texas is considered to meet these requirements if the employee's customary employment is for twenty (20) hours or more each week at a single employer and for 4½ months or more in one school year.

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

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

An employee is no longer eligible to receive retirement annuity from TRS if the person is convicted of a qualifying felony against a student. A qualifying felony includes the continuous sexual abuse of a young child or children, an improper relationship between an educator and student, sexual assault, or aggravated sexual assault.

Retirement

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitute personnel not receiving TRS service retirement benefits who work at least 90 days a year are also eligible for TRS membership and to purchase a year of creditable service. 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 Human Resources as soon as possible. Information on the application procedures for TRS benefits is available from TRS at 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).

Other Retirement Plans [(403(b) and 457(b)]

AAL offers a voluntary pre-tax salary reduction retirement plan in which eligible employees may elect to participate in.

Same Sex Spouses

In compliance with the U.S. Supreme Court's ruling in *Obergefell v. Hodges* (2015) and the final judgment rendered by the Texas courts in *Pidgeon v. Turner* (2017), AAL extends spousal benefits, where applicable, to same-sex spouses.

Additional Benefits

AAL offers additional benefits – see Human Resources Department.

COBRA Benefits

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under AAL's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation; termination of employment; death of an employee; a reduction in an employee's hours; leave of absence; divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage after a qualifying event at AAL's group rates plus an administration fee for continuation coverage. AAL provides each eligible employee with a written notice describing rights granted under COBRA when a qualifying event occurs.

The notice contains important information about the rights and obligations of the employee and/or beneficiary(ies). Failure to timely comply with the notice may result in a loss of insurance coverage. It is imperative that each employee keep AAL apprised of the status of his/her family life and age of dependents.

Confidentiality of Personal Health Information

All AAL employees who have access to personal health information of other employees or students are required to maintain such information confidential. Employees with access to such confidential information must not use or disclose such information in any manner that jeopardizes the information's confidentiality or that is not necessary for purposes of conducting legitimate AAL business. Any employee who violates this policy will be subject to disciplinary action, up to and including immediate discharge.

Workplace Health and Safety

AAL strives to reduce dangers to health and safety by creating and maintaining improved working conditions, free from recognized hazards that might cause serious physical injury or illness. Employees must comply with all health and safety policies and practices as may be updated by AAL from time to time. Any employee who observes or believes a threat to health and safety exists must immediately report his/her concern to Human Resources. Employees who make such reports in good faith shall not be subject to retaliation of any kind, and AAL will investigate all such concerns and address any potential risks as necessary.

As a part of the Texas School Safety Center requirements, all exterior doors must be locked at all times. In order to better ensure the safety of students and staff, AAL will adhere to the requirements of the Texas School Safety Center. All outside classroom doors that have direct access to students and staff are considered exterior doors. These doors must remain locked at all times. Propping open any exterior door for any reason, for any amount of time, is strictly forbidden. Campus Principal must establish procedures to ensure that all exterior doors are working properly and remain locked at all times.

Local Personal Day Benefits

All employees, except positions designated by the Board of Directors, are provided five (5) local personal days per year. Employees who do not work the full year will have their leave prorated based on the actual number of days worked per their employment calendar. The school does not transfer personal days from other schools or carry forward unused days from the previous year unless otherwise provided by the Board of Directors. An employee may not use personal days immediately before or after a holiday or vacation. Also, personal days may not be taken during staff development days, or between August 1st and September 15th and during the months of May and June unless otherwise pre-approved by Campus Principal. Any personal leave taken during this time frame must have approval from the Superintendent. All employees will be governed by the following conditions:

1. Accept five (5) days of personal leave benefits with the understanding that your performance evaluation and salary increases will include a review of your attendance record during each scholastic year;
2. Accept the condition that no payment will be received for local personal leave taken beyond the annual five (5) days of personal/sick leave benefit.
3. Personal time taken during staff development days, or between August 1st and September 15th and during the month of May and June must have the prior written approval of the Superintendent.

The procedure for taking a personal day is to contact your campus principal or supervisor by telephone before 6:00 a.m. the day you will be absent. When possible, contact your campus principal/supervisor to report an absence no later than 8:00 p.m. of the preceding day. Employees are expected to contact their respective Campus Principal/supervisor each and every day they are absent. Leaving messages by voice mail or with other employees is not acceptable. Unauthorized leave will not be tolerated and any employee violating this policy can be suspended without pay or terminated from employment.

Unemployment Compensation Insurance

Terminated employees may be eligible for unemployment compensation benefits under the Texas Unemployment Compensation Act. At-will employees and employees provided with a notice of reasonable assurance of returning to service are not eligible for unemployment benefits during regularly scheduled breaks in the school year or summer months. Employees with questions about unemployment benefits should contact the Human Resources Department.

WAGES AND EXPENSES

AAL follows all Texas Payday Laws. All employees are paid on the 1st and 16th day of each month in accordance with the Texas Payday law.

The method of pay may be changed at any time, with or without advance notice. Employee pay will either be directly deposited into the employee's financial institution of choice, or delivered through other legal means. Pay will not be released to any person other than the employee to whom pay is due, without the employee's prior written authorization.

Pay due will include earnings per time clock submissions for non-exempt employees for all work performed through the end of the previous payroll period and per the exempt work agreement period for exempt employees.

In the event that a regularly scheduled payday falls on a day off, such as a weekend or holiday, employees will be paid on the last day of work prior to the regularly scheduled payday.

Classification of Employees: Hours Worked

- **Full-Time Employees.** Full-time employees are employed at least 40 hours per week. Full-time employees are eligible for the employee benefits set forth in this Employee Handbook.
- **Part-Time Employees.** Part-time employees work less than 40 hours per week. Part-time employees are regularly scheduled to work during the work week at a fixed part-time schedule. Part-time employees ordinarily are not eligible for the employee benefits set forth in this Employee Handbook, but a part-time employee could qualify for TRS Retirement benefits depending on the employee's tenure and the number of hours worked by the employee.
- **Temporary Employees.** Temporary employees are hired as interim replacements to temporarily supplement the workforce, such as substitute teachers, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration.

Classification of Employees: Non-Exempt Status vs. Exempt Status

AAL assigns positions, determines wages and compensates employees for overtime in accordance with state laws, local laws, and the federal Fair Labor Standards Act. The workweek for each employee is set forth in this Employee Handbook.

- **Exempt vs. Non-Exempt Designation.** Each employment position is designated as either non-exempt or exempt as required by the federal Fair Labor Standards Act (FLSA). It is the intent of AAL to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time.
- The right to terminate the employment relationship at-will at any time is retained by both the employee and AAL.
- **Exempt Positions.** Exempt status applies to the position, not the employee. Exempt simply means the position the employee fills is exempt from the FLSA, and is not entitled to overtime compensation. Exempt employees are paid on a salaried basis, and their salaries are not reduced for absences of less than one full day. However, any full days of absence taken in excess of the employee's allotment/service record accumulation of sick or personal leave will result in an employee payroll deduction calculated on a pro-rated daily rate. Generally, teaching and administrative positions are designated as exempt positions.
 - Teaching positions are classified as exempt positions if:
 - The primary duty is teaching, tutoring, instructing or lecturing in the activity of imparting knowledge; and
 - They are employed and engaged in this activity as a teacher in an educational establishment.
 - Administrative positions are classified as exempt positions on the basis of the current FLSA weekly pay amounts.
 - The position is compensated on a salary basis at a rate of \$ 1,128 or more per week; and
 - The primary duty is performance of office or non-manual work directly related to the management or general business operations of the of the employer or the employer's customers; and
 - The primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.
 - Exempt employees are excluded from specific provisions of federal and state wage and hour laws.
 - An employee's Exempt or Non-Exempt classification may be changed only upon written notification of AAL, and in accordance with applicable federal law.
- **Non-Exempt Positions.** Non-exempt positions are those positions that are not exempt from the FLSA. Non-exempt positions require the school to pay the employee overtime (time and a half) for all hours worked in excess of 40 hours in a workweek. The key phrase is "hours worked." An employee may work 32 hours in a week and have 16 hours of vacation time. This would reflect as 48 hours on a paycheck, but for overtime calculation, the employee actually worked 32 hours – so overtime would not be paid. All employees in positions that are classified as non-exempt will be required to maintain a timecard or record, and will be eligible for overtime pay in accordance with the appropriate federal and state wage and hour laws.
- AAL's positions are reviewed and assigned an FLSA (exempt or non-exempt) status that is maintained on a master record by Human Resources Department. Employees may obtain this information from Human Resources Department upon request.
- **Timekeeping.** Federal and state laws require AAL to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time

actually spent on the job performing assigned duties. Employees are not to estimate future hours and include them on their timecard.

- Non-exempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. This work log should be recorded as it takes place – not several hours or days later. Overtime work must always be approved before it is performed.
- Non-exempt employees should report to work no more than 15 minutes prior to their scheduled starting time nor stay more than 15 minutes after their scheduled stop time without expressed, prior authorization from their immediate supervisor and/or the Campus Principal.
- Employees are to clock into Skyward and their time is then recorded. Supervisors should regularly review their employee's time. Business and Finance Department retrieve the timecard report to verify time and attendance.
- Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Minimum Wage and Overtime

AAL compensates overtime for non-exempt employees in accordance with federal wage and hour laws. Only non-exempt employees are entitled to overtime compensation. Depending on AAL's work needs, employees may be requested to work overtime. AAL compensates overtime for non-exempt employees in accordance with federal wage and hour laws. Only non-exempt employees are entitled to overtime compensation. Non-exempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. An employee who works overtime without prior written approval is subject to disciplinary action, up to and including termination.

Payday

Employees are paid in accordance with administrative guidelines and salary schedules. AAL's salary schedules are reviewed by the Superintendent each year. Salary schedules are adjusted as data dictate, and budgets allow. The Board of Directors approves salary schedules on an annual basis.

All AAL positions are classified as either exempt or nonexempt according to applicable law. Professional employees and academic administrators are generally classified as exempt and are paid on a salary basis regardless of the number of hours worked. Exempt employees are not entitled to overtime compensation. Employees classified as nonexempt are paid a salary based on an hourly wage. Nonexempt employees are not allowed to work beyond 40 hours within a work week. If nonexempt employees are approved by the Superintendent to work beyond 40 hours a week, they will receive overtime pay at time and half. The workweek is defined as Monday through Sunday.

Employees are compensated based upon a Board-approved pay schedule that may be amended by the Board from time to time. All employees of AAL participate in the Texas Teacher Retirement System instead of paying into the Social Security retirement system. However, Medicare contributions remain a deduction each pay period.

Payroll occurs on a semi-monthly basis and is distributed to all employees on the 1st and 16th day of each month. Paid salary begins on the date defined in the Employment Letter of Agreement and

continues until a salary amendment has been approved by the Board of Directors unless an employee is terminated or resigns.

Work performed from the 1st of the month through the 15th of the current month will be paid on the first day of the following month; work performed from the 16th through the last working day of the month will be paid on the 16th of the following month.

All payroll questions should be directed to the Business and Finance Department.

AAL pays its employees on a semi-monthly basis. The payday cycles are as follows:

- **Exempt Employees.** Paydays will take place twice (2) per month on the 1st and 16th. All exempt employees will receive annualized pay in their semi-monthly paychecks, whether central office administrators who work 12 months per calendar year, campus administrators who work 11 months per calendar year, or teachers and other instructional staff who work 10 months per calendar year. For the purposes of this Employee Handbook, annualized pay means the payment of wages is equalized payments over the course of 24 pay periods.
- **Non-Exempt Employees.** Paydays will take place twice per month on the 1st and 16th of each month. All non-exempt employees will receive annualized hourly pay in their semi-monthly paychecks. For the purposes of this Employee Handbook, annualized hourly pay means the payment of wages is equalized payments over the course of 24 pay periods.
- **Final Paycheck.** If an employee is laid off, discharged, fired, or otherwise involuntarily separated from employment, the final payday will be within six (6) calendar days of discharge. If the employee quits, retires, resigns, or otherwise leaves employment voluntarily, the final payday will be on the next regularly scheduled payday following the effective date of resignation. Any school employee who receives annualized pay and who has been overpaid wages as of their last day of employment either must reimburse the school for the amount of overpaid wages or must provide written consent for the amount of the overpaid wages to be deducted from the employee's final paycheck.

Supplemental Duties and Related Stipends

The Superintendent may assign formal supplemental duties to personnel from time to time for activities such as athletic coaching and student club sponsoring.

- **Supplemental Duty Pay for Exempt Employees.** Exempt employees assigned supplemental duties shall be compensated for these assignments according to the compensation plan set by AAL.
- **Supplemental Duty Pay for Non-Exempt Employees.** Non-exempt employees assigned supplemental duties shall be compensated for the supplemental duties on an hourly rate. The hourly rate set for the employee's supplemental duty may differ from the hourly rate set for the employee's core employment position. Overtime wages will be paid if the employee works over 40 hours per work week, whether the work is performed in the employee's core duties, supplemental duties, or a combination of both duties.

- **No Contractual Obligation Committed.** Paid supplemental duties do not create any contractual obligation by the charter school to continue the assignment of the supplemental duty. An employee shall hold no expectation of continuing assignment to any paid supplemental duty.

Automatic Deposit

Employees must have their paychecks deposited into a designated account. This structure helps AAL pay its employees faster and more accurately. You may contact the Business and Finance Department for more information about automatic payroll deposit services.

Employees are responsible for notifying the Business and Finance Department, in writing, at least ten (10) business days before a regular scheduled payday of any changes in the employee's banking status. If the change constitutes the closing of a currently designated account, an alternate account must be specified. If funds cannot be deposited in an account and are returned by the bank for any reason, a replacement check will not be issued until the funds are credited back to AAL's bank account. Additionally, a replacement fee may be applied.

The replacement check will be issued after the funds have been returned, and the employee will pick up their check at the Business and Finance Department and should bring a valid replacement direct deposit form.

Mistake in Payroll or Expense Reimbursement

Employees are required to immediately notify their supervisor in the event of a suspected mistake in their payroll or expense reimbursement. Failure to report an overpayment in payroll or in an expense reimbursement may result in disciplinary action.

Lost/Stolen Paychecks

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

Unclaimed Payroll Checks

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

Authorized Check Pick Up

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

Attendance Records

Employee attendance records must be kept complete and accurate. Attendance records are subject to unannounced reviews to ensure proper use. Falsification of time records is a serious offense and may lead to disciplinary action, up to and including discharge from employment.

Travel Expense and Other Reimbursements

- **Travel Expense Reimbursements.** Before an employee incurs travel expenses related to AAL business, the employee must receive written approval from the employee's direct supervisor. For approved travel, employees will be reimbursed for mileage and travel expenditures according to the current rate schedule authorized by the Board of Directors. Employees must submit receipts to be reimbursed for travel expenses other than mileage. Employees will not be reimbursed for travel to and from the workplace.
- **Other Reimbursements.** Unless specifically pre-approved in writing by the employee's supervisor or designee, no employee will be reimbursed for any personal expense incurred for any work-related expenses such as professional development courses or for classroom supplies.

Deductions in Pay

AAL is required to make the following automatic payroll deductions.

- Teacher Retirement System of Texas or Social Security employee contributions.
- Federal income tax.
- Medicare tax.
- Child support and spousal maintenance, if applicable.
- Delinquent federal education loan payments, if applicable.

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

If you have questions why deductions were made from your paycheck or how they were calculated, notify Business and Finance Department.

Final Wages

AAL will remit an employee's final wages via a live check or by electronic transfer of funds as required by applicable law.

Personnel File Access

An employee may view their application, promotion, disciplinary action and transfers. Also, an employee may review policy sign off forms and training records. Employees may not review references or reference checks, records of any investigation undertaken by management, medical records, documents related to a judicial proceeding, any document that would violate the confidentiality of another employee, and documents used for employee planning.

An employee must submit a written notification within 72 hours (weekends excluded) to Human

Resources to request access to his/her personnel file under the Public Information Act (PIA). As AAL is a governmental entity, the PIA provides a means for employees to inspect or copy their personnel records. An employee may have access to his/her personnel file at least once a year and no more than once every six (6) months. The maximum number of times that an employee may request access to personnel files during twelve consecutive months is two.

The employee must review their personnel files in the presence of a Human Resources staff person. The employees may not remove from the office any part of the personnel file.

The employee may request photocopies of the file or portions of the file. Within reason, the Human Resources staff person will provide photocopies. For extensive copying, the employee will need to pay for the photocopies.

Job Vacancies

Job vacancies by position and location are posted on a regular basis on the district's Web site. Notice of vacant positions, except for the positions that affect the safety and security of the students as determined by the Board, will be posted as least ten (10) school days before a position is filled on a bulletin board in the District's central administration break room, the central office of each campus, and on the District website. However, the District may fill a teacher vacancy that occurs during the school year based on a notice of vacancy that is posted for less than ten school days.

SECTION 5: NON-DISCRIMINATION AND ANTI-HARASSMENT

Non-Discrimination

AAL does not discriminate against any employee or applicant for employment because of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law as required by Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; Title I and Title V of the Americans with Disabilities Act of 1990, as amended (“ADA”); the Age Discrimination in Employment Act of 1967, as amended (“ADEA”); Section 504 of the Rehabilitation Act of 1973, as amended; the Genetic Information Nondiscrimination Act of 2008 (“GINA”); and any other legally-protected classification or status protected by federal, state, or local law. Additionally, AAL does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to an alleged discriminatory employment practice. Employment decisions will be made on the basis of each individual’s job qualifications, experience, and abilities and in accordance with applicable state and federal law.

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

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

AAL has designated the following person as the Title IX Coordinator, who is responsible for receiving and overseeing investigations of alleged discrimination on the basis of sex, including sexual harassment: Martha Bravo; 5300 N. Braeswood, Ste. 8, Houston, TX 77096; mbravo@aalinc.org

AAL has designated the following person as the ADA Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of disability: Brianna Perez, 5300 N. Braeswood, Ste. 8, Houston, TX 77096; bperez@aalinc.org

AAL has designated the following person as the Title VII/ADEA Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of age: Martha Bravo 5300 N. Braeswood, Ste. 8, Houston, TX 77096; mbravo@aalinc.org All other complaints regarding equal employment opportunity may be directed to: Human Resources Department.

Federal and State Worksite Postings

Required state and federal postings are found at each AAL facility. The following postings can be found in an area common to all employees at their facility: Employee Rights Under the Fair Labor Standards Act; Job Safety and Health: It’s the Law; Employee Rights and Responsibilities Under the Family and Medical Leave Act; Equal Employment Opportunity is the Law; Your Rights Under USERRA; Employee Polygraph Protection Act Notice (“EPPA”); Texas Payday Law; Texas Whistleblower Act Notice (“TWA”); Unemployment & Payday Law; Notice to Employees

Concerning Workers' Compensation in Texas; and the Texas Hazard Communication Act Notice ("THCA") to Employees. Postings are in both English and Spanish for all employees to read.

Immigration Law Compliance

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

Nondiscrimination Based on Religion

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

Nondiscrimination Based on Military Service

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

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

Americans with Disabilities Act (ADA)

AAL is committed to complying fully with the ADA, as amended, and ensuring equal opportunity in employment for qualified persons with disabilities (which includes life-threatening illnesses and HIV and AIDS). All employment practices and activities are conducted on a non-discriminatory basis.

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

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

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

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

Prohibition of Harassment

AAL prohibits discrimination, including harassment, of a co-worker or student based upon race, color, national origin, religion, sex or gender, disability, veteran status, age, genetic information, or any other basis prohibited by law. While acting in the course of their employment, employees shall not engage in prohibited discrimination or harassment of other persons including Board members, vendors, contractors, volunteers, or parents. Discrimination or harassment become potentially unlawful where;

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

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

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

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

Retaliation

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

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

Reporting Discrimination and/or Harassment

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

AAL takes allegations of harassment and discrimination very seriously and intends to

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

- In the event you feel you are a victim of harassment, you should contact your immediate supervisor and/or the designated Compliance Coordinator immediately. In the event your immediate supervisor is the alleged harasser, you should contact the next level of management immediately. Complaints against the designated compliance coordinator may be submitted to the Superintendent.
- Any employees who are uncomfortable with face-to-face interaction may write down their complaints in a memo, and submit the memo to their immediate supervisor and/or the designated Compliance Coordinator.
- Any AAL employee who receives a report of suspected harassment or discrimination is expected to immediately contact the designated Compliance Coordinator.
- Complaints will be handled in a timely manner.

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

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

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

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

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

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

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

To the greatest extent possible AAL shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. The purpose of this provision is to maintain impartiality and confidentiality to the extent possible. Both the reporting individual, victim and the accused have equal privacy rights under the law, and AAL must respond accordingly. However, limited disclosures may be necessary in order to conduct a thorough investigation and

comply with applicable law.

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

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

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

Sexual Harassment Prohibited

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

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

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

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

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

General Definitions

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

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

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

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

Reporting Sexual Harassment

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

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

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

Notice of Allegations

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

- Notice of AAL’s grievance process, including any informal resolution process.
- Notice of the allegations of sexual harassment, including, to the extent known, the identity of the parties, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident.
- Notice that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made known at the conclusion of the grievance process.
- Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.

- Notice that the parties may inspect and review evidence related to the complaint.
- Notice that AAL prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

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

Grievance Process

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

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

- AAL will require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and credibility determinations may not be based on a person’s status as a complainant, respondent, or witness.
- Any individual designated by AAL as a Title IX Coordinator, investigator, decision-maker, or to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. AAL will ensure that Title IX Coordinators, investigators, decision-makers, and anyone who facilitates an informal resolution process receive appropriate training related to the requirements of Title IX and AAL’s sexual harassment policy.
- AAL recognizes a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process.
- AAL shall attempt to complete an investigation of reported sexual harassment within thirty (30) calendar days of receiving a complaint. However, the investigation process may be delayed or extended for a limited time for good cause with written notice to the complainant and the respondent of the delay or extension. Good cause may include considerations such as absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- Students found to have engaged in sexual harassment are subject to disciplinary action as outlined in the Student Code of Conduct.
- AAL shall employ the preponderance of the evidence standard to determine responsibility when reviewing formal complaints.
- AAL may not require, allow, rely upon, or otherwise use questions of evidence that constitute, or seek disclosure, of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Consolidating Formal Complaints

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

Dismissal of Formal Complaints

AAL must investigate the allegations in a formal complaint.

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

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

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

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

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

Investigating Formal Complaints

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

- AAL will ensure the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on AAL and not on the parties.
- AAL cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless AAL receives that party's voluntary, written consent to do so.
- AAL will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- AAL will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- AAL will provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisory of their choice, and not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding. AAL may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- AAL will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.

- AAL will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- Prior to completing an investigative report, AAL must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completing the investigative report.
- AAL must create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for review and written response.
- After sending the investigative report to the parties and before reaching a determination of responsibility, the decision-maker(s) must afford each party the opportunity to submit written relevant questions that a party wants asked of any witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Determination Regarding Responsibility

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

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

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

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

Appeals

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

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

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

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

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

Emergency Removals

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

Informal Resolution

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

Prior to facilitating an informal resolution process, AAL must:

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

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

Retaliation Prohibited

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

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

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

Confidentiality

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

Non-Sexual Harassment Sex Discrimination

The formal complaint investigation and resolution process outlined above applies only to formal complaints alleging sexual harassment as defined by Title IX, but not to complaints alleging sex discrimination that do not constitute sexual harassment. Complaints of non-sexual harassment sex discrimination may be filed with the Title IX Coordinator and will be handled under the process described in Section 5 of this Employee Handbook.

Employee Complaints and Grievances Regarding Harassment and Discrimination

****NOTE**** AAL's process for handling formal complaints regarding sexual harassment is discussed in the "Sexual Harassment Prohibited" portion of the Employee Handbook.

AAL takes allegations of harassment and discrimination very seriously and intends to investigate all official complaints. AAL will take appropriate actions for all substantiated allegations. Employees who believe they are being harassed or discriminated against are requested to take the following actions:

- In the event you feel you are a victim of harassment; you should contact your immediate supervisor and/or the designated Compliance Coordinator immediately.
- In the event your immediate supervisor is the alleged harasser, you should contact the next level of management immediately. Complaints against the designated compliance coordinator may be submitted to the Superintendent.
- Any employees who are uncomfortable with face-to-face interaction may write down
- their complaints in a memo and submit the memo to their immediate supervisor and/or the designated Compliance Coordinator.
- Any AAL employee who receives a report of suspected harassment or discrimination is expected to immediately contact the designated Compliance Coordinator.

Complaints will be handled in a timely manner.

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

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

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

The school's investigation may be conducted by the Compliance Coordinator or designee, or by a third party designated by AAL, such as an attorney. When appropriate, the Campus Principal or supervisor shall be involved in or informed of the investigation.

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

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

If the results of an investigation indicate that prohibited conduct occurred, AAL shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct and to end any harassment and to deter future harassment. AAL may also take

action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

To the greatest extent possible, AAL shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. The purpose of this provision is to maintain impartiality and confidentiality to the extent possible. Both the reporting individual, victim and the accused have equal privacy rights under the law, and AAL must respond accordingly. However, limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

An employee who is dissatisfied with the outcome of the investigation may appeal through the School's general employee grievance process, beginning at the level of Superintendent review .

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

In addition to using the school's complaint process, an employee may file a formal complaint with the Equal Employment Opportunity Commission ("EEOC") or Texas Workforce Commission ("TWC").

Additional information may be found by visiting <http://www.eeoc.gov/employees/charge.cfm>.

Student Discrimination/Harassment

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

AAL shall take appropriate disciplinary action against employees who have engaged in discrimination or harassment of students, up to and including termination of employment.

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

Sexual Harassment of Students

Sexual harassment of students includes any unwelcome verbal or physical sexual advances, including but not limited to engaging in sexually oriented conversations; making comments about a student's potential sexual performance; requesting details of a student's sexual history; requesting a date, sexual contact, or any activity intended for the sexual gratification of the employee; engaging in conversations regarding the sexual problems, preferences, or fantasies of either party; inappropriate hugging, kissing, or excessive touching; suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage; telephoning or texting students at home or elsewhere to solicit unwelcome social relationships; physical contact that would reasonably be construed as sexual in nature; threatening or enticing students to engage in sexual behavior in exchange for grades or other school-related benefit; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct when the conduct affects the student's ability to participate in or benefit from a program or activity; or conduct of a sexual nature that creates an intimidating, threatening,

hostile or offensive educational environment.

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

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

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

Fraud, Dishonesty, and False Statements

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

Insubordination

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

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

Growth Plan/Disciplinary Action

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

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

1. Verbal warning.
2. Conference with a supervisor and/or the Campus Principal.
3. Written warning.
4. Imposition of an employee growth plan / performance improvement plan.
5. Suspension with or without pay.
6. Termination of employment.

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

SECTION 6: EMPLOYMENT STANDARDS

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

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

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

Corporal punishment is defined as physical punishment and includes, but is not limited to, lifting, hitting, spanking, swatting, pushing, punching, pinching, choking, or kicking. Participation in corporal punishment is considered child abuse. Corporal punishment is prohibited as a method of discipline at AAL, and violations of this policy will result in disciplinary action up to and including termination. For policies related to student discipline, please review the Student Handbook.

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

Expected Employee Conduct

Standards of Conduct

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

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

All district employees should perform their duties in accordance with state and federal law, district 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 district 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 superintendent knew of the incident.

The Educators' Code of Ethics, adopted by the State Board for Educator Certification, which all district employees must adhere to, is reprinted below:

TEXAS EDUCATORS' CODE OF ETHICS

Code of Ethics and Standard Practices for Texas Educators

Statement of Purpose: 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. 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. Enforceable Standards:

1. Professional Ethical Conduct, Practices and Performance

Standard 1.1. The educator shall not knowingly engage in deceptive practices regarding official policies of the school district or educational institution.

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, 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 applicable 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 district 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, knowingly, or recklessly 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, abuse, or distribution of controlled substances, 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.

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, sex, disability, or family status.

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 under this chapter.

Standard 2.8. The educator shall not intentionally or knowingly subject a colleague to sexual harassment.

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 knowingly treat a student in a manner that adversely affects the student's learning, physical health, mental health, or safety.

Standard 3.3. The educator shall not deliberately or knowingly 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, sex, disability, national origin, religion, or family status.

Standard 3.5. The educator shall not engage in physical mistreatment of a student.

Standard 3.6. The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student.

Standard 3.7. The educator shall not furnish alcohol or illegal/unauthorized drugs to any student

or knowingly allow any student to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

Standard 3.8. The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.

Standard 3.9. The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

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

Employees who do not adhere to these standards are subject to disciplinary action, up to and including discharge.

Alcohol and Drug-Abuse Prevention

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

Drug-Free Workplace Notice

AAL is committed to maintaining a drug-free work environment and each employee is responsible for the maintenance of such an environment. The unlawful manufacture, distribution, possession, or use of a narcotics or other illegal drugs, alcohol, or prescription medications without a prescription on AAL premises or while attending a school-sponsored or school-related activity are **strictly prohibited**.

AAL strictly prohibits

Being impaired or under the influence of legal or illegal drugs or alcohol away from school property, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk AAL's reputation.

Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from AAL property, if

such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk AAL's reputation.

The presence of any detectable amount of prohibited substances in the employee's system while at work, on AAL property, or while attending a school-sponsored or school-related activity. "prohibited substances" include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to an employee.

Additionally, an employee must notify AAL of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Within 30 days of receiving such notice, AAL shall either (1) take appropriate personnel action against the employee, up to and including termination; or (2) require the employee to participate satisfactorily on drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency or other appropriate agency.

Violation of this policy may lead to disciplinary action, up to and including discharge.

As a condition of employment with AAL, AAL may ask an employee to submit to a drug or alcohol test (1) whenever it reasonably believes that the employee may be under the influence of drugs or alcohol at the work place in violation of this Drug-Free Workplace policy, including, but not limited to the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity; unusual, bizarre or erratic conduct that suggests the employee is impaired by, or under the influence of, drugs or alcohol; negative performance patterns; or excessive and unexplained absenteeism or tardiness. (2) An employee is involved in an on-the-job accident or injury under circumstances that suggest the possible use or influence of drugs or alcohol in the accident or injury. (this includes not only the employee who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way). (3) AAL may perform pre-employment drug or alcohol testing after an offer of employment is made and accepted.

Nothing in this policy prohibits, or in any way limits, the lawful use of prescription or nonprescription drugs. However, an employee must inform his/her immediate supervisor if he/she is using a prescription or nonprescription drug which could impair work performance or pose a risk of harm to the employee, to others, or to property. It is the employee's responsibility to determine from his or her physician(s) if the medication can impair work performance or pose such a risk. If the lawful use of lawful prescription or nonprescription drugs does limit or otherwise impair the employee's ability to perform the essential functions of his or her position or otherwise creates a safety risk, the Human Resources Department will meet with the employee to determine whether a reasonable accommodation is available.

All reports by AAL regarding drug or alcohol testing results shall be kept strictly confidential but may be used as the basis for disciplinary action or other action regarding employment status. If an employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of this policy, or if an employee refuses a request to submit to testing under this policy, the employee may be subject to appropriate disciplinary action, up to and possibly including termination. In such a case, the employee will be given an opportunity to explain the circumstances prior to any final employment action becoming effective.

Employees with Commercial Driver's License: Any employee whose duties require a commercial driver's license (CDL) is subject to drug and alcohol testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people, counting the driver; drivers of large

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vehicles; or drivers of vehicles used in the transportation of hazardous materials. Teachers, coaches, or other employees who primarily perform duties other than driving are subject to testing requirements when their duties include driving.

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted at random when reasonable suspicion exists, and as a follow-up measure. Testing will be conducted 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.

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

Violence in the Workplace

AAL is committed to providing a safe workplace that is free from violence or threats of violence. Any and all acts of violence in the workplace are prohibited and subject to disciplinary action, up to and including discharge. Additionally, any and all threats of violence, direct or indirect, serious or said in jest, are prohibited. All threats will be taken seriously and are subject to disciplinary action, up to and including discharge.

Employees concerned about family violence being brought into the workplace or onto the workplace parking lot are encouraged to notify their director supervisor or the Human Resources Department.

Any employee who receives a protective or restraining order that lists AAL as a protected area is required to provide Human Resources Department with a copy of the order and any information requested by AAL to identify the individual subject to the order.

Suspicious Behavior

Employees are encouraged to report any suspicious behavior observed at school or at any school-related or school-sponsored activity. Strangers or former employees walking unaccompanied in areas not generally open to the public should be pointed out to a supervisor.

Former Employees

Unless granted permission by a central office or campus administrator, former employees may not enter areas that are not open to the public after they are no longer employed by AAL.

Employee Dress Code

Employee dress should be neat, clean, and appropriate for a professional appearance. While shoes must be worn at all times, house shoes (e.g. slippers) and flip-flops are not allowed. Denim jeans are allowed on Fridays so long as the jeans are free from holes and frays Denim jeans are allowed on Fridays if worn with either a white shirt, school spirit shirt, or AAL polo shirt. Tennis shoes may be worn on Fridays with jeans. If an employee is unsure of the appropriateness of a particular item of clothing, the employee should choose not to wear it. Shorts, capris, and leggings are not allowed.

Male:

Shirts: At a minimum, men are required to wear a red, white or goldenrod collar style shirt. All shirts must be tucked inside the pants.

Pants: Pants may be any color with a belt. (No jeans).

Shoes: No open heel shoes, sandals, or open toed shoes are permitted.

Body Art/Tattoos/Nails: No visible body art, tattoos or fingernails are permitted that conflict with the employee's job duties or work environment including where the art, tattoo, piercing or nails constitute a hazard or threat to the personal safety of self or others, or damage to company property; impairs employee productivity or negatively impacts the employee's job performance; is offensive to co-workers or others in the workplace, children or their parents based on racial, sexual, religious, ethnic, or other characteristics or attributes of a sensitive or legally protected nature or conflict with the district or societal norms.

Fingernails must be maintained at a length no longer than one quarter inch in order to help protect the safety for all.

Casual Clothing: Is not permitted without proper written request or written approval from the principal.

If an employee does not work at a school site, written request or written approval from the superintendent.

Female:

Shirts: At a minimum, ladies are required to wear a red, white, or goldenrod-collar style shirt. Shirttails and/or blouses must minimally fall below the employee's waistline.

Pants/Dress/Skirt: At a minimum, ladies are expected to wear appropriate undergarment if attire is a dress or skirt. Any color pant or skirt may be worn. Dresses must be red, white, khakis or dark brown. No jeans, shorts or Capri pants are permitted. No leggings or jean leggings may be worn as outer wear.

Shoes: No slip-on shoes, open heel shoes, sandals or open toed shoes are permitted.

Body Art/Tattoos/Nails: No visible body art, tattoos or fingernails are permitted that conflict with the employee's job duties or work environment including where the art, tattoo, piercing or nails constitute a hazard or threat to the personal safety of self or others, or damage to company property; impairs employee productivity or negatively impacts the employee's job performance; is offensiveness to co-workers or others in the workplace, children or their parents based on racial, sexual, religious, ethnic, or other characteristics or attributes of a sensitive or legally protected nature or conflict with the district or societal norms.

Fingernails must be maintained at a length no longer than one quarter inch in order to help protect the safety for all.

Jewelry: Large hoop or dangling shoulder length earrings are prohibited.

Casual Clothing: Is not permitted without proper written request or written approval from the principal.

If employee does not work at a school site, written request or written approval from the superintendent.

An administrator may require an employee to cover his or her tattoos and/or remove facial jewelry. Additionally, because it is difficult to establish a specific dress standard, an AAL administrator may require an employee to change clothing into attire more appropriate for the school environment.

Exceptions to the dress code may be considered to make reasonable accommodations for an employee's disability, as defined by the Americans with Disabilities Amendments Act of 2008, or for an employee's sincerely held religious belief.

Employee Searches

AAL reserves the right to conduct searches to monitor compliance with rules concerning safety of employees, security of company and individual property, drugs and alcohol, and possession of other prohibited items. "Prohibited items" include illegal drugs, alcoholic beverages, prescription drugs or medications not used or possessed in compliance with a current valid prescription, weapons, any items of obscene, harassing, demeaning, or violent nature, and any property in the possession or control of an employee who does not have authorization from the owner of such property to possess or control the property. "Control" means knowing where a particular item is, having placed an item where it is currently located, or having any influence over its continued placement.

Employees do not have an expectation of privacy in any work areas such as, but not limited to, classrooms, offices, desks, filing cabinets, computers or cell phones owned or leased by the AAL. Work areas, Employees, and AAL property are subject to search at any time including but not limited to lockers, personal vehicles (if driven or parked on school property), and other personal items such as bags, purses, briefcases, backpacks, lunch boxes, and other containers. Any of the following may be monitored if they occur during business hours, at school activities, and/or on school property: phone calls, voicemail, e-mail (work and personal), cameras, computers, and internet activity. Furthermore, employees do not have an expectation of privacy in school issued phones or private phones used for work purposes.

Also, employees have no expectation of privacy with respect to their text messages or emails pertaining to school business. Consequently, all school related records or student related records, including text messages and emails, must be kept in accordance with AAL's records retention policy.

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

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

Tobacco Products and E-Cigarettes

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

For purposes of this policy, "e-cigarette" means an electronic cigarette or any other device that

simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. This also includes any and all vapors, inhalants, electronic cigarette devices or other devices or paraphernalia used with vapors, other inhalants or chemicals.

All personnel shall enforce this policy on AAL property.

Audio and Video Recordings

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

Office Dating

Employees who are in administrative, management, or supervisory roles are prohibited from dating any employee over whom they have direct or indirect supervision. Also, individuals who work within the Human Resources Department are prohibited from dating any AAL employee.

If two employees are involved in a dating relationship, it will be presumed by AAL that the relationship is welcomed by both parties unless one or the other notifies AAL to the contrary. Public displays of affection and favoritism during work hours and school activities are prohibited.

Conduct that occurs during a disagreement or following a termination of the relationship must not violate AAL's harassment policy.

Workplace Investigations

When AAL investigates a complaint of misconduct, including but not limited to complaints of student abuse or any type of discrimination or harassment, it expects and requires the cooperation of all employees including the complainant, witnesses, and the accused. During an investigation, AAL may interview employees privately and take oral and/or written statements from them. Any employee who fails to cooperate with such an investigation or to provide complete and truthful information may be subject to disciplinary action, up to and including termination from employment.

Reporting an Educator's Misconduct

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

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

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

In accordance with state law, the Superintendent must complete an investigation of an educator that involves evidence that the educator may have engaged in abuse or otherwise committed an unlawful act with a student or minor or was involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor, despite the educator's resignation from employment before the completion of the investigation. If the educator is arrested and law enforcement requests that the school cease its investigation and the Superintendent is unable to complete the investigation, the Superintendent is still required to timely report to SBEC that the investigation was interrupted at the request of law enforcement.

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

AAL shall provide notice to the parent or guardian of a student with whom an educator is alleged to have engaged in misconduct in accordance with state law. The Superintendent or designee shall also notify the Board of Directors and the educator of the filing of the report.

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

Reporting Employee Misconduct (Non-Educators)

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

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

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

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

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

Updated/Current Employee Information

Employees are required to regularly update:

- A change in home address or telephone number;
- A change in marital status or in the number of dependents;
- A change of insurance beneficiary;
- A change in the number of exemptions claimed for income tax purposes;
- The driving record or status of an employee's driver's license, if the employee operates any AAL vehicle or operates his or her own vehicle for work-related duties, not including driving to and from work.
- A legal change of name.
- The Public Information Act form indicating whether certain personal information may be released to the public.

Updates should be made by notifying Human Resources Department.

Allowable Uses of School Property

Employees may use AAL property only for a purpose that is consistent with applicable law and to implement a program that is described in AAL's charter. Without written permission from the Superintendent, employees are prohibited from using school property for non-instructional purposes. Also, using charter school property for political purposes is prohibited. Employees must request approval from a supervisor before distributing third-party materials on school property or at school related events.

Employees of AAL may use local telephone service, cellular phones, electronic mail, Internet connections, and for incidental personal use under the following conditions:

- Such incidental personal use must not result in any direct cost paid with state funds. If this does happen, the employee who caused the direct cost to be incurred by AAL must reimburse AAL;
- Such incidental personal use must not impede the functions of AAL;
- The use of AAL property for private commercial purposes is strictly prohibited; and
- Only incidental amounts of an employee's time for personal matters, comparable to reasonable coffee breaks during the day, are authorized under this section.

An employee may be required to compensate AAL for any damage and/or destruction the employee causes to AAL property.

A violation(s) of this section may result in disciplinary action, up to and including discharge.

Computer and Internet Use

With the exception of the incidental personal use described in Section 10, access and use of AAL's computers, computer networks, electronic mail, and the Internet is only for educational and administrative purposes. The access of material that is obscene, child pornography, or harmful to minors is prohibited. See Section 10. for a more in-depth policy regarding communication systems, property, and networks.

Failure to comply with this section may result in disciplinary action, up to and including termination.

Administration of Medication to Students

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

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

for a clearly specified period. Extra medication will not be sent home with the student.

- In certain emergency situations, AAL may administer a nonprescription medication to a student, but only in accordance with the guidelines developed by the school's medical advisor and when the parent has previously provided written consent for emergency treatment.

Psychotropic Drugs and Psychiatric Evaluations or Examinations

No employee may:

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

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

Parent and Student Complaints

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the Board of Directors has adopted orderly processes for handling such complaints. Parents or students may obtain information on this process from the main office or the Campus Principal.

Student Conduct and Discipline

Students are expected to follow all classroom and campus rules, and the rules listed in the Student Code of Conduct. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management strategies that have been adopted by AAL. Non-instructional employees with concerns about a particular student's conduct should contact the student's classroom teacher or the Campus Principal.

Bullying

AAL prohibits bullying of students, as well as retaliation against anyone involved in the complaint process. Bullying means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

7. has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property,
8. is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student,
9. materially and substantially disrupts the educational process or the orderly operation of a

classroom or the school, or
10. infringes on the rights of the victim at school.

The definition of bullying includes “cyberbullying,” which means bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

AAL’s anti-bullying policy applies to:

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

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

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

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

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

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

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

Discipline for a student who receives special education services for conduct meeting the definition of bullying or cyberbullying must comply with applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.). AAL may not

impose discipline on a student who, after an investigation, is found to be a victim of bullying, based on that student's use of reasonable self-defense in response to the bullying.

Student Attendance

Teachers and staff should be familiar with AAL's policies and procedures for attendance accounting. Contact the Campus Principal for additional information.

Student Transportation

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

Student Welfare: Computer Technician Reports of Child Pornography

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

Reporting Child Abuse/Child Neglect

All employees are considered professional reporters and are required by state law to report any suspected child abuse or neglect, as defined by Texas Family Code §261.001, to a law enforcement agency, Child Protective Services ("CPS"), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the facility) within 48 hours of the event that led to the suspicion. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a teacher) must be reported to CPS.

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 CPS can be made to local offices, online at <https://www.txabusehotline.org/Login/Default.aspx> or to the Texas Abuse Hotline at (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, any 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, AAL is prohibited from taking an adverse employment action against an employee 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 Campus Principal before making a report to the appropriate agency. In addition, employees must cooperate with investigators of child abuse and neglect.

Reporting the concern to the Campus Principal or another administrator 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.

Sexual Abuse and Maltreatment of Children

AAL has established a plan for addressing sexual abuse, sex trafficking, and other maltreatment of children. 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, trafficked, or otherwise maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Sex trafficking involves forcing a person, including a child, into sexual abuse, assault, indecency, prostitution, or pornography. Maltreatment is defined as abuse or neglect. Anyone who suspects 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 in "Student Welfare: Child Abuse and Neglect Reporting" above.

Notification to Parents Regarding Qualifications

In schools receiving Title I funds, AAL is required by the Every Student Succeeds Act ("ESSA") to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. ESSA also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements.

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

Employee Training

AAL shall provide training for all new and existing employees on awareness of issues regarding child abuse and reporting, sexual abuse prevention, sex trafficking, bullying and David's law, and other maltreatment of children, including prevention techniques for and recognition of child abuse, sex trafficking, and other maltreatment of children.

Use of Personal Vehicles and Traffic Violations

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

If an employee, during the course of AAL business, receives a traffic violation, the employee will

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be personally liable for any expenses incurred from that violation. If, during the course of transporting a student(s), an employee receives a traffic violation, that employee is subject to disciplinary action, up to and including discharge.

If an employee, during AAL business, receives a traffic violation, the employee will be personally liable for any expenses incurred from that violation. If during transporting a student(s) an employee receives a traffic violation, that employee is subject to disciplinary action, up to and including discharge.

Weapons and Firearms Prohibited

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

Social Media Usage

Personal Accounts. AAL does not take a position on an employee's decision to participate in blogs, wikis, social media pages, etc. for personal use on personal time. If, however, staff members choose to do so, staff members should not post anything that would violate student confidentiality or the professionalism and ethical conduct of AAL employees

AAL prohibits employees from being friends or connecting with students on any social media platform such as Facebook, Twitter, Snapchat, Instagram and others, unless you have an appropriate out-of-school relationship with the student such as relatives, church, scouts, or other activity that would be appropriate for such informal communication. Staff must avoid posting student information, pictures, work product exemplars on personal social media sites, blogs, etc. Parental consents apply only to school-sanctioned sites. Be aware that even with the most stringent privacy settings, photo tagging and other tools may make personal information regarding students and their families publicly available.

When using personal social media sites, if you identify yourself as an employee of the AAL, you must remember that you have associated yourself with the school, your colleagues and your school community; therefore, your online behavior must reflect the same standards of professionalism, respect and integrity as your face-to-face communications. You must ensure that any associated content is consistent with the mission and work of the school. You must also respect all copyright and other intellectual property laws. For AAL's protection, as well as your own, it is critical that you show proper respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks, and other intellectual property, including AAL's own copyrights, trademarks, and brands.

Even with the most stringent privacy settings, when posting online comments that are related to school, students, or families, even in a personal capacity, staff should act as if all comments/postings are in the public domain. Use caution when posting any comment and/or images to the internet that may reflect negatively on your professional image. Be advised that failure to adhere to these guidelines may result in disciplinary action, up to and including termination.

Professional Accounts. When using social media sites/products for school related purposes,

use AAL-sanctioned and/or created platforms, (e.g. AAL Facebook page).

Staff should not communicate with parents and students with a personal phone number or email account. Professional communications between staff, students, and parents should be through a school approved program, or school provided device.

If staff wishes to post student information, pictures, work product exemplars on personal social media sites, blogs, etc., they must first ensure a parental consent is on file with the school. Staff must not post anything regarding a student without parental consent.

If an employee's use of social media violates state or federal law or AAL policy or interferes with the employee's ability to effectively perform his or her job duties or adversely impacts AAL and its service to students and parents (as solely determined by AAL), the employee is subject to disciplinary action, up to and including termination of employment.

Staff/Student Romantic Relationships

All AAL employees will recognize and respect the rights of students, as established by local, state, and federal law. Employees shall, at all times, maintain a professional relationship and exhibit a professional demeanor in their interactions with students. Employees shall not form personally intimate or romantic relationships with students, regardless of whether the student is 18 years old. Intimate physical contact between an employee and a student is strictly prohibited, even if consensual. For purposes of this policy, "intimate physical contact" includes but is not limited to holding hands, lap sitting, kissing, petting, and sexual intercourse of any kind.

Text messages and email communications are prohibited between employees and students unless the communication is for educational purposes. AAL prohibits employees from being friends or connecting with students on any social media platform such as Facebook, Twitter, Snapchat, Instagram and others. Also, employees are prohibited from engaging in electronic dating applications with students such as Tinder.

Employees may elect not to disclose their personal telephone number or e-mail address to students.

Employees must report any behavior that is observed at school or at any school-related or school-sponsored activity that might violate this policy. Additionally, if employees receive any inappropriate communication from a student, the employee must report the incident to the Campus Principal. Reports may be submitted directly to the campus administrator via email or verbally in person. A report should include the name of the employee involved, name of the student involved, location of incident, and description of incident. If possible, a report should include any copies of communication between the employee and the student.

Authority to Bind Contracts

Only the charter school board of directors, acting as a body corporate, has legal authority to bind the charter school to a financial or contractual obligation. Accordingly, no school employee is authorized to bind the charter school to any financial or contractual obligation unless the board of directors has expressly and explicitly delegated contracting authority to that employee through the adoption of board policy or through other formal board action.

Expressing Breastmilk in the Workplace

AAL supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk. A location, other than a multiple user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express milk will be provided.

A reasonable amount of break time will be provided when the employee has a need to express milk. For non-exempt employees, these breaks are unpaid and are not counted as hours worked. Employees should meet with the Campus Principal and/or supervisor to discuss their needs and arrange break times.

Visitors in the Workplace

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

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

Outside Employment

Employees of AAL are expected to work solely for AAL. Any outside employment, whether self-employment or working for another employer, should be immediately disclosed to and approved by the Superintendent. In some circumstances, such outside employment may be permitted by AAL. However, AAL retains the right to review and evaluate each situation on an individual basis.

Employee Monitoring

Employees do not have an expectation of privacy in any work areas (e.g. offices, desks, filing cabinets, etc.) or in any AAL property, either owned or leased. Work areas and AAL property are subject to search at any time if there is reasonable suspicion. Any of the following may be monitored if they occur during business hours and/or on school property: phone calls, voicemail, e-mail (work and personal), and internet activity.

Time Clock

All non-exempt employees must clock in upon arrival and clock out before leaving the campus on a daily basis. If an employee is not on his/her campus at the end of the day, employee must clock out at that location. Be reminded that employees are not to stand in line at the time clock waiting on time. Employees must clock in/out as they arrive/leave at the time clock.

Classroom Discussions

For any course or subject, a teacher shall not discuss a widely debated and currently controversial issue of public policy or social affairs. A teacher who chooses to discuss such a topic shall explore that topic objectively and in a manner free from political bias.

Limitations on Employee Training

AAL will not require any employee to engage in training, orientation, or therapy that presents any form of race or sex stereotyping or blame on the basis of race or sex.

SECTION 7: GRIEVANCE PROCEDURES

Guidelines for General Employee Complaint Process

Informal Process

Employees who have a complaint about their terms or conditions of work are encouraged to resolve their concerns informally with their co-workers and/or supervisors at the lowest level possible. If the employee is not satisfied with the outcome of the informal resolution, then the employee may file a formal complaint according to the procedures below.

Excluding a complaint against the Superintendent, each complaint must initially be brought at the lowest level of review, at the Campus Principal/Supervisor Review level. If the complaint is against the Campus Principal/Supervisor, then the complaint may be initially brought at the Superintendent level.

Definitions

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

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

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

“Business Day”

For purposes of this grievance policy, “school day” means any calendar day that the school’s central administrative office is open without regard to whether students are attending school. In calculating timelines under these procedures, the day a document is filed is “day zero”. All deadlines shall be determined by counting the follow business day as “day one.”

Filing

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

Scheduling Conferences

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

Response

Pursuant to Section 7 a "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's e-mail address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

If the administrator addressing the complaint determines that additional time is needed to complete a thorough investigation of the complaint and/or to issue a response, the administrator shall inform the grievant in writing of the necessity to extend the response time and a specific date by when the response will be issued.

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

Representative

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

Consolidating Complaints

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

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

Untimely Filings

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

Costs Incurred

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

Complaint and Appeal Forms

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

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

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

Formal Process

An employee may initiate the formal grievance process described below by timely filing a written complaint form.

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

Campus Principal/Supervisor Review of Complaint – Level I

Where an employee has a complaint or concern regarding their terms or conditions of work, the individual shall first bring their complaint or concern in writing to the appropriate Campus Principal or to the employee’s direct supervisor if the employee does not work on a school campus. The complaint must be brought within 15 business days of the date that the complainant knew or should have known of the alleged harm. The complaint must be specific, and where possible suggest a resolution. The Campus Principal/Supervisor must consider the complaint, attempt to remedy the complaint in the best interest of the affected parties, and document the outcome. The Campus Principal/Supervisor must respond to the complainant and issue a final decision in writing within 10 business days of the Campus Principal’s/Supervisor’s receipt of the complaint.

Superintendent’s Review of Complaint – Level II

If the complainant is not satisfied with the final decision of the Campus Principal/Supervisor, then the individual may file a written appeal to the Superintendent. This written appeal shall be filed with the Superintendent’s office within 10 business days of the individual’s receipt of the final decision from the Campus Principal/Supervisor. The complaint shall include a copy of the prior written complaint, along with a copy of the final decision of the Campus Principal/Supervisor. A copy of the appeal shall also be delivered to the Campus Principal/Supervisor.

The appeal must be specific, and where possible suggestion for a resolution. The complaint shall not include any new issues or complaints unrelated in the original complaint.

The Superintendent, or the Superintendent’s designee, shall respond to the complaint and issue a final decision in writing within 15 business days of receipt of the written appeal.

Board of Directors Review of Complaint – Level III

If the complainant is not satisfied with the Superintendent's final decision, then the individual may appeal their complaint in writing to the Board of Directors within ten (10) school days of receiving the Superintendent's final decision. The complaint shall be directed to the President of the Board and shall include a copy of the written complaint to the Superintendent along with a copy of the Superintendent's final decision. A copy of this appeal shall also be delivered to the Superintendent.

The President of the Board, at the next regular meeting of the Board, shall provide a copy of the complaint record to all board members. The Board's decision shall be decided on a review of the record developed at the Superintendent's level. Any action of the Board of Directors regarding the complaint shall be taken in compliance with the Texas Open Meeting Act.

A complaint against the Superintendent shall begin at the Board level of review and shall follow the complaint process in accordance with this policy section and the Texas Open Meetings Act.

The failure of the Board of Directors to act on a complaint has the effect of upholding the Superintendent's decision.

Whistleblower Complaints

The Texas Whistleblower Act ("TWA") protects employees who make good faith reports of violations of law by AAL or another employee to an appropriate law enforcement authority. AAL is prohibited from suspending, terminating the employment of, or taking other adverse personnel action against an employee who makes a report under the TWA.

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

Following receipt of a whistleblower complaint, the Superintendent or designee will conduct an investigation and issue a written response to the complaint. An employee who is dissatisfied with the outcome of the investigation may file an appeal to the Board of Directors through the General Employee Complaints and Grievances Process described in Section 7. of this Employee Handbook, beginning at Level III.

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

8. Exhaust the AAL complaint procedure, in which case the employee must sue not later than the 30th day after the date those procedures are exhausted to obtain relief under the TWA; or
9. Terminate the school's complaint procedures and sue within the timelines established by the TWA.



**THE ACADEMY OF ACCELERATED LEARNING, INC.
GRIEVANCE RESOLUTION FORM**

[Refer to Employee Handbook Section 7]

To file a formal complaint, please fill out this form completely and submit it by hand delivery, fax, or U.S. mail to the appropriate administrator within the time established in DGBA(LOCAL). All complaints will be heard in accordance with DGBA(LEGAL) and (LOCAL) or any exceptions outlined therein.

4. Name: _____

5. Address: _____

Telephone number: (____) _____

6. Position: _____ Campus/Department: _____

4. If you will be represented in voicing your complaint, please identify the person representing you.

Name: _____

Address: _____

Telephone number: (____) _____

Organization/relation to complainant: _____

5. Please describe the decision or circumstances causing your complaint (give specific factual details).

6. What was the date of the decision or the circumstances causing your complaint?

7. Please explain how you have been harmed by this decision or circumstance.

8. Please describe any efforts you have made to resolve your complaint informally and the responses to your efforts.

With whom did you communicate?

On what date? _____

9. Please describe the outcome or remedy you seek for this complaint.

Employee signature: _____

Signature of representative (if any): _____

Date of filing: _____ Date received: _____

Complainant, please note:

A complaint form that is incomplete in any material way may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing a complaint.

Attach to this form any documents you believe will support the complaint; if unavailable when you submit this form; they may be presented no later than the Level One conference. Please keep a copy of the completed form and any supporting documentation for your records.

SECTION 8: SEPARATION FROM EMPLOYMENT

Termination or Resignation

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

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

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

Exit interviews will be scheduled for all employees leaving AAL. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time.

Reports Concerning Court-Ordered Withholding

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

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

Notice of Resignation

An employee voluntarily resigning employment is requested to provide notice of resignation to his or her supervisor as follows:

- One-month advance notice of resignation by teachers and other exempt employees.
- Two weeks' advance notice of resignation by non-exempt employees.

Termination Grievances (General Complaint)

A terminated employee may request a review of the dismissal decision. Termination grievances (other than whistleblower complaints) must be submitted in writing to the Human Resources Department within five calendar days of notice of termination. A Human Resources Department representative will schedule and hold a conference within five business days of the request and shall issue a written decision within five business days after the conference. A former employee wishing to appeal this decision may appeal through the General Employee Complaints and Grievances process described in Section 7. of this Employee Handbook, beginning at Level III

Appeal to the Board of Directors. Termination decisions will not be deferred pending the outcome of an appeal.

COBRA Notice

In accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA), AAL will provide notice to each employee who is separated from employment of the employee's right to choose to continue group health benefits provided by the charter school's group health plan. COBRA generally requires that group health plans sponsored by employers with 20 or more employees in the prior year offer employees and their families the opportunity for a temporary extension of health coverage in certain instances.

SECTION 9: Miscellaneous Provisions

Emergencies

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

External Inquiries

Employees should contact the Communications and Marketing Department regarding all employee-related legal matters and external inquiries. This includes all inquiries, notices or other communication from attorneys, prospective employers or others regarding employees or former employees, whether verbal or written. It also includes, but is not limited to:

- Any charges of discrimination that may come from the EEOC, Texas Human Rights Commission, or other agencies;
- Any notice or indication of an audit by the DOL or notification from the TWC; and
- Any OSHA complaints or site visits by OSHA staff members.

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

Family Educational Rights and Privacy Act

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

HIPAA

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

HIV-AIDS and Other Life-Threatening Illnesses

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

Employees are not required to reveal their HIV status to employers. All medical information that

an HIV-infected employee provides to medical or management personnel is confidential and private. AAL may not reveal this information without the employee's knowledge and written consent, except as provided by law. Those with access to protected health information ("PHI") must maintain strict confidentiality and privacy, separating the PHI from employees' personnel records. Individuals who fail to protect PHI commit a serious offense, which may be cause for litigation resulting in both civil and criminal penalties and may result in disciplinary action, up to and including termination.

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

Employees who desire assistance concerning a disability or a life-threatening illness should contact the Human Resources Department.

Limitations on Employee Training

AAL employees covered under Education Code § 28.002 may not be required to engage in training, orientation, or therapy that presents any form of race or sex stereotyping or blame on the basis of race or sex. not: shall not require any employee covered under Education Code § 28.002.

Records Retention

Current and former employees are considered temporary custodians of AAL records. Records include any document, including emails and text messages, created, sent, or received by a current or former employee. Employees do not have a personal or property right to public information created or received while acting in their official work capacity or in the transaction of official school business. This means any public information, even if located on a personal device, must be retained and preserved in accordance with the mandatory retention laws of the State of Texas. Employees are reminded that the destruction of school records is the sole responsibility of AAL. If a request for records is received, the employee with possession, custody, or control of public information is required to surrender the information to the school's designated representative no later than the 10th business day after the information is requested. The failure to surrender or return requested documents is grounds for disciplinary action or any other applicable penalties provided by the Texas Public Information Act or other law.

Employees who maintain public information on their personal devices are required to (1) forward the information to their school-issued email account or the school District's server; or (2) preserve and retain the information, in its original form, on the personal device for the legally mandated retention period.

School Closures

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

School Property

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

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

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

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

- Result in any direct cost paid with state funds, or the charter holder is reimbursed by the employee within five (5) business days for any direct cost incurred; or
- Impede charter school functions as determined by the school administration.

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

SECTION 10: Electronic Media, Communications Systems, and Technology Resources Acceptable Use Guidelines

AAL makes a variety of communications and information technologies available to students and employees. These technologies, when properly used, promote educational excellence in AAL by facilitating resource sharing, innovation, and communication. Illegal, unethical, or inappropriate use of these technologies can have dramatic consequences, harming AAL, its students, and its employees.

These acceptable use guidelines are intended to minimize the likelihood of such harm by educating students and employees and setting standards which will serve to protect students and staff. Any attempt to violate the provisions of these guidelines may result in revocation of the user's access to the Network/Internet, regardless of the success or failure of the attempt. In addition, disciplinary action consistent with AAL's employment policy and/or appropriate legal action, which may include restitution, may be taken. School administrators will make the final determination as to what constitutes inappropriate use. The Technology Department or other administrator may deny, revoke, or suspend Network/Internet/resource access as necessary, pending the outcome of an investigation. The expectations of AAL are that all network and technology resource users will comply with all policies, procedures, and guidelines outlined below.

Technology Resources

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

Limited personal use is permitted if the use:

- Imposes no tangible cost to AAL;
- Does not unduly burden AAL's technology resources;
- Has no adverse effect on job performance or on a student's academic performance; and
- Is not used for commercial or political reasons.

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

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

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

Internet Filter

AAL uses a web filter to manage access to various inappropriate locations. However, even with a filter, there may still be sites accessible via the Internet that contain material that is illegal,

defamatory, inaccurate, or controversial. Although AAL will attempt to limit access to objectionable material by using software, controlling all materials on the Internet is impossible. Employees are expected to monitor student Internet use and to report inappropriate Internet sites not filtered to administration.

Email

Email is a service provided by public funds. Email is for instructional and administrative use. Sending jokes, chain letters, etc. via email is considered an inappropriate use of AAL equipment. Electronic mail transmissions and other use of the electronic communications system by employees shall not be considered private. Email may be monitored at any time by designated school staff to ensure appropriate use. This monitoring may include activity logging, virus scanning, and content scanning.

Any memo or correspondence sent via email must follow the same AAL guidelines as is used for other correspondence distribution.

Records retention guidelines apply to email correspondence and must be followed. Email is viewed as a public document. Care should be given to the tone of the email. Also, grammar and spelling should be checked before an email is sent. Be mindful of the unique forwarding properties associated with email.

Electronic Storage

AAL has provided technology users with access to network storage locations for files. The storage area provides a place where school-related items can be stored from year to year.

To enforce acceptable use guidelines and to maintain the integrity of AAL's technology resources, shared network space and any AAL storage space will be monitored by school staff. Inappropriate files such as games, music, inappropriate images, movies, videos, and files that consume storage space will be deleted. External electronic storage devices are subject to monitoring if used or purchased with AAL resources.

Network Behavior

Network/Internet users are responsible for their actions in accessing available resources. The following standards will apply to all users of the Network/Internet:

- The user in whose name a system account is issued will be responsible at all times for its proper use. Users may not use another person's account.
- The system may not be used for illegal purposes, in support of illegal activities, or for any other activity prohibited by AAL policy.
- Users may not redistribute copyrighted programs or data without 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 laws, AAL policy, and administrative regulations.
- Computers are joined to either a student or employee domain for management and inventory. Computers should not be removed from these domains.

General Unacceptable Behavior

While utilizing any portion of AAL's Network/Internet access, unacceptable behaviors include, but are not limited to:

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

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

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

No Expectation of Privacy

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

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

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

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

System Security

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

Users are responsible for their individual accounts and should take all reasonable precautions to prevent others from being able to use them. Users must not provide their password(s) to another person. Users must immediately notify a systems administrator if they have identified a possible security problem. Users should not go looking for security problems, as doing so may be construed as an illegal attempt to gain access.

Users will not attempt to gain unauthorized access to any portion of AAL's electronic network. This includes attempting to log in through another person's account or accessing another person's

folders, work, or files.

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

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

Software and Files

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

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

When sharing or storing sensitive information, users must utilize approved network storage devices and applications.

Technology Hardware

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

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

Vandalism

- Vandalism and mischief are prohibited. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Network/Internet, or any networks that are connected to the Network/Internet. This includes, but is not limited to, the creation or propagation of computer viruses, spyware, and malware. Any interference with the work of other users, with or without malicious intent, is construed as mischief and is strictly prohibited.
- Deleting, examining, copying, or modifying files and/or data belonging to other users, without their permission, is prohibited.
- Forgery of electronic mail messages is prohibited. Reading, deleting, copying, or modifying the electronic mail of other users without their permission is prohibited, unless permitted by AAL policy or authorized by the Superintendent or designee.

- Deliberate attempts to exceed, evade, or change resource quotas are prohibited. The deliberate causing of network congestion through mass consumption of system resources is prohibited.
- Unauthorized disclosure, use, and dissemination of personal information regarding students and employees are prohibited.

Transmitting/Storing/Accessing Confidential Information

Teachers, staff, and students may not redistribute or forward confidential information (i.e., educational records, directory information, personnel records, etc.) without proper authorization. Confidential information should never be accessed, transmitted, redistributed, or forwarded to outside individuals who are not expressly authorized to receive the information. Revealing such personal information as home addresses or phone numbers of users or others is prohibited. In order to reduce the loss of confidential information due to theft or misplacement, student/staff confidential information should not be stored on portable devices such as memory sticks or on hard drives or home machines. This information should be stored on the District's drive. Extreme caution should be used if data is stored on cloud storage (Google docs, drop box, etc.). Cloud based storage should not be used for any data that is considered confidential. This storage is not provided by the District and is subject to the acceptable use guidelines of the particular site being used.

Personal Use of Electronic Communications

Employees in a public school system are responsible for modeling and teaching high standards of decency and civic values. Employees must model the character they are expected to teach, both on and off the worksite. This applies to electronic communications.

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

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

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

- The employee may not set up or update the employee's personal social network page(s) using AAL's computers, network, or equipment.
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct school business.

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

Use of Electronic Media and Electronic Communications with Students

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

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

- **Electronic media** includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.
- **Communicate** means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee’s personal social network page or a blog) is not a communication; however, the employee may be subject to regulations on personal electronic communications. Unsolicited contact from a student through electronic means is not a communication.

An employee uses electronic media to communicate with students must comply with the following provisions:

- Designated employees may use electronic communication with enrolled students only about matters within the scope of the employee’s professional responsibilities. All other employees are prohibited from using electronic communication directly with students.
- All communication via electronic media by staff with parents and students will be professional and of the appropriate nature, purpose, timing, and amount.
- An employee shall have no expectation of privacy in electronic communications with students.

- An employee shall not use a personal electronic communication platform, application, or account to communicate with enrolled students.
- Employees are prohibited from using electronic communications in a manner that constitutes prohibited harassment or abuse of a student; adversely affects the student's learning, mental health, or safety; includes threats of violence against the student; reveals confidential information about the student; or constitutes an inappropriate communication with a student.
- Personal online social media may not be associated with professional online social media.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative guidelines, and the Code of Ethics and Standard Practices for Texas Educators, including compliance with Family Educational Rights and Privacy Act, copyright laws, open records requests, etc.
- The employee does not have a right to privacy with respect to communication with students and parents.
- Employees should avoid sending text messages to students. Exceptions may apply for a teacher or other employee who has an extracurricular duty, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging should attempt to include at least one of the student's parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message. Additionally, for each text message addressed to one or more students, the employee must send a copy of the text message to the employee's AAL email address.
- Employees shall not communicate directly with any student between the hours of 10:00pm and 6:00am, except when necessary to notify students about urgent scheduling or transportation issues. Employees may, however, make public posts to a school-related social network site, blog, or similar application at any time.

Employees shall refrain from inappropriate communications with students. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

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

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

Upon written request from a parent or student, an employee shall discontinue communicating with a student by email, text messaging, instant messaging, or any other form of one-to-one electronic communication.

Upon request from AAL's administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more current-enrolled student.

Employees are not required to disclose their personal email address or personal phone number to students or parents.

Consequences

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

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

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

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