



**ECI ACADEMY**

# **EMPLOYEE HANDBOOK**

# **2024-2025**

*Rowlett*

*Sunnyvale*

## Expectations for ECIA Staff

- Staff will be on time 7:30 AM to 4:00 PM daily
- Staff with three late arrivals will receive a written warning. This will occur every third late arrival and may impact staff retention, duty assignment, or employment status.
- Staff will be respectful to their colleagues and administrators
- Staff will attend mandatory staff development and meetings (PLC)
- Staff will identify successful teaching strategies and strategies that are not successful
- Teachers will schedule a conference with each student's parent(s) during the year
- Staff will become familiar with all teaching apps supported by district
- Staff will supply required information to the Human Resources (HR) Dept.
- Staff will contact their administrators or/and admin asst. if they are absent from school in a timely manner
- Staff will not keep money in their possession or in their classrooms overnight. All monies must be turned into their admin asst. daily page 34
- Staff will monitor all technology being used in their classrooms - smart boards/chromebooks/laptops
- Staff will report any student discrimination/harassment/sexual harassment
- Staff will not share confidential information outside of school
- Staff will follow maintenance procedures for end the school day - chairs on desks/garbage at the door
- All staff have an "At Will" contract and must give a two weeks notice before resigning
- All staff members will carry a walkie-talkie while on campus for emergency incidents and for contact with the front office at all times
- Staff will keep a documentation log for daily communication with parents
- Staff will not use social media to broadcast improper personal information. Examples: Drinking parties/body exposure/etc
- Staff will follow district approved dress code and grooming standards,
- Staff will request personal days off at least two weeks in advance. Not including sick days or family emergencies.
- Staff will be expected to report for work on the day before a break and the day after break. Personal days off at the start or end of a break must have district approval.
- Staff will report student health concerns or injuries to the campus administration and health coordinator without delay. Staff may be expected to complete a written report.
- Staff will not engage in personal business for profit using district resources.
- Staff may be expected to attend campus or district related functions. This may include activities scheduled outside the normal duty hours.
- Staff will meet deadlines for
  - Grade Reporting
  - Daily attendance(PEIMS)
  - Student testing schedule
  - Lesson plans
  - Attendance Reports(PEIMS)
  - Daily Breakfast Count
  - YAG - TRS
  - Special Education Red Binder reviews
  - Teacher input information for Special Education
  - ARD attendance

Signature \_\_\_\_\_ Date \_\_\_\_\_

## TABLE OF CONTENTS

Our Mission Statement.....	8
Our Vision.....	8
Our Values.....	8
Our School Creed.....	8
District Motto.....	9
Non-Discrimination Statement.....	10
Federal and State Postings.....	11
Immigration Law Compliance.....	11
Non Discrimination Based on Religion.....	11
Non Discrimination Based on Military Service.....	11
Americans with Disabilities.....	11
Non Discrimination based on Genetic Information (GINA).....	11
Administration & Campus Info.....	12
Employment Practices.....	12
At-Will Employee.....	12
Employment Applications.....	12
Minimum Qualifications.....	12
Verification of Employment.....	12
Certification and Licenses.....	13
Criminal History Records.....	13
Prohibition Against Employing Individuals Convicted of Certain Offenses.....	13
Fair Credit Reporting Act.....	14
Pre & Post - Offer Medical Testing.....	14
New Hire Reporting.....	14
New Hire Orientation.....	14
Assignment and Reassignment.....	14
Transfers.....	14
Professional Development.....	15
Arrest and Conviction Occurring After Employment Begins.....	15
Personnel Records.....	15
Name and Address Changes.....	16
Health and Safety Training.....	16
Conflict of Interest.....	16
Outside Employment and Tutoring.....	17
Employment of Relatives and Fraternalization.....	17
Non-Disclosure.....	17
Special Rules for Social Studies Classes.....	18
Textbook and Materials Acquisition.....	18
Copyrighted Material.....	18
Proprietary Information.....	18
Performance Evaluations.....	18
Termination or Resignation.....	19
Reports Concerning Court-ordered Withholding.....	19
Termination Grievances (General Complaints).....	19
General Employee Complaints and Grievances Process Purpose.....	19
Informal Process.....	19
Formal Process.....	19
Freedom from Retaliation.....	19
Guidelines for General Employee Complaint Process Definitions.....	20
Filing.....	20
Response.....	20
Representation.....	20
Consolidating Complaints.....	20
Untimely Filings.....	20

Costs Incurred.....	21
Formal Complaints Process.....	21
Level One.....	21
Level Two.....	21
Level Three.....	21
Whistleblower Complaints.....	22
Compensation and Pay Schedules.....	22
Payroll.....	22
Salaries, Wages, and Stipends.....	22
Payroll Deductions.....	22
Administrative Pay Corrections.....	23
Overpayments.....	23
Automatic Deposit.....	23
Lost or Stolen Paychecks.....	23
Unclaimed Paychecks.....	23
Authorized Check Pickup.....	23
Expense and Travel Expenses Reimbursement.....	23
Wage and Tax Statements.....	23
Fair Labor Standards Act (FLSA) Employment Categories.....	24
Time Keeping.....	24
Minimum Wage and Overtime.....	24
Compensation and Wage Increase Schedule Employee	
Benefits.....	25
Benefit Offerings.....	25
Health Coverage Benefits.....	25
Teacher Retirement System.....	25
Benefits Contribution.....	25
Other Benefits.....	25
Unemployment Compensation Insurance.....	25
Worker's Compensation.....	25
Campus Procedures for Staff.....	26
Absence and Leave.....	26
Teacher/Paraprofessional Work Day.....	26
Absence.....	26
Excessive Absenteeism or Tardiness.....	26
Notice of Unexpected Absence.....	26
Failure to Give Notice - Job Abandonment and Voluntary Resignation.....	26
Notice of Resignation.....	27
Holiday Leave.....	27
Leave Prior to Schedule Holidays.....	27
Local Leave Overview.....	27
Approve for Using Local Leave Days.....	27
Duration Leave/Schedule Limitations.....	27
Forfeiture of Accrued Leave.....	28
Family and Medical Leave Act (FMLA).....	28
Benefits and Procedures.....	29
Eligibility Requirements.....	29
Requesting Leave.....	29
Employer Responsibilities.....	29
Enforcement.....	29
Local FMLA Guidelines.....	29
Calculating FMLA Leave Year.....	29
Use of Paid Leave.....	30
Combined Leave for Spouses.....	30
Intermittent Leave.....	30
Fitness of Duty Leave.....	30
Reinstatement.....	30
Failure to Return.....	30

Contact.....	30
Military Leave of Absence.....	30
Temporary (two week) Military Leave.....	30
All other (extended) Military Leave.....	30
Bereavement Leave.....	31
Jury Duty and Grand Jury Duty.....	31
Other Court Appearances.....	31
Voting Leave.....	31
Employee Conduct.....	32
General.....	32
Standards of Conduct.....	32
Code Ethics.....	32
Ethical Conduct in General.....	32
Professional Ethical Conduct, Practices, and Performance.....	32
Ethical Personal Conduct.....	32
Ethical Conduct Toward Professional Colleagues.....	33
Ethical Conduct Toward Students.....	33
Financial Ethics.....	34
Campus Money Handling Procedures.....	34
Dress and Grooming.....	35
Unacceptable Employee Conduct.....	35
School Investigations.....	36
Reporting Educator Misconduct.....	36
Reporting Employee Misconduct (Non-educators).....	37
Prohibition of Discrimination, Harassment and Retaliation.....	37
Retaliation.....	37
Reporting Procedures.....	38
Sexual Harassment Prohibited.....	38
General Definitions.....	39
Reporting Sexual Harassment.....	39
Notice of Allegations.....	39
Grievance Process.....	40
Consolidating Formal Complaints.....	40
Dismissal of Formal Complaints.....	40
Investigating Formal Complaints.....	40
Determination Regarding Responsibility.....	41
Appeals.....	41
Emergency Removals.....	42
Informal Resolution.....	42
Retaliation Prohibited.....	42
Confidentially.....	42
Non-Sexual Harassment Sex Discrimination.....	42
Student Discrimination/Harassment.....	42
Sexual Harassment of Students.....	43
Fraud, Dishonesty, and False Statements.....	43
Insubordination.....	43
Growth Plan/Disciplinary Action.....	43
Social Media.....	44
Cell Phone Policy.....	44
Sales and Solicitations.....	45
Public Relations/Media.....	45
Employee Involvement in School Activities.....	45
Employee Health and Safety.....	45
Accident Reporting.....	45
Alcohol and Drug-Abuse Prevention.....	45
Drug-Free Workplace.....	45
ECIA Prohibits.....	45
Asbestos Management Plan.....	46

Communicable Diseases.....	46
Hazard Communication Act.....	47
Workplace safety Statement.....	47
Reporting Serious Injuries.....	48
Reporting Procedures.....	48
Searches.....	48
Tobacco Products and E-Cigarettes.....	49
Weapon & Firearm Possession.....	49
Workplace Violation Prevention.....	49
Drug and/or Alcohol Testing Consent and Policy Acknowledgement.....	50
Miscellaneous Provisions.....	51
Emergencies.....	51
External Inquiries.....	51
Family Education Rights and Privacy Act.....	51
HIPPA.....	51
HIV-AIDS and Other Life-Threatening Illnesses.....	51
Limitations on Employee Training.....	52
Key/Access Device Security.....	52
Personal Property.....	52
Records Retention.....	52
School Closures.....	52
School Property.....	52
Parent Advisory Committee (PAC).....	53
Student Issues.....	53
Non-Discrimination Statement.....	53
Administering Medications to Students.....	53
Psychotropic Drugs and Psychiatric Evaluations or Examinations.....	54
Parent and Student Complaints.....	54
Student Conduct and Discipline.....	54
Student Welfare: Sexual Abuse and Maltreatment of Children.....	55
Notification to Parents Regarding Qualifications.....	55
Employee Training.....	55
Bullying.....	55
Attendance Policy - Student.....	56
Teacher Procedures for Student Attendance.....	57
Teacher Attendance at ARD/504 Meetings.....	57
Daily Observances.....	57
Backpacks/Book Bags.....	57
Fundraising.....	57
Student Being Photograph.....	57
Student Transportation.....	57
Student Welfare.....	57
Computer Technician Reports of Child Pornography.....	57
Use of Personal Vehicles.....	58
Visitors in the Workplace.....	58
Electronic Media, Communication Systems, and Technology Resources.....	58
Acceptable Use Guidelines.....	58
Technology Resources.....	59
Internet Filter.....	59
Email.....	59
ElectronicStorage.....	59
General Unacceptable Behavior.....	59
No Expectation of Privacy.....	60
System Security.....	61
Software and Files.....	61
Technology Hardware.....	61
Vandalism.....	61
Transmitting/Storing/Accessing Confidential Information.....	62

Personal Use of Electronic Communications.....	62
Use of Electronic Media and Electronic Communications with Students.....	63
Consequences.....	64
<b>Academic.....</b>	<b>64</b>
Curriculum.....	64
List of supported educational programs.....	64
Teacher Observations and Evaluations.....	65
Grading Procedures.....	65
Grading Scale.....	65
Cheating/Plagiarism/Academic Dishonesty.....	65
Conferences with Teachers.....	65
Response to Intervention (RTI).....	65
Teacher Training.....	66
State and Federal Testing Standards.....	66
<b>GradeBook.....</b>	<b>66</b>
<b>Student Code of Conduct.....</b>	<b>68</b>
Positive Learning Environment.....	68
ECIA Philosophy.....	69
Student Classroom Rules.....	69
Sending Students to the Principal's Office.....	69
Disregard or Disrespect for Authority.....	69
Student Shall Not:.....	69
Mistreatment of Others - Student.....	69
ECIA CSD Hazing/Bullying Report Procedures.....	69
Property Offenses.....	70
Possession of Prohibited Items.....	70
Miscellaneous Offenses.....	71
Discipline Techniques.....	71
Disruptions of School Operations.....	71
Standards for Student Conduct.....	72
School District Authority and Jurisdiction.....	72
ECIA Staff Responsibilities.....	72
Parent and Student Complaints.....	72
Procedures for Receiving and Resolving Campus Complaints.....	73
Level One Informal Conference.....	73
Level Two Principal Conference.....	73
Level Three District Administrative Conference.....	73
Level Four Superintendent Conference.....	73
Level Five School Board Hearing.....	73
Expulsion Appeal.....	73
Special Complaints.....	73
Title I District.....	73
Dress Code.....	74
End of School Classroom Procedures.....	74
Teacher Action Form.....	78
<b>District Covid Policy.....</b>	<b>79</b>
Questionnaire for Covid 19 Symptoms.....	79

## **Our Mission**

Our mission is to prepare every student for a meaningful life of success by producing leadership, integrity, and service.

## **Our Vision**

Our vision is to become a leading charter organization by providing academic excellence and character training that prepare students for life beyond school.

## **Our Values**

Responsibility is personal.  
Learning is lifelong.  
Honesty is essential.  
Equality is inherent.  
Discipline is love.

Education is a shared responsibility of students, school, home and community and with that as an essential principle, we believe that:

- Each person is ultimately responsible for his/her own learning.
- Every person can learn; learning is lifelong and unlimited.
- All people have equal inherent worth and deserve to be treated with respect and dignity.
- Each person is unique.
- Everyone needs challenge and encouragement.
- Through building meaningful relationships, people, both individually and corporately, have profound. lifelong influence on other people.
- Honesty is essential.
- A safe and orderly environment is necessary for learning.
- Discipline fosters self-discipline.
- There is always room for improvement.



## **Our School Creed**

I am an ECIA Charter Academy student.  
I have great expectations for myself.  
I accept the challenge to become the best that I can be.

Yesterday's failures are behind me.  
Today's successes are now before me.  
I will make today the very best day of all.  
For this day begins the rest of my life.

I accept the responsibility for my behavior and its results.  
I do not have the right to interfere with the  
learning and well being of others.

With my family and teachers,  
I will determine what I will become.  
For the education I receive today,  
will make me a leader of tomorrow.

## **District Motto**

**The Golden Rule: "Treat other people as you would want to be treated."**

## **Welcome to Education Center International Academy (CS)**

Dear Employee:

This handbook ("Handbook") contains information about Education Center International Academy Charter School (CS) or (ECIA) employment policies and practices. We have designed our employment policies and practices not only to comply with federal and state employment laws, but also to attract, develop, and reward talented employees, administrators, support staff, and leaders.

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

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

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

Handbook location is at the following link under tab IMPORTANT INFORMATION: <https://eciacharter.com/>

Sincerely,

Dr. Donna Townsend, Superintendent of Charter Schools

## Equal Opportunity Employment Practices

### Non-Discrimination Statement

The Education Center International Academy CSD does not discriminate on the basis of race, age, color, religion, gender, national origin, disability, sexual orientation, gender identity, military status, or any other basis prohibited by law 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, ECIA 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, experiences, and abilities and in accordance with applicable state and federal law.

Employees can raise concerns and make reports without fear of reprisal. For inquiries regarding the nondiscrimination policies, disability accommodations or concerns related to equal employment opportunities, contact: Jackie Whitaker, Human Resources Director at (214) 628-9152, or the Title VII/Title IX, ADA or ADEA Coordinator .

As required by Title IX, ECIA 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 ECIA. Inquiries into issues related to Title IX may be referred to ECIA’s Title IX Coordinator (identified below), to the Assistant Secretary for Civil Rights of the Department of Education, or both.

ECIA 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.

Bob Densmore, Asst. Supt.

District Office at 302 North TownEast Blvd., Sunnyvale, Texas 75182

(214) 628-9152, [bdensmore@eciacharter.com](mailto:bdensmore@eciacharter.com)

ECIA 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;

Bob Densmore, Asst. Supt.

District Office at 302 North TownEast Blvd., Sunnyvale, Texas 75182

(214) 628-9152, [bdensmore@eciacharter.com](mailto:bdensmore@eciacharter.com)

ECIA 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:

Bob Densmore, Asst. Supt.

District Office at 302 North TownEast Blvd., Sunnyvale, Texas 75182

(214) 628-9152, [bdensmore@eciacharter.com](mailto:bdensmore@eciacharter.com)

All other complaints regarding equal employment opportunity may be directed to:

Jackie Whitaker, Human Resources

District Office at 302 North TownEast Blvd., Sunnyvale, Texas 75182

(214) 628-9152, [jwhitaker@eciacharter.com](mailto:jwhitaker@eciacharter.com)

### Federal and State Worksite Postings:

Required state and federal postings are found at each ECI CSD 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**

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

Employees with questions or seeking more information on immigration law issues are encouraged to contact Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

Jackie Whitaker, Human Resources

District Office at 302 North TownEast Blvd., Sunnyvale, Texas 75182

(214) 628-9152, [jwhitaker@eciacharter.com](mailto:jwhitaker@eciacharter.com)

### **Nondiscrimination Based on Religion**

ECIA 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 ECIA’s business.

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

ECIA 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.

### **Americans with Disabilities**

ECIA 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 the 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 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.

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

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

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

### **Administration**

Superintendent/CEO of Schools:

Donna Townsend

Asst. Superintendent:

Bob Densmore

District Administrative Assistant:

Jackie Whitaker

Special Programs Director:

Elicia Villa

District Academic Director:

Dr. Billy Thompson

PEIMS Coordinator:

Barrett Whitaker

### **Sunnyvale Campus Kinder-6**

302 North Town East Blvd.  
Sunnyvale, Texas 75182  
(214) 628-9152  
Campus Principal: Dr. Billy Thompson

### **Rowlett Campus Kinder-6**

8200 Schrade Road  
Rowlett, Texas 75088  
(972) 412-8080  
Campus Administrator: Lisa Hiatt

## **EMPLOYMENT PRACTICES**

### **At-Will Employment**

Employment with ECIA 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 ECIA 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 ECIA and you concerning the duration of your employment, and the circumstances under which your employment may be terminated. Nothing in this Handbook is to be construed as creating an employment contract or agreement. No one other than the Board of Directors and/or the Superintendent has the authority on behalf of ECIA 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.

### **Employment Applications**

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

### **Minimum Qualifications for Principals and Teachers**

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

### **Verification of Employment Eligibility**

Prior to the start of employment, ECIA shall confirm the employment eligibility of all new hires by examination of documents establishing identity and employment authorization and completion of the Employment Eligibility Verification I-9 Form ("EEVF") required by the Department of Homeland Security. Each new employee, as a condition of employment, must complete the EEVF and present appropriate documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the EEVF if they have not completed an EEVF with ECIA within a timeframe established by <<Human Resources>> (generally three years after the date of hire or one year after employment is terminated, whichever is later), or if their previous EEVF is no longer retained or valid.

### **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.

### **Criminal History Records**

ECIA will obtain criminal history records from a law enforcement or criminal justice agency for all prospective volunteers and applicants for employment, including substitutes, 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. The Board of Directors shall be informed of a criminal record of a felony or misdemeanor involving moral turpitude and must affirmatively vote to employ such driver, monitor, or aide. Information collected on an individual to comply with the requirements listed above is confidential and may not be released except as authorized by law or with the consent of the person who is the subject of the information. All employees and applicants must complete the Authorization for Criminal History Background Check form accompanying this Handbook.

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

ECIA 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, ECIA 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 ECIA 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 ECIA as of that date; or
  - b. The date the applicant's employment will begin, in the case of a person applying for employment with ECIA after June 15, 2007; and
2. The employee or applicant for employment satisfied all terms of the court order entered on conviction.

ECIA may make employment decisions in accordance with its policy regarding employment of personnel with criminal histories (or arrested or charged with a criminal offense). ECIA'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 ECIA 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, ECIA 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"). ECIA 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 ECIA or the State Board of Educator Certification ("SBEC"). Except as required by state or federal law or as determined by ECIA to be in the best interest of student and employee safety (and in accordance with applicable law), ECIA 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. ECIA 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, ECIA reviews these circumstances on a case-by-case basis. ECIA reserves the right to annually (or more frequently) perform criminal history record checks on current employees.

### **Fair Credit Reporting Act**

ECIA may utilize consumer reports – e.g., credit, criminal, employment references and Department of Public Safety reports to assist us making employment decisions. In addition, ECIA 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 authorization is grounds for disqualification from employment with ECIA. Continued employment is also expressly conditioned on satisfactory results from legally authorized or required record and background checks. In the event ECIA 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 – ECIA 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:

- a. The name, address, and telephone number of the Credit Reporting Agency ("CRA") that supplied the report;
- b. 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
- c. 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 ECIA as to what action is taken.

### **Pre- and Post-Offer Medical Testing**

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

### **New Hire Reporting**

Federal and state law requires ECIA 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.

### **New Hire Orientation**

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

### **Assignment and Reassignment**

All personnel are subject to assignment and reassignment by the Superintendent or designee, and may also be directed to perform additional or supplemental duties from time to time. Unless specifically required by applicable law or approved by the Board of Directors and/or the Superintendent, no additional financial compensation is provided for additional or supplemental duties. ECIA'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. ECIA reserves the right to select candidates from outside the school.

### **Transfers**

An employee with the required qualifications for a position may request a transfer to another position, department <<or campus>>. A written request for transfer must be completed and signed by the employee and the employee's supervisor. Employees must be in good standing for the transfer to be approved; good standing is defined as not actively being on any type of professional growth plan and/or not receiving any formal disciplinary actions in the 90 days prior to the transfer request. The employee's current supervisor is responsible for forwarding the transfer request to <<Human Resources>> by the designated deadline. Requests for transfer during the school year will be considered only when the change will not adversely affect students, if applicable, and after a replacement has been found. All transfer requests will be coordinated by <<Human Resources>> and must be approved by the sending and receiving supervisor

### **Professional Development**

ECIA is committed to the professional development of all its employees. For educators, ECIA 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, ECIA 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.

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

An employee must notify his or her Principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty 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 ECIA 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. ECIA shall consider the following factors (or other appropriate considerations as deemed by ECIA) 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 ECIA and its students.

### **Personnel Records**

ECIA 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 ECIA that relates to the employee, and that is protected from public disclosure by laws intended to protect the employee's privacy interests. ECIA 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, ECIA 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 ECIA 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. ECIA 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 <<Human Resources>>. Many personnel records may also be public information and must be released upon request in accordance with state law. Pursuant to a written Open Records Request under the 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 <<Human Resources>> the “Texas Government Code § 552.024 Public Access Option Form” included with this Handbook if you wish to opt-out and have the above-identified information “exempted” from disclosure under the 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 <<Human Resources>> 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, ECIA will seek to exempt and protect such documentation from disclosure to the extent permitted by law.

### **Name and Address Changes**

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

### **Health and Safety Training**

Certain employees (i.e.i.e., physical education teachers and coaches) who are involved in physical activities for students must maintain and submit to <<Human Resources>> proof of current certification in first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator. ECIA will also train staff on certain health and safety matters discussed in Chapter 38 of the Texas Education Code. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification to <<Human Resources>> at the start of each school year and each time the employee is recertified.

### **Conflicts of Interest**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This section of the Handbook establishes only the framework within which ECIA wishes to operate. ECIA’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 <<Human Resources>> for more information or questions about conflicts of interest. All ECIA employees shall avoid employment, financial, business, social, or other relationships that might be opposed to the interests of ECIA 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 ECIA. 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 ECIA.
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 ECIA.
4. Acting independently as a consultant to a ECIA supplier.
5. Accepting expense-paid invitations to sports or entertainment events from a long-time friend who is also a ECIA vendor.
6. Socializing with vendors or persons interested in doing business with ECIA 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 ECIA’s desire to encourage staff members to take part in civic, church, and other public services where opportunities to exhibit good citizenship are present.

### **Outside Employment and Tutoring**

All employees must recognize that they owe a duty of loyalty to ECIA. At all times when on duty, without regarding time or place, employees should devote their full attention to ECIA’s business and their duties. Additionally, employees should not be engaged in outside employment that provides or could give rise to a conflict of interest or directly interferes with the employee’s performance. For purposes of this prohibition, “employment” includes employment with another organization, consulting, or self-employment, whether on a voluntary basis or for pay. All employees are required to disclose in writing to their immediate supervisor any outside employment and, if a



potential or actual conflict of interest is present, have written permission from their immediate supervisor to engage in the outside employment. At all times, employees are expected to maintain a satisfactory level of performance in their job at ECIA. ECIA prohibits the performance of non-school work while on the job or with school equipment and/or supplies.

### **Employment of Relatives and Fraternalization**

ECIA is committed to providing equal employment opportunities to its employees. Intimate relationships have the potential to interfere with ECIA'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, ECIA 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 ECIA 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, ECIA 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. ECIA may refuse to hire or assign a relative in a position where the appearance of or potential for favoritism or conflict exists or where otherwise prohibited by law. Employees shall also refrain from making hiring, firing or other decisions impacting the terms or conditions of employment of relatives. Where hardship exists, employees may appeal to the Superintendent in accordance with ECIA's formal complaint procedures set forth in this 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. ECIA will, at its discretion, attempt to identify other available positions, and allow one or both of such employees to apply for reassignment, or ECIA may reassign the employees at its discretion. If no alternate position is available, ECIAcademy 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 ECIA. 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.

First Degree Parent Child

Second Degree Grandparent Grandchild Sibling

Third Degree 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 ECIA.

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 ECIA 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 ECIA 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.

### **Textbook and Materials Acquisition**

Any ECIA director, administrator, or teacher who receives any commission or rebate on any textbooks, electronic textbooks, instructional materials, or technological equipment used by ECIA may commit a Class B misdemeanor offense. Any ECIA officer, administrator, or teacher who accepts a gift, favor, or service given to the person, or to ECIA 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 ECIA shall be considered the property of ECIA. 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 ECIA, including any copyright, patent or trademark or application thereof. Employees hereby assign and transfer to ECIA 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 ECIA's opinion may be necessary or desirable to secure the ECIA'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 ECIA and its schools, students, parents, consultants, customers, clients, and business associates obtained by ECIA employees during the course of their work. Occasionally, in the service of ECIA's mission, ECIA 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 ECIA documents, that employee should direct the request to <<Human resources>>.

### **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 ECIA. Reports, correspondence, and memoranda may also be used to document performance information.

### **Termination or Resignation**

Employees are employed at will and can be dismissed without notice or warning. All school-owned property in the employee's possession must be returned to his or her supervisor upon separation from employment. Failure to return school-owned property constitutes theft of public property and will be reported to law enforcement. In the event an employee has been terminated or resigns, it is the employee's responsibility to provide a forwarding address and telephone number. This information must be provided to <<Human Resources>> no later than December 31 of that year for W-2 purposes, and no later than the last day of work in the event of termination or resignation. In the event the W-2 or final paycheck is returned to the ECIA 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 ECIA. 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**

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

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

## **Termination Grievances (General Complaints)**

A terminated employee may request a review of the dismissal decision. Termination grievances (other than whistleblower complaints) must be submitted in writing to <<Human Resources>> within five calendar days of notice of termination. A <<Human Resources>> representative will schedule and hold a conference within five business days of the request and shall issue a written decision within five business days after the conference. A former employee wishing to appeal this decision may appeal through the General Employee Complaints and Grievances process described in <<Section \_\_\_>> of this Handbook, beginning at Level <<insert grievance level for appeal to the board of directors>>. Termination decisions will not be deferred pending the outcome of an appeal.

## **General Employee Complaints and Grievances Process Purpose**

The purpose of the employee complaint process is to provide employees an orderly process for the prompt and equitable resolution of grievances. ECIA intends that, whenever feasible, grievances be resolved at the lowest possible administrative level. In using and applying the employee complaint process, all participants are expected to remain courteous and to adhere to the Code of Ethics and Standard Practices for Texas Educators.

## **Informal Process**

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

## **Formal Process**

An employee may initiate the formal grievance process described below by timely filing a written complaint form. Even after initiating a formal complaint, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time. The grievance process described below shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

## **Freedom from Retaliation**

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

## **Guidelines for General Employee Complaint Process Definitions**

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

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

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

The term "day" shall be defined as a school business day, unless stated otherwise in this complaint process. In calculating timelines under these procedures, the day a document is filed is "day zero," and all deadlines shall be determined by counting the following school business day as "day one."

## **Filing**

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication (including e-mail and fax), or by U.S. Mail. Hand-delivered filing shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely

filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filing shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

### **Scheduling Conferences**

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

### **Response**

At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's e-mail address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline. If the administrator addressing the complaint determines that additional time is needed to complete a thorough investigation of the complaint and/or to issue a response, the administrator shall inform the grievor 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 ECIA at any level of the grievance process. The representatives may participate in person or by telephone / video conference. If the employee designates a representative with fewer than three days' notice to ECIA before a scheduled conference or hearing, ECIA Academy may reschedule the conference or hearing to a later date, if desired, in order to include the school's counsel. ECIA 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, ECIA 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 ECIA. Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference. A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be re-filed with all the required information if the re-filing is within the designated time for filing.

### **Formal Complaint Process**

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

**Level One** - Level One complaint forms must be filed:

1. Within ten days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint; and
2. With the lowest-level administrator who has the authority to remedy the alleged problem. In most circumstances, employees assigned to work at a school campus shall file Level One complaints with the Principal. Other ECIA employees shall file Level One complaints with their immediate supervisor. If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the Level One complaint form. If the complaint is not filed with the appropriate administrator, the receiving administrator will note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator. The appropriate administrator shall investigate as necessary and schedule a conference with the employee within ten days of receipt of the Level One complaint. The administrator may set reasonable time limits for the conference. Absent extenuating circumstances, or if there is a need to gather additional information, the administrator shall provide the employee with a written response within ten days following the conference. The written response will set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

**Level Two** - If the employee did not receive the relief requested at Level One or if the time for a response has expired, or if the employee is directed to do so by ECIA the employee may request a conference with the Superintendent or designate to appeal. The appeal notice must be filed in writing, on a form provided by ECIA within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline. After receiving notice of the appeal, the Level One administrator will prepare and forward a record of the Level One complaint to the Level Two administrator. The Superintendent or designee will schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. The Superintendent or designee may set reasonable time limits for the conference. The Superintendent or designee shall provide the employee a written response within ten days following the conference. The written response will set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

**Level Three** - If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may appeal the decision to the Board of Directors. The appeal notice must be filed in writing, on a form provided by ECIA, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline. The Superintendent or designee shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for consideration by the Board. The Board of Directors will consider the grievance and may, at its discretion, require the appearance of the employee and administration. The Board of Directors will determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. Generally, complaints involving the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the employee bringing the a complaint may be heard by the Board of Directors in a closed meeting. Complaints involving a complaint or grievance against another ECIA employee, director, or officer shall be heard in a closed meeting unless an open meeting is requested in writing by the employee, director, or officer against whom the complaint or grievance is brought. After considering the appeal, the Board of Directors may subsequently take actionact or no action. If the Board of Directors takes actionacts, it may make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board of Directors meeting. If the Board does not make a decision decide regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two. A decision by the Board of Directors, if any, is final and may not be appealed.

### **Whistleblower Complaints**

The Texas Whistleblower Act ("TWA") protects employees who make good faith reports of violations of law by ECI Academy or another employee to an appropriate law enforcement authority. ECI Authority 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 <<HumanResources>> 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 intentionally files a false report of wrongdoing will be subject to disciplinary action.** 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 the Formal Complaint Process outlined above in this Handbook, beginning at Level Three. ECIA 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:

1. Exhaust the ECIA 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
2. Terminate the school's complaint procedures and sue within the timelines established by the TWA.

## COMPENSATION AND PAY SCHEDULES

### Payroll

ECIA follows all Texas Payday Laws. All exempt employees are paid on the **LAST BUSINESS DAY OF THE MONTH**, in accordance with the Texas Payday law. Pay dates are posted in the main office. The Term of Administrative staff contracts begin August 1st and end July 31st. For all other employees with contracts, the Term for those contracts begins September 1st and ends August 31st. New employees can request a payroll advance for August to be repaid through payroll deduction during the contract period. ECIA will not be giving salary, nor loan advancement to employees except for new employees that request a payroll advance in August for the first year of employment. 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. ECIA, pays all exempt salaried employees on an annualized salary over 12 months, regardless of the number of months worked during the school year. Exempt employees will be paid in equal monthly payments beginning with the first pay period of the school year. Pay earned during the first 15-day pay period is held in arrears. All salaries are paid-out in accordance with the Texas Payday Act.

### Salaries, Wages and Stipends

Employees are paid in accordance with administrative guidelines and a pay structure established for each position. Salaries and wages are reviewed periodically and adjusted according to the budgeted amounts approved by the Board of Directors. Employees should contact the Business Manager for further information concerning their own salary. Salaries are contracted annually and Stipends are at the discretion of the administration. Stipends will be paid in December(50%) and May(50%).

### Payroll Deductions

ECIA 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 the <<Human Resources>>.

### Administrative Pay Corrections

In the event of an error in payment, the employee should contact his/her supervisor as soon as possible. The supervisor will then contact the <<Human Resources>> and send the necessary paperwork to correct the matter. Any questions concerning how or when corrections will be made should be directed to the appropriate supervisor

and/or the <<Human Resources>>.

### **Overpayments**

Employees must inform the <<Human Resources>> of known overpayments on any paychecks received. ECIA Academy will pursue all legal means necessary to recover overpayments.

### **Automatic (Direct) Deposit**

Employees can have their paychecks deposited into a designated account. This structure helps ECIA pay its employees faster and more accurately. You may contact the <<Human Resources>> for more information about automatic payroll deposit services. Employees are responsible for notifying the <<Human Resources>>, in writing, at least 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 ECIA'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 <<Human Resources>> and should bring a valid replacement direct deposit form.

### **Lost/Stolen Paychecks**

Lost or stolen paychecks should be reported to the <<Human Resources>> immediately. ECIA will issue a stop payment on the lost or stolen check. Only after the financial institution has notified ECIA that payment of the check has been stopped and a new check will be issued

### **Unclaimed Paychecks**

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

ECIA 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 Quality Assurance Coordinator prior to any paycheck being released.

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

Before an employee incurs any travel expense, the employee's supervisor and appropriate central office business officials must give approval. 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.

### **Wage and Tax Statements**

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

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

It is the intent of ECIA to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at-will at any time is retained by both the employee and ECIA. Each employee is designated as either EXEMPT or NON-EXEMPT under federal and state wage and hour laws in accordance with applicable federal law. NON-EXEMPT employees are entitled to overtime pay under the specific provisions of federal law. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NON-EXEMPT classification may be changed only upon written notification by ECIA, and in accordance with applicable federal law. Exempt status applies to the position and not the employee. Exempt simply means the position the employee fills is exempt from the FLSA, and is not entitled to overtime

compensation. Exempt employees are paid on a salaried basis, and their salary is not reduced for absences of less than one full day. However, any full days of absence taken in excess of the employee's allotment/service record accumulation of sick or personal leave will result in an employee payroll deduction calculated on a prorated daily rate. Non-exempt positions are those positions that are not exempt from the FLSA. Non-exempt positions require the school to pay the employee overtime (time and a half) for all hours worked in excess of 40 during a workweek. The key phrase here is "hours worked." An employee may work 32 hours in a week and have 16 hours of vacation time. This would reflect as 48 hours on a paycheck, but for overtime calculation, the employee actually worked 32 hours – so overtime would not be paid. All employees in positions that are classified as non-exempt will be required to maintain a time timecard or record, and will be eligible for overtime pay in accordance with the appropriate federal and state wage and hour laws. ECIA's positions are reviewed and assigned an FLSA (exempt or non-exempt) status that is maintained on a master record by <<Human Resources>>. Employees may obtain this information from <<Human Resources>> upon request.

### **Timekeeping**

Federal and state laws require ECIA 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 Principal. Exempt employees should use a timecard to document days worked. Sick or personal leave must be clearly marked, as should days off without pay. Employees sign their time cards to certify the accuracy of all time recorded. Supervisors generally will review and then sign the timecard before submitting it for payroll. 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**

ECIA 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 ECIA's work needs, employees may be requested to work overtime. ECIA compensates overtime for nonexempt 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.

### **Compensation and Wage Increase Schedule**

In order to attract and retain a highly qualified and competent workforce, ECIA, has instituted a program to compensate employees in a fair and equitable manner based upon demonstrated job performance. Employees are paid in accordance with a salary schedule approved by the Board of Directors, which considers years of experience and education level. ECIA may issue pay increases to an employee based on market conditions, difficulty in securing adequate skills within the employment pool, and performance. ECIA reserves the right not to issue pay increases due to lack of merit or budgetary reasons. Employees must have worked in the same position for a minimum of six months to be eligible for a pay increase. Employees who have received an increase in pay or received a promotion resulting in a higher salary within six months of the annual pay increase will be ineligible for a pay increase.

## **EMPLOYEE BENEFITS**

### **Benefit Offerings**

ECIA currently offers the following benefit programs to eligible employees in the manner prescribed bylaw:

- Teacher retirement
- Health coverage benefit
- COBRA

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



## **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](https://www.trs.texas.gov/Pages/healthcare_trs_activecare.aspx)

ECIA's medical coverage plan, and ECIA's annual contribution(s) to such plan(s) are reviewed annually and approved as needed by the Board of Directors. Detailed information and description of coverage, premiums, and eligibility are available through <<Human Resources>>.

## **Teacher Retirement System**

Personnel employed on a regular basis for at least four-and-a-half months are members of the Teacher Retirement System of Texas ("TRS"). Substitutes not receiving TRS service retirement benefits who work at least 90 days a year are 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. ECIA 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>> 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](http://www.trs.state.tx.us).

## **Benefits Continuation – COBRA**

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

## **Other Benefits**

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

## **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 <<Human Resources>>.

## **Workers' Compensation**

ECIA provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. ECIA's workers' compensation coverage is administered by <<name of workers' compensation insurer / plan administrator>>. 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 <<seven, or other 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 ECIA workers' compensation benefit offerings may be obtained from Human Resources.

## CAMPUS PROCEDURES FOR STAFF

### Attendance and Leave

ECIA offers eligible employees paid and unpaid leaves of absences based upon qualifying events. This Handbook describes the basic types of leave available and related restrictions. Employees who expect to be absent for an extended period of more than five days should notify <<Human Resources>> for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the ECI Academy while absent from work.

### Teacher/Paraprofessional Work Day

All teacher/paraprofessional workdays are considered to be conducted between the hours of **7:30 a.m. and 4:00 p.m.** A professional learning community (PLC) meeting will be set by the administration after regular school hours for professional staff. The Superintendent of Schools must approve any deviations from this schedule.

Campus employees are expected to be on campus during the school day. If it is necessary to leave the campus during lunch, conference period, or before the stated end of the school day, employees shall secure permission from the campus principal to leave.

Employees are not allowed to bring their children not attending our school to work with them unless given permission by the campus administrator.

### Absence

Campus employees are expected to be on campus during the school day. If it is necessary to leave the campus during lunch, conference period, or before the stated end of the school day, employees shall secure permission from the campus principal to prior to leaving. When the need for being absent from or late to work is known in advance, the employee must give notice as far in advance as possible.

### Excessive Absenteeism or Tardiness

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

Disciplinary probation

Denial of pending or future promotion

Production of medical certification of reason or reasons for absences and/or tardies

Any other appropriate disciplinary measure, including suspension or termination of employment

### Notice of Unexpected Absence

When employees who have not been given advance notice find that they cannot report for work, they are required to notify their supervisor and/or the Principal within the first working hour each day of the absence. Notification to an employee other than the appropriate supervisor and/or Principal is insufficient.

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

Failure to provide notification of an absence to a supervisor for <<threshold for not reporting absence, i.e., two or three>> consecutive workdays (unless prevented by circumstances beyond the employee's control) may be considered job abandonment and/or voluntary resignation on the last day worked, in accordance with applicable federal and state law, and ECIA will process the work separation as a voluntary resignation on the employee's part. In the event of a voluntary resignation, all school-owned property (e.g., keys, uniforms, etc.) must be returned immediately to ECIA. No payment shall be made for accrued and unused sick leave or any other type of leave upon voluntary resignation or job abandonment, regardless of whether or not the employee provided advance notice of resignation.

### 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. An employee who provides the appropriate notice of resignation above shall be paid for any accrued but unused vacation leave up to the date of the last day of employment provided in such notice. No payment shall be made for sick leave or any other type of leave, regardless of whether or not the employee provided advance notice of resignation.

## **Holiday Leave**

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

## **Leave Prior to Schedule Holidays**

Requests for leave prior to scheduled holidays will require approval from the District Office. Leave will only be approved for emergencies.

## **Local Leave Overview**

A local sick leave program consisting of five (5) days per year, with an unlimited accumulation of unlimited days, shall be provided for all full time District employees to allow them the flexibility to attend to their personal and medical time-off needs. Please contact Human Resources for information regarding your eligible paid time off balances.. Local leave cannot be taken for more work-days than has been accumulated in prior years and those earned during the current year. Local leave for the current year shall be available for use at the beginning of the school year. When an employee who has used more assigned workdays. As an open-enrollment charter school, ECIA does not offer traditional "state leave" earned under Chapter 22 of the Texas Education Code. This leave is generally transferable among school districts, and may be rolled over from year to year. ECIA employees will not earn state leave days that are transferable among Texas public schools, as the state leave program does not apply to charter schools. For this reason, any local leave earned during service with ECIA will not transfer to another charter school or school district if an employee leaves service with ECIA However, ECIA will credit an employee with up to <<number of days>> of extra local leave days in recognition of prior service in the Texas public school system.

Local leave entitlement is determined according to the employee's annual work calendar as described below:

Year-round employees: <<# of leave days>> days per year.

Non-year-round employees: <<# of leave days>> days per year.

Local Leave is to be used for the following reasons:

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

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

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

Local leave must be scheduled in advance and requires approval of the employee's supervisor. In making determinations on local leave requests, the supervisor shall consider the effect of the employee's absence on the educational program, the impact on school safety, and the availability of substitutes.

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

Local leave may not be taken for more than <<three>> consecutive days, except in extenuating circumstances as determined by the Principal or the employee's immediate supervisor. Local leave shall not be allowed in the following circumstances:

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

Local leave requested to be taken within 30 days of the last day of school must be requested 30 days in advance of the requested time off. Any leave taken for which leave balances are insufficient shall result in a deduction from the employee's paycheck commensurate with the amount of leave taken, to the extent allowed by law. Additionally, if an employee leaves ECIA before the end of the work year, the amount of wages, based on the employee's daily rate, for any unearned leave days taken by the employee shall be deducted from the employee's final

paycheck in accordance with applicable law. Personal leave by reason of illness, two or more days in duration, must be accompanied by a doctor's note upon return to work.

### **Forfeiture of Accrued Leave**

Any unused paid accrued leave, regardless of what the leave is called (e.g., sick leave, local leave, vacation, discretionary leave, etc.), is forfeited upon separation from employment, whether voluntary or involuntary, unless the employee provides appropriate notice of voluntary resignation as noted in <<Section \_\_>> above.

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

With the exception of leaves of absence for military duty or approved leave under the FMLA, if an employee accumulates more than <<three, five, ten, etc>> days of absence after exhausting all available paid and unpaid leave, the employee shall be separated due to unavailability to work, subject to any reasonable accommodation duties, ECIA may have under the ADA or similar law. Any employee separated for unavailability for work following exhaustion of all available leave will be eligible for rehire, and will be able to apply for any vacancies that may exist at any given time, depending upon qualifications and availability of job openings.

### **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 the period of FMLA leave, eligible employees are entitled to continue group health plan coverage as if they had continued to work. At the conclusion of the leave, subject to some exceptions, eligible employees generally have the right to return to the same or an equivalent position and equivalent pay, benefits and working conditions.

**NOTE:** The following FMLA provisions and all references to FMLA in this 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 ECIA 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:

- 1.The birth of a child or placement of child for adoption or foster care;
- 2.To bond with a child (leave must be taken within one year of the child's birth or placement);
- 3.To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- 4.For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job; or
- 5.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 servicemember with a serious injury or illness. An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule. Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

#### **Benefits and Protections**

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits and other employment terms and conditions. An employer may not interfere with an individual's FMLA rights to 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:

- 1.Have worked for the employer for at least 12 months
- 2.Have at least 1,250 hours of service in the 12 months before taking leave; and
- 3.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 on collective bargaining agreement that provides greater family or medical leave rights. For additional information or to file a complaint:

1-866-4-USWAGE

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

[www.dol.gov/whd](http://www.dol.gov/whd)

## **Local FMLA Guidelines**

### **Calculating FMLA Leave Year**

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

<<choose one of the following methods>>

1. The calendar year – the 12-month period that runs from January 1 through December 31
2. A fixed 12-month period correlating to the official school calendar for the 2022-2023 school year
3. A fixed 12-month period starting on an employee's employment anniversary date (i.e., the 12-month period starting on the employee's first day of employment)
4. A fixed 12-month period measured forward from the first date an employee takes FMLA leave. The next 12-month period would begin the first time FMLA leave is taken after completion of the prior 12-month period.
5. A "rolling" 12-month period measured backward from the date an employee uses any FMLA leave. Under the "rolling" 12-month period, each time an employee takes FMLA leave, the remaining leave entitlement would be the balance of the 12 weeks which has not been used during the immediately preceding 12 months.

### **Use of Paid Leave**

FMLA leave runs concurrently with accrued sick and personal leave, temporary disability leave, and absences due to a work-related illness or injury. ECIA 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 ECIA 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. ECIA 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, ECIA 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 ECIA will maintain the employees group health insurance and reinstate the employee at the end of the leave according to school policy and procedure

### **Failure to Return**

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

### **Contact**

Employees that require FMLA leave or have questions, should contact, <<Human Resources>>, for details on eligibility, requirements, and limitations.

### **Military Leave of Absence**

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

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

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

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

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

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

### **Bereavement Leave**

Full-time and part-time employees are eligible for bereavement leave. Temporary employees, substitutes, or employees classified on an "as-needed" basis are not eligible for bereavement leave.

In the unfortunate event of a death in an eligible employee's immediate family, the employee may take a paid leave of absence of up to three (3) days (up to five (5) days if air travel is required). For purposes of this policy, an "immediate family member" includes the following:

Spouse  
Child/step-child  
Parent/step-parent  
Grandparent/step-grandparent  
Sibling/step-sibling  
Spouse's parent  
Spouse's grandparent  
Daughter-in-law/son-in-law

Any other family member residing in the employee's home

ECIA will provide up to two days of paid bereavement leave in the event of a death in an employee's extended family. For purposes of this policy, "extended family" includes the following:

First cousin  
Brother-in-law/sister-in-law  
Aunt/uncle  
Niece/nephew  
Spouse's aunt/uncle  
Spouse's niece/nephew

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

If an employee experiences a death in the family, he or she should inform the Principal as soon as possible.

Supporting documentation may not be required.

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

ECIA may not discharge, threaten to discharge, intimidate, coerce, reduce the salary, or otherwise penalize or discriminate against an employee because of the employee's compliance with a summons to appear as a juror or a grand juror. A leave of absence for jury or grand jury duty will be granted to any employee 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 days of paid absence per school year. Employees must present documentation of the service and may keep any compensation they receive. A summons to appear is not proper documentation of the service. If an employee is released early, he or she must return to work. Consideration will be given on a case-by-case basis for travel time.

### **Other Court Appearances**

Employees will be granted leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceedings. Employees must submit documentation of their need for leave for court appearances to their supervisor and <<Human Resources>>. ECIA 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 proceedings.

### **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 an employee's absence can be pre-arranged.

## **EMPLOYEE CONDUCT**

### **General**

The successful operation and reputation of ECIA 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. ECIA 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 ECIA employee shall retaliate against a person who in good faith reports perceived illegal, dishonest, or unethical conduct. In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, discuss the

matter with your immediate supervisor and, if necessary, <<Human Resources>>.

Every employee is responsible for complying with ECIA'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.

### **Standards of Conduct**

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

1. Engage in professional communications and behavior toward students, fellow employees, service providers, and other ECIA stakeholders.
2. Express concerns, complaints, or criticism through appropriate channels and the chain of command.
3. Know and comply with department and school policies and procedures.
4. Maintain confidentiality in all matters relating to students and coworkers, as required by applicable law.
5. Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
6. Recognize and respect the rights of students, parents, other employees, and members of the community.
7. Report to work according to the assigned schedule.
8. Use ECIA time, funds, and property for authorized ECIA business and activities only.

All employees should perform their duties in accordance with state and federal law, ECIA policies and procedures and ethical standards. Violation of policies, and regulations, or guidelines may result in disciplinary action, up to and including termination. Additionally, ECIA will report educator and employee misconduct as required by applicable law.

### **Code of Ethics**

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

### **Ethical Conduct in General**

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

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

### **(1) Ethical Personal Conduct**

Standard 1.1. The employee shall not intentionally, knowingly, or recklessly engage in deceptive practices

regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

Standard 1.2. The educator shall not intentionally, knowingly, or recklessly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

Standard 1.3. The employee shall not submit fraudulent requests for reimbursement, expenses, or pay.

Standard 1.4. The employee shall not use institutional or professional privileges for personal or partisan advantage.

Standard 1.5. The employee shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or that are used to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.

Standard 1.6. The employee shall not falsify records, or direct or coerce others to do so.

Standard 1.7. The employee shall comply with state regulations, written local school board policies, and other state and federal laws.

Standard 1.8. The employee shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.



Standard 1.9. The employee shall not make threats of violence against school district employees, school board members, students, or parents of students.

Standard 1.10. The employee shall be of good moral character and be worthy to instruct or supervise the youth of this state.

Standard 1.11. The employee 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 employee shall refrain from the illegal use, abuse, or distribution of controlled substances, prescription drugs, and toxic inhalants.

Standard 1.13. The employee 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 employee shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.

Standard 2.2. The employee shall not harm others by knowingly making false statements about a colleague or the school system.

Standard 2.3. The employee 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 employee shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.

Standard 2.5. The employee shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.

Standard 2.6. The employee shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.

Standard 2.7. The employee shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation or in accordance with applicable laws or regulations proceeding under this chapter.

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

## **(3) Ethical Conduct Toward Students.**

Standard 3.1. The employee shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.

Standard 3.2. The employee shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.

Standard 3.3. The employee shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.

Standard 3.4. The employee shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.

Standard 3.5. The employee shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.

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

Standard 3.7. The employee shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the employee is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the employee is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the employee.

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

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

- (i) the nature, purpose, timing, and amount of the communication;
- (ii) the subject matter of the communication;
- (iii) whether the communication was made openly, or the employee attempted to conceal the communication;

- (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- (v) whether the communication was sexually explicit; and
- (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the employee or the student.

### **Financial Ethics**

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

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

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

Any person who suspects fraud or financial impropriety shall report the suspicions immediately to any supervisor, the Superintendent or designee, the Board President, or local law enforcement. ECIA will respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosure may be necessary to complete a thorough investigation or to comply with applicable law. All

employees involved in an investigation shall be advised to keep information about the investigation confidential to the extent necessary to not interfere with the investigation process. Neither the Board of Directors nor any ECIA employee shall unlawfully retaliate against a person who in good faith reports perceived fraud or financial impropriety. If an employee is found to have committed fraud or financial impropriety, the Superintendent or designee or the Board of Directors shall take or recommend appropriate disciplinary action, which may include termination of employment and, when circumstances warrant, referral to appropriate law enforcement or regulatory authorities.

### **Campus Money Handling Procedure**

1. Money is collected and turned in to the office staff (assigned person). (Ms. Soto-Sunnyvale/Ms. Carter-Rowlett)
2. Money is counted and a deposit form is completed with information and turned in daily. No money is to be left in a classroom.
3. Money information/amount gets recorded on campus finance spreadsheet (created by the person in charge).
4. Money gets prepared for deposit.
5. Money gets stored in a filing cabinet which stays locked at all times.
6. District gets notified that money is ready to be picked up for deposit.
7. District personnel will deposit the money.

### **Dress and Grooming**

It is important for all staff employed by the district to dress in a professional manner fosters a safe and positive work environment for staff and students. A professional manner is as follows: shoes must be worn at all times, jeans with no holes will only be worn on special days assigned by the administration, no leggings or yoga pants, under garments must be out of sight and covered at all times, all **offensive, inflammatory or disruptive** tattoos to the learning environment must be covered, and body piercings must be covered. Occasionally, there may be situations that warrant an exception, such as a unique medical condition. Sound professional judgment should be used in these instances. ECIA will review its dress code and grooming policies on a regular basis, and make changes as needed. While it is inevitable that there will be differences of opinion as to the appropriateness of dress and grooming, the final determination will be in the judgment. An employee who does not comply with this dress code is subject to disciplinary action, up to and including termination.

### **Unacceptable Employee Conduct**

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

1. Abuse, including but not limited to sexual abuse of a student.
2. Behaviors that interfere with a student's safety or cause an unsafe environment.
3. Corporal punishment (meaning the infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force used as a means of discipline) or verbal abuse of students, or the use of profanity or other language that is intended to belittle or degrade a student.
4. Dishonest, immoral, or illegal conduct while on duty and/or on school property that would tend to bring discredit ECIA.
5. Dishonesty, falsification or misrepresentation on an application for employment or other work records; falsifying reasons for leave of absence or other data requested by ECIA and/or alteration of ECIA's records or documents.
6. Disrupting the work environment.
7. Engaging in an act of sabotage; willful or with negligence causing the destruction or damage of ECIA property, or the property of fellow employees, volunteers, contractors, or visitors, in any manner.
8. Engaging in discrimination, harassment, or retaliation in any form.
9. Engaging in inappropriate electronic communications with students.
10. Engaging in malicious gossip, spreading rumors, or otherwise engaging in behavior designed to create discord and lack of harmony or otherwise interfere with the job performance of fellow employees or service providers.
11. Engaging in or soliciting a romantic, sexual, or otherwise inappropriate relationship with a student, regardless of whether the relationship is consensual.
12. Engaging in rudeness, disrespectful, or unprofessional behavior toward parents and school contractors or vendors.
13. Excessive absenteeism or tardiness.
14. Failure to report child abuse or neglect as required by Chapter 261 of the Texas Family Code.
15. Fighting or threatening violence toward anyone on ECIA property or when representing ECI Academy, including "horseplay" or provoking a fight between others.
16. Giving to other schools, organizations, or persons information made confidential by law and/or proprietary ECI Academy information that is obtained from ECIA's files or records in the course of employment.
17. Giving to other schools, organizations, or persons information relating to ECIA employees and/or students that are obtained from ECIA's files or records in the course of employment.
18. Insubordination or other disrespectful conduct (including refusal to follow the lawful directives of a supervisor or the Superintendent).
19. Negligence or any careless action that endangers the life or safety of another person, or damages or destroys property of ECIA.
20. Possession of firearms, weapons or explosives on ECIA property, while on duty or while representing ECIA.
21. Smoking and/or using tobacco products, electronic cigarettes, vaping devices, or similar devices on school property or in school vehicles. Prohibited items include any 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, as well as any and all vapors, inhalants, electronic cigarette devices or other devices or paraphernalia used with vapors, other inhalants or chemicals.
22. Theft of school-owned property or the property of fellow employees, students, contractors or visitors.
23. Threatening, intimidating or coercing fellow employees on or off ECIA property, at any time, for any reason.
24. Unauthorized possession or removal of any ECIA property, including documents, from the premises without prior permission from a supervisor.
25. Unauthorized use of ECIA equipment or property, including using such equipment for personal use or profit.
26. Unsatisfactory performance or conduct.
27. Use, possession, sale of, or being under the influence of a controlled substance, alcohol, tobacco or abusing a prescription drug, while at work or otherwise representing ECIA.
28. Violation of the rules affecting the health and safety of students and the efforts of ECIA to operate efficiently and effectively.

29. Violations of ECIA's expectations for employee conduct, including but not limited to those set out in this Handbook, or as otherwise distributed to employees by ECIA.

Additionally, employees must adhere to the Professional Code of Ethics and Standard Practices for Texas Educators as set forth at 19 Tex. Admin. Code § 247.2.

### **School Investigations**

When ECIA 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, ECIA 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 Educator 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 ECIA Academy 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 39.301

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

1. A non-educator's employment with ECIA was terminated and there is evidence that the employee:

- a. Abused or otherwise committed an unlawful act with a student or minor; or
- b. Was involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor; or

2. The employee resigned and there is evidence that the employee engaged in misconduct described above.

This reporting requirement applies to any person who is employed by ECIA and who does not hold a certification or permit issued under Subchapter B, Chapter 21 of the Texas Education Code. The Superintendent shall complete an investigation of an employee that involves evidence that the employee may have engaged in misconduct described above, despite the employee's resignation from employment before completion of the investigation. Principals must notify the Superintendent within seven business days after the date of an employee's termination or resignation following an alleged incident of misconduct described above.

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

ECIA 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;

1. Enduring the offensive conduct becomes a condition of continued employment; or
2. The conduct is severe or pervasive 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, 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**

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

### **Reporting Procedures**

**\*\*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 Handbook.

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

1. 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 <<title e.g. Superintendent>>.
2. 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.

3. Any ECIA employee who receives a report of suspected harassment or discrimination is expected to immediately contact the designated Compliance Coordinator.

4. 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 ECIA'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 to ECIA. After receiving a report, the Compliance Coordinator shall determine whether the allegations, if proven, would constitute prohibited discrimination or harassment. If so, ECIA shall authorize or undertake an investigation. If appropriate ECIA, shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation. ECIA's investigation may be conducted by the Compliance Coordinator or designee, or by a third party designated by ECIA, such as an attorney. When appropriate, the 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, ECIA shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct. ECIA may also take action based on the result of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

To the greatest extent possible, ECIA 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 ECI Academy must respond accordingly. However, limited disclosure 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 Handbook.

ECIA 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 ECIA'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/employee/charge.cfm>

### **Sexual Harassment Prohibited**

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

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

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

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

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

## **General Definitions**

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

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

A “formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that ECIA 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 ECI Academy’s educational program or activity without unreasonably burdening either party, including measures designed to protect the safety of all parties or ECIA’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 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. ECIA’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, ECIA must provide the following written notice to the parties who are known:

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

If, during an investigation, ECIA decides to investigate allegations about the complaint or respondent that are not included in the initial notice of the complaint, ECIA 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 ECIA. The following guidelines apply when ECIA receives a formal complaint of sexual harassment. This process is designed to incorporate due process, principles, treat all parties fairly, and to assist ECIA reach reliable responsibility determinations. ECIA 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 ECIA 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 correspondents generally or an individual complainant or responsible respondent. ECIA 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 ECIA’s sexual harassment policy.

ECIA 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. ECIA shall attempt to complete an investigation of reported sexual harassment within 60 calendar days[A1] 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 causes 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 School's Student Code of Conduct. Employees found to have engaged in sexual harassment are subject to disciplinary action as outlined in the Employee Handbook. ECIA shall employ the <<preponderance of the evidence or the clear and convincing evidence>> [A2] standard to determine responsibility when reviewing formal complaints. ECIA 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**

ECIA 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**

ECIA must investigate the allegations in a formal complaint.

ECIA 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 ECIA's education program or activity; or Did not occur against a person in the United States. ECIA 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 ECIA; or Specific circumstances prevent ECIA from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. Upon a dismissal, ECIA 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 ECIA from taking appropriate action under the Student Code of Conduct, the Employee Handbook, and/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.

- ECIA will ensure the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on ECIA and not on the parties.
- ECIA 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
- ECIA receives that party's voluntary, written consent to do so. ECIA will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- ECIA will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- ECIA 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. ECIA 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.
- ECIA 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.
- ECIA 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, ECIA 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 calendar days to submit a written response, which the investigator will consider prior to completing the investigative report.
- ECIA must create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar 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 or the clear and convincing evidence>> [A3] 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 ECIA's Code of Conduct, Employee Handbook, or other nondiscrimination policies 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 ECIA's education program or activities will be provided to the complainant; and ECIA's procedures and permissible bases for the complainant and respondent to appeal. ECIA must provide the written determination to the parties simultaneously. The determination becomes final either on the date ECIA 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**

ECIA will offer both parties an appeal from a determination regarding responsibility, and from ECIA'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, ECIA 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. ECIA 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 or the clear and convincing evidence>> [A4] 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 ECIA's grievance procedures.

### **Emergency Removals**

ECIA is able to remove a respondent from ECIA's education program on an emergency basis, provided that ECIA 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. ECIA'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, ECIA may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. However, ECIA 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, ECIA 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, ECIA 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. ECIA may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

### **Retaliation Prohibited**

Neither ECIA 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 a 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**

ECIA 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 the "Employee Complaints and Grievances Regarding Harassment and Discrimination" portion of the Employee Handbook.

### **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 Principal or other appropriate ECIA 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. ECIA 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 ECIA 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. ECIA 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 ECIA 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, 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 ECIA policy for an employee to refuse to follow the directions of a supervisor or other school official. Employees must cooperate fully with investigations into potential misconduct. Refusal to disclose information during the course of an investigation constitutes insubordination and is subject to possible disciplinary action, up to and including termination. In the event a supervisor directs an employee to perform an illegal or immoral act/task, the employee should immediately notify the Principal or designee.

### **Growth Plan/Disciplinary Action**

Employment with ECIA is based on mutual consent and both the employee and ECIA have the right to terminate employment at-will, with or without cause or advance notice. ECIA may use progressive discipline at its discretion. Disciplinary action may include, but is not limited to, any of the following:

1. Verbal warning.
2. Conference with a supervisor and/or the Principal.
3. 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.

### **Social Media**

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

1. Be respectful of the privacy and dignity of your co-workers, and do not post student photographs without appropriate authority.
2. Do not "friend" students on your personal social media page unless you have an appropriate out-of-school relationship with the student such as relatives, church, scouts, or other activity that would be appropriate for such informal communication.
3. Do not create a link from your blog, website, or other social networking site to a ECIA website without identifying yourself as a school employee.
4. Do not infringe on ECIA's logos, taglines, slogans, trademarks, or other symbols.
5. Harassing, obscene, defamatory, threatening, or other offensive content must be avoided.
6. Maintain the confidentiality of ECIA trade secrets and private or confidential information concerning school employees, students, and/or agents that is obtained from ECIA's files or records in the course of employment. Do not post internal reports or other business-related confidential communications.
7. Respect all copyright and other intellectual property laws. For ECIA'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 ECIA's own copyrights, trademarks, and brands.

8. The employee may not set up or update the employee's personal social network page(s) using ECIA computers, network, or equipment.

9. The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct school business.

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

#### **Cell Phone Policy**

Cell phones should **not be seen or used** at school unless a student is given permission by the administration/teacher. ECIA staff are **required** to confiscate any/all cell phones and turn them into the administrative office. Cell phones have become disruptive in classes, as well as students' text messaging tests, assignments, or just visiting while classes are being conducted. Parents/guardians will be required to pick up confiscated cell phones in the administrative offices. Continued violation may result in confiscating cell phones for a period of time.

ECIA staff should not be using their cell phones during class periods or on duty unless it is an emergency.

#### **Sales and Solicitations**

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

#### **Public Relations/Media**

The Board of Directors has designated the Superintendent as the official spokesperson for media questions and public relations. Any official statements from ECIA to the media are to be handled through the Superintendent or designee only.

#### **Employee Involvement**

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

## **EMPLOYEE HEALTH AND SAFETY**

#### **Accident Reporting**

Employees shall report any on-the-job injury or accident immediately to their Supervisor. Supervisors must notify the Human Resources within 24 hours of notification of an on-the-job injury or accident. If an employee fails to report the on-the-job injury or accident within 30 days, the claim may be denied by the Texas Department of Insurance – Division of Workers' Compensation. The employee's Supervisor and/or the appropriate management personnel shall conduct a thorough investigation, involving the employee and any witnesses that observed the on-the-job injury or accident. The employee's Supervisor and/or appropriate management personnel will ensure corrective action is taken to avoid a recurrence of the accident.

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

ECIA 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 ECIA may be dismissed. ECIA's policy regarding employee alcohol and/or drug use is as follows:

## **DRUG-FREE WORKPLACE NOTICE**

#### **ECIA explicitly prohibits:**

- The unlawful manufacture, distribution, dispensation, possession, or use of narcotics or other illegal drugs, alcohol, or prescription medications without a prescription on ECIA premises or while attending a school-sponsored or school-related activity.

- Being impaired or under the influence of legal or illegal drugs or alcohol away from school property, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk ECIA's reputation.
- Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from ECIA 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 ECIA's reputation.
- The presence of any detectable amount of prohibited substances in the employee's system while at work, on ECIA property, or while attending a school-sponsored or school-related activity. "Prohibited substances" include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to the employee. Employees who violate this policy shall be subject to disciplinary sanctions, which may include:
  - Referral to drug and alcohol counseling or rehabilitation programs
  - Referral to employee assistance programs
  - Termination from employment; and/or
  - Referral to appropriate law enforcement officials for prosecution

As a condition of employment with ECIA each employee shall abide by the terms of the requirements and prohibitions set out in this statement and shall notify ECIA 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, ECIA shall either (1) take appropriate personnel action against the employee, up to and including termination; or (2) require the employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency.

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

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

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

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

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

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

### **Asbestos Management Plan**

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

### **Communicable Diseases**

The following information will provide simple and effective precautions against the transmission of a communicable disease for all students and school personnel who are potentially exposed to the bodily fluids of any person. No distinction

is made between bodily fluids from persons with a known disease or those from persons without symptoms or with an undiagnosed disease.

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

Transmission of communicable disease is more likely to occur from contact with infected bodily fluids of unrecognized carriers than from contact with fluids from diagnosed individuals, because simple precautions are not always carried out. To avoid contact with bodily fluids, the following precautions should be observed:

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

### **Hazard Communication Act**

ECIA is concerned about the safety of all employees, and therefore will perform the following duties in compliance with the THCA:

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

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

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

### **Workplace Safety Statement**

**\*\*NOTE\*\*** ECIA is aware that the Occupational Safety and Health Administration (“OSHA”) has issued findings that a Texas open-enrollment charter school network was not a covered employer under the Occupational Safety and Health Act (the “OSH Act”), meaning that OSHA did not have jurisdiction to review the complaints of unsafe work practices under the OSH Act.

While recognizing that SCIA may not be subject to the OSH Act, we certainly prioritize employee health and safety.

Information related to ECIA’s workplace safety is as follows:

To assist in providing a safe and healthy work environment for employees, students, parents and visitors, ECIA has established a workplace safety program. This program is a top priority of ECIA, and its success depends on the alertness and personal commitment of all.

ECIA provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos or other written communication.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to their immediate supervisor. Employees who violate safety standards, cause

hazardous or dangerous situations, or fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their immediate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

ECIA 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. ECIA maintains a log of all occupational injuries and illnesses, and asks that employees report such injuries and illnesses within 48 hours so that ECIA may report these occurrences within a lawful period of time to the appropriate authorities.

As ECIA employees:

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

As your employer

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

### **Reporting Serious Injuries**

Within eight hours after the death of an employee from a work-related incident or the in-patient hospitalization of three or more employees as a result of a work-related accident. ECIA will orally report the fatality/multiple hospitalization by telephone or in person to the appropriate authority that is nearest to the site of the incident.

### **Reporting Procedures**

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

### **Searches**

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

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

All ECIA 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. ECIA 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**

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

For purposes of this policy, "e-cigarette" means an electric 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 cigarettes, or other devices or paraphernalia used with vapors, other inhalants or chemicals.

All personnel shall enforce this policy on ECIA property.

### **Weapon & Firearm Possession**

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 an ECIA 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.

### **Workplace Violation Prevention**

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

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

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

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

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

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

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

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



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

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

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

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

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

## **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 << Human Resources Director >> 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 << Human Resources Director >>. The << Human Resources Director >> should be notified as soon as possible. No employee other than the <<title>> 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 << Human Resources Director >> 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. ECIA 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 cause litigation resulting in both civil and criminal penalties and may result in disciplinary action, up to and including termination.

Employees who have concerns of a co-worker or student infected with HIV or a life-threatening illness should contact << Human Resources Director>> 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 << Human Resources Director>>

### **Limitations on Employee Training**

ECIA 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.

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

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

### **Personal Property**

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

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

### **Records Retention**

Current and former employees are considered temporary custodians of ECIA 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 ECIA. 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**

ECIA 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 ECIA'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 Principal or other appropriate administrator. Proper care and maintenance of school-owned or 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 ECIA'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 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.

## Parent Advisory Committee (PAC)

A Parent Advisory Committee (PAC) was established to empower parents as advocates and to encourage the participation of parents and guardians in their children's education. PAC meetings will be scheduled each month after school hours on each ECIA campus. Parents will be notified in advance of the scheduled time.

## Student Issues

### Non-Discrimination Statement

ECIA does not discriminate on the basis of race, religion, color, national origin, sex, disability academic, artistic, or athletic ability, sexual orientation, pregnancy, marital status or the district the child would otherwise attend under state law or in providing educational services, activities, and programs, including vocational and career technology programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

### Attendance Policy - Student

Teachers and staff should be familiar with ECIA's policy and procedures for attendance counting. All students must be in attendance 90% of the time each school year. The State of Texas requires students to be in attendance at minimum of **90%** of the time to receive credit for course work. If your student(s) do not meet these standards, course credit will be withheld. Parents/guardians can appeal attendance absences with proper documentation to the campus attendance committee and/or principal. .

- **School starts at 7:50 A.M.** Students will have breakfast each day.
- Students not in class by 8:15 are required to check in at the main office and receive a tardy pass. Students will be allowed Three Tardies per semester. Parents will be notified after the third tardy. **On the fourth and preceding tardies, a parent conference will be held with the principal.** It is imperative that students arrive on time for class.

### Teacher Procedures for Student Attendance

Research tells us that student attendance has a direct correlation to student success. We expect our students to be on time to class.

- Teachers will begin breakfast at **7:50 a.m.**
- Attendance will be taken daily at **10:30 a.m. approximately.**
- Teachers are required to take attendance and enter it into their electronic grade book daily. According to TEA, the teacher is the official record keeper for attendance. Please keep your attendance updated and documented.
- Any attendance note received by the teacher must be sent to the front officer by the end of the day.
- All attendance notes will be kept in student folders by the Administrative Assistant.

## **Administering 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, ECIA 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 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 ECIA. Non-instructional employees with concerns about a particular student’s conduct should contact the student’s classroom teacher or the Principal.

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

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, ECIA 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 Principal. This includes students with disabilities who are no longer minors. *Employees are not required to report their concern to the principal before making a report to the appropriate agency.* In addition, employees must cooperate with investigators of child abuse and neglect.

Reporting the concern to the 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**

ECIA 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, ECIA 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 ECIA provide to the parent or guardian of each enrolled student written notice of the professional qualifications of the student's classroom teachers. ECIA will also provide this information upon request from a parent.

### **Employee Training**

ECIA 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.

### **Bullying**

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

1. has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property,
2. is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student,
3. materially and substantially disrupts the educational process or the orderly operation of a classroom or the school, or
4. infringes on the rights of the victim at school.

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

ECIA'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 Principal or designee.

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

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

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

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

The Principal or designee shall prepare a written report of the investigation, including a determination of whether 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. ECIA may base its decisions 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.). ECIA 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.

### **Teacher Attendance at ARD/504 Meetings**

Teachers will be asked to attend ARD/504 meetings with special programs staff as well as parents of their students. **Teachers will be expected to bring their red folder** (that contains all IEPs and accommodations/modifications for each special needs student) to the meeting and refer to the information in the folder as needed.

### **Daily Observances**

Pledges of Allegiance and Moment of Silence

In the summer of 2003, the 78<sup>th</sup> Texas State Legislative Session mandated that each school district shall require students during each school day at each school in the district to recite the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas State flag. In addition, each school is required to provide for the observance of one minute of silence following the recitation of the Pledge of allegiance. During the one-minute period, each student may, as the student chooses, pray, meditate, reflect, or engage in any other silent activity that is not likely to interfere with or distract another student. All ECIA CSD schools will observe this mandate. All students and staff are required to be respectful during the pledges and moment of silence.

1. The Pledge of Allegiance to the United States Flag - "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."
2. Pledge of Allegiance to the Texas State Flag - "Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible."
3. ECIA school creed
4. A moment of silence

### **Backpacks/Book Bags**

ECIA CSD students may use backpacks, book bags, satchels or other items designed to carry bulky items only when bringing materials to school or taking materials home at the end of their school day.

### **Student Transportation**

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

### **Fundraising**

There shall be no fund-raising activities except those approved school activities which have been sanctioned by the Board of Trustees and Superintendent or designee. All monies involved with the fundraising activity are to be accounted for through the proper accounting procedures established by the business office. Non-school sponsored fundraisers will be allowed.

### **Student Being Photographed**

Parents with students enrolled at ECIA schools sign a waiver for approval or non-approval for their student(s) to be photographed while at school. Teachers will be given a list of students that will not be allowed to be photographed while on ECIA campuses.

## **Student Welfare**

### **Computer Technician Reports of Child Pornography**

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

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

### **Use of Personal Vehicles**

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.

### **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 ECIA premises should immediately direct him or her to the building office or contact the administrator in charge.

ECIA may establish an electronic database for the purpose of storing information concerning school visitors. Such databases may only be used for purposes of school security, and may not be sold or otherwise disseminated to a third party for any purpose. ECIA 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 ECIA.

## **ELECTRONIC MEDIA, COMMUNICATION SYSTEMS, AND TECHNOLOGY RESOURCES ACCEPTABLE USE GUIDELINES**

ECIA makes a variety of communications and information technologies available to students and employees. These technologies, when properly used, promote educational excellence in ECIA by facilitating resource sharing, innovation, and communication. Illegal, unethical, or inappropriate use of these technologies can have dramatic consequences, harming ECIA, 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 ECIA'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 Principal or other administrator may deny, revoke, or suspend Network/Internet/resource access as necessary, pending the outcome of an investigation. The expectations of ECIA are that all network and technology resource users will comply with all policies, procedures, and guidelines outlined below.

## Technology Resources

ECIA'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 ECIA;
- Does not unduly burden ECIA'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 ECIA's technology resources are not confidential and can be monitored at any time to ensure appropriate use.

ECIA 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 ECIA computers or accessing the ECIA 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 ECIA's technology and information resources are required to abide by the provisions of ECIA'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 [Admin](#).

## Internet Filter

ECIA 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 ECIA 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 ECIA 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 ECIA 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

ECIA 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 ECIA's technology resources, shared network space and any ECIA 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 ECIA resources.

## General Unacceptable Behavior

While utilizing any portion of ECIA'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 Admin and administration. The use of the "all staff" group for other purposes must be approved by the Admin 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 ECIA'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 ECIA.
- Installation of any programs or software not approved by ECIA.
- 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 ECIA.
- 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 ECIA'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 ECIA email.
- Using ECIA equipment, network, or credential to threaten other users, or cause a disruption to the educational program.
- Using ECIA 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 ECIA's electronic network for commercial purposes, or offering, providing, or purchasing products or services through the network.
- Using ECIA's electronic network for political lobbying.
- Using speech that is inappropriate in an educational setting or that violates ECIA's standards for employee conduct.

Employees who become aware of a user engaging in inappropriate use of ECIA's electronic network or who receive any email containing inappropriate content should report the matter immediately to the [Admin](#) or designee.

### **No Expectation of Privacy**

ECIA email accounts should be used primarily for school-related purposes. Personal use of ECIA 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).

ECIA 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 ECIA system, including email, to the extent that such rights are not superseded by applicable laws relating to intellectual property.

ECIA owns any communication sent via email or that is stored on ECIA equipment or its cloud accounts. Employees shall have no expectation of privacy in anything they store, send, or receive on ECIA'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. ECIA 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 [Admin](#) or designee to allow access to email accounts.

### **System Security**

On occasion, ECIA 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 ECIA's electronic network, including personal information or messages. ECIA 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 ECIA'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 ECIA'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 ECIA 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 **Admin** 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 ECIA'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 **Admin** or designee.

ECIA may permit the use of personally-owned computing devices on its network, at the discretion of ECIA. All "guest" users must comply with administrative regulations governing the use of ECIA'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 ECIA 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 ECIA 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 ECIA'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 ECIA'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 ECIA's logo or other copyrighted material of ECIA 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:
  - o Confidentiality of student information, including photos.
  - o Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law.
  - o Confidentiality of ECIA records, including educator evaluations and private e-mail addresses.
  - o Copyright law.
  - o 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 ECIA 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 ECIA 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 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 ECIA email address.
- Employees shall not communicate directly with any student between the hours of 10:00 pm 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:
  - o The nature, purpose, timing, and amount of the communication;
  - o The subject matter of the communication;
  - o Whether the communication was made openly or the employee attempted to conceal the communication;
  - o Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
  - o Whether the communication was sexually explicit; and
  - o 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 ECIA’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 students. 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 ECIA 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.**

## **Academic**

### **Curriculum**

ECIA uses a curriculum that is based on the Texas Essential Knowledge and Skills (TEKS). Our staff lesson plans are designed to teach the Readiness and Supporting Student Expectations (SE’s) placed in the TEKS by the Texas Education Agency and State Legislature. Our staff utilizes many tools in planning their lessons: state adopted textbooks, Lead4ward curriculum guides, research-based activities, etc. Teacher Resource System (TRS) is a tool that our staff utilizes to plan their scope and sequence, which is how and when the TEKS are taught. It allows our staff to keep instruction on track to prepare students for success in meeting the state/federal standards. The demand for greater knowledge continues to increase in our culture, and change is constant. ECIA will

continue to assess, improve, and add to its curriculum throughout each school year to ensure that students are given every opportunity to succeed.

\*If you are asked about our curriculum: "We use the Teacher Resource System (TRS) for our curriculum. Year-at-a-glance, HMH, Lowman Math, Lead4ward are our supports.

**Listed below are the programs that are supported at ECIA:**

1. Teacher Resource System (TRS) – Curriculum alignment and assessment - PreK-Grade 6
2. Generation Genius - Science PreK - Grade 6
3. Iread - PreK - Grade 2
4. Teacher Resource System (Region 10) TRS
5. ESPED – documentation for special education students
6. Circle – state adopt reading test for grades K-2nd
7. Education.com PreK - Grade 8

The teacher will be trained during staff development on the T-TESS system. If you have been employed by ECIA for 5 years or more and in good standing, you will only be required to have a formal observation every two years. You would be evaluated every other year 7,9,11,etc. Walk-throughs will be conducted for every teacher every year.

**Teacher Observations and Evaluations**

The administration will use a combination of visits (observations/walkthroughs) as well as at least one 45 minute observation. The teacher should receive feedback within a week of the observation. The teacher will have an observation by your campus coordinator and/or district administration.

**Grading Procedures**

Schools at ECIA will use a **6** weeks grade reporting period. Students and parents will receive a **3** weeks progress grade report in each subject during each **6** weeks grading period. Grade reporting calendar will be created and teachers will meet published deadlines for reporting grades and progress notices.

Each student will receive a minimum of **10** daily grades plus **2** major tests during each **6** weeks grading period. A daily grade can consist of quizzes, homework, projects, activities, etc. Major tests can consist of a teacher/admin created test covering a portion of student knowledge and skills, benchmarks, major projects/reports, etc. Teachers will input at least one grade per subject per week. This is a minimum requirement and will be monitored by the administration.

All students will complete teacher assigned activities. Unfinished assignments can cause gaps in student learning. Teachers may arrange tutoring during, before, and/or after school for students to complete assignments. Completion of ALL assignments is required and mandatory. Penalty for late assignments will be assessed by the teacher.

**Grading Scale**

ECIA CSD has a school-wide grading scale.

- 100 – 90 = A
- 89 – 80 = B
- 79 – 70 = C
- 68 – 0 = F (69 or 0 will **not** be recorded on a report card)

- Report cards (6 weeks) will not have a grade below 50 as a final grade. NO 68's or 69's on 6 weeks grades. Please plan accordingly.
- Progress reports will be sent home every three weeks.
- **Parents/Guardians will be contacted if a student is failing. If a student fails your class please call parent and give your strategies for making the student successful during the next grading period**

ECIA CSD has a school wide grade percentages

- 40% = Tests (major tests, benchmarks, assessments, major projects, etc.)
- 40% = Daily classroom work (activities, quizzes, group activities, participation, projects, labs, etc.)
- 20% = Homework assignments

- Expect your student to have homework Monday thru Thursday especially in math and reading.

**Cheating/Plagiarism/Academic Dishonesty**

Copying another person's work, such as homework, class work or a test, is a form of cheating. Plagiarism, which is the use of another person's original ideas or writing without giving credit to the true author, will also be considered cheating, and the student will be subject to academic disciplinary action that may include loss of credit for the work in question. Teachers who have reason to believe that a student has engaged in cheating or other academic dishonesty will assess the academic penalty to be imposed. Students found to have engaged in academic dishonesty will be subject to disciplinary penalties such as community service, cleaning and picking up trash, detentions, suspension, or expulsion.

## Conferences with Teachers

When parents feel it advisable to contact teachers personally, they are encouraged to leave their telephone numbers in the school office in order that the teacher may return the call later. Personal conferences are welcome if a telephone conversation does not prove adequate. Parents may also communicate with their child's teacher via e-mail. Parents/guardians are requested to contact the school when failing grades appear on the student's report card.

## Response to Intervention (RtI)

In order to provide the most effective education for all children, the ECIA CSD utilizes a three-tier approach with varying levels of support beyond that used as the core curriculum. The process is called Response to Intervention (RtI) and is a school-wide, district-wide, three-tiered model for identifying and providing high quality instruction and early intervention to all students falling behind their grade level peers. As described in the Texas Education Agency 2008-2009 Response to Intervention Guidance document, the three tiers of the RTI process will ensure that appropriate instruction is used to address all students' needs:

- Tier 1: Teachers use high-quality core class instruction aligned with the Texas Essential Knowledge and Skills (TEKS) in which about 80% or more of the students are successful. This tier is the crucial foundation of the RTI instructional model.
- Tier 2: Students are identified for individual or small group intervention in addition to core class instruction. This level includes scientific research-based programs, strategies, and procedures designed and employed to supplement, enhance, and support Tier 1 activities. District-established standard protocol matches appropriate intervention strategies to specific student needs. Tier 2 addresses the needs of approximately 10–15% of the students.
- Tier 3: Students who have not responded adequately to Tiers 1 and 2 receive specific, custom-designed individual or small group instruction (designed using a problem-solving model) beyond the instruction in Tier 1. This level of intervention is aimed at those students who have identified difficulties academically. Tier 3 addresses the needs of approximately 5–10% of the students.

Teachers are required to identify student weaknesses and to improve on each student's academic abilities. Documentation must be kept on student progress before and after interventions. Teachers are to document the successful teaching practices that are used with all students in the RtI process.

## Teacher Training

All instructional staff at ECIA schools will require the following training for student success.

1. GradeBook
2. SPED Accommodations Training
3. Successful Teaching Strategies Training
4. T-TESS Training
5. 504 Training
6. ESL Raters Training
7. LPAC Training
8. Eduphoria Assessment System
9. Eduphoria Teacher Evaluation System

## State and Federal Testing Standards

**State Standards** – The State of Texas requires that every student take achievement tests in grades 3 – 8. All tests are based upon the Texas Essential Knowledge and Skills (TEKS). Students receive an approach, meets, or masters score on each test given. Campus and school districts also receive a rating (A-F). Standards for passing are changed every year as well as the content on the state tests. Tests are given in the core subjects (Writing, Reading, Math, Science, Social Studies)

**Federal Standards** – The United States government requires that every student take an achievement test in grades 3 – 8. All tests are based upon the TEKS. Students receive a passing or failing score on Reading and Math tests. Standards for passing are changed every year as well as the content on the tests. Campuses receive a rating of pass or failure on Average Year Progress (AYP score). The tests taken are also the same tests used in the state ratings.

## Gradebook

### Creating an account - Ascender-Teacher Portal

You will have staff development on  
Aug 15, 2024  
End of the day  
Ascender-Teacher Portal  
Attendance  
Grades

**Report Cards  
Progress Notices  
Discipline  
STUDENT CODE OF CONDUCT**

**Positive Learning Environment**

All students at ECIA schools can expect a positive and safe learning environment. Classroom disruptions that impact other students' ability to learn will **NOT** be tolerated.

**ECIA Philosophy**

We believe in the **"Golden Rule" - Treat others the way you want to be treated.**

**Student Classroom Expectations**

1. **Be in your assigned seat and ready to work when class starts.**
2. **Raise your hand and wait to be called on before speaking out in class.**
3. **HFBO – keep hands, feet, books, and objects to yourself.**
4. **Profanity, rude gestures, cruel teasing, bullying, or put downs are not permitted.**
5. **Follow the directions of any adult staff member at this school.**

Our expectations and Golden Rule will be posted in every classroom

**Sending Students to the Principal's Office**

**Students can be sent to the office for the following reasons:**

1. **A student can NOT interfere with a teacher teaching**
2. **A student can NOT interfere with another student's educational opportunities**
3. **A student can NOT substantially disrupt the orderly operation of a classroom, school, or school-sponsored or school-related activity."**

**Disregard or Disrespect for Authority**

**Students shall not:**

- **Fail to comply with directives given by school personnel (insubordination).**
- **Leave school grounds or school-sponsored events without permission.**
- **Refuse to accept discipline management techniques assigned by a teacher or principal.**
- **Use profanity or obscene gestures toward a teacher, district employee, or volunteer.**
- **Threaten a district teacher, employee, or volunteer, on or off school property.**
- **Engage in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward a teacher, employee, or volunteer.**

**Mistreatment of Others - Students shall not:**

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle.
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, harassment, or hazing.
- Engage in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, or volunteer.
- Cause an individual to act through the use of or threat of force (coercion).
- Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others.

**ECIA CSD Hazing/Bullying Report Procedures**

As stated in our student handbook, **hazing and bullying will not be tolerated on our school campus.** "Hazing" is any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student that endangers the mental or physical health or safety of a student for the

purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are students at an educational institution.

**Bullying is intentional aggressive behavior. It keeps the teacher from teaching and it keeps other students from learning.** It can take the form of physical or verbal harassment and involves an **imbalance of power** (for instance, a group of children can gang up on a victim or someone who is physically bigger or more aggressive can intimidate someone else).

Bullying behavior can include teasing, insulting someone (particularly about their weight or height, race, sexuality, religion or other personal traits), shoving, hitting, excluding someone, or gossiping about someone.

Bullying can cause a victim to feel upset, afraid, ashamed, embarrassed, and anxious about going to school. It can involve children of any age, including younger elementary grade-schoolers and even kindergarteners. Bullying behavior is frequently repeated unless there is intervention.

A school staff member, or a student who has witnessed, or has reliable information that a student has been subject to harassment, intimidation or bullying shall report the incident to the designated campus discipline personnel and/or other ECIA CSD district administration personnel who shall immediately initiate the school district's procedures concerning school bullying. ALL stakeholders are asked to report all incidents as well!

A person who promptly reports any incident of hazing, intimidation or bullying, to the appropriate school administration or district officials and who makes this report in compliance with the procedures in the district's policy is immune from a cause of action for damages arising from any failure to remedy the reported incident.

Anyone who files a report/claim he/she knows to be false will be held responsible and reported to an appropriate law enforcement agency for processing. Under no circumstances will false reports ever be considered "a joke" or "minor mischief." They will be immediately reported.

All reports will be investigated and a determination of outcomes made within ten business days. Written documentation of the report must include the following information in order to conduct a proper and complete investigation by our Threat Assessment Team:

1. What is the alleged bully's name?
2. What date did the alleged incident occur?
3. Is the alleged bully a student or staff member of ECIA CSD? If not, explain.
4. Are you an ECIA CSD student, teacher, parent, or staff member?
5. How do you know about the alleged incident?
6. Did anyone else witness the alleged incident/behaviors? Provide full names.
7. What are the specific Harassment/Intimidation/Bullying behaviors are you reporting?
  - a. Hurtful teasing
  - b. Insulting remarks
  - c. Sending nasty notes
  - d. Social exclusion
  - e. Spreading rumors
  - f. Physical abuse
  - g. Physical injury
  - h. Stalking
  - i. Cyber-bullying via text/email/blogs/social networks
  - j. Stalking
8. Where specifically did the incident take place? Was it a non-school activity? Text? Computer related?
9. How long do you suspect that this behavior has been going on?
10. Please provide a detailed summary of the incident including names and locations.
11. How can you be reached for further questioning? Please provide phone number and email (optional)

### **Property Offenses**

#### **Students shall not:**

- Damage or vandalize property owned by others.
- Deface or damage school property—including textbooks, furniture, and other equipment—with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code.



## **Possession of Prohibited Items**

### **Students shall not possess or use:**

- fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
- a razor, box cutter, chain, or any other object used in a way that threatens/inflicts bodily injury to another person;
- a “look-alike” weapon;
- an air gun or BB gun;
- ammunition;
- a stun gun;
- a pocket knife or any other small knife;
- mace or pepper spray;
- pornographic material;
- tobacco products;
- matches or a lighter;
- a laser pointer for other than an approved use; or
- any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

## **Miscellaneous Offenses**

### **Students shall not:**

- Violate dress and grooming standards as communicated in the student handbook.
- Cheat or copy the work of another
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.
- The district may impose campus or classroom rules in addition to those found in the Code of Conduct.

## **Discipline Techniques**

The following discipline management techniques may be used—alone or in combination—for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or “time-out.”
- Seating changes within the classroom.
- Temporary confiscation of items that disrupt the educational process.
- Behavioral contracts.
- Counseling by teachers and/ or administrative personnel.
- Parent-teacher conferences.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention.
- Assignment of school duties such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations’ extracurricular standards of behavior.
- School-assessed and school-administered probation.
- Out-of-school suspension
- Expulsion
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

**Note: Students can only be removed from class for stopping a teacher from teaching and/or stopping other students from learning.**

## **Disruptions of School Operations**

Disruptions of school operations are not tolerated and may constitute a misdemeanor offense. As identified by law, disruptions include the following:

- Interference with the movement of people at an exit, entrance, or hallway of a district building without authorization from an administrator.
- Interference with an authorized activity by seizing control of all or part of a building.
- Use of force, violence, or threats in an attempt to prevent participation in an authorized assembly.
- Use of force, violence, or threats to cause disruption during an assembly.
- Interference with the movement of people at an exit or entrance to district property.
- Use of force, violence, or threats in an attempt to prevent people from entering or leaving district property without authorization from an administrator.
- Disruption of classes or other school activities while on district property or on public property that is within 500 feet of district property. Class disruption includes making loud noises; trying to entice a student away from, or to prevent a student from attending, a required class or activity; and entering a classroom without authorization and disrupting the activity with loud or profane language or any misconduct.

### **Standards for Student Conduct**

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Attend all classes, daily and on time.
- Prepare for each class; take appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

### **School District Authority and Jurisdiction**

School rules and the authority of the district to administer discipline apply whenever the interest of the district is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities.

The district has disciplinary authority over a student:

1. During the regular school day;
2. During lunch periods in which a student is **NOT** allowed to leave campus;
3. While the student is in attendance at any school-related activity, regardless of time or location;
4. For any school-related misconduct, regardless of time or location;
5. When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;
6. When criminal mischief is committed on or off school property or at a school-related event;
7. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
8. For certain offenses committed while on school property or while attending a school sponsored or school-related activity of another district in Texas; and
9. When the student commits a felony, as provided by the Texas Education Code 37.006 or 37.0081.

The district has the right to search a student's locker/backpack when there is reasonable cause to believe it contains articles or materials prohibited by the district. School administrators will report crimes as required by law and will call local law enforcement when an administrator suspects that a crime has been committed on campus. The district has the right to revoke the transfer of a nonresident student for violating the district's Code.

### **ECIA Staff Responsibility**

No staff member will be allowed to take a student home unless given specific permission from an administrator.

### **Campus Complaints in the ECIA CSD**

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

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the board has adopted orderly processes for handling complaints on different issues. Any campus office or the

superintendent's office can provide parents and students with information on filing a complaint. Parents are encouraged to discuss problems or complaints with the teachers or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved should be directed to the campus principal.

The formal complaint process provides parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response. Once all administrative complaint procedures are exhausted, parents and students can bring complaints to the board of trustees.

### **Procedure for Receiving and Resolving Campus Complaints**

Complaints from ECIA CSD employees, students, parents, and the public, by formally adopted policy, should be registered and addressed in the following manner:

#### **Informal Conference - Level One**

In most circumstances, employees, students, parents, and the public are expected to discuss their complaint at the lowest possible administrative level, either with the appropriate supervisor for employee concerns, the appropriate teacher for student issues, or the applicable administrator for public complaints.

#### **Principal Conference - Level Two**

If the meeting at the informal level does not yield a satisfactory outcome, the complainant may request, **within ten days**, a conference with a campus administrator. The request must be filed in writing after receipt of a response or, if no response was received, within ten days of the response deadline. At the conference, the complainant will submit a written document that includes a statement of the complaint, any evidence in its support, the solution sought, complainant's signature, and the date of the Campus Team conference. The campus administrator shall have **ten days** following the conference within which to investigate, if necessary, and to provide the complainant with a written response.

#### **District Administrator Conference - Level Three**

If the campus administration outcome is not satisfactory, the complainant may submit to the district administrator/designee a written request for a conference. The request must be filed in writing **within ten days** after receipt of campus administration level two response. The district administrator or designee shall hear the complaint and take whatever action he/she deems appropriate. The district administrator or designee shall respond **within ten days** of hearing the level two complaints. All administrative decisions are final and can not be appealed beyond the district level.

#### **Superintendent Conference - Level Four**

If the district administration outcome is not satisfactory, the complainant may submit to the district superintendent a written request for a conference. The request must be filed in writing **within ten days** after receipt of district administration level response. The superintendent shall hear the complaint and take whatever action he/she deems appropriate. The superintendent shall respond **within ten days** of hearing the level three complaints. All administrative decisions are final and can not be appealed beyond the district level.

#### **School Board Hearing - Level Five**

If the superintendent outcome is not satisfactory, the complainant may submit to the ECIA School Board of Trustees Secretary a written request for a conference with the ECIA. The request must be filed in writing **within ten days** after receipt of the superintendent level response. ECIA School Board of Trustees shall hear the complaint and take whatever action it deems appropriate. The ECIA School Board of Trustees Secretary shall respond **within ten days** of hearing the level four complaints. All ECIA School Board of Trustees decisions are final and can not be appealed.

#### **Expulsion Appeal**

All expulsion appeals will be handled in accordance with school policy (District Administrative Level 3)

#### **Special Complaints**

Complaints alleging certain forms of harassment shall be processed in accordance with policy.

In summary, complaints should be resolved at the lowest administrative level. Complainants attempting to circumvent levels should be advised of the acceptable complaint procedure by the administrator or central office members who inappropriately receive the complaint. Note: "Days" shall mean District business days. In calculating timelines under this policy, the day a document is filed is "day zero," and all deadlines shall be determined by counting the following day as "day one."

## **Title I District**

Our school district is a Title 1 District which means we have over 40% of our students meeting the economically disadvantaged category for free or reduced lunch. This allows our students to gain additional monies from the state and the federal governments for instruction. It is imperative that we continue to receive the additional monies from the state and from the federal governments. That is also why we continue to remind parents of the importance of district enrollment data. The economically disadvantaged forms are included in the parent packets online and hardcopy

## **End of School Day Classroom Procedures**

At the end of each school day in each classroom, students/teachers will bag up the garbage and place it outside the classroom door. Each student will put their chair on the top of their desk so maintenance staff can clean the classroom floors.

## **Dress Code**

ECIA CSD's guidelines for student dress may be more conservative than those of other districts; however, the ECIA CSD Board of Trustees has established what it feels are appropriate guidelines to teach hygiene, instill discipline, prevent disruption and maintain a proper learning environment. Interpretation is up to each school principal, and his or her decisions regarding dress and grooming are considered final. Students will be expected to wear standard dress as defined in the Campus Handbook. If parents have questions about whether something is considered appropriate for their children to wear to school, they are encouraged to ask the school principal in advance of allowing their children to wear it.

### **Dress and Grooming Code**

1. All students must wear a Polo shirt (any solid color). Polo's can be short or long sleeved.
2. If undershirts are worn, they must be white, black, or gray short or long sleeved t-shirts (no thermals or designs).
3. Navy, black, or khaki pants must be worn. No blue jeans or denim pants, sleepwear, jogging or exercise pants are allowed.
4. Navy, black, or khaki knee-length shorts no more than 2 inches above the knee may be worn. No boxers, sleepwear, exercise shorts or basketball shorts are allowed.
5. Girls may wear knee-length navy, black, or khaki skirts (with shorts underneath), skorts or one piece jumpers. Skirts, skorts or jumpers must be no more than 2 inches above the knee (NO EXCEPTIONS).
6. All uniforms must be neat/clean and worn properly. No sagging allowed at any time.
7. During cold weather, students are permitted to wear a hooded or non-hooded sweatshirt (any solid color) with school Polo underneath. College sweatshirts with Polo underneath may be worn. Jackets will be allowed. Hoods may not be worn in the school building.
8. Students must wear athletic shoes during P.E. No flashing lights, roller wheels or sequins. No house shoes, high heels, cleats, flip flops, sandals, or open toe shoes.
9. Facial hair such as beards, mustaches, and goatees will not be permitted.
10. Male students will not be permitted to wear makeup or earrings.
11. Male students will be required to wear their hair cleaned and combed, above the eyes, over their ears, and above their shirt collars.
12. No Mohawks, faux hawks or hair designs will be allowed by any student. Natural hair color only.
13. Facial and tongue jewelry are not permitted.
14. Female students must be well groomed. Hair must be cleaned and combed. Hair in the eyes, hair glitter, and unnatural hair color are not permitted.
15. Caps or hats are not permitted in school buildings. However, these items are permitted while outside.
16. Tattoos of any kind are not permitted.
17. Sponsors of extracurricular activities may set individual dress and appearance standards with the approval of the principal.

18. **During free dress days the following additional rules will apply:** Students will not be permitted to wear see-through or sleeveless clothing, tank tops, spaghetti strap tops or have midriffs exposed.
- a. Clothes normally considered as undergarments are not permitted to be worn as outer garments.
  - b. Extremely sloppy or torn clothing (jeans) will not be permitted.
  - c. Apparel that advertises or depicts alcohol, drugs, nudity, tobacco products, satanic themes, skulls, gang membership, obscene language, graphics and/or other phrases that are offensive to others will not be permitted.
  - d. Any disruptive or distracting clothing or appearance that adversely impacts the educational process is not acceptable and is subject to interpretation by campus principals.
  - e. Cutoffs, boxer shorts, pajama bottoms, bike shorts, short leggings as outer garments, etc., will not be allowed.
  - f. No revealing tops or bottoms are to be worn.

**EVIDENCE FORM: Keep a form for each of your students in your RED Folder**

Every teacher will have a form for each student. Student data kept on form. Please keep this in a RED folder in your desk and use it for documentation and evidence for meeting district policies.

- 1. Behavior
- 2. Any communication with parents/guardians including ARD meetings.

**Teacher Action Form  
2024-2025**

STUDENT NAME \_\_\_\_\_ Grade \_\_\_\_\_

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_

Mom's Name \_\_\_\_\_ Cell \_\_\_\_\_  
Email \_\_\_\_\_

Dad's Name \_\_\_\_\_ Cell \_\_\_\_\_  
Email \_\_\_\_\_

Teacher \_\_\_\_\_

Date	Time	Action

## Resources Needed



55" Cleartouch Touchscreen Monitor



HDMI Cable



Dell Laptop

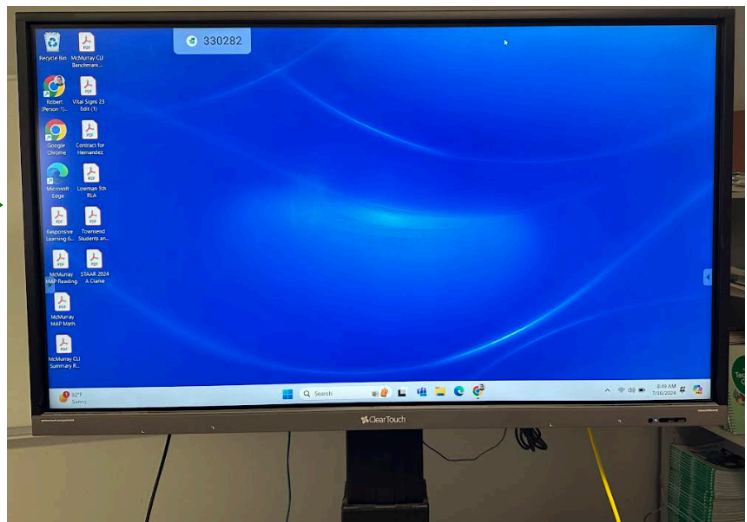
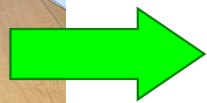
1. Plug the HDMI cable into the HDMI IN1 port on the back of the monitor.



2. Plug the other end into the HDMI port on the left side of the laptop.

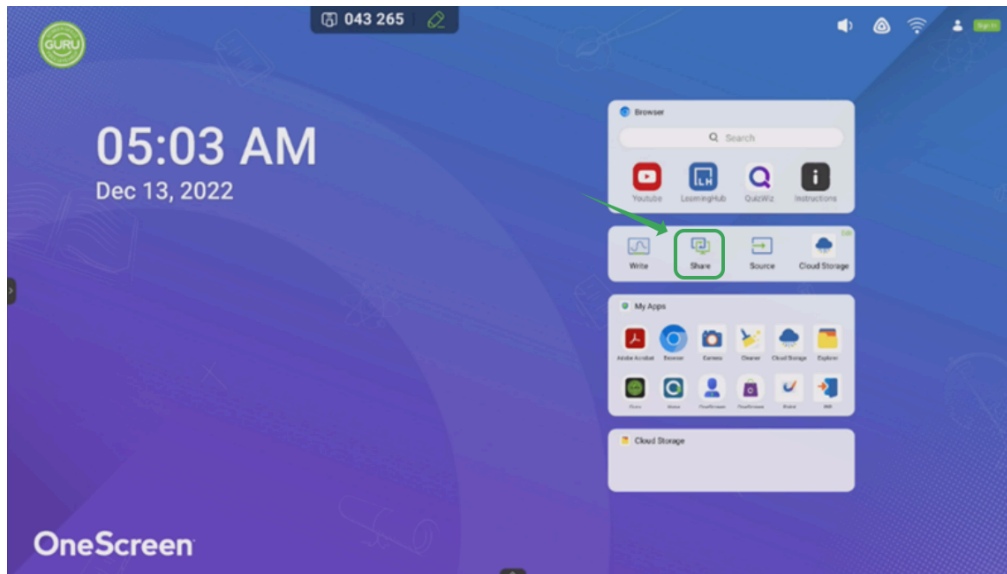


3. The laptop screen will project onto the monitor.



# Casting your presentation to the OneScreen Monitor Rowlett Campus SmartBoards

- Power on OneScreen monitor



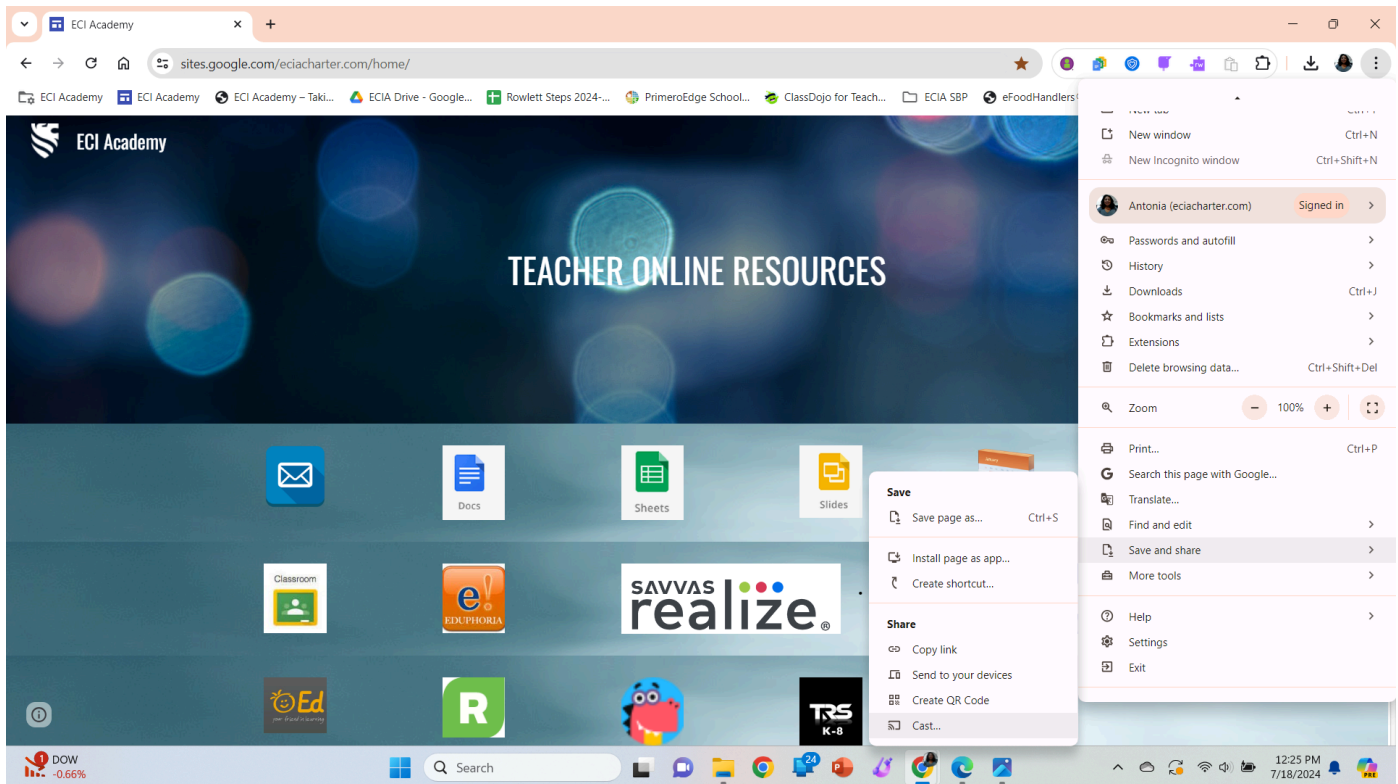
- Home page: Touch SHARE
- OneScreen Share
  - Device Name





# On your laptop

- The 3 vertical dots at the right corner of the screen
  - Save and Share
    - Cast



Cast options will show. Choose the OneScreen option that matches the OneScreen Monitor.

