



**2025 - 2026**

# **EMPLOYEE HANDBOOK**



**TEXAS EDITION**

Board Adopted June 17, 2025



[ideapublicschools.org](https://ideapublicschools.org)



# CORE VALUES

## **We Build Team & Family**

We foster a sense of belonging and inclusivity by treating every member of the IDEA Team & Family—our students, staff, families, and community—with compassion, respect, and humility. We maximize our individual best efforts through collaboration and support of each other in the focused pursuit of our collective mission.

## **We Achieve Academic Excellence**

We believe ensuring college success for 100% of our students is the best way to help them succeed in life and in seeing obstacles they face as opportunities for learning and growth. Every member of the IDEA Team & Family works together to ensure each student on every campus and in every classroom receives a high-quality education.

## **We Deliver Results**

We set ambitious goals, hold ourselves and each other accountable for achieving results, and believe that our students will succeed to and through college. Our results show what's possible when the adults in the system get it right and represent the collective effort and focus of the entire IDEA Team & Family.

## **We Ensure Equity**

We ensure all our students have the same access to a high-quality education through our resources and support. We treat all staff and students with respect and empathy to ensure an environment conducive to working and learning.

## **We Act with Integrity**

We put the best interests of the IDEA Team & Family—and most importantly, our students, at the forefront of all our decisions and actions, taking personal responsibility to model the honest and ethical behavior we want our students and each other to demonstrate every day.

## **We Bring Joy**

We create a positive, uplifting, and joyful environment for every member of the IDEA Team & Family, every single day. We operate with a sense of optimism, and our traditions celebrate learning, growth, and the accomplishments of our students, staff, and community.

## **We Sweat the Small Stuff**

We embrace that achieving excellence lies in paying attention to and carrying out the details—the 'small stuff'—that go into effective execution and positive implementation. Every step of the way, the IDEA Team & Family prioritizes actions contributing to our mission of College for All.





2025-2026 WORK CALENDAR BY REGION & EMPLOYEE GROUP

A work calendar shows the work and non-work days scheduled by role. IDEA Public School’s fiscal year is from July 1st - June 30th, but not all positions work year-round. The following are the work calendars by position at IDEA.

Positions: Teachers, Co-teachers, Speech Language Pathologists (SLPs), Occupational Therapists (OTs), School Psychologists, Diagnosticians, Visual Impairment Specialist, Physical Therapist

ADDITIONAL WEEKEND WORK DAYS

- Austin: August 2, 2025
- Brownsville: None
- El Paso: None
- Houston: None
- Permian Basin: None
- RGV: None
- San Antonio: None
- TaCo: None

FIRST & LAST PAYCHECK

- Monthly: 08/28/2025-07/28/2026
- Biweekly: 08/07/2025-07/23/2026

WEEKDAY NON-WORK DAYS

ALL: September 1, 2025; November 24-28, 2025; December 22 - January 2, 2026; January 19, 2026; April 3, 2026; May 25, 2026

- Austin: October 10, 2025; October 13, 2025; February 16, 2026; March 16-20, 2026
- Brownsville: October 10, 2025; October 13, 2025; February 27, 2026; March 16-20, 2026; April 6, 2026
- El Paso: October 6-10, 2025; November 11, 2025; February 9, 2026; February 16,2026; March 16-20, 2026
- Houston: October 10, 2025; October 13, 2025; February 16, 2026; March 9-13, 2026
- Permian Basin: October 10, 2025; October 13, 2025; February 9, 2026; March 9-13, 2026
- RGV: October 10, 2025; October 13, 2025; February 9, 2026; March 16-20, 2026; April 6, 2026
- San Antonio: October 10, 2025; October 13, 2025; February 9, 2026; February 16,2026; March 9-13, 2026; April 24, 2026
- TaCo: October 10, 2025; October 13, 2025; February 16, 2026; March 16-20, 2026

ADDITIONAL WEEKDAY WORKDAYS\*

- Austin: None
- Brownsville: None
- El Paso: None
- Houston: None
- Permian Basin: None
- RGV: None
- San Antonio: None
- TaCo: None

\*Teachers may be required to additional workdays, as determined by their assigned region. These dates will be communicated in advance by regional leadership.

TOTAL WORKDAYS: 169

Positions: APis, School Counselors, College Counselors, Lead SLPs, Lead OTs, Board Certified Behavior Analysts (BCBAs), Social Workers, Testing Coordinators, LPN/Health Aide, Lead School Psychologists

ADDITIONAL WEEKEND WORK DAYS

- Austin: August 2, 2025
- Brownsville: None
- El Paso: None
- Houston: None
- Permian Basin: None
- RGV: None
- San Antonio: None
- TaCo: None

FIRST & LAST PAYCHECK

- Monthly: 07/28/2025-06/26/2026
- Biweekly: 07/24/202507/09/2026

WEEKDAY NON-WORK DAYS

ALL: September 1, 2025; November 24-28, 2025; December 22, 2025 - January 2, 2026; January 19,2026; April 3, 2026; May 25, 2026

- Austin: October 10, 2025; October 13, 2025; February 16, 2026; March 16-20, 2026
- Brownsville: October 10, 2025; October 13, 2025; February 27, 2026; March 16-20, 2026; April 6, 2026
- El Paso: October 6-10, 2025; November 11, 2025; February 9, 2026; February 16,2026; March 16-20, 2026
- Houston: October 10, 2025; October 13, 2025; February 16, 2026; March 9-13, 2026
- Permian Basin: October 10, 2025; October 13, 2025; February 9, 2026; March 9-13, 2026
- RGV: October 10, 2025; October 13, 2025; February 9, 2026; March 16-20, 2026; April 6, 2026
- San Antonio: October 10, 2025; October 13, 2025; February 9, 2026; February 16, 2026; March 9-13, 2026; April 24, 2026
- TaCo: October 10, 2025; October 13, 2025; February 16, 2026; March 16-20, 2026

ADDITIONAL WEEKDAY WORKDAYS

- Austin: None
- Brownsville: None
- El Paso: None
- Houston: None
- Permian Basin: None
- RGV: None
- San Antonio: None
- TaCo: None

TOTAL WORKDAYS: 213

Positions: Principals, PRs, Directors of College Counseling, Campus Admin Assistants, Rhodes & Successor Fellows

ADDITIONAL WEEKEND WORK DAYS

- Austin: August 2, 2025
- Brownsville: None
- El Paso: None
- Houston: None
- Permian Basin: None
- RGV: None
- San Antonio: None
- TaCo: None

FIRST & LAST PAYCHECK

- Monthly: 07/28/2025-06/26/2026
- Biweekly:07/10/2025-06/25/2026

WEEKDAY NON-WORK DAYS

ALL: September 1, 2025; November 24-28, 2025; December 22, 2025 - January 2, 2026; January 19,2026; April 3, 2026; May 25, 2026

- Austin: October 10, 2025; October 13, 2025; February 16, 2026; March 16-20, 2026
- Brownsville: October 10, 2025; October 13, 2025; February 27, 2026; March 16-20, 2026; April 6, 2026
- El Paso: October 10, 2025; November 11, 2025; February 9, 2026; February 16,2026; March 16-20, 2026
- Houston: October 10, 2025; October 13, 2025; February 16, 2026; March 9-13, 2026
- Permian Basin: October 10, 2025; October 13, 2025; February 9, 2026; March 9-13, 2026
- RGV: October 10, 2025; October 13, 2025; February 9, 2026; March 16-20, 2026; April 6, 2026
- San Antonio: October 10, 2025; October 13, 2025; February 9, 2026; February 16, 2026; March 9-13, 2026; April 24, 2026
- TaCo: October 10, 2025; October 13, 2025; February 16, 2026; March 16-20, 2026

ADDITIONAL WEEKDAY WORKDAYS

- Austin: None
- Brownsville: None
- El Paso: None
- Houston: None
- Permian Basin: None
- RGV: None
- San Antonio: None
- TaCo: None

TOTAL WORKDAYS: 219

Other campus and HQ based positions not listed in another work calendar:

ADDITIONAL WEEKEND WORK DAYS

Individual schedule is determined by manager.

FIRST & LAST PAYCHECK

Monthly: 07/28/2025-06/26/2026

Biweekly Extended: 07/10/2025-06/25/2026

Biweekly Hourly: 07/10/2025-06/25/2026

WEEKDAY NON-WORK DAYS

ALL: July 1-4, 2025; September 1, 2025; October 10, 2025; October 13, 2025 (except El Paso) November 24-28, 2025; December 22, 2025 - January 2, 2026; January 19,2026; April 3, 2026; May 25, 2026; June 19, 2026; June 29-30, 2026

- Austin: February 16, 2026; March 16-20, 2026; June 25-26, 2026
- Brownsville: February 27, 2026; March 16-20, 2026; April 6, 2026; June 26, 2026
- El Paso: November 11, 2025; February 9, 2026; February 16,2026; March 16-20, 2026; June 26, 2026
- Houston: February 16, 2026; March 9-13, 2026; June 25-26, 2026
- Permian Basin: February 9, 2026; March 9-13, 2026; June 25-26, 2026
- RGV: February 9, 2026; March 16-20, 2026; April 6, 2026; June 26, 2026
- San Antonio: February 9, 2026; February 16, 2026; March 9-13, 2026; April 24, 2026
- TaCo: February 16, 2026; March 16-20, 2026; June 25-26, 2026

ADDITIONAL WEEKDAY WORKDAYS

Individual schedule is determined by manager.

TOTAL WORKDAYS: 225

Roles with Work Schedule Determined by Manager:

Full-time hourly: Food Service Specialists, Non-CDL Drivers  
Part-time: Seasonal/Part-time including Monitors (School, Lunch, Bus) & Interns  
Seasonal: Camp Rio Residential Program Staff

FIRST & LAST PAYCHECK

Biweekly Hourly: 07/10/2025-06/25/2026

Paid at hourly, daily, or stipend rate as scheduled by manager.

\*in compliance with Camp Rio work schedule determined by manager

PAID HOLIDAYS:

(July 1-4, 2025 only for year-round work calendar); September 1, 2025; October 13, 2025 (except El Paso) ; November 11, 2025 (only El Paso); November 27, 2025; December 25, 2025; January 1, 2026; January 19, 2026; May 25, 2026; (June 19, 2026 & June 29-30, 2026 only for year-round work calendar)

# WELCOME TO IDEA PUBLIC SCHOOLS

Dear Team & Family Member:

Welcome to the 2025-2026 school year with IDEA Public Schools! As an employee at IDEA, you are the most important part of helping us achieve our mission – to prepare all students for success by gaining admission to and graduating from a four-year college or university of their choice.

This handbook contains information about IDEA's employment policies and practices. We have designed our employment policies and practices not only to comply with federal and state employment laws, but also to attract, develop, and reward talented educators, administrators, support staff, and leaders.

This handbook supersedes all previously issued handbooks and is a valuable reference for understanding your job at IDEA. 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 representation can change the provisions of this handbook. IDEA 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 contractual or "at will" status of employment in any way.

If you have any questions regarding the contents of this handbook or any other policy or procedure, please ask your performance manager or the Human Resources Compliance and Risk Management department. This Employee Handbook can also be accessed via the Human Resources Compliance and Risk Management HUB page.

Please sign the acknowledgement form in Tyler-Munis Employee Self-Service, indicating that you agree to read and abide by the policies and procedures outlined in this handbook. This acknowledgement will also provide IDEA with a record that each employee has been provided access to an online version of this handbook and/or has received instructions on how to obtain a printed copy of the handbook.

Sincerely,

A handwritten signature in blue ink, appearing to read "Martin Winchester", is positioned above the printed name.

Martin Winchester  
Chief Human Assets Officer



## **ACKNOWLEDGMENT OF RECEIPT OF HANDBOOK**

**All IDEA staff will complete electronic acknowledgement of the 2025-2026 Handbook in Tyler-Munis Employee Self-Service certifying the following:**

The purpose of this employee handbook is to provide general information regarding certain policies, benefits, and practices which are in effect at IDEA Public Schools. It is not meant to state all of the conditions of employment or cover the specific operating procedures of your school or department. For additional information regarding policies unique to each school or department, please contact the school principal or your performance manager. An electronic version of the Employee Handbook can be accessed online via the Human Resources HUB page.

I hereby acknowledge receipt of the IDEA Public Schools Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

I hereby certify that I understand that it is my responsibility to read the electronic version of the Employee Handbook and understand the information contained within. I further understand it is my responsibility to notify the Human Resources department or my performance manager and request a printed copy of the Employee Handbook, should access to the electronic version not be personally accessible.

The information in this Employee Handbook is subject to change. I understand that changes in IDEA's policies or procedures may supersede, modify, or render obsolete the information summarized in this Employee Handbook. As IDEA provides updated policy information, I accept responsibility for reading and abiding by the changes. The most current version of this Employee Handbook and the one then in effect will always be posted on the Human Resources HUB page.

I understand that this Employee Handbook does not create an employment contract or a legally binding agreement, and that no modifications or alterations of my contractual or at-will employment relationship with IDEA are intended or effectuated by this Employee Handbook. Additionally, in the event of any inconsistency between the information, policies, and benefits described in this Employee Handbook and my employment agreement, the terms described in my employment agreement shall control.

I understand that I have an obligation to timely inform Human Resources of any changes in personal information, such as phone number, address, etc. I also accept responsibility for contacting my performance manager or the Human Resources Compliance and Risk Management department if I have questions or concerns or need further explanation concerning the contents of this Employee Handbook or my employment with IDEA.

## Table of Contents

<b>PART 1. ORGANIZATION INFORMATION .....</b>	<b>1</b>
1.1 History .....	1
1.2 Organizational Value .....	1
1.3 IDEA Headquarters Information .....	1
1.4 Handbook Priority .....	1
<b>PART 2. EMPLOYMENT PRACTICES .....</b>	<b>1</b>
2.1 Equal Employment Opportunity .....	1
2.2 Application for Employment .....	4
2.3 Fair Credit Reporting Act .....	4
2.4 Fingerprinting and Criminal Background Checks .....	5
2.5 Prohibition Against Employing Individuals Convicted of Certain Offenses .....	6
2.6 Arrest and Conviction Occurring After Employment Begins .....	7
2.7 Reporting an Educator's Misconduct (Certified Employees) .....	9
2.8 Reporting Employee Misconduct (Non-Certified Employees) .....	10
2.9 Contract and At-Will Employment .....	10
2.10 Minimum Qualifications for Principals and Teachers .....	11
2.11 Service Records .....	11
2.12 Verification of Employment Eligibility .....	12
2.13 New Hire Reporting .....	13
2.14 Pre and Post-Offer Medical Testing .....	13
2.15 Health and Safety Training .....	13
2.16 Personnel Records .....	13
2.17 Conflicts of Interest .....	14
2.18 Non-Disclosure .....	16
2.19 Transfers .....	16
2.20 Work Calendars .....	18
2.21 Breastfeeding Accommodations in the Workplace .....	18
2.22 Outside Employment and Tutoring .....	18
2.23 Special Rules for Social Studies Courses .....	20
2.24 Performance Appraisal .....	20
2.25 Professional Development .....	20
2.26 Mandatory Trainings .....	21

2.27	Performance Improvement and Disciplinary Action .....	21
2.28	Suspension .....	21
<b>PART 3. EMPLOYEE BENEFITS .....</b>		<b>23</b>
3.1	Medical Insurance.....	23
3.2	Ancillary/Supplemental Insurance Benefits.....	24
3.3	Cafeteria Plans (Section 125).....	24
3.4	Termination of Insurance Coverage upon Separation of Employment.....	24
3.5	Health/Pharmacy Identification Cards.....	26
3.6	Claim Forms.....	26
3.7	Teacher Retirement System (TRS) .....	26
3.8	403(b) or 457(b) Supplemental Retirement Plans .....	28
3.9	Unemployment Compensation Insurance.....	28
3.10	Workers' Compensation.....	28
<b>PART 4. COMPENSATION .....</b>		<b>29</b>
4.1	Annualized Compensation.....	30
4.2	Pay Procedures .....	30
4.3	Paychecks.....	31
4.4	Fair Labor Standards Act – Exempt vs. Non-Exempt Classification.....	32
4.5	Full-Time, Part-Time, and Temporary Classification .....	33
4.6	Overtime Compensation .....	33
4.7	Timekeeping.....	34
4.8	Pay Increases .....	34
4.9	Additional Pay.....	35
4.10	Teacher Extra Duty Pay.....	35
4.11	Summer School Employment .....	35
4.12	Continuing Education .....	36
4.13	Travel and Reimbursement .....	36
<b>PART 5. LEAVES AND ABSENCES .....</b>		<b>37</b>
5.1	Attendance .....	37
5.2	Paid Time Off (PTO).....	37
5.3	Paid Holidays .....	41
5.4	Catastrophic Sick Leave Bank .....	41
5.5	Military Leave of Absence .....	43

5.6	Family and Medical Leave Act.....	45
5.7	Bereavement Leave.....	53
5.8	Jury Duty and Grand Jury Service.....	53
5.9	Other Court Appearances.....	55
5.10	Voting Leave.....	55
<b>PART 6. EMPLOYEE CONDUCT AND WELFARE.....</b>		<b>55</b>
6.1	General.....	55
6.2	Standards of Conduct.....	55
6.3	Code of Ethics.....	56
6.4	Financial Ethics.....	59
6.5	Fraud, Dishonesty, and False Statements.....	59
6.6	Unacceptable Employee Conduct.....	60
6.7	School Investigations.....	62
6.8	Alcohol and Drug-Free Workplace Requirements.....	62
6.9	Tobacco Products and Electronic Cigarettes.....	64
6.10	Weapon & Firearms Possession.....	65
6.11	Inspections and Searches.....	65
6.12	Child Abuse and Neglect Reporting.....	66
6.13	Non-Fraternization.....	68
6.14	Prohibition of Discrimination, Harassment, and Retaliation.....	69
6.15	Sexual Harassment Prohibited.....	70
6.16	Bullying.....	76
6.17	HIPAA.....	78
6.18	Visitors in Workplace.....	78
6.19	Standards for Children Visiting Staff Workspaces.....	79
6.20	Records Retention.....	79
6.21	Copyrighted Materials.....	79
6.22	Work Product.....	80
6.23	Proprietary Information.....	80
6.24	Confidential Information.....	80
6.25	Personal Expression / Dress Code.....	80
6.26	Social Media.....	83
6.27	Student Issues.....	83



6.28	Solicitation and Distribution.....	86
<b>PART 7. GENERAL PROCEDURES .....</b>		<b>86</b>
7.1	Work Cancellation Days.....	86
7.2	Security and Emergency Procedures.....	86
7.3	Hazard Communication Act .....	87
7.4	HIV-AIDS and Other Life-Threatening Illnesses .....	88
7.5	Asbestos Management Plan.....	88
7.6	Workplace Violence Prevention .....	89
7.7	IDEA Property and Purchases Made with IDEA Funds.....	89
7.8	IDEA Vehicle Policy .....	90
<b>PART 8. COMPLAINTS AND GRIEVANCES .....</b>		<b>91</b>
8.1	Process for Filing General Employee Complaints and Grievances.....	91
8.2	Whistleblower Complaints .....	91
<b>PART 9. SEPARATION FROM EMPLOYMENT.....</b>		<b>92</b>
9.1	Terminations .....	92
9.2	Resignations .....	92
9.3	Job Abandonment .....	92
9.4	Exit Interviews and Procedures.....	93
9.5	For Cause Termination .....	93
9.6	Termination Grievances (General Complaints) .....	94
<b>PART 10. TECHNOLOGY AND INFORMATION RESOURCES .....</b>		<b>94</b>
10.1	Technology Resources .....	94
10.2	Network Behavior .....	96
10.3	Use of Artificial Intelligence .....	99
10.4	Use of Third-Party Platforms .....	101
10.5	System Security .....	101
10.6	Software and Files.....	102
10.7	Technology Hardware .....	102
10.8	Vandalism .....	102
10.9	Personal Use of Electronic Communications .....	104
10.10	Use of Electronic Media and Electronic Communications with Students .....	104
10.11	Consequences of Technology Misuse.....	106
<b>PART 11. MARKETING AND COMMUNICATIONS .....</b>		<b>107</b>

<b>11.1</b>	<b>Branding .....</b>	<b>107</b>
<b>11.2</b>	<b>Entity Name.....</b>	<b>107</b>
<b>11.3</b>	<b>Logo Usage .....</b>	<b>107</b>
<b>11.4</b>	<b>Working with Media.....</b>	<b>107</b>

# PART 1. ORGANIZATION INFORMATION

## 1.1 History

IDEA Public Schools supports nearly 77,500 college-bound students in 133 schools across Texas.

## 1.2 Organizational Value

### **Mission**

IDEA transforms education by preparing graduates to succeed in college and life.

### **Vision**

To serve as the Nation's leader in preparing students for success in college and beyond.

### **Core Values**

Our drive to translate our mission and vision into reality is based upon the following core values:

- We achieve **Academic Excellence**
- We deliver **Results**
- We ensure **Equity**
- We build **Team & Family**
- We act with **Integrity**
- We bring **Joy**
- We **Sweat the Small Stuff**

## 1.3 IDEA Headquarters Information

2115 W. Pike Blvd.  
Weslaco, TX 78596  
956.377.8000

## 1.4 Handbook Priority

This Employee Handbook supersedes all other campus or department handbooks.

# PART 2. EMPLOYMENT PRACTICES

## 2.1 Equal Employment Opportunity

IDEA Public Schools ("IDEA") is an equal opportunity employer and makes employment decisions based on merit and in accordance with applicable state and federal law. IDEA policy prohibits unlawful discrimination on the basis of race, color, national origin, religion, sex, disability,

military or veteran status, genetic information, or age in its employment practices as required by Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; Title I and Title V of the Americans with Disabilities Act of 1990, as amended (“ADA”); the Age Discrimination in Employment Act of 1967, as amended (“ADEA”); Section 504 of the Rehabilitation Act of 1973, as amended; the Pregnant Workers Fairness Act (“PWFA”); the Genetic Information Nondiscrimination Act of 2008 (“GINA”); and any other legally-protected classification or status protected by federal, state, or local law. Additionally, IDEA 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.

For purposes of IDEA policy, any provision referring to discrimination based on race includes discrimination because of or on the basis of an employee’s hair texture or protective hairstyle commonly or historically associated with race. “Protective hairstyle” includes braids, locks, and twists.

IDEA promotes a positive, productive work environment within which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal opportunity and prohibits discriminatory practices for any reason. It is the responsibility of every employee to conscientiously follow this policy.

Employees can raise concerns and make reports without fear of reprisal. Employees with questions or concerns relating to equal employment opportunity, including discrimination and disability accommodations, are encouraged to bring these issues to the attention of an IDEA administrator or the Compliance Coordinator designated below.

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

IDEA 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: Jenessa Smith, Assistant Legal Counsel 2115 W. Pike Blvd., Weslaco, Texas 78596, (956) 377-8000, [Jenessa.smith@ideapublicschools.org](mailto:Jenessa.smith@ideapublicschools.org)

IDEA has designated the following person as the ADA / Section 504 Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of disability and/or pregnancy under the PWFA: Felida Villarreal, VP Human Resources, 2115 W. Pike Blvd., Weslaco, Texas 78596, (956) 377-8000, [felida.villarreal@ideapublicschools.org](mailto:felida.villarreal@ideapublicschools.org).

IDEA 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 race, color, religion, gender, sex, national origin, or age: Felida Villarreal, VP Human Resources, 2115 W. Pike Blvd., Weslaco, Texas 78596, (956) 377-8000, [felida.villarreal@ideapublicschools.org](mailto:felida.villarreal@ideapublicschools.org).

All other complaints regarding equal employment opportunity may be directed to: Felida Villarreal, VP Human Resources, 2115 W. Pike Blvd., Weslaco, Texas 78596, (956) 377-8000, [felida.villareal@ideapublicschools.org](mailto:felida.villareal@ideapublicschools.org).

### **Federal and State Worksite Postings**

Required state and federal postings are found at each IDEA 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 employees to read.

### **Immigration Law Compliance**

IDEA is committed to employing only United States citizens and documented immigrants 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 issues are encouraged to contact the Human Resources Compliance Department.

Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

### **Nondiscrimination Based on Religion**

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

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

IDEA 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.

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

### **Americans with Disabilities Act (ADA)**

IDEA 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, 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 with meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

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

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



recreational programs, and any other term, condition, or privilege of employment.

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

For any ADA requests or questions, employees should contact their regional Human Resources Director directly.

### **Nondiscrimination Based on Pregnancy**

IDEA is fully committed to complying with the Pregnant Workers Fairness Act (“PWFA”), which allows qualified employees to receive reasonable accommodations to the known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation would impose an undue hardship on IDEA.

IDEA does not discriminate against qualified employees because they are pregnant.

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

IDEA 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.

## **2.2 Application for Employment**

Those seeking employment with IDEA Public Schools can visit the IDEA website at [www.ideapublicschools.org](http://www.ideapublicschools.org). Applicants must be 18 years of age or older in order to be considered for employment; however, an applicant of 17 years of age may be hired in special circumstances. Applications will remain active for one year from the application date. Applicants will be required to reapply after their application has been on file for a year.

IDEA relies upon the accuracy of information contained in employment applications, as well as the accuracy of other information presented throughout the hiring process and employment. IDEA reserves the right to terminate any employee or decline to employ an applicant if the person falsifies any information on the application or on any other employment-related documentation or fails to disclose any criminal conviction or misrepresents information regarding any such conviction on an employment application.

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

Additionally, for individuals applying for teaching and administrative positions, IDEA will conduct a search of the State Board for Education Certification Official Record of Educator Certificates. IDEA will refuse to hire an applicant with any of the following inscriptions listed on an educator certification: canceled, denied, inscribed reprimand, probated suspension, revoked, suspended, or voluntary surrender. IDEA will also decline to hire an individual whose SBEC certification is currently under review by the SBOE Professional Discipline Unit.

## **2.3 Fair Credit Reporting Act**

IDEA may utilize consumer reports – e.g., credit, criminal, employment references and Department of Public Safety reports to assist in making employment decisions. In addition, IDEA may conduct annual driving record checks to verify that the licenses and driving records of those employees required to drive IDEA-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 job application or prior to being extended an offer of employment. Refusal to sign such authorization is grounds for disqualification from employment with IDEA. Continued employment is also expressly conditioned on satisfactory results from legally authorized or required records and background checks.

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

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

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

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

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

## **2.4 Fingerprinting and Criminal Background Checks**

IDEA will obtain criminal history records of prospective volunteers and employees from law enforcement or criminal justice agencies, as required by Chapter 22 of the Texas Education Code, prior to employment or commencement of volunteer services. 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 service.

In accordance with state law, IDEA requires all employees and substitutes to complete the fingerprinting process implemented by the State Board of Educator Certification/Texas DPS Clearinghouse prior to employment. Human Resources will work with Identigo (Texas Education Agency fingerprint vendor) to supply new hires with a FAST Fingerprint Pass with instructions on how to submit their fingerprints. Fees charged by the vendor taking the fingerprints will be the responsibility of the new hire.

State law also requires that criminal history records must also be obtained and reviewed prior to the employment of certain Transportation Department employees (for example, bus drivers, bus monitors, and bus aides) through a commercial service. IDEA’s 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 contracted 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 distributed as part of IDEA's new hire process.

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

IDEA 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, IDEA 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 offense under Title 5, Penal Code, 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, IDEA 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 a person employed by IDEA as of that date; or
  - b. The date the person's employment will begin, in the case of a person applying for employment with IDEA after June 15, 2007; and
2. The employee or applicant for employment satisfied all terms of the court order entered on conviction.

IDEA's policy regarding employment of personnel with criminal histories (or arrested or charged with a criminal offense) is as follows:

Human Assets will review the nature of the criminal offense against criminal history policy and criminal background matrix to determine and recommend employment action accordingly. And, as allowed by Commissioner of Education rule, a person may not serve as an officer or employee of IDEA 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, IDEA shall discharge or refuse to hire a person listed on the registry of persons not eligible for employment in public schools, as maintained and made available by the Texas Education Agency.

IDEA 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 IDEA or the State Board of Educator Certification ("SBEC").

Except as required by state or federal law or as determined by IDEA to be in the best interest of student and employee safety (and in accordance with law), IDEA 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. IDEA also 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, IDEA reviews these circumstances on a case-by-case basis.

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

## **2.6 Arrest and Conviction Occurring After Employment Begins**

An employee must notify human resources at [hremployeerelations@ideapublicschools.org](mailto:hremployeerelations@ideapublicschools.org) within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony and/or any of the other offenses listed below:

- Crimes involving IDEA property or funds;
- Crimes involving attempts 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 IDEA property or at an IDEA-sponsored activity;
- Crimes involving driving while intoxicated / driving under the influence; or
- Crimes involving moral turpitude.

This requirement to report within three calendar days applies during school breaks, such as Spring Break, Winter Break, or summer break; as a result, staff must report within three calendar days even if they are not required to report to work during the time that the arrest, indictment, conviction, no contest or guilty plea, or other adjudication occurs.

For purposes of this policy, moral turpitude includes, but is not limited to:

- (1) Dishonesty, fraud, deceit, theft or misrepresentation – for example, lying to a police officer, mail fraud, tax evasion, theft, shoplifting, swindling, bank fraud, conspiracy to defraud, conspiracy to bribe a public official
- (2) Deliberate violence – for example, aggravated assault by a man on a woman, assault by a male on a female, murder, violation of a protective order shielding a woman.
- (3) Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor – for example, enticing a child, sexual assault of a child, prostitution, purchase of a child, indecent exposure, bigamy, public lewdness, promoting prostitution, obscenity, sale/distribution/display of harmful material to minor.
- (4) 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 defined in Chapter 481 of the Health and Safety Code.
- (5) Felony driving while intoxicated or misdemeanor driving while intoxicated with certain aggravating circumstances, such as drug use, reckless endangerment of a child, or if the DWI results in bodily injury or death.
- (6) Acts constituting abuse or neglect under the Texas Family Code.

If an educator is arrested or criminally charged, and this information is not received through the FACT Clearinghouse, then the Superintendent is also required to report the educator's criminal history to the Division of Investigations at TEA.



The requirement to report a conviction or deferred adjudication shall not apply to minor traffic offenses; examples of minor traffic offenses include common traffic violations such as speeding, failure to yield, not wearing a seatbelt, running a red light or stop sign, or other violations classified as Class C misdemeanor traffic violations.

Failure to report any arrest, indictment, charge, plea, conviction or adjudication to [hremployeerelations@ideapublicschools.org](mailto:hremployeerelations@ideapublicschools.org) within three calendar days will result in immediate termination. Unless unable to do so due to incarceration or hospitalization lasting for the entirety of the three-day notification period.

Conviction of a crime shall not be an automatic basis for termination. IDEA shall consider the following factors (or other appropriate considerations as deemed by IDEA) in determining what action, if any, should be taken against an employee who is convicted of a crime during employment with IDEA:

- 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 IDEA Public Schools and its students, staff and community.

## 2.7 Reporting an Educator's Misconduct (Certified Employees)

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

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

Additionally, the principal shall promptly notify the Superintendent within seven days of obtaining knowledge or information of (1) an educator's termination of employment or resignation following an alleged incident of misconduct described in items one, two, three, or four above; or (2) learning of an educator's criminal record by

means other than a criminal history clearinghouse report.

In accordance with state law, the Superintendent **must complete an investigation** involving evidence that an educator may have engaged in misconduct including abuse or otherwise committing 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. **An investigation of the educator's misconduct must be completed even if the educator resigns 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 described above **before** the educator's termination or resignation (not after) and the Superintendent determines the educator did not engage in the alleged incident of misconduct.

IDEA 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.

## 2.8 Reporting Employee Misconduct (Non-Certified Employees)

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

1. An employee's employment with IDEA 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 IDEA 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.

## 2.9 Contract and At-Will Employment

IDEA has implemented two types of employment relationships: contract and at-will employment.

Contract employees are employed under a contract for a set period. Contract employees should be aware that

they **are not** employed under Texas Education Code Chapter 21 term, probationary, or continuing contracts, as IDEA is an open-enrollment charter school not subject to Chapter 21 requirements. Thus, contract employees are not granted any rights, benefits, privileges, protections, or procedures or contract terms required by Texas Education Code Chapter 21. IDEA may also discontinue issuing contracts, in whole or in part, for future school years, as it determines necessary, appropriate and/or in the best interest of IDEA. By way of example only, staff on Performance Improvement Plans or teachers with performance, disciplinary, or for other concerns may be offered at-will employment and not receive a contract.

Additionally, an addendum to an employee's contract may be added if the employee does not hold an endorsement, supplemental certificate, or standard certificate issued by the SBEC. Addendums will set IDEA's expectations for the employee to obtain an appropriate certification or endorsement, as approved by the Human Resources Compliance and Risk Management department.

All other types of employment, regardless of certification, are on an at-will and not contractual basis. At-will employment means that both employees and IDEA have the right to terminate employment at any time, with or without advance notice and with or without cause.

Nothing in this handbook is to be construed as creating an employment contract or agreement. No one other than the Chief Executive Officer (CEO)/Superintendent has the authority on behalf of IDEA to alter an employee's contractual or at-will employment arrangement, to enter into an agreement for employment for a specified period, or to make any agreement contrary to this policy, and any such agreement must be in writing and must be signed by the CEO/Superintendent.

Given its entrepreneurial nature, IDEA maintains a highly flexible culture, and so an employee's position, job responsibilities, and/or position description may be subject to reassignment by his or her performance manager at any time and for any reason. Additionally, IDEA personnel may be directed to perform additional supplemental duties from time to time. Unless specifically approved by the Board of Directors or the Board's designee no additional financial compensation is provided for such duties. Nothing in this handbook is intended to change this policy.

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

IDEA 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 IDEA.

## **2.11 Service Records**

A service record documents the accumulated years of creditable professional service and days accrued under the State's sick leave and personal leave programs for teachers, librarians, school counselors, and nurses. According to Texas Education Code section 21.4031 (b), a previously employing school district must provide an employee with a copy of their service record upon request. Records are prepared within 30 days after the last day of employment or 30 days after the request is received, whichever is later.

IDEA Public Schools does not request service records on behalf of employees. To transfer your state days from a previous employer, you may contact your previously employed school district(s) for your official service record(s) to be sent directly to [hrsupportservices@ideapublicschools.org](mailto:hrsupportservices@ideapublicschools.org).

Failure to submit service records may negatively impact your salary, as IDEA cannot consider prior experience that

has not been verified through official service records. Any pay increase based on official service records provided after the 30-day submission deadline shall not be applied retroactively.

## **2.12 Verification of Employment Eligibility**

IDEA shall confirm the employment eligibility of all new hires by examination of documents identified by the Employment Eligibility Verification Form I-9 sufficient to establish identity and employment authorization. Employees are responsible for providing documentation sufficient for IDEA to verify employment eligibility.

Employees whose immigration status, employment authorization, or employment authorization documents have expired, must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure they maintain continuous employment authorization or valid employment authorization documents. Contact Human Resources if you have any questions regarding reverification of employment and authorization.

Former employees who are rehired must also complete the form if they have not completed an I-9 with IDEA within a timeframe established by Human Resources (generally three years after the date of hire or one year after employment is terminated, whichever is later), or if their previous I-9 is no longer retained or valid.

Failure to provide appropriate I-9 documentation within the appropriate deadlines may result in separation of employment and/or the withdrawal of any offer of employment.

### **2.13 New Hire Reporting**

By the 20th day after hiring a new employee, a report containing the name, address, and the name, address and employer identification number of IDEA shall be made to the Texas Employer New Hire Reporting Operations Center.

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

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

### **2.15 Health and Safety Training**

Certain employees (i.e., physical education teachers and coaches) who are involved in physical activities for students must maintain and submit to the Human Resources department proof of current certification in first aid, cardiopulmonary resuscitation (CPR), and the use of an automated external defibrillator (AED). Certification must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification. IDEA will also train staff on certain health and safety matters discussed in Chapter 38 of the Texas Education Code. Employees subject to this requirement must submit their certification to the Human Resources Compliance and Risk Management Department at the start of each school year and each time the employee is re-certified via Roadmap during Window 1 of Required Training.[Name and Address Change](#)

Employment records must be kept up to date. Employees must notify the Human Resources department via Tyler Munis Employee Self-Service if there are any changes or corrections to their name, address, telephone number, and emergency contact information. Name change notifications must be submitted along with the employee's new social security card depicting the employee's new name.

### **2.16 Personnel Records**

IDEA maintains a personnel file for each employee. These files are the property of IDEA and access to such files is restricted to the extent permitted by law. In general, only performance managers and management personnel are authorized to review personnel files. Any request for information contained in the personnel files must be directed to the Human Resources Compliance and Risk Management department. Only Human Resources Compliance and



Risk Management Department is authorized to release information about current or former employees.

Subject to the above, 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 IDEA that relates to the employee, and that is protected from public disclosure by laws intended to protect the employee's privacy interests. IDEA 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 Public Information Act. However, IDEA may assert, as grounds for denial of access, other provisions of the Public Information Act or other laws that are not intended to protect the employee's privacy interests.

If IDEA 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. IDEA will release the information to the employee requesting the information in accordance with applicable law.

Human Resources Compliance and Risk Management is the custodian of records. Employees who wish to review their own personnel file should contact the Human Resources Department at [hrrsupportservices@ideapublicschools.org](mailto:hrrsupportservices@ideapublicschools.org)

Many personnel records may also contain public information that is subject to release upon request in accordance with state law. Pursuant to a written Open Records Request under the Texas Public Information Act, employees may elect to have the following personal information withheld from disclosure, upon being hired and completing the confidentiality form accordingly:

- Home Address,
- Phone number
- Information that reveals whether they have family members; and
- Emergency contacts.

New hires will have the opportunity to opt out of sharing their personal information upon hire. Employees may, at any time, email [EIS@ideapublicschools.org](mailto:EIS@ideapublicschools.org) requesting to either opt in or opt out of their data being shared via an open records request. Please understand that a request to deny public access to personal information is effective only for public information requests made after the date an employee opts out of sharing personal information. If a choice is not submitted to EIS, employee records will remain open and most personal information may be released to the public upon request, unless IDEA is authorized to withhold certain information under the terms of the Texas Public Information Act.

With respect to certain medical information protected by state and federal law and evaluation documents exempted from disclosure under state law, IDEA will seek to exempt and protect such documentation from disclosure to the extent permitted by law.

## **2.17 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 IDEA wishes to operate. IDEA'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, as well as Board policies concerning ethics, conflict of interest, and nepotism. 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 and to ensure that IDEA meets its goal of protecting the integrity and reputation of IDEA, the Board, and all IDEA employees, volunteers, and programs.

An employee with reason to believe that an actual or potential conflict of interest exists must bring that concern to the attention of their performance manager and HR Compliance Department. Contact Human Resources Compliance Department for further guidance or if you have questions about conflicts of interest, please email [hrcompliancesupport@ideapublicschools.org](mailto:hrcompliancesupport@ideapublicschools.org).

All IDEA employees shall avoid employment, financial, business, social, or other relationships that might be opposed to the interests of IDEA 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 IDEA.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of IDEA's business dealings and operations.

No "presumption of guilt" is created by the mere existence of a relationship with an employee, contractor, or vendor that may be a potential conflict of interest. However, if employees have any influence on transactions involving purchases, contracts or leases, it is imperative that they disclose to their performance manager or the Business Office, as soon as possible, the existence of any actual or potential conflict of interest, so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has significant ownership in a firm with which IDEA does business, but also when an employee or relative receives any benefit, including but not limited to a kick-back, bribe, substantial gift, or special consideration, as a result of any transaction or business dealings involving IDEA.

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

### **Employment of Relatives**

IDEA cannot employ relatives of board members and will also 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. IDEA 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 Chief Human Assets Officer in accordance with IDEA's nepotism policy. For the purposes of this section, a "relative" is any person who is related by blood or marriage as defined in IDEA's nepotism policy.

An employee shall immediately notify Human Resources by completing the Nepotism Self-Reporting Form as soon as they are aware of any familial relationships that may potentially result in nepotism.

Knowing and failing to disclose a relationship in violation of the Nepotism policy may result in employee discipline, up to and including termination of employment.

## **2.18 Non-Disclosure**

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

- Information related to IDEA's financial, regulatory, personnel, or operational matters;
- Information related to IDEA's clients, customers, beneficiaries, suppliers, donors, or business associates and partners;
- Trade secrets, know-how, curriculum, inventions, discoveries, techniques, processes, methods, formulae, ideas, technical data and specifications, testing, methods, research and development activities, and computer programs and designs;
- Student course work that is proprietary to IDEA and/or its partners;
- Pending projects and proposals;
- Business strategy and operations such as business plans, methods, and marketing strategies; and
- Other similar non-public information that is furnished, disclosed, or transmitted to an employee or to which an employee is otherwise given access to during the course of employment.

An employee who improperly uses or discloses trade secrets or confidential business information belonging to IDEA 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. In addition, employees in certain positions may be required to sign a separate non-disclosure and confidentiality agreement further outlining IDEA's expectations with respect to protecting proprietary information and/or trade secrets. Please keep in mind that those employees who are not asked to complete a separate non-disclosure and confidentiality agreement are still responsible for complying with this section of the handbook.

This does not include any disclosure of otherwise confidential business information or trade secrets in accordance with the Texas Public Information Act, Chapter 552 of the Texas Government Code, or other applicable federal or state law.

## **2.19 Transfers**

The transfer process is designed for employees who are interested in moving locations/regions, resulting in a lateral move and transferring to an equivalent position (i.e., transferring as a teacher to a teacher position at another campus) within IDEA. Employees who select to transfer must first notify their current performance manager.

The employee must be in good standing in accordance with Human Resources records to be considered for a transfer. If an employee is interested in transferring, they should apply in Jobvite (using their IDEA-provided email address) to the role they are interested in after discussing it with their current performance manager.

The National Staffing team will review the application and forward it to the respective Regional Staffing Partner. The Regional Staffing Team will review the application and determine the next steps, which will include either a matching interview or full interview with the hiring manager if proceeding forward. Please note, an employee requesting a transfer does not automatically guarantee an interview or a transfer.

## 2.20 Work Calendars

Work calendars are set by IDEA on an annual basis but may be adjusted from time to time as needed by IDEA. Work calendars are adopted each year designating the workdays for employees. Notice of work calendars including start and end dates and scheduled holidays will be distributed each year and are subject to change based upon unforeseen circumstances (e.g., weather) or other needs of IDEA.

## 2.21 Breastfeeding Accommodations in the Workplace

In accordance with the law, Providing Urgent Maternal Protections for Nursing Mothers Act (the “PUMP Act”), IDEA shall subject to any undue hardship exceptions allowed under the law, provide:

1. A reasonable break time for an employee to express breast milk for such employee’s nursing child for one year after the child’s birth each time the employee has need to express the milk; and
2. A place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.

Employees should meet with their performance managers to discuss their needs and arrange break times.

## 2.22 Outside Employment and Tutoring

All employees must recognize that they owe a duty of loyalty to IDEA. At all times when on duty and during scheduled work hours, without regard to time or place, employees should devote their full attention to IDEA’s business and their duties. Additionally, employees should not be engaged in outside employment or outside work that provides or could give rise to a conflict of interest or that may interfere with the employee’s performance. For purposes of this prohibition, “employment” includes employment with another organization, consulting, contracting, or self-employment, whether on a voluntary basis, for pay or any form of compensation.

Employees that serve in an IDEA Officer (an “officer of a charter school” as defined by TEA)<sup>1</sup> position must complete and submit the outside employment disclosure form at least annually. The Human Resources Compliance Department will launch the outside employment disclosure form to all IDEA Officers for completion during the designated annual window. All completed employee disclosures involving outside employment will be

<sup>1</sup> TEA rules define “Officer of a charter school” as “[a] person charged with the duties of, or acting as, a chief executive officer, a central administration officer, a campus administration officer, or a business manager, regardless whether the person is an employee or contractor of a charter holder, charter school, management company, or any other person; or a volunteer working under the direction of a charter holder, charter school, or management company. A charter holder employee or independent contractor engaged solely in non-charter activities for the charter holder is not an “officer of a charter school.”



reviewed for potential approval by the VP of Human Resources or designee to determine if any potential or actual conflict of interest is present or if there is any incompatibility with the outside employment and the employee's job duties or obligations to IDEA. If it is determined that the employee's outside employment will or may present a conflict of interest or is deemed incompatible with the employee's duties and obligations to IDEA for any reason, the request for approval will be denied.

Furthermore, all IDEA employees shall avoid employment, financial, business, social, or other relationships that might be opposed or not aligned to the interests of IDEA or might create the appearance of impropriety, or might cause a conflict with the performance of their duties or interest of IDEA. No outside employment with any party or person that conducts business with IDEA or who is seeking to conduct business with IDEA is permissible. Consulting for another charter school network that is a competitor of IDEA is prohibited. However, this does not prohibit an IDEA Officer who is performing consultative work for another charter school network through IDEA or an affiliate of IDEA as part of their employment with IDEA or an IDEA affiliate.

IDEA Officers have a continuing obligation to complete and submit an updated form if changes arise that may either give rise to any additional or potential conflicts of interest or commitment, or eliminate a conflict previously disclosed and must notify HR compliance department immediately at [hrcompliancesupport@ideapublicschools.org](mailto:hrcompliancesupport@ideapublicschools.org)

While each scenario will be dependent upon the specific facts of the proposed outside employment, some examples of outside employment that will be typically approved include (but are not limited to) serving as an adjunct professor at a college or university; work at a retail business owned by the employee's family; writing/publishing fictional works; and serving as a youth athletics referee or coach.

Examples of outside employment that will typically be prohibited by IDEA include, but are not limited to, providing advice or consultation to a current or future charter school or charter applicant.

At all times, employees are expected to maintain at least satisfactory level of performance in their job at IDEA. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work alternate schedule. IDEA reserves the right to request an employee to end their outside employment or activity if at any time it is determined at IDEA's sole discretion to be a conflict of interest or conflict of commitment that interferes or conflicts with their direct duties and responsibilities within IDEA. If an employee refuses or fails to end their outside employment or activity, as directed, this may be grounds for termination or separation from employment.

In addition, full-time exempt IDEA Officers are reminded that their employment and obligations to IDEA to perform work are not necessarily limited to regular business hours or workdays, and in no event shall any approved outside employment or activity interfere in any way with the employee's performance of their job at IDEA.

When engaging in outside employment, IDEA employees must remember that all IDEA equipment, property, accounts, licenses, resources including but not limited to laptop computers and software accounts and licenses, belongs to IDEA and may not be used for any non-IDEA purposes. No IDEA work time, staff resources or staff time, supplies, materials, property or equipment may be used for any non-IDEA purpose. Additionally, all intellectual property created by an individual in the course and scope of their employment with IDEA, or on behalf of IDEA, is owned by IDEA Public Schools as work for hire. Any reproduction or distribution of IDEA's intellectual property to external parties without express written authorization by IDEA is strictly prohibited. This prohibition also extends to confidential information and employees hereby agree to hold IDEA confidential information to the strictest

confidence and not to disclose, divulge, copy, or release any confidential information in accordance with employee non-disclosure and confidentiality agreements.

Failure to appropriately disclose any conflict of interest may result in disciplinary action up to and including termination.

Teachers are not allowed to privately tutor any students whom they are currently providing direct instruction to for compensation of any kind.

## **2.23 Special Rules for Social Studies Courses**

For any course or subject, including an innovative course, for a grade level from kindergarten through grade 12, 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 explore the topic from diverse and contending perspectives without giving deference to any one perspective.

## **2.24 Performance Appraisal**

Performance reviews are part of an ongoing, year-round process in which performance managers and employees discuss progress toward performance and professional goals. IDEA, performance managers, and employees set goals on an annual basis. Performance reviews may be formal and/or informal, verbal and/or written. IDEA will make best efforts to ensure that employees receive formal documented performance evaluations at a minimum of twice per school year. The IDEA performance evaluation cycle includes three rounds in which managers and employees engage in comprehensive evaluative conversations surrounding performance, competencies, and progress towards goals. During performance evaluation conferences, employees are encouraged to discuss any issues raised, as well as any opportunities for advancement or career development with IDEA.

## **2.25 Professional Development**

IDEA is committed to the professional development of all its employees. For educators, IDEA 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. IDEA also provides training on appropriate relationships, boundaries, and communications between educators and students, in accordance with state law. For non-instructional staff, IDEA 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 performance managers about additional development opportunities and specific career paths. Performance managers must approve professional development before it is taken if attendance at the session/course will interfere with their normal work schedule.

IDEA will comply with Education Code § 28.0022 regarding permitted topics for professional development activities.

### **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.

In addition, pursuant to Texas Education Code 21.048 (c-1), IDEA may also obtain the results of any certification examinations, status of current certifications, licensures, or other credentials required as a condition of employment.

## **2.26 Mandatory Trainings**

All IDEA employees are required to comply and complete all required compliance training on an annual basis. Compliance training is intended to help employees gain an understating of the laws, rules, and policies that govern employees when they carry out their official duties. Additionally, based on your position with IDEA you may be required to complete job-specific legally required trainings which are state mandated. Legally required trainings are separate and in addition to Annual All-Staff trainings with designated training windows.

## **2.27 Performance Improvement and Disciplinary Action**

In light of IDEA's balanced approach of both accountability and support, under normal circumstances, performance managers first informally coach and support employees to help increase performance or address misconduct before instituting a formal performance improvement plan or disciplinary action. An employee with a performance or behavior issue is typically given a warning so they have an opportunity to correct the problem. If further coaching is necessary, a performance manager may elect to develop a written performance improvement plan in order to help the team member improve performance. Failure to satisfy the requirements of a performance improvement plan may result in termination of employment. However, these steps of informal coaching or written performance plans may be bypassed if an employee's misconduct warrants immediate termination.

IDEA may use progressive discipline at its discretion. Disciplinary action may include, but is not limited to, any of the following:

1. Conference with the direct performance manager or department manager
2. Disqualification for recognition program payments or pay increases
3. Suspension with or without pay
4. Verbal warning
5. Written warning
6. Termination of employment

The progression of these steps depends upon the severity of the problem and the number of occurrences. And, as noted above, there may also be circumstances when one or more steps are bypassed or in which IDEA may proceed directly to termination.

## **2.28 Suspension**

Professional employees may be suspended with pay or placed on administrative leave by their performance manager or designee during an investigation of alleged misconduct by the employee or at any time the performance manager or designee determines that IDEA's best interest will be served by the suspension or administrative leave.

At-will employees may be suspended with or without pay, as allowed by the Fair Labor Standards Act, during an

investigation of alleged misconduct by the employee, when an employee has violated safety rules of major significance, or at any time the performance manager or designee determines that IDEA's best interest will be served by the suspensions or administrative leave.

Any employee who is suspended or placed on administrative leave will be expected to comply with the terms and conditions of the suspension/administrative leave. Failure to do so will result in immediate disciplinary action, up to and including termination of employment.

## PART 3. EMPLOYEE BENEFITS

The information found in this section of the handbook is only a summary of what IDEA offers to employees as part of their benefits package. Additional details can be found in the Employee Benefits Guide, Summary of Benefits & Coverage (SBC), and Plan Documents found on the [Compensation & Benefits](#) HUB Page.

This handbook does not change or otherwise interpret the terms of the Summary of Benefits & Coverage or other official plan documents. If there is any conflict or difference between the information in this handbook and the SBCs/plan documents, the SBCs/plan documents will govern. IDEA reserves the right to change or end these benefits at any time and for any reason, consistent with all laws.

Employees will have the option to elect or waive enrollment in benefits during the following periods:

- New Hires- within the first 30 days of joining the organization.
- Returning Staff- once a year during the benefits open enrollment period; and/or during the year within 30 days of when employees or their dependents experience a qualifying life event (QLE).

Once the enrollment window closes, employees will not be able to make changes to their elections without a qualifying life event (QLE).

Eligibility for benefits is dependent upon a variety of factors, including employee classification, length of employment, hours regularly scheduled to work, and employment status. If employees would like additional information related to any benefits offered by IDEA, please contact the Benefits department at [benefitssupport@ideapublicschools.org](mailto:benefitssupport@ideapublicschools.org).

Employees may be eligible for the benefits described in this section in accordance with the Patient Protection and Affordable Care Act and other applicable rules and regulations governing IDEA's benefit plans.

### 3.1 Medical Insurance

Employees will have the option to choose amongst multiple medical insurance options. Each plan provides in and out of network coverage. Using in-network providers helps reduce the cost of services to employees. Each medical plan varies in deductibles, out-of-pocket maximums, and cost of premiums.

Premiums must be paid every month for coverage to remain in effect. Once an employee makes an election during their enrollment window, they will not be able to drop coverage unless the employee or their dependents experience a qualifying life event (QLE) during the year. If an employee experiences a QLE during the year, they must report their changes and provide proof of the QLE to the Benefits Team within 30 days from when the QLE occurs.

Benefits eligibility is dependent upon a variety of factors, including employee classification, length of employment, hours regularly scheduled to work, and employment status. If employees would like additional information related to any benefits offered by IDEA, please contact the Benefits department [benefitssupport@ideapublicschools.org](mailto:benefitssupport@ideapublicschools.org).

TRS retirees who are enrolled in TRS Care (retiree health insurance program) are not eligible to participate in IDEA-provided medical insurance.

A detailed description of insurance coverage, employee cost, and eligibility requirements is provided to all employees separately in IDEA's Employee Benefits Guide or the [Compensation & Benefits](#) HUB page.

## **3.2 Ancillary/Supplemental Insurance Benefits**

IDEA offers many traditional and non-traditional ancillary/supplemental plans to provide a specific benefit beyond a regular health insurance plan. In most instances, ancillary plans support with providing employees additional benefits to reduce their financial exposure associated with a specific health need. Some of the plan options include Dental, Vision, Accidental, Cancer, Critical Illness, Life Insurance, Short-Term Disability, Long-Term Disability, Emergency Ambulance Services, Lifestyle Advantage plans, and more. These types of benefits are offered to provide additional benefits or financial resources for employees who experience specific health situations. Employees may elect to enroll in these plans through IDEA's Benefits Program during the annual open enrollment period or, if a new hire, during their first thirty (30) days of their official start date.

The cost of premiums is the employee's responsibility. Employees may choose to participate in these plans during their enrollment window and will be 100% responsible for the cost. The monthly premiums will be deducted from an employee's paycheck every pay period.

## **3.3 Cafeteria Plans (Section 125)**

A cafeteria plan, under Section 125 of the IRS Code, provides employees with the opportunity to receive deductions for certain benefits elected to be taken from employee's paychecks on a pre-tax basis. Plans under Section 125 provide a non-taxable benefit which means premiums are deducted from employee's paychecks before taxes are. Because these plans are protected under Section 125, employees are not able to drop plans during the year without a qualifying life event.

New staff members must complete enrollment during their first thirty (30) days of employment. All eligible employees are given an opportunity to accept or reject this benefit on an annual basis during the specified period of open enrollment.

## **3.4 Termination of Insurance Coverage upon Separation of Employment**

Employees who either voluntarily or involuntarily separate from employment with IDEA before the last day of their specified work calendar will have all elected coverage remain in effect until the last day of the month in which the employee separates from employment with IDEA. For example, if an employee separates from employment on December 13th, all coverage will end on December 31st. Employees with an active Health Reimbursement Account (HRA) with an unused balance remaining in their account will have access to their funds until their last day of employment. Any unused balance will be forfeited upon employment separation.

NOTE: For instructional staff who work through the end of their work calendar, AND voluntarily resign from their position, medical insurance will be extended through the end of July, assuming premiums are collected timely. Ancillary plans (all other plans except medical) can be converted to individual policies or may be subject to COBRA.

Employees should receive notices via mail for plans that are eligible for these two options.

Under the Consolidated Omnibus Budget Reconciliation Act (COBRA), employees may be eligible to receive extended coverage for qualified plans and can expect a COBRA packet to be selected to their home address in order to continue enrollment in those plans. Certain conditions apply.

COBRA is a federal statute that provides certain former employees, retirees, spouses, former spouses, and dependent children with the right to temporarily continue health plan membership after losing their coverage eligibility as a result of certain qualifying events. IDEA and/or the appropriate insurance carrier will notify employees of their right to continue their health coverage within 30 days of the date the employee's coverage eligibility ends. Employees then have 60 days to elect to continue their health coverage. If the health plan is through an insurance company or HMO, any subsequent administrative responsibilities are handled by the company or HMO. IDEA is not required to continue contributing a share of health plan costs for members who elect to continue coverage after leaving employment. During the continuation period, the full amount of the plan premium becomes the member's obligation and responsibility. Additional premiums needed to provide continuation benefits or added coverage for family members to cover costs or an enhanced medical plan may be deducted from the resigning employee's final paycheck, but payment arrangements must be made in order to provide for continuation of benefits in accordance with COBRA.

Supplemental third-party benefits (vision, dental, supplemental life, cancer, etc.) will end on the last day of the month in which the employee left employment. Employees will be responsible for contacting the respective insurance provider(s) to continue coverage for up to 18 months after employment separation in accordance with federal and state law and the plan documents. COBRA notices and Certificate of Coverage will be automatically mailed directly from the insurance carrier to the employee separating from employment, if applicable.

Prospective TRS retirees are advised to consult with TRS about enrollment eligibility if they are planning to enroll in the TRS-Care medical plan upon their retirement.

### **3.5 Health/Pharmacy Identification Cards**

All identification cards for medical, pharmacy, Flexible Spending and or Dependent Care Accounts will be mailed to the employee's home address on file with IDEA. Each carrier will mail their respective cards directly to the employee. New employees should receive their medical insurance cards within 30 days of when they complete enrollment. Existing employees should receive their insurance cards within 30 days from when they made changes to their benefit elections due to a qualifying life event or after the annual open enrollment period. An employee may order additional medical cards by contacting each of the carriers and making their request.

Please reference the [Compensation & Benefits](#) HUB page for information and details on how to access care when you do not have a card available.

### **3.6 Claim Forms**

Claim forms may be obtained directly from the respective insurance carrier. You can find contact information through the IDEA Employee Benefits Guide, or you can visit the [Compensation & Benefits](#) HUB page to access claim forms.

### **3.7 Teacher Retirement System (TRS)**

The Teacher Retirement System (TRS) is a public pension plan of the State of Texas. Established in 1937, TRS



provides retirement and related benefits for those employed by a public charter school.

TRS determines the employee, employer, and state required contributions each year. The contributions are mandated and, therefore, cannot be changed by the employee or the employer.

Eligibility - Employment that makes one eligible for membership in TRS is:

- Regular employment in a public, state-supported educational institution in Texas that is expected to last for a period of four and one-half months or more;
- For one-half or more of the standard full-time workload; and
- With compensation paid at a rate comparable to the rate of compensation for other people employed in similar positions.

An employee of a public, state-supported educational institution in Texas meets these requirements if the member's customary employment is for 20 hours or more each week and for four and one-half months or more in one school year.

Full-time service is employment that is at least 32 or more hours per week. In no event may full-time employment require less than 30 hours per week.

All regular employees of the public education system in Texas (employed for four and one-half months or more, for one-half time or more of the standard full-time workload and paid at a rate comparable to other persons employed by that employer in similar positions) must participate in TRS, unless an exception to TRS membership applies. The exceptions to TRS membership include but are not limited to:

- A substitute, as defined by TRS rules (to be considered a substitute, the individual must be serving in a position currently held by another employee and paid at a rate of pay that does not exceed the rate for substitute work established by the employer);
- A person employed on a temporary basis (less than four and one-half months), part-time (less than one-half time), seasonal, or on an irregular basis.

Substitutes not receiving TRS service retirement benefits that work at least 90 days a year may also be eligible for TRS membership and to purchase one year of creditable service. TRS provides members with an annual statement of their accounts showing all deposits and the total account balance for the year ending August 31st, as well as an estimate of their retirement benefits.

IDEA will make all required contributions for employees eligible for TRS benefits on a timely basis. Employees who plan to retire under TRS should notify the Human Assets department as soon as possible. Information on the application procedures for TRS benefits is available from the Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or by phone at 1-800-223- 8778 or 512-542-6400. TRS information is also available on the TRS website at [www.trs.state.tx.us](http://www.trs.state.tx.us).

Individuals receiving retirement benefits from TRS may be employed in accordance with TRS rules and state law. Detailed information about employment after retirement is available in the TRS publication titled *Employment After Retirement*. Employees may contact TRS for additional information by calling 1-800-223-5445 or 512-542-6400. Information is also available on the TRS website at [www.trs.state.tx.us](http://www.trs.state.tx.us).

### 3.8 403(b) or 457(b) Supplemental Retirement Plans

IDEA offers employees an opportunity to make contributions to a supplemental retirement plan. Employees may choose to enroll in a 403(b) and or 457(b) plan. These types of retirement plans allow eligible employees to invest tax-deferred income in fixed annuities, variable annuities, and/or mutual funds while earning tax-deferred interest. Enrollment in these types of plans is voluntary, and employees can enroll in these plans at any time during the year. Distributions are available upon termination of employment, retirement, disability, death, or certain types of hardships. Early disbursement penalties may exist in accordance with federal and state laws and legislation. The Plan Document outlines the terms and conditions of the retirement plans offered and outlines how the plan will operate in regard to plan design features, eligibility requirements, contribution requirements, vesting schedules, and distribution rules.

Our third-party administrators, TCG Services, currently administer IDEA's 403(b) & 457(b) plan offerings. Please refer to the IDEA Employee Benefits Guide for additional information and details on how to enroll in either plan.

### 3.9 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. Eligible employees can file for unemployment benefits by calling the Texas Workforce Commission at 1-800-939-6631. Employees with questions about unemployment benefits should contact the Risk Management Department

### 3.10 Workers' Compensation

In accordance with state law, IDEA Public Schools provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. Benefits help pay for medical treatment and provide partial income replacement for eligible employees who are unable to work due to work-related illness or injury. Specific benefits are prescribed by law depending on the circumstances of each case. All work-related accidents or injuries must be reported immediately to the employee's performance manager and the Risk Management Department at [Workerscompensation@ideapublicschools.com](mailto:Workerscompensation@ideapublicschools.com) or the Toll-Free Number 1-855-919-4165.

An employee who has sustained a work-related injury or illness must notify their supervisor and the Risk Management Department immediately. The employee's responsibilities relating to an employee's work-related injury/illness are identified in the Workers' Compensation protocol, which can be found in the Workers' Compensation packet on the Risk Management Department HUB site. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code.

If you are injured at work, notify your performance manager immediately and the Risk Management Department at [Workerscompensation@ideapublicschools.org](mailto:Workerscompensation@ideapublicschools.org) or the Toll Free at 1-855-919-4165. For emergencies, you may go to the nearest emergency room.

### **Request for Leave**

Any employee whose job-related injury or illness will prevent them from reporting to work following the initial injury or accident should contact their performance manager and the Risk Management Department immediately to ensure their absence is reported in accordance with their workers' compensation claim. If an employee needs to be absent for an extended period of more than five days, please refer to Section 5 of the Employee Handbook for detailed information on Leaves and Absences in accordance with Human Resources Department policies. Payroll and benefits may be affected while an employee is on leave; questions about pay and benefits should be referred to the respective Payroll and Benefits Departments at [payrollsupport@ideapublicschools.org](mailto:payrollsupport@ideapublicschools.org) or [benefitssupport@ideapublicschools.org](mailto:benefitssupport@ideapublicschools.org).

### **Return to Work Program**

IDEA Public Schools' full Return to Work Program Policy details the process whereby an employee can return to duty with or without limitations. For more details on this process please contact the Risk Management Department at [workerscompensation@ideapublicschools.org](mailto:workerscompensation@ideapublicschools.org).

### **Denial of Workers' Compensation Insurance Benefits**

Except as otherwise required by state law, injuries not covered by the workers' compensation insurance include those where the employee:

- Was intoxicated by alcohol or drugs.
- Was in the process of committing a felony (and has been convicted).
- Was participating in a social or recreational activity off-duty that was not directly related to his or her work.
- Was commuting to or from work unless doing so under the direct control or orders of IDEA on IDEA-related business.
- Caused the injury intentionally or committed suicide.
- Was "horsing around" or fighting on the job.
- Violated a school safety policy or procedure.

If the Workers' Compensation Insurance Carrier denies a claim the employee may contest the decision in accordance with the provisions of the Workers' Compensation laws of the State of Texas.

The employee may contact the Division of Workers' Compensation at 1-800-252-7031. The Division will pair them with an Ombudsman who will assist them in preparing for a Benefits Review Conference to challenge the dispute. All costs incurred by the employee in contesting a denial of the claim shall be the sole responsibility of the employee.

### **Fraudulent Workers' Compensation Claims**

Filing a false or fraudulent claim is a violation of law and IDEA Public Schools policy. Fraudulent claims are punishable by law and may result in disciplinary employment action, including termination of employment.

## **PART 4. COMPENSATION**

Employees are paid in accordance with administrative guidelines and a pay structure established for each position. IDEA's compensation plan is reviewed by the administration periodically and may be adjusted at-will and without notice as needed.

Employees who perform extracurricular or supplemental duties may receive additional compensation in addition to their salary according to extra-duty and stipend pay schedules, and in accordance with Section 4.9, Additional Pay, below.

Employees should contact the Payroll department with questions about pay schedules and compensation at [payrollsupport@ideapublicschools.org](mailto:payrollsupport@ideapublicschools.org) and contact the Compensation department for questions about pay amounts and determination at [compensationsupport@ideapublicschools.org](mailto:compensationsupport@ideapublicschools.org).

## **4.1 Annualized Compensation**

Exempt and bi-weekly extended employees are compensated over a 12-month period based upon the academic/work calendar for their role. Employees working their full academic/work calendar for the given fiscal year will receive their full salaries/pay over the given 12-month period. Employees starting after the first day of the academic/work calendar will have their salaries/pay prorated in accordance with IDEA pay policies and applicable law. The proration is based upon the number of paid days remaining in the academic/work calendar in proportion to the full academic/work calendar to determine the remaining pay for the academic/work year. The resulting proration is paid out in equal monthly payments throughout the remaining paychecks in the academic/work year.

Non-exempt hourly staff will not have an annualized pay calculation.

Employees who separate from employment voluntarily will receive their final paycheck on the next scheduled pay date. Employees who involuntarily separate from employment will receive their final pay within six (6) calendar days of separation in accordance with state law. Please note that due to the pay schedule, some employees may be overpaid at the time of separation from employment. In these cases, employees will not receive a final paycheck, as allowed by applicable law.

## **4.2 Pay Procedures**

IDEA follows all federal, state, and local Pay Day laws. An employee's method of pay may be changed at any time, with or without notice. Pay due will include earnings per clock submission for non-exempt employees for all work performed through the end of the previous payroll period and, for exempt employees, per the exempt work agreement period.

Exempt employees are paid monthly, and non-exempt employees are paid bi-weekly. Please see Section 4.4 of this handbook for information about this classification. If a scheduled payday falls on a weekend or holiday, employees will be paid on or before the day preceding the weekend or holiday.

An employee's payroll statement contains detailed information including pay amounts, deductions, withholding information, leave balances and year-to-date totals. All pay statements are available through Employee Self Service in Tyler Munis. Employees are responsible for reviewing their pay statements after each pay period to

ensure there are no discrepancies in pay or deductions. Employees should contact the Payroll department with any questions pertaining to pay procedures and pay dates.

The schedule of pay dates for the current school year will be posted at each campus in a common area along with federal and state mandated posting requirements. This schedule can also be found on the [Payroll HUB](#) page.

### **4.3 Paychecks**

IDEA does not pay staff through the issuance of a live, paper check. All pay is issued through electronic means. More information can be found in the section below.

#### **Automatic Payroll Direct Deposit**

All IDEA employees are paid through electronic direct deposit to an employee's account of their choice or through an IDEA provided pay card. IDEA has partnered with Wisely Pay by ADP to offer employees without bank accounts a pay card. Employees interested in signing up for this service should contact Payroll.

Any changes regarding an employee's designated bank account should be submitted ten days prior to the next scheduled payroll distribution to avoid delays in processing and receiving payroll deposits.

Please note that some banks may deposit employee pay into bank accounts prior to the actual check date. The Payroll team cannot guarantee employee pay until the check date listed on the Pay Day Calendar. You may access these calendars through the Payroll HUB page. Any issues related to not receiving pay before the actual check date cannot be resolved by the Payroll team, in any manner. You must reach out to your bank for further information.

#### **Payroll Deductions**

Based on role eligibility, applicable automatic payroll deductions for Texas Retirement System (TRS) and statutory taxes, including federal withholding, social security and Medicare, will be withheld from pay in accordance with applicable federal, state, and local laws. Once again, automatic payroll deductions and withholdings are dependent upon the role an employee plays. Questions about what automatic deductions apply to your position should be directed to the Payroll department at [payrollsupport@ideapublicschools.org](mailto:payrollsupport@ideapublicschools.org)

Other payroll deductions, authorized in writing by the employee, include the employee's share of premiums for health and supplemental insurance, annuities, or savings through the employee's choice of banking institution. Court-ordered garnishments and child support will be withheld involuntarily in accordance with applicable federal, state, and local laws. Employees may also contribute to IDEA's Give Me 5 program through a payroll deduction.

In accordance with applicable law, payroll deductions may also be specifically authorized in writing and made for any monies due to IDEA for repayment for loss or damage to cell phones, laptops, or any other IDEA-issued property or used but unearned leave. A signed payroll deduction authorization form must be on file with the Payroll department before any monies will be withheld from an employee's check, regardless of the deduction type. The only exception to this requirement is for court ordered garnishments such as child support. If a non-exempt employee's gross income is insufficient to maintain compliance with wage and labor laws regarding effective minimum wage, the deduction will be adjusted accordingly.

For questions related to benefit deductions from pay, please contact the Benefits department at

[benefitssupport@ideapublicschools.org](mailto:benefitssupport@ideapublicschools.org). For questions related to taxes or involuntary deductions from pay, please contact the Payroll department at [payrollsupport@ideapublicschools.org](mailto:payrollsupport@ideapublicschools.org).

### **Wage Overpayment & Underpayment**

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

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Payroll department so any corrections can be made as quickly as possible. If the employee has been underpaid, IDEA will pay the employee the difference as soon as possible. If the employee has been paid in excess of what he or she has earned, the employee will need to return the overpayment to IDEA as soon as possible. No employee is entitled to retain any pay or leave benefits in excess of the amount he or she has earned or accrued according to the agreed-upon rate of pay or accrual. IDEA will pursue all legal means to recover overpayments and will also retroactively adjust miscalculated leave balances, as allowed by applicable law.

### **Wage and Tax Statements**

All employees will receive a Wage and Tax Statement ("Form W-2") from IDEA 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 the Payroll department and distributed on or before deadlines established by federal and state law.

### **Unclaimed Pay**

If wages remain unclaimed for a period of no less than that required by state statute, this pay will be escheated to the state agency based upon the last known residential address for the employee in the Tyler Munis system. Individuals will need to reach out to the State's corresponding unclaimed property agency in that state for more information on how to obtain escheated funds.

## **4.4 Fair Labor Standards Act – Exempt vs. Non-Exempt Classification**

All employees are classified as either exempt or non-exempt, according to job duties as determined by the provisions of the federal Fair Labor Standards Act ("FLSA"). Non-exempt employees are paid on an hourly basis and are covered by the overtime provisions of the FLSA and by Texas wage and hour laws. Non-Exempt employees are required to fill out timesheets accounting for all hours worked in a pay period. Altering, overstating, or falsifying time records may result in disciplinary action up to and including termination.

Exempt employees are salaried and classified based on specific tests as mandated by the FLSA. Thus, exempt status applies to the position and not the employee. Meeting these qualifications exempts designated positions from overtime provisions of the FLSA. Exempt employees are paid a fixed salary determined by the duties to be performed rather than the number of hours worked. However, any full days of absence taken in excess of the employee's allotment/service record accumulation of leave will result in an employee payroll deduction calculated at a pro-rated daily rate. Deductions for less than full-day absences may be made for exempt teaching positions.

IDEA's positions are reviewed and assigned an FLSA (exempt or non-exempt) status that is maintained on a master record by the Payroll department. An employee's exempt or non-exempt classification may be changed only upon written notification by IDEA, and in accordance with applicable federal law. Employees may obtain this

information from the Payroll department upon request.

## 4.5 Full-Time, Part-Time, and Temporary Classification

Classification	Scheduled Hours per week	Duration of employment	Health Benefits ELIGIBLE	PAID TIME OFF ELIGIBLE	Pay Increase Eligible	Retirement Plans
Full time (Permanent)	32+	4 ½ Months or more	Yes	Yes	Yes	Yes
Parttime (Permanent)	20 – 31.9	4 ½ Months or more	Yes	No	Yes >12 months	Yes
FLEX Hours (PERMANENT)	Less than 20 hours	4 ½ Months or more	No	No	Yes >12 months	No
FULL TIME (Seasonal)	32+	4 ½ Months to 1 year	Yes	Yes (pro-rated)	No	Yes
Temporary	Varies	Less than 4 ½ Months	No	No	No	No

Full-time permanent employees are those who are regularly scheduled to work at least 32 hours per week. Full-time permanent employees are eligible for benefits, TRS contributions (if applicable), and paid time off.

Part-time permanent employees are non-exempt employees who are regularly scheduled to work less than 32 hours per week but more than 20 hours per week. Part-time permanent employees are eligible for reduced benefits and TRS contributions (if applicable).

Flex-hour permanent employees are regularly scheduled to work less than 20 hours per week. Flex-hour employees are not eligible for benefits, TRS Membership, or paid time off.

Full-time seasonal employees are those who are regularly scheduled to work at least 32 hours per week for a period between 4 ½ months and 12 months. This position type is eligible for benefits. This position type is eligible for pro-rated paid time off. This position is not guaranteed for more than one year and employees will need to re-apply each year to continue employment with IDEA Public Schools.

Temporary employees are those who are hired on a temporary basis for a period of 4 ½ months or less. This position type is not eligible for benefits, TRS contributions, or paid time off. Employees in this position type must transition to another full-time or part-time role after 4 ½ months to continue employment with IDEA Public Schools.

## 4.6 Overtime Compensation

IDEA compensates overtime for non-exempt employees in accordance with the Fair Labor Standards Act (FLSA). Only non-exempt employees are entitled to overtime compensation.

Overtime is defined as all hours worked in excess of 40 hours in a work week. It does not include leave, holiday, or vacation time. Non-exempt employees are not authorized to work beyond their normal work schedule without advance approval from their performance manager. Non-exempt employees are compensated for overtime at a rate of time-and-a-half their normal rate.

## 4.7 Timekeeping

Federal and state laws require IDEA 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 and includes working remotely. Employees are not authorized to estimate future hours and include them on their timecard.

Non-exempt employees must accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should refrain from performing work during meal periods, or else count the meal period as paid work time. Managers must pre-approve any time worked outside of the agreed upon schedule, including meal periods and breaks. If pre-approval is not obtained, employees will be paid for time worked (including overtime when applicable) but may also receive discipline for failure to obtain pre-approval. They must 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. Failure to follow this policy could result in disciplinary action, up to and including termination of employment.

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 prior authorization from their performance manager.

Non-exempt employees should use the approved attendance system (“Frontline”) to record time for all work-related activities. Sick leave, personal leave, and all days off without pay must be clearly marked.

Employees must certify the accuracy of their time sheets. Altering, falsifying, tampering with time sheets, or recording time on another employee’s time record may result in disciplinary action, up to and including termination of employment. Managers are required to approve timesheets through Frontline for their direct reports on a weekly basis and by the established deadline to help ensure pay accuracy.

## 4.8 Pay Increases

Pay increase programs are reviewed annually, and dependent on annual budget guidelines and board approval. If given, pay increases for all employees are implemented to coincide with the start of the new fiscal year. IDEA reserves the right not to issue pay increases to employees due to lack of merit or for budgetary reasons.

Full-time employees must have worked in the same position for a minimum of six (6) months to be eligible for a pay increase, and part-time employees must have worked in the same position for a minimum of twelve (12) 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 merit pay increase.



## 4.9 Additional Pay

Board Approved Additional Pay	
<b>Amounts &amp; Disbursement</b>	Terms are reviewed annually and may change based on organizational priorities and state, private, or local funding
<b>Eligibility</b>	Actively employed with IDEA when payouts are issued to receive the payment. Employees who cease employment with IDEA prior to the date payouts are made are not eligible to receive payment. Eligible, active employees should notify the Payroll department accordingly if they do not receive a payout.
<b>Proration</b>	Prorated for an eligible employee who begins employment after the first day of their work calendar. Reference the stipend schedule.
<b>Extra Duties</b>	i.e., grade team leaders, mentor principals, and extracurricular sponsors are paid based on work completed. In cases of payment for extra duty assignments, employees who cease employment prior to the scheduled pay date must have completed the entirety of the assignment to receive payout.
Additional pay considerations are approved based on the Board-approved compensation plan and board-approved budget on an annual basis and published on IDEA's Hub Site. Please view the <a href="#">Compensation and Benefits Team Web Page</a> for approved compensation opportunities and guidelines.	

## 4.10 Teacher Extra Duty Pay

After-school pay for teachers is set by IDEA at \$27.50 per hour. Principals determine which teachers teach/tutor after-school at their campus. Teachers who do not receive an expected after-school payment should notify the Payroll department.

All schools that conduct Saturday school compensate teachers at the rate of \$27.50 per hour for hours worked during and in connection with Saturday school. Principals determine which teachers teach Saturday school at their campus. Teachers who do not receive an expected Saturday school payment should notify the Payroll department.

\*Note: Teachers are not eligible to clock in for extra duty during the regular school day. Extra duty does not constitute duties that fall under the regular scope of work for a teacher. Employees are only eligible for extra duty if authorized in writing by their manager. Reference 25-26 Stipends and Employee Agreements Exhibit A

## 4.11 Summer School Employment

Summer school employment will be offered to IDEA employees at the respective campus that will be hosting a summer school program. Should a campus need to fill a summer school teacher or co-teacher position, employees from other IDEA campuses will be considered first over external candidates being recruited to fill those vacancies. Upon approval to consider the employment of an external candidate, the summer school principal must abide by the standard selection processes.

The Academic Services Team will oversee summer school programs. Any questions pertaining to summer school programming may be directed to the Academic Services Team. Questions related to payment schedules may be made to the Payroll department.

## 4.12 Continuing Education

IDEA supports the pursuit of advanced degrees by its employees and is committed to working with employees to assist in fulfilling their educational goals. While we wish to be flexible with staff so they can attend classes, we also must ensure the functions of the job are being met and employees are fulfilling their position-specific responsibilities. When possible, an employee should enroll in classes scheduled to meet after normal business hours. If a class conflicts with business hours, an employee must obtain written approval from his or her performance manager before enrollment in a class that would require time off from the regularly scheduled workday.

## 4.13 Travel and Reimbursement

IDEA employees will be reimbursed for reasonable travel expenses incurred in connection with official IDEA business. IDEA employees must avoid expenditures that appear to be extravagant or lavish, personally enriching, abusive, and wasteful. Importantly, ALL IDEA employees must use discretion when making travel arrangements to ensure the conservation of IDEA's limited financial and other resources. IDEA shall only reimburse expenses that conform with applicable travel requirements pertaining to maximum allowable rates for reimbursements and that are reasonable and necessary.

IDEA employees are responsible for adequately and clearly stating the business purpose of the trip and the nature of the expenditures, as well as providing supporting documentation to substantiate the expense. IDEA employees and their supervising managers are responsible for ensuring that all expenses are appropriate and in compliance with IDEA's approved Travel policy, this handbook, and applicable law. IDEA employees traveling on official business will be reimbursed for the appropriate expenses incurred.

For each calendar month during which official business travel is conducted, IDEA employees must submit their travel reimbursement requests on or before the last day of the subsequent month.

Any expenses incurred while traveling on behalf of IDEA that are not associated with official school business will not be reimbursed. An example of such an expense is illegal parking tickets and speeding tickets. Additionally, IDEA may not pay the travel expenses of spouses and other persons who have no responsibilities or duties to perform for IDEA when they accompany employees to IDEA activities, events, and functions.

### **Travel by Vehicle**

Employees traveling on behalf of IDEA must use the most reasonable and economical mode of transportation. Employees must receive approval from their performance manager before electing to drive their own vehicle to conduct IDEA business. The preferred method of transportation is for an employee to reserve an IDEA vehicle or request a rental vehicle using the agency booking tool. If an IDEA or rental vehicle is not available, the employee must then secure pre-approval from his or her performance manager and the Concur Team for reimbursement.

Employees will be reimbursed for mileage accumulated when using a personal vehicle while traveling on IDEA-related business with prior approval. When at all possible, more than one employee should travel together.

When traveling to a school site instead of home offices, employees will only be reimbursed for mileage should the mileage be more than the employee's travel to their home office each day (based on the city in which the employee lives). Employees will be reimbursed for the difference between the travel from their home office to the city the employee is traveling.

Mileage reimbursement must be submitted to the Business Office using Concur or Tyler Munis. In-region mileage will be submitted via Concur while out-of-region travel should be submitted via Tyler Munis

### **Travel by Commercial Airline**

IDEA employees shall travel via a common, commercial airline in coach-class accommodations. When booking travel, IDEA employees must make travel arrangements at the lowest available, non-refundable coach airfare at least 14 calendar days before traveling or on the date that the employee is directed to travel to conduct official IDEA business.

Certain exceptions to this policy apply and can be reviewed in [Board Policy, Policy Group 5 – Fiscal Management - Travel](#).

## **PART 5. LEAVES AND ABSENCES**

IDEA 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, or intermittently for more than an average of one day per month, should notify both their manager and the Human Resources department for information about applying for applicable leave benefits, options for insurance premium payments, and requirements for communicating with IDEA during an approved period of leave.

### **5.1 Attendance**

IDEA depends heavily upon its employees to serve students and schools. IDEA expects employees to be available full-time during scheduled working hours. Dependability, attendance, and punctuality are essential at all times.

Excessive absenteeism, tardiness, and leaving work prior to the designated time constitute grounds for disciplinary action, including but not limited to the following:

- 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.

Exceptions to attendance requirements may only be approved by Human Resources in accordance with applicable laws and IDEA policy.

As described further in Section 9.3 of this Handbook, failure to provide notice of an absence to a performance manager for three consecutive workdays (unless prevented by circumstances beyond the employee's control) may be considered job abandonment and voluntary resignation on the last day worked, in accordance with applicable federal and state law.

### **5.2 Paid Time Off (PTO)**

IDEA provides state and local leave days to all full-time employees to provide them with the flexibility to attend to their personal and medical time-off needs. State and local leave allocations are given on the first day of the employee's annual work calendar. A day of leave is equivalent to an assigned workday. If an employee leaves IDEA

before the end of the work year, the cost of any unearned leave taken due to advanced allocation shall be deducted from the employee's final paycheck to the extent allowed by applicable law.

There is no limit on the accumulation of state and local leave. However, staff must comply with all aspects of the

Limitations on leave policy are below.

Upon separation of employment, whether voluntary or involuntary, the employee will not be paid for any unused local or state days. Additionally, upon separation, any unused local leave days will be forfeited and will not be transferred to another Texas public school, whereas state days will generally transfer to other Texas public schools.

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

State law entitles many public school employees to five days of paid state leave per year. Leave is available for use at the beginning of the year. A day of leave is equivalent to the number of hours per day in an employee's usual assignment, whether full-time or part-time. State leave accumulates without limit, is generally transferable to other Texas public schools, and generally transfers to education service centers.

For employees hired mid-year, leave time will be prorated and rounded to the nearest 0.5 day. These changes will be reflected in Frontline starting the 2025-2026 school year.

Local leave entitlements are determined according to the employee's annual work calendar as described below.

- Year-round employees: Ten days per year
- Non-year-round employees: Five days per year

Year-round employees are defined as those employees who work an open calendar and therefore are scheduled to work 225 days or more per year. Conversely, non-year-round employees are those employees who are scheduled to work less than 225 days per year.

Employees beginning work after the first day of the work calendar for their role will have their PTO entitlement prorated in accordance with applicable law and IDEA Public Schools' payroll policies & procedures.

Leave days earned through employment with IDEA are to be used for the following reasons:

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

Employees requesting to take leave must notify their performance manager as soon as possible and, in no event, later than three hours before their scheduled starting time. Teachers and instructional staff are required to request leave directly with their principal. Campus operations staff are required to request leave directly with the Assistant Principal of Operations (APO). All employees requesting leave must advise their performance manager of their anticipated return date and the need for work coverage. All leave requests and approvals must also comply with the Limitations on Leave policy below, and Human Resources (not a principal or manager) must approve in writing all requests for extended protected leave time to ensure compliance with applicable laws and IDEA policies.

Leave requests must be reported via Frontline regardless of whether a substitute is needed. Teachers and Co-Teachers must request a substitute via Frontline (formerly AESOP), the automated substitute finder system.

### **Blackout Dates**

There are times when all teachers and campus personnel are required to be in attendance, and time off is prohibited. The following is a list of “blackout dates” in which requests for time off will be denied. However, in the event of an emergency, if the employee requests time off during these “blackout dates,” the request will be reviewed by the performance manager in collaboration with Human Resources to determine final approval. In the event an employee is absent during the stated “blackout days” and approval was not given by the performance manager, the employee may be subject to disciplinary action. Payroll deductions may result from an employee’s unapproved absence on a “blackout day,” depending on whether the employee has exhausted available leave and in accordance with applicable law.

“Blackout days” for purposes of this policy consist of:

- The first 10 days of school
- The last 10 days of school
- The day before or after a school holiday
- Professional or staff development days (in-person attendance required unless the performance manager pre-approves remote participation)
- Days scheduled for local exams
- Days scheduled for state testing

IDEA reserves the right to add additional days to the listing of “blackout days.”

### **Limitations on Leave**

Regardless of the accrued paid leave available to an employee the use of paid time off (PTO) must **not** exceed **20 days in a school year for non-year-round staff** and **30 days annually for year-round staff**, unless an application is received and approved by Human Resources for additional protected leave time under applicable laws or policies. This limitation *does not* apply to IDEA’s paid family leave offerings.

Accrued and unused leave carries over from year to year, but employees generally cannot use carried-over leave to exceed the limits on PTO discussed in this section. Exceptions shall be approved by Human Resources to allow paid leave during unexpected extended leave in accordance with applicable law (e.g., FMLA, as discussed in detail below).

Except for leaves of absence for military duty, all staff must use paid leave **prior to** unpaid leave and must have Human Resources’ written approval to go into unpaid leave status. Staff are encouraged to accumulate total leave balances that would provide paid leave for unforeseen circumstances (e.g., a 60-day, HR- approved FMLA leave for their own health or the health of a family member), plan for paid time off under FMLA following birth or adoption of a child or allow them to purchase an additional year of service upon retirement when eligible under TRS rules.

### **Neutral Absence Control Policy**

With the exception of leaves of absence for military duty or approved medical and/or family leave, an employee who accumulates more than **five days of absence** after exhausting all available paid and unpaid leave (subject to any limitations on the number of PTO days that may be taken in a single year) will be separated due to unavailability for work, subject to any reasonable accommodation duties IDEA may have under the ADA or similar law. Any employee separated from unavailability for work following exhaustion of all available leave will be eligible

for rehire and can apply for any vacancies that may exist at any given time, depending upon qualifications and availability of job openings.

### 5.3 Paid Holidays

Holidays observed by IDEA are: New Year's Day, Martin Luther King, Jr. Day, Memorial Day, Juneteenth, Independence Day (in conjunction with week-long paid summer break for year-round staff), Labor Day, Indigenous Peoples Day (formerly Columbus Day), Thanksgiving Day, and Christmas Day.

Part-time hourly positions are paid for hours worked according to Frontline or time sheets that may only be used in rare circumstances in accordance with the Business Office's pay accuracy guidelines. Part-time hourly employees do not receive holiday pay.

Full-time employees and part-time administrative professionals are eligible for holiday pay on designated holidays that fall within their normal work schedule as designated by the work calendar.

Holiday pay is paid at the employee's normal hourly rate. Employees on a leave of absence are ineligible for holiday benefits.

Paid holidays occurring during an eligible employee's scheduled leave will be paid as holiday pay rather than PTO.

### 5.4 Catastrophic Sick Leave Bank

IDEA has established a sick leave bank that employees may join through contribution of local leave on an annual basis during the sick leave bank open enrollment window. An employee who is a member of the catastrophic sick leave bank may request days if the employee experiences a catastrophic illness or injury and the employee has exhausted all paid leave. If the employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's authorized representative may submit the request to [hrrsupportservices@ideapublicschools.org](mailto:hrrsupportservices@ideapublicschools.org).

#### ***Eligibility to Receive Donated Days***

To qualify to receive donated days, an employee shall:

- Have exhausted all available paid time off (local leave and state days, if applicable);
- Have been out of work at least five consecutive days;
- Have a catastrophic mental or physical illness or injury as defined below; and
- Made the minimal annual donation of at least eight hours to the Sick Leave Bank.

Donated leave days may only be used for the employee's personal catastrophic illness or injury and may not be used for leave due to an illness or injury of a family member. Employees who believe they are eligible to receive donated days must contact Human Resources to complete an application and receive approval.

#### ***Catastrophic Illness or Injury Defined***

"Catastrophic illness," for the purpose of donated leave, is defined as an acute or prolonged illness, surgery, or injury of a serious nature that is usually considered life threatening or with the threat of serious residual disability, not a passing disorder or temporary ailment. A catastrophic illness must require the services of a certified and licensed medical practitioner for a prolonged period of time and must result in the employee's incapacity to perform his or her job functions for an extended period of time and require an extended absence from work for

treatment or recovery. Absences due to elective surgery, normal pregnancy, bonding, adoptions, or foster placement of a child are not considered illnesses for the purpose for the catastrophic sick leave bank.

### ***Donation of Days***

Full-time employees (32 or more hours per week), who have earned at least three days of leave, are eligible to donate unused leave to the sick leave bank. Donations must be made in 4-hour increments and cannot exceed 40 hours per year. Employees wishing to donate days to the sick leave bank can do so during the annual catastrophic sick leave enrollment period window. New Hires will have 15 days from their date of hire to apply for Catastrophic Sick Leave Bank membership.

Eligible employees who do not elect to join the Catastrophic Sick Leave Bank during the open enrollment period will not be permitted to join until the subsequent annual open enrollment period of the next school year.

An eligible employee may apply for up to 30 days from the sick leave bank. Days shall be granted only for absences from workdays and shall not be granted for holidays, vacation days, or other such days for which the member is not paid. If the employee has received days from the bank, returns to work, and then becomes ill again with the same or a different illness, the employee may apply for additional sick leave bank days, not to exceed 30 days per school year.

The Catastrophic Sick Leave bank may not be used by members who qualify for Workers' Compensation benefits or any other non-insurance salary reimbursement.

Within seven business days of receipt of a member's request for Catastrophic Sick Leave Bank days, the Catastrophic Sick Leave Bank committee will review and render a decision. Human Resources will notify the employee of the decision.

All requests to draw upon the Catastrophic Sick Leave Bank must be accompanied by a physician's statement or FMLA form, confirming the cause of illness or confinement and certifying the existence of a disability to perform assigned duties. An employee may be required to undergo medical review by a second opinion physician selected by IDEA at the expense of employee.

### **Termination of Membership in the Catastrophic Sick Leave Bank**

A member of the Catastrophic Sick Leave Bank will lose the right to use the benefits of the Catastrophic Sick Leave Bank by:

- A. Termination of employment with IDEA
- B. Being on a suspension without pay status
- C. Any abuse or misuse of the rules of the Catastrophic Sick Leave Bank
- D. Being on an approved leave of absence for a reason other than described in the Catastrophic Sick Leave Bank guidelines

Membership in the Catastrophic Sick Leave Bank ceases on the effective date of an employee's resignation or termination. An individual who is rehired is eligible to rejoin the bank by donating the required number of days

### **Maintaining Catastrophic Sick Leave Bank Records**

The Human Resources Department will maintain all records regarding Catastrophic Sick Leave Bank donations and requests.

### **Appeal**



If a member's request for Catastrophic Illness or Injury Sick Leave Bank is denied, the member may file a written appeal at Level Two in accordance with IDEA's formal grievance process.

### ***Confidentiality***

All contributions shall be voluntary and confidential. Employees violating this provision shall be considered in violation of policy and shall be subject to disciplinary action.

## **5.5 Military Leave of Absence**

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

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

### ***Eligibility***

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

### ***Procedures for Military Leaves of Absence***

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

Human Resources will review the request for military leave of absence and issue written notice as to whether the request is approved.

### ***Benefits***

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

- Absences of 31 or more days: The employee may elect to continue coverage for up to 24 months or for the period of military service (including the time period allowed to reapply for reemployment), whichever is shorter. The employee may be required to contribute up to 102% of the overall (both employer and employee) premium. Upon reinstatement, the employee must be reinstated immediately into the health plan without any waiting periods or pre-existing condition exclusions.\_

- Absences of fewer than 31 days: The employee is entitled to coverage under the health benefits plan as if he or she were employed continuously. The employee must continue to pay his or her portion of the regular premium.
- If the employee is participating in TRS-ActiveCare, the employee must elect to continue participation in the plan. If the employee does not elect continuation, coverage will end on the last calendar day of the month in which the employee enters active, full-time military service.

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

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

Please contact the Compensation & Benefits team for additional information on benefit continuation during a military leave of absence.

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

### ***Reemployment***

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

- The employee provided IDEA notice of the need for military leave.
- The period of military service did not exceed five years. (Note: Some types of duty do not count against this five-year limit. Employees with disabilities have two years after their return dates—for purposes of recuperation and convalescence—to seek reemployment.)
- The employee was released under honorable conditions.
- The employee returned and reapplied for re-employment within the following time restrictions:
  - o Leaves of fewer than 31 days: The employee must report to work on the first regularly scheduled work period following the completion of military service; no application is required.
  - o Leaves of more than 31 but fewer than 180 days: The employee must apply for reinstatement within 14 days after completion of military service.
  - o Leaves of more than 180 days: The employee must apply for reinstatement no more than 90 days after completion of military service.

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

A reemployment position includes the seniority, status, and rate of pay that an employee would ordinarily have

attained in the position, given the employee's job history, if the employee had been continuously employed.

### ***Protection from Discharge***

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

### ***General Benefits Upon Reemployment***

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

## **5.6 Family and Medical Leave Act**

The Family and Medical Leave Act ("FMLA") provides employees who meet certain eligibility criteria with unpaid leave for certain family and medical reasons during a 12-month period. During this 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.**

### ***Eligibility Requirements***

To be eligible for FMLA leave, an employee must have been employed by IDEA:

- For at least 12 months (which need not be consecutive) and for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave; and
- At a worksite with 50 or more employees located within 75 miles of the employee's worksite.

Employees who have not yet been employed by IDEA for at least 12 months, and therefore are not eligible to take FMLA leave, may apply for approval by Human Resources to take a Medical Leave of Absence for up to thirty days per year for their own serious health condition that meets the same definition found in FMLA. In addition, staff who have been employed for a year or more and plan to start or extend a family by adoption or birth may apply for approval by Human Resources for IDEA's paid family leave as outlined in the **Paid Family Leave policy**.

### ***Events that may Entitle Employees to FMLA Leave***

Eligible employees can take up to a total of up to 12 weeks of unpaid, job-protected leave in a 12-month period for one or more of the following reasons:

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

employee's spouse, child, or parent.

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

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule, subject to IDEA's approval as allowed under the FMLA.

Employees may choose, and IDEA 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 IDEA's normal paid leave policies.

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

While employees are on FMLA leave, IDEA must continue health insurance coverage as if the employees were not on leave. However, in some instances, coverage may be terminated if an employee fails to make their employee contributions to the premiums for their health benefit plans.

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.

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

### ***Definition of Serious Health Condition***

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. FMLA does not apply to routine medical examinations, such as a physical, or to common medical conditions, such as an upset stomach, unless complications develop.

For all conditions, "incapacity" means inability to work, including being unable to perform any one of the essential functions of the employee's position, or inability to perform other regular daily activities due to the serious health condition, treatment of the serious health condition, or recovery from the serious health condition. The term "treatment" includes but is not limited to examinations to determine if a serious health condition exists and evaluations of the condition.

### ***Service Member Family Leave***

An employee may be eligible for up to 26 weeks of "Service Member Family Leave" if the employee's spouse, child, parent (not parents-in-law), or next of kin, is a current member of the active duty Armed Forces (including National Guard or Reserves), or a member of the Armed Forces (including National Guard or Reserves) on the Temporary Disability Retired List, who is recovering from a serious injury or illness incurred in the line of duty, while on active duty for which he or she is undergoing medical treatment, recuperation, therapy, in outpatient status, or otherwise on the Temporary Disability Retired List. (This does not include former members of the Armed Forces, former members of the National Guard and Reserves, and members on the Permanent Disability Retirement List).

With respect to both Qualified Exigency and Service Member Family leave, employees may take the leave intermittently or on a reduced leave schedule. However, if an employee has accrued paid leave, he or she must

substitute any qualifying paid leave for unpaid leave first. "Qualifying paid leave" is leave that would otherwise be available to eligible employees for the purpose for which FMLA leave is taken. The remainder of the 26 workweeks of leave, if any, will be unpaid leave. Any paid leave used for an FMLA-qualifying reason will be charged against an employee's entitlement to FMLA leave. This includes leave for disability or workers' compensation injury/illness, provided that the leave meets FMLA requirements. The substitution of paid leave for unpaid leave does not extend the 26-workweek leave period.

### ***Qualifying Exigency Leave***

An employee may be entitled to Qualifying Exigency FMLA leave if the employee's spouse, child, or parent is in the National Guard, is a Reservist, or is retired military and is called to active duty or has been notified of an impending call or order to active duty in support of a contingency operation as defined by federal law. The time spent in several specific activities, defined by law as "Qualifying Exigencies," may also be considered FMLA time. This does not include those on the Permanent Disabled Retired List or Active-Duty Military.

### ***Certification of Leave***

The first time an employee requests Qualifying Exigency leave, IDEA will require the employee to provide a copy of the covered military member's active-duty orders or other documentation issued by the military that indicates that the covered military member is on active duty or has been called to active-duty status in support of a contingency operation, and the dates of the covered military member's active-duty service.

In addition, each time an employee first requests leave for one of the Qualifying Exigencies, IDEA may require certification of the exigency necessitating leave. Certification supporting leave for a Qualifying Exigency includes appropriate facts supporting the need for leave, including any available written documentation supporting the request; the date on which the Qualifying Exigency commenced or will commence and the end date; where leave will be needed on an intermittent basis, the frequency and duration of the Qualifying Exigency; and appropriate contact information if the exigency involves meeting with a third-party.

### ***Post-Deployment Activities***

An employee may be entitled to take Qualifying Exigency leave for certain qualifying post-deployment exigencies, including reintegration activities, for a period of 90 days following the termination of the covered military member's active-duty status. State calls to active duty are not covered unless under order of the President of the United States.

### ***Maximum Amount of FMLA Leave within a 12-Month Period***

Except as provided above, an employee is entitled to up to 12 workweeks of unpaid leave during a 12-month period for any FMLA qualifying reason(s). The 12-month period is a rolling period measured by looking back over the last 12 months from the date of the request and subtracting the amount of FMLA time taken during the previous 12 months from the employee's 12-week leave allotment.

An eligible employee who is eligible for Service Member Family Leave may take a maximum of 26 weeks during a rolling 12-month period, even if the employee also qualifies for FMLA leave for a reason other than Service Member Family leave.

### ***Limitations on FMLA Leave***

Leave to care for a newborn, or for a newly placed adopted or foster child, must conclude within 12 months after the birth or placement of the child.

When spouses both work for IDEA and are both eligible to take FMLA leave, the FMLA provides that they share the amount of leave they may take for some, but not all, FMLA-qualifying leave reasons. Spouses who both work for IDEA share a total of 12 workweeks of FMLA leave per leave year for:

- The birth of a child;
- Placement of a child with the employee for adoption or foster care; or
- Care for a parent with a serious health condition.

Spouses who both work for IDEA also share a total of 26 workweeks of FMLA to care for a military family member with a serious injury or illness.

Spouses who both work for IDEA may each use a total of 12 workweeks of FMLA leave in a leave year for:

- Their own serious health condition;
- To care for a spouse or child with a serious health condition; or
- Due to a qualifying exigency.

Except in cases involving leave to care for a military family member with a serious injury or illness, spouses who both work for IDEA are not entitled to more than a total of 12 workweeks of FMLA leave per person. For example, if each spouse took six weeks of leave to care for a newborn child, each could later use an additional six weeks due to his or her own serious health condition or to care for a parent or child with a serious health condition.

#### ***Intermittent or Reduced Schedule Leave***

FMLA leave may be taken intermittently or on a reduced leave schedule under certain circumstances. “Intermittent leave” is FMLA leave taken in separate blocks of time due to a single qualifying reason. A “reduced leave schedule” is a leave schedule that reduces an employee’s usual number of working hours per workweek, or hours per workday.

Intermittent or reduced schedule leave is appropriate when there is a medical need for such leave for an employee’s own serious health condition, to care for a spouse, parent, son, or daughter with a serious health condition, or to care for a covered servicemember with a serious injury or illness. An employee may also be entitled to use intermittent or reduced schedule leave for qualifying exigencies. An employee *is not* entitled to take intermittent leave for the birth and care of a newborn child or for the placement of a child for adoption or foster care unless IDEA agrees to the arrangement.

Additionally, if an employee needs leave intermittently or on a reduced schedule for planned medical treatment for his or her own serious health condition or for that of a qualifying family member, the employee should make a reasonable effort to schedule the treatment so as to not unduly disrupt IDEA’s operations.

#### ***Transfer to an Alternative Position***

If an employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment, IDEA may require the employee to transfer temporarily to an available alternative position for which the employee is qualified, and which better accommodates recurring periods of leave than does the employee’s regular position. The employee must be provided with pay and benefits equivalent to those had in the position prior to the transfer; however, the position need not have equivalent duties.

#### ***Calculating Leave Use***

When an employee takes leave on an intermittent or reduced schedule, only the amount of leave actually taken may be counted toward the employee’s leave entitlement. IDEA must account for intermittent or reduced schedule leave using an increment no greater than the shortest period of time that it uses to account for use of other forms of leave, provided the increment is not greater than one hour.

***Request for FMLA Leave***

Any absence of five days or more for an illness or medical condition may be designated FMLA leave and will require appropriate documentation. Failure to apply for FMLA and provide appropriate documentation shall not prevent IDEA from designating as FMLA leave against employee's total annual balance if otherwise eligible, and IDEA will notify employee of such designation. Employees should request FMLA leave by notifying their appropriate performance manager and submitting a completed Leave form to the Human Resources department within 15 days of the qualifying event.

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When such notice is not possible, the employee must provide notice as soon as practicable, and must comply with the school's call-in procedures unless incapacitated. Failure to follow procedures may result in disciplinary action up to and including termination.

Employees must provide sufficient information to Human Resources to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information must be provided on IDEA's designated forms and approvals are not final until Human Resources issues a written designation notice. Employees also must inform the Human Resources department if the requested leave is for a reason for which FMLA leave was previously taken or certified.

#### ***Required Documentation for Birth, Adoption, or Health-Related FMLA Leave***

When leave is taken to care for a family member, IDEA will require employees to provide documentation or a statement of a family relationship (birth certificate or court document). The employee is required to submit medical certification from a health care provider on IDEA's form to support a request for FMLA leave for his or her or a family member's serious health condition. Medical certification forms are available from Human Resources and must be returned to Human Resources within (15) calendar days of the employee's receipt.

If IDEA deems the medical certification to be incomplete or insufficient, Human Resources will specify, in writing, what information is lacking, and the employee will have seven calendar days to cure the deficiency. It is the employee's responsibility to provide a complete and sufficient certification. Such failure to provide complete and sufficient certification, despite the opportunity to cure any deficiency, may lead to denial of FMLA leave. IDEA may (a) have a designated health care provider or the Human Resources department (but in no case the employee's direct performance manager) contact the employee's health care provider in an effort to clarify or authenticate the initial certification if IDEA has reason to doubt an employee's initial certification; and/or (b) require the employee to obtain a second opinion by an independent provider at IDEA's designation and expense. If the initial and second certifications differ, IDEA may, at its expense, require the employee to obtain a third, final and binding certification from a jointly selected health care provider.

During FMLA leave, IDEA may request that the employee provide recertification of a serious health condition, at intervals, in accordance with the FMLA. In addition, during FMLA leave, the employee must provide IDEA with periodic reports regarding his or her status and intent to return to work. If the employee's anticipated return to work date changes, and it becomes necessary for the employee to take more or less leave than originally anticipated, he or she must provide IDEA with reasonable notice (within two business days) of such changed circumstances and new return to work date. If the employee gives notice of such intent not to return to work, he or she will be considered to have voluntarily resigned.

Before an employee returns to work from FMLA leave for his or her own serious health condition, the employee will be required to submit a fitness-for-duty certification from his or her health care provider with respect to the condition for which the leave was taken, stating that the employee is able to perform the essential functions of his or her job. Where a reasonable job safety concern exists, IDEA may require a fitness-for-duty certification before an employee's return to work from intermittent leave.

FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also, a failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

#### ***Use of Paid and Unpaid Leave***

FMLA leave runs concurrently with accrued PTO and other forms of available paid leave. If an employee has paid leave available during a period of FMLA leave, IDEA will designate the leave as FMLA eligible, if applicable, and notify the employee that accumulated leave will run concurrently. provides eligible employees with up to twelve (12) workweeks of unpaid leave, except as described above. However, if an employee has accrued paid leave, he or she must substitute any qualifying paid leave for unpaid FMLA leave first. Substituted paid leave will run



concurrently with the unpaid FMLA leave. “Qualifying paid leave” is leave that would otherwise be available to an employee for the purpose for which FMLA leave is taken. The remainder of the 12 workweeks of leave, if any, will be unpaid leave. Any paid leave used for an FMLA-qualifying reason will be charged against the employee’s entitlement to FMLA leave. This includes leave for disability or workers’ compensation injury/illness, provided that the leave meets FMLA requirements. The substitution of paid leave for unpaid leave does not extend the 12-work week period. During the period that an employee takes a leave of absence, including FMLA, he or she is not eligible to accrue paid time off benefits. Accruals will resume upon the employee’s return to work.

### ***Designation of Leave***

Human Resources will notify an employee that his or her leave has been designated as FMLA leave within five (5) business days of receiving the employee’s certification by a health care provider, absent extenuating circumstances. If an employee has not notified IDEA of the reason for the leave, and desires that leave be counted as FMLA leave, he or she must notify the Human Resources department within two (2) business days of returning to work that the leave was for an FMLA reason.

### ***Special Rules for Instructional Employees***

Special rules may apply to certain employees of charter schools. These special rules affect leave taken intermittently or on a reduced schedule or taken near the end of an academic term (semester) by instructional employees.

“Instructional employees” are those whose primary job duty is to teach and instruct students in a class, a small group, or an individual setting. This term includes not only teachers and co-teachers, but also athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. It does not include teacher assistants or aides who do not have as their primary job actual teaching or instructing, nor does it include personnel such as counselors, psychologists, or curriculum specialists. It also does not include cafeteria workers, maintenance workers, or bus drivers.

### ***Failure to Provide Notice of Foreseeable Leave***

If an instructional employee does not give required notice of foreseeable leave to be taken intermittently or on a reduced schedule, IDEA may require the employee to take leave of a particular duration or to transfer temporarily to an alternative position. Alternatively, IDEA may require the employee to delay the taking of leave until the notice provision is met.

### ***Twenty Percent (20%) Rule***

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

- To take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- To transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits, and which better accommodates recurring periods of leave than does the employee’s regular position.

“Periods of a particular duration” means a block or blocks of time beginning no earlier than the first day for which leave is needed and ending no later than the last day on which leave is needed and may include one uninterrupted

period of leave. If an employee chooses to take leave for “periods of a particular duration” in the case of intermittent or reduced schedule leave, the entire period of leave taken will count as FMLA leave.

#### *Leave at the End of a Semester*

As a rule, IDEA may not require an employee to take more FMLA leave than the employee needs. FMLA recognizes exceptions where instructional employees begin leave near the end of a semester. As set forth below, IDEA may, in certain cases, require the employee to take leave until the end of the semester.

The school semester, or “academic term,” typically ends near the end of the calendar year and the end of spring each school year. In no case may a school have more than two academic terms or semesters each year for purposes of FMLA.

If IDEA requires the employee to take leave until the end of the semester, only the period of leave until the employee is ready and able to return to work shall be charged against his or her FMLA leave entitlement. Any additional leave required by the school to the end of the semester is not counted as FMLA leave; however, IDEA shall maintain the employee’s group health insurance and restore the employee to the same or equivalent job, including other benefits, at the end of the leave.

#### *More Than Five Weeks Before the End of the Semester*

IDEA may require an instructional employee to continue taking leave until the end of the semester if:

- The employee begins leave more than five weeks before the end of the semester;
- The leave will last at least three weeks; and
- The employee would return to work during the three-week period before the end of the semester.

#### *During Last Five Weeks of the Semester*

IDEA may require an instructional employee to continue taking leave until the end of the semester if:

- The employee begins leave during the last five weeks of the semester for any reason other than the employee’s own serious health condition or a Qualifying Exigency;
- The leave will last more than two weeks; and
- The employee would return to work during the two-week period before the end of the semester.

#### *During Last Three Weeks of the Semester*

IDEA may require an instructional employee to continue taking leave until the end of the semester if the employee begins leave during the three-week period before the end of the semester for any reason other than the employee’s own serious health condition or a qualifying exigency.

#### ***Maintenance of Health Benefits***

During FMLA leave, employees are entitled to continue group health plan coverage under the same conditions as if they had continued to work. To the extent that FMLA leave is paid, the employee’s portion of health insurance premiums will be deducted from their salary. For the portion of FMLA leave that is unpaid, an employee’s portion of health insurance premiums must be paid in accordance with IDEA’s rules for leave without pay. If payment of health insurance premiums is more than 30 days late, IDEA may discontinue health insurance coverage upon notice to the employee and following satisfaction of any legally required grace periods.

***Salary Action***

The length of the leave will delay any planned, but not implemented, salary increase for a period equal to an employee's leave of absence, including FMLA.

***Performance Evaluation***

The length of the leave will extend an employee's normal performance evaluation date by the length of the leave of absence, including FMLA.

***"Moonlighting" during FMLA Leave***

Employees on approved FMLA leave are subject to the requirements under "Outside Employment and Tutoring" outlined in Section 2.23 of this handbook with respect to employment outside IDEA.

***Return from FMLA Leave***

Upon return from FMLA leave, the employee will be placed in the same position he or she held before the leave, or an equivalent position with equivalent pay, benefits, and other employment terms.

***Limitations on Reinstatement***

An employee is entitled to reinstatement only if he or she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force, or other reason, he or she would not be employed at the time job restoration is sought.

IDEA reserves the right to deny reinstatement to salaried, FMLA-eligible employees who are among the highest paid 10% of employees employed within 75 miles of the employee's worksite, if such denial or reinstatement is necessary to prevent substantial and grievous economic injury to IDEA's operations.

***Failure to Return to Work Following FMLA Leave***

If an employee does not return to work following the conclusion of FMLA leave, he or she will be considered to have voluntarily resigned. IDEA may recover from the employee such portion of health insurance premiums that were paid on the employee's behalf during any unpaid FMLA leave. Recovery may be made through deductions from any outstanding sums due to the employee, except where prohibited by federal or state law, or through legal action against the employee.

For further information or clarification about FMLA leave, please contact Human Resources.

For information or to file a complaint with the U. S. Department of Labor (DOL), you may by contact the DOL at 1-866-487-9243 or by visiting [www.wagehour.dol.gov](http://www.wagehour.dol.gov).

## **5.7 Bereavement Leave**

Employees may use available leave for absences due to a death in the immediate family, which is defined as an employee's parent, stepparent, spouse, child, stepchild, sibling, grandparent, or grandchild. IDEA will provide up to 10 days of unpaid bereavement leave in the event of a death in the immediate family.

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.

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

IDEA may not discharge, threaten to discharge, intimidate, or coerce an employee because the employee serves as a juror, or for the employee's attendance or scheduled attendance in connection with jury service in any court

in the United States. Additionally, IDEA may not terminate the employment of an employee because the employee

serves as a juror or grand juror.

IDEA will provide paid leave, at an employee's regular daily or hourly rate, for any employee absence due to service on a jury or grand jury.

An employee on jury or grand jury duty is expected to report to work any day he or she is excused from such duty. An employee summoned for jury or grand jury duty must notify his or her performance manager immediately, provide a copy of the jury notice, and upload the notice into the Frontline system upon entering his or her absence.

## **5.9 Other Court Appearances**

Employees will be granted paid leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Employees must submit documentation of their need for leave for court appearances to their direct manager and Human Resources. IDEA will not discharge, discipline, or otherwise penalize an employee because he or she complies with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding.

## **5.10 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 performance manager before Election Day if time off is needed, so that the timing of the employee's absence can be pre-arranged.

# **PART 6. EMPLOYEE CONDUCT AND WELFARE**

## **6.1 General**

The successful operation and reputation of IDEA 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.

IDEA will comply with applicable law and regulation, 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 IDEA 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 IDEA'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.

## **6.2 Standards of Conduct**

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

following standards of conduct:

- Engage in professional communication and behavior toward students, fellow employees, service providers, and other IDEA stakeholders
- Express concerns, complaints, or criticism through appropriate channels and the chain of command.
- Know and comply with department and school policies and procedures.
- Maintain confidentiality in all matters relating to students and coworkers, as required by applicable law.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a performance manager immediately.
- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Report to work according to the assigned schedule.
- Use IDEA time, funds, and property for authorized IDEA business and activities only.
- Refrain from use of any IDEA resources for personal reasons, including but not limited to counseling and clinic staff and resources.

### **6.3 Code of Ethics**

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

### **Ethical Conduct in General**

IDEA 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. IDEA employees, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. IDEA employees, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. IDEA employees, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. IDEA employees, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community.

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

- Standard 1.1. An IDEA employee shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of IDEA Public Schools, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.
- Standard 1.2. An IDEA employee shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.
- Standard 1.3. An IDEA employee shall not submit fraudulent requests for reimbursement, expenses, or pay.
- Standard 1.4. An IDEA employee shall not use institutional or professional privileges for personal or partisan advantage.
- Standard 1.5. An IDEA employee shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or 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. An IDEA employee shall not falsify records, or direct or coerce others to do so.
- Standard 1.7. An IDEA employee shall comply with state regulations, written local school board policies, and other state and federal laws.
- Standard 1.8. An IDEA employee shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.
- Standard 1.9. An IDEA employee shall not make threats of violence against IDEA employees, school board members, students, or parents of students.
- Standard 1.10. An IDEA employee shall be of good moral character and be worthy to instruct or supervise the youth of this state, as applicable.
- Standard 1.11. An IDEA employee shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.
- Standard 1.12. An IDEA employee shall refrain from the illegal use, abuse, or distribution of controlled substances, prescription drugs, and toxic inhalants.
- Standard 1.13. An IDEA employee shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities.
- Standard 1.14. An IDEA employee shall not assist another educator, school employee, contractor, or agent in obtaining a new job as an educator or in a school, apart from the routine transmission of administrative and personnel files, if the educator knows or has probable cause to believe that such person engaged in sexual misconduct regarding a minor or student in violation of the law.

### **Ethical Conduct Toward Professional Colleagues**

- Standard 2.1. An IDEA employee shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
- Standard 2.2. An IDEA employee shall not harm others by knowingly making false statements about a colleague or the IDEA Public Schools system.
- Standard 2.3. An IDEA 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. An IDEA employee shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.
- Standard 2.5. An IDEA employee shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.
- Standard 2.6. An IDEA employee shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
- Standard 2.7. An IDEA employee shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation or proceeding under applicable laws or regulations.
- Standard 2.8. An IDEA employee shall not intentionally or knowingly subject a colleague to sexual harassment.

### **Ethical Conduct Toward Students**

- Standard 3.1. An IDEA employee shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.
- Standard 3.2. An IDEA employee shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.
- Standard 3.3. An IDEA employee shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.
- Standard 3.4. An IDEA employee shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.
- Standard 3.5. An IDEA employee shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.
- Standard 3.6. An IDEA employee shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.
- Standard 3.7. An IDEA employee shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the employee is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the employee is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.
- Standard 3.8. An IDEA employee shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.
- Standard 3.9. An IDEA 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:



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

## 6.4 Financial Ethics

IDEA 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 IDEA.

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

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

Any person who suspects fraud or financial impropriety shall report the suspicions immediately to any performance manager, the Superintendent or designee, the Board President, or local law enforcement. Reports of suspected fraud or financial impropriety will be treated as confidential to the extent permitted by law. Limited disclosure may be necessary to complete a full investigation or to comply with law. All employees involved in an investigation shall be advised to keep information about the investigation confidential.

Neither the Board of Directors nor any IDEA 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, CEO, 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.

## 6.5 Fraud, Dishonesty, and False Statements

No employee or applicant may ever falsify any application, medical history record, student paperwork, employee paperwork, time sheet, timecard, investigative questionnaires or any other document. Any employee found to have engaged in résumé fraud, or who made material misrepresentations or omissions on their employment application, will

be subject to immediate termination of employment. Violations of this policy should be immediately reported to the appropriate supervisor.

## **6.6 Unacceptable Employee Conduct**

Employees are expected to follow all laws, policies, regulations, terms and conditions of employment and directives of IDEA. IDEA 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 IDEA.

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. Creating, producing, distributing, sharing, or showing to others by electronic means a deep fake image or video that appears to depict a person (including but not limited to an IDEA student or employee) with the person's intimate parts exposed or engaged in sexual conduct.
5. Dishonest, immoral, or illegal conduct while on duty and/or on school property that would tend to bring discredit to IDEA.
6. Dishonesty, falsification, or misrepresentation on an application for employment or other work records; falsifying reasons for leave of absence or other data requested by IDEA and/or alteration of IDEA's records or documents.
7. Disrupting the work environment.
8. Engaging in or soliciting a romantic, sexual, or otherwise inappropriate relationship with a student, regardless of whether the relationship is consensual.
9. Engaging in an act of sabotage; willful or with negligence causing the destruction or damage of IDEA property, or the property of fellow employees, volunteers, contractors, or visitors, in any manner.
10. Engaging in discrimination, harassment, or retaliation in any form.
11. Engaging in inappropriate electronic communications with students, as described in Section 10.10 of this handbook.
12. 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.
13. Engaging in rudeness, disrespectful, or unprofessional behavior toward scholars, employees, parents, and school contractors or vendors.
14. Excessive absenteeism or tardiness.
15. Fighting or threatening violence toward anyone on IDEA property or when representing IDEA, including "horseplay", or provoking a fight between others.
16. Giving to other schools, organizations, or persons information made confidential by law and/or proprietary IDEA information that is obtained from IDEA's files or records in the course of employment.
17. Giving to other schools, organizations, or persons information relating to IDEA employees and/or students that is obtained from IDEA's files or records in the course of employment.
18. Insubordination or other disrespectful conduct (including refusal to follow the lawful directives of a performance manager or the Superintendent).
19. Intoxication or being under the influence of controlled substances while at work or representing IDEA.
20. Negligence or any careless action that endangers the life or safety of another person, or damage to or destruction of IDEA property or property belonging to another person.
21. Possession of firearms, weapons, or explosives on IDEA property, while on duty or while representing IDEA.
22. 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.

23. The use, possession, or sale of a controlled substance, alcohol, or tobacco as further described in Section 6.6, Section 6.8, and Section 6.9 of this Handbook.
24. Theft of IDEA-owned property or the property of fellow employees, students, contractors or visitors.
25. Threatening, intimidating, or coercing fellow employees on or off IDEA property, at any time, for any reason.
26. Unauthorized possession or removal of any IDEA property, including documents, from the premises without prior permission from a performance manager.
27. Unauthorized use of IDEA equipment or property, including using such equipment for personal use or profit.
28. Unsatisfactory performance or conduct.
29. Violations of IDEA's expectations for employee conduct, including but not limited to those set out in Parts 6.2, 6.3, and 6.4 of this handbook, or as otherwise distributed to employees by IDEA. Additionally, educators must adhere to the Professional Code of Ethics and Standard Practices for Texas Educators as set forth at 19 Tex. Admin. Code § 247.2.
30. Violations of IDEA's policy on the use of artificial intelligence in school, as set out in Section 10.3 of this handbook.
31. Violations of the standards for employee use of IDEA's technology and information resources as set out in Part 10 of this handbook, or as otherwise distributed to employees by IDEA.
32. Violation of the rules affecting the health and safety of students and the efforts of IDEA to operate efficiently and effectively.
33. Failure to report child abuse or neglect as required by Chapter 261 of the Texas Family Code.

## 6.7 School Investigations

When IDEA 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, IDEA 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.

## 6.8 Alcohol and Drug-Free Workplace Requirements

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

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

IDEA explicitly prohibits:

- The unlawful manufacture, distribution, dispensation, possession, or use of narcotics or other illegal drugs, alcohol, or prescription medication without a prescription on IDEA premises or while attending an IDEA-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 IDEA's reputation.

- Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from IDEA property, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or others, or puts at risk IDEA's reputation.
- The presence of any detectable amount of prohibited substances in the employee's system while at work, on IDEA property, or while attending a school-sponsored or school-related activity. "Prohibited substances" include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to the employee.

Employees who violate this policy are subject to employment consequences, 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.

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.

As a condition of employment with IDEA, each employee shall abide by the terms of the requirements and prohibitions set out in this statement and shall notify IDEA 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, IDEA 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.

IDEA will conduct drug and/or alcohol testing under any of the following circumstances:

### **For-Cause Testing**

IDEA 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.

An employee who refuses to comply with a directive to submit to testing based upon reasonable suspicion shall be subject to disciplinary action, up to and including termination.

### **Random Testing**

IDEA may conduct random drug and alcohol testing of employees in safety-sensitive positions to further IDEA's interest in ensuring the physical safety of students, school employees, and the community.

Testing procedures shall be minimally invasive. For purposes of such testing, safety-sensitive positions shall not be limited to, but shall include positions in which an employee:

- Drives an IDEA vehicle;
- Transports students in IDEA vehicles; and
- Performs manual trades or handles potentially dangerous machinery or hazardous substances in an environment that may be occupied by a large number of students or staff.

An employee will not be requested to undergo random testing on more than two occasions during a school year.

### **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**

IDEA may perform pre-employment drug or alcohol testing after a conditional offer of employment is made and accepted.

### **Employees Assigned Driving Duties**

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 the Human Resources department. The Transportation Department handbook policies supersede policies stated in this text.

## **6.9 Tobacco Products and Electronic Cigarettes**

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

For purposes of this policy, "e-cigarette" means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the

individual inhaling from the device. This also includes any and all vapors, inhalants, electronic cigarette devices or other devices or paraphernalia used with vapors, other inhalants or chemicals.

All personnel shall enforce this policy on IDEA property.

## **6.10 Weapon & Firearms Possession**

Texas Penal Code section 46.03 prohibits firearms, illegal knives, clubs, or any prohibited weapon on the physical premises of a school, any grounds or building on which an activity sponsored by a school is being conducted, or school transportation vehicle. Furthermore, IDEA strictly prohibits any and all employees from carrying firearms, with the exception of authorized and trained security personnel hired or contracted by IDEA Public Schools. Any violation of this policy by an IDEA 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 performance manager.

## **6.11 Inspections and Searches**

IDEA reserves the right to conduct searches to monitor compliance with rules concerning safety of employees, security of IDEA and personal 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, IDEA 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, IDEA 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 workplace, either on IDEA property or elsewhere while on duty. In general, employees should assume that what they do while on duty or on IDEA 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, IDEA 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 IDEA 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 IDEA 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 circumstance suggesting to a reasonable person that there is a possibility that one or more individuals may be in possession of a prohibited item as identified above. Any search under this policy will be conducted in a manner protecting employee privacy, confidentiality, and personal dignity to the greatest extent possible. IDEA 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 requested by IDEA will face disciplinary action, up to and including immediate termination of employment.

Employees who are found to be in possession of prohibited materials in violation of this policy or in violation of other IDEA policies contained in this handbook, will be subject to discipline, up to and including termination.

## 6.12 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. **Please note that as an educator, you have a duty to report to CPS directly. Making a report to your manager, a campus administrator, or regional leader does not relieve you of your required duty to report within 48 hours 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, IDEA 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. *An employee who fails to report to CPS within 48 hours of the incident will be subject to disciplinary action up to and including termination.*

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the school Principal. This includes students with disabilities who are no longer minors. *Employees are not required to report their concerns 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**

IDEA 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 "Child Abuse and Neglect Reporting" above.

### **Employee Training**

IDEA 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 sexual abuse, sex trafficking, and all other maltreatment of children.

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

Any computer technician employed by IDEA who, in the course and scope of employment or business with IDEA, 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 Tip-line at the National Center for Missing and Exploited Children and the Human Resources department. The report must include the name and address of the owner or person claiming the 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.

## **6.13 Non-Fraternization**

While IDEA encourages amicable relationships between members of management and their subordinates, it recognizes that involvement in a romantic relationship may compromise or create a perception that compromises a member of management's ability to perform his or her job. Any involvement of a romantic nature between an IDEA manager and anyone he or she supervises, either directly or indirectly, is prohibited. Violation of this policy will lead to corrective action up to and including termination of the management individual involved in the relationship.

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 performance management relationship. IDEA will, at its discretion, attempt to identify other available positions, and allow one or both of such employees to apply for reassignment, or IDEA may reassign the employees at its discretion. If no alternate position is available, IDEA may terminate either of the employees at its discretion.

If two employees start dating, they are required to inform Human Resources so that a determination can be made if there is any potential conflict of interest or violation to any of the stated policies within this handbook. In other cases where a conflict or the potential for conflict arises between an employee and another employee, even if there is no professional performance management responsibility involved, the parties may be separated by reassignment to another position or terminated from employment, at the discretion of IDEA.

Under no circumstances should a manager supervise a relative or someone they are dating as a direct report

(regardless of first-, second-, or third-degree relationship as stated in this handbook). All IDEA employees must also comply with this [Nepotism in Hiring Policy](#) at all times.

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

IDEA prohibits discrimination, including harassment, of a co-worker based upon race, color, national origin, religion, sex, disability, veteran status, age, genetic information, or any other basis prohibited by law. IDEA also prohibits retaliation against anyone involved in the complaint process. 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 becomes unlawful where:

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

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

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

1. The harasser can be the victim's manager, a manager 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**

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

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

### **Reporting Procedures**

**NOTE: IDEA's process for making formal complaints regarding sexual harassment is discussed in "Sexual Harassment Prohibited," Section 6.15 of this Handbook.**

IDEA takes allegations of harassment and discrimination very seriously and intends to investigate all official

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

- In the event you feel you are a victim of harassment, you should notify your performance manager and Human Resources immediately at [hremployeerelations@ideapublicschools.org](mailto:hremployeerelations@ideapublicschools.org).
- Any IDEA employee who receives a report of suspected harassment or discrimination is expected to immediately contact Human Resources Department at [hremployeerelations@ideapublicschools.org](mailto:hremployeerelations@ideapublicschools.org)
- Complaints will be handled in a timely manner.

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

Any manager who receives a report of discrimination or harassment shall immediately notify Human Resources and take any other steps required by IDEA.

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

If the results of an investigation indicate that prohibited conduct occurred, IDEA shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct and to end any harassment and to deter future harassment. IDEA may also act based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

To the greatest extent possible, IDEA 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 IDEA must respond accordingly. However, limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

An employee who is dissatisfied with the outcome of the investigation may appeal through the "Process for Filing General Employee Complaints and Grievances" outlined in Section 8.1 of this Handbook, beginning at Level Three.

IDEA 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.

## **6.15 Sexual Harassment Prohibited**

IDEA 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 of IDEA 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 IDEA's education program or activity; or
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 IDEA 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 IDEA's educational program or activity without unreasonably burdening either party, including measures designed to protect the safety of all parties or IDEA'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 Section 2.1 of this Handbook, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time, including during non-business hours, by using the telephone number or email address, or by mail to the office address listed for the Title IX Coordinator.

IDEA'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, IDEA must provide the following written notice to the parties who are known:

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

If, during an investigation, IDEA decides to investigate allegations about the complaint or respondent that are not included in the initial notice of the complaint, IDEA 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 IDEA.

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

- IDEA 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 IDEA as a Title IX Coordinator, investigator, decision-maker, or to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. IDEA 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 IDEA's sexual harassment policy.
- IDEA 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.
- IDEA shall attempt to complete an investigation of reported sexual harassment within 90 calendar days of receiving a complaint. However, the investigation process may be delayed or extended for a limited time for good cause with written notice to the complainant and the respondent of the delay or extension. Good cause may include considerations such as absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- Employees found to have engaged in sexual harassment are subject to disciplinary consequences, which

range from a verbal warning to termination of employment, as allowed under IDEA's standards for employee conduct.

- IDEA shall employ the preponderance of the evidence standard to determine responsibility when reviewing formal complaints.
- IDEA 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**

IDEA 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**

Upon receipt of a formal complaint, the Title IX Coordinator or designee shall determine whether the allegations, if proven, would constitute sexual harassment as defined by Title IX.

IDEA 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 IDEA's education program or activity; or
- Did not occur against a person in the United States.

IDEA 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 IDEA; or
- Specific circumstances prevent IDEA from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, IDEA 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 IDEA from conducting an investigation under the school's policy concerning non-sexual harassment discrimination or any other 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.

- IDEA will ensure the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on IDEA and not on the parties.
- IDEA 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 IDEA receives that party's voluntary, written consent to do so.
- IDEA will provide an equal opportunity for the parties to present witnesses, including fact and expert

witnesses, and other inculpatory and exculpatory evidence.

- IDEA will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- IDEA 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. IDEA 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.
- IDEA 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.
- IDEA 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, IDEA 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.
- IDEA 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 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 IDEA's Code of Conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to IDEA's education program or activities will be provided to the complainant; and
- IDEA's procedures and permissible bases for the complainant and respondent to appeal.

IDEA must provide the written determination to the parties simultaneously. The determination becomes final either on the date IDEA 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**

IDEA will offer both parties an appeal from a determination regarding responsibility, and from IDEA'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, IDEA 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. IDEA will provide both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome.

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

A party who is dissatisfied with the appeal decision may file an appeal to the Superintendent through the process outlined in IDEA's grievance procedures.

### **Emergency Removals**

IDEA is able to remove a respondent from IDEA's education program on an emergency basis, provided that IDEA 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. IDEA'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, IDEA may facilitate an informal resolution

process, such as mediation, that does not involve a full investigation and adjudication. However, IDEA 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, IDEA 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, IDEA 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.

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

### **Retaliation Prohibited**

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

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

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

### **Confidentiality**

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

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

The formal complaint investigation and resolution process outlined above in this Section 6.15 applies only to formal complaints alleging sexual harassment as defined by Title IX, but not to complaints alleging sex discrimination that do not constitute sexual harassment. Complaints of non-sexual harassment sex discrimination may be filed with the Title IX Coordinator and will be handled under the process described in Section 6.14 of this Handbook.

## **6.16 Bullying**

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

Bullying means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

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

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

IDEA'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 IDEA'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 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. IDEA may take action based on the results of an investigation, even if the school concludes that the conduct did not rise to the level of bullying under this policy.

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

The principal or designee may make a report to local law enforcement authorities if, after an investigation is completed, the principal or designee has reasonable grounds to believe that a student engaged in conduct that constitutes an offense under Section 22.01 (Assault) or 42.07(a)(7) (Harassment) of the Texas Penal Code.

## 6.17 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 in limited circumstances described below. Regardless of specific HIPAA applicability 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 under certain circumstances for students and employees described below.

### ***HIPAA Applicability to Student Information***

HIPAA rules apply to electronic transactions for payment as Medicaid providers in the SHARS Program. Any processing of Medicaid and other medical claims for third parties may require IDEA to be considered a health care clearinghouse for purposes of HIPAA. Student PHI in school records is covered by the Family Educational Rights and Privacy Act (FERPA).

### ***HIPAA Applicability to Employee Information***

IDEA may be a covered entity under HIPAA as a health plan when self-insured for employee insurance. HIPAA does not apply to information held by an employer about an employee. There are other laws that protect employee information.

## 6.18 Visitors in Workplace

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

IDEA may establish an electronic database for the purpose of storing information concerning school visitors. Such

database may only be used for purposes of school security and may not be sold or otherwise disseminated to a third party for any purpose. IDEA 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 IDEA.

## 6.19 Standards for Children Visiting Staff Workspaces

We recognize that many IDEA employees choose to enroll their own children in the IDEA system. We sincerely appreciate the trust our employees place in us to educate their children and welcome a sense of family and community in our schools.

However, children of employees *are not* permitted to “visit” their parents’ classroom or work area during the workday without permission from a Principal or other campus administrator. This includes visits during passing periods, lunch periods, or other times during the instructional day.

Employees also are not permitted to “visit” their child’s classroom or other school activities during their designated work hours, absent permission from a Principal or other campus administrator. Additionally, employees may not leave their assigned students unsupervised or unattended in order to visit their own child.

Enrollment of an employee’s child may not disrupt the work environment or negatively affect the productivity of the employee whose child is enrolled in IDEA.

Violations of these protocols will lead to disciplinary consequences, up to and including separation from employment.

## 6.20 Records Retention

Current and former employees are considered temporary custodians of IDEA 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 IDEA. 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.

## 6.21 Copyrighted Materials

Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos,

computer data and programs, etc.). Electronic media, including motion pictures and other audiovisual works, are to be used in the classroom for 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.

## **6.22 Work Product**

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 IDEA shall be considered the property of IDEA. 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 IDEA, including any copyright, patent or trademark or application thereof. Employees hereby assign and transfer to IDEA all rights, 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 IDEA’s opinion may be necessary or desirable to secure IDEA’s full enjoyment of all right, title interest and properties herein assigned. Employees agree not to charge IDEA for use of their copyrighted, trademarked and patented material.

## **6.23 Proprietary Information**

Proprietary information includes all information relating in any manner to the business of IDEA and its schools, students, parents, consultants, customers, clients, and business associates obtained by IDEA employees during the course of their work. Occasionally, in the service of IDEA’s mission, IDEA 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 IDEA documents, that employee should direct the request to Headquarters or seek approval from IDEA’s President before disseminating documents. Employees who improperly share or disclose proprietary information belonging to IDEA are subject to appropriate disciplinary action, up to and including termination. This does not include disclosure of otherwise proprietary information in accordance with the Texas Public Information Act or other applicable law or regulation.

## **6.24 Confidential Information**

Confidential information is any information regarding IDEA and its employees, students, and agents that is not known generally to the public. For example, student lists, student cumulative files, student health files, student Individual Education Plans, personnel files, computer records, financial and marketing data, and research plans are considered confidential in nature. In addition, in the case of student information, federal law provides that information may not be disseminated except under certain limited conditions. Employees who obtain access to such confidential information as part of their employment are expected to maintain the confidentiality of this information to the extent required by law and applicable policy. Employees will be subject to appropriate disciplinary action, up to and including termination, for knowingly or unknowingly revealing information of a confidential nature that is obtained during the course of employment. This does not include disclosure of otherwise confidential business information or trade secrets in accordance with the Texas Public Information Act or other applicable federal or state law.

## **6.25 Personal Expression / Dress Code**

As employees of a public school system, IDEA employees should be mindful that their workspaces are often visible

to others. This applies to all workplace décor, posters, signs, banners, flags, photographs, souvenirs or any other item an employee displays in their workspace. Teachers, in particular, should consider their classrooms, their walls, their desks and any other work areas to be extensions of IDEA's curriculum and what they are responsible for teaching. Items that are not an extension of the curriculum cannot be displayed.

IDEA employees are permitted to incorporate reasonable items of personal expression into their workplace attire, provided they remain in compliance with IDEA's staff dress code. Wearable items include jewelry, socks, and lapel pins.

Displays of personal expression that include hate speech, endorsement of illegal activity, drugs, alcohol, gangs or violence, sexually explicit imagery or language, or any reference to political candidates, parties, or measures are prohibited in both employee attire and workspace décor. Furthermore, employees are also not permitted to wear or display items that are likely to cause distractions or disruptions in the work and school environment. If displays of personal expression in employee dress or workspace/classroom décor, or body modifications such as tattoos, interfere with school operations or student learning, IDEA reserves the right to direct employees to remove displays of personal expression.

We endeavor to maintain a pleasant, healthy, and professional working environment always and dress for success at IDEA! The dress and grooming of IDEA's employees shall be clean, neat, in a professional manner appropriate for their assignments. Dressing for success helps model behaviors expected of our students and helps to foster academics, prevent disruption, avoid safety hazards, provide a socially safe, secure, and stable school climate. The appearance of ALL staff reflects the high standards and culture of our schools.

IDEA's dress and grooming policy does not discriminate on the basis of an employee's hair texture or protective hairstyle commonly or historically associated with race. Hair is to be kept in a fashion that does not pose a health or safety risk to others. Hairstyles considered by the school administration to be distracting and/or disruptive to the educational environment are prohibited. In addition, hair symbols and/or styles which are identified with inappropriate advertising or statements that are offensive or inflammatory are prohibited. This prohibition includes, but is not limited to, alcoholic beverages, profanity, sex, tobacco, drugs, gangs, guns and other weapons, excessively violent or gory imagery, and the promotion of violence.

Dress for the week:

- Staff ID cards are to be always worn in a visible location while at an IDEA Location.
- Staff may wear business casual, as defined below, or a student uniform if preferred.
- For campus instructional staff and leaders, jeans should not be worn, except on Fridays.
- Spirit, college, or IDEA shirts may be worn on Fridays.
- Head Coverings - Head coverings that honor religions and/or culture and hats or head coverings necessitated by a medical issue are permitted.

Business Casual is defined as:

- Dress shirts, blouses, and polo shirts
- Slacks or dress pants
- Skirts and dresses
- Blazers and cardigans

Dress and athletic shoes are allowed

Unallowable clothing:

- Strapless, halter or spaghetti strap tops/dresses
- Shorts (Coaches are allowed to wear athletic attire)
- T-shirts with logos or advertising, other than IDEA
- Sheer, transparent fabric or fabric with holes
- Clothes that reveal cleavage, stomach, back, or thighs are not acceptable
- Flip-flops

Additional role-specific guidelines are available from the following functional teams directly:

- CNP (Child Nutrition Program)
- Transportation
- Facilities
- Health Services



## 6.26 Social Media

IDEA has policies that govern use of its own electronic communication systems, equipment, and resources which employees must follow. 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 professional and ethical conduct expected of IDEA employees. Inappropriate communications, even if made on one's own time using one's own resources, may be grounds for disciplinary actions up to and including termination. 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, or engage in online gaming activities with them, unless you have an appropriate out-of-school relationship with the student, such as a family relationship, church affiliation, scouts, or other activity that would be appropriate for such informal communications.
3. Do not create a link from your blog, website, or other social networking site to an IDEA website without identifying yourself as an IDEA employee.
4. Do not infringe on IDEA's logos, taglines, slogans, trademarks, or other symbols.
5. Employees may not create private social media groups that involve use or display of IDEA's logo or proprietary information.
6. Employees may not set up or update a personal social network page using IDEA's computers, network, or equipment.
7. Employees shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and/or videos to breaks, mealtimes, and before and after scheduled work hours, unless there is an emergency, or the use is authorized by a performance manager to conduct school business.
8. Harassing, obscene, defamatory, threatening, or other offensive content must be avoided.
9. Maintain the confidentiality of IDEA trade secrets and private or confidential information concerning IDEA employees, students, and/or agents that is obtained from IDEA's files or records in the course of employment. Do not post internal reports or other business-related confidential communications.
10. Respect all copyright and other intellectual property laws. For IDEA'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 IDEA's own copyrights, trademarks, and brands.

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

## 6.27 Student Issues

### Non-Discrimination

IDEA does not discriminate on the basis of race, religion, color, national origin, sex, disability, academic, artistic, or athletic ability, , 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.

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 IDEA 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.

IDEA 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 IDEA 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.

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

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

### **Student Records**

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 Federal Educational Rights and Privacy Act ("FERPA"). Employees will often learn personal information about students and their families in the course of employment with IDEA. Employees are not to discuss students or their families, their conduct, their academic achievement or academic failings or personal information with anyone unless the employee needs to share the information with another employee or someone working with IDEA for a reason related to the child's education or compelled by law enforcement or a lawfully executed subpoena after consultation with a manager, who in turn shall consult with IDEA's legal counsel.

### **Administration of Medication and Unauthorized Food & Drink**

Unless otherwise authorized or described below, school employees and volunteers are prohibited from administering medications and serving unauthorized food and drink 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 to the school by a parent along with a written request. The medication must also be in the original and properly labelled container.
- Prescription medications administered during school hours must be prescribed by a physician or advanced nurse practitioner (“ANP”) and filled by a pharmacist licensed in the State of Texas.
- Prescription medications must be submitted in a labeled container 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, the school 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 & Psychiatric Evaluations or Examinations**

No school 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.

### **Notification to Parents Regarding Qualifications**

In schools receiving Title I funds, IDEA 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 IDEA provide to the parent or guardian of each enrolled student written notice of the professional qualifications of the student’s classroom teachers. IDEA will also provide this information upon request from a parent.

## 6.28 Solicitation and Distribution

Employees are prohibited from soliciting other employees or distributing promotional materials on IDEA property. This includes commercial advertisements or sales for personal profit.

Employees may not sell, market, or distribute dietary supplements containing performance-enhancing compounds to students, nor endorse or suggest their use. However, employees

can provide or endorse dietary supplements to their own children or in activities completely separate from their employment with IDEA and not involving IDEA students.

# PART 7. GENERAL PROCEDURES

## 7.1 Work Cancellation Days

When a state of emergency is imminent or has been declared, the Superintendent or designee shall notify all employees through communication channels of such a declaration. Even if a public announcement of closures or suspension of services is issued, no one shall be excused from work until the Superintendent authorizes employees to leave through designated administrators. Employees must return to work in accordance with notification by the Superintendent or designee, as provided herein.

During an emergency closure, all employees shall continue to be paid for their regular duty schedule unless otherwise provided by Board action.

After authorization by resolution or other Board action and in accordance with such authorization, employees who are required to work during an emergency closing for a disaster, as declared by a federal, state, or local official or the Board, shall be paid either a hardship stipend or paid at the rate of one and one-half times their regular rate of pay for all hours worked up to 40 hours per week.

## 7.2 Security and Emergency Procedures

IDEA is committed to providing a safe environment for both employees and students. IDEA has numerous safety procedures in place, including sign-in procedures requiring visitors to sign in and out at the schools. In addition, all employees are required to submit to and pass a criminal background check.

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

- Observe all safety rules.
- Always keep work areas clean and orderly.
- Immediately report all accidents to your performance manager.
- Operate equipment or machines only for which you have training and authorization.

Employees should report any threats made by a student, rumors of violence or criminal type activities to the principal or nearest available campus administrator. Everyone is expected to report any real or perceived safety or security-related observations.

IDEA has developed procedures and forms for various types of security and emergency-related issues including:

- Lockdown drill procedures
- Reporting serious incidents
- Employee accident/injury reporting
- Preparing for and responding to severe weather issues

These procedures and forms have been provided to campus administrators. All related incidents/accidents will be reported immediately to the principal or Assistant Principal of Operations.

Additionally, Risk Management monitors insurance-related issues, works with the insurance provider to resolve claims, and conducts periodic safety audits.

All employees should become familiar with the evacuation diagrams posted in their area. Fire, tornado, and other emergency drills will be conducted to help familiarize employees and students with evacuation procedures. Fire extinguishers are located throughout all IDEA buildings. Employees should be familiar with how to use them and the location of the extinguishers nearest their place of work.

Employees should be aware that IDEA does not assume any liability for damages or loss to personally owned vehicles parked in IDEA parking spaces unless it involves an IDEA-owned vehicle. As such, any related incidents should be reported to the appropriate law enforcement agency.

Employees with questions or concerns relating to safety programs and issues can contact their Regional Director of Operations.

### **7.3 Hazard Communication Act**

IDEA is concerned about the safety of all employees, and therefore will perform the following duties in compliance with the Texas Hazard Communication Act:

- Post and maintain the notice promulgated by the Texas Department of State Health Services (“TDSHS”) in the workplace.
- Provide an education and training program for employees using or handling hazardous chemicals under normal operating conditions or foreseeable emergencies.
- Maintain the written hazard communication program and a record of each training session to employees, including the date, a roster of the employees who attend, the subjects covered in the training session, and the names of the instructors. Records will be maintained for at least five years.
- Compile and maintain a workplace chemical list that includes required information for each hazardous chemical normally present in the workplace or temporary workplace in excess of 55 gallons or 500 pounds,

or as determined by the TDSHS for certain highly toxic or dangerous hazardous chemicals. The list will be readily available to employees and their representatives.

- Update the list as necessary, but at least by December 31st 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; and make such sheets readily available to employees or their representatives on request.
- Provide employees with appropriate personal protective equipment.

The Facilities department 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.

## **7.4 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. Employers may not reveal this information without the employee's knowledge and written consent, except as provided by law. Those with access to confidential information must maintain strict confidentiality and privacy, separating this information from employees' personnel records. Individuals who fail to protect these rights commit a serious offense, which may be cause for litigation resulting in both civil and criminal penalties and may result in disciplinary action, up to and including termination.

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

## **7.5 Asbestos Management Plan**

On October 22, 1986, Congress promulgated the Asbestos Hazard Emergency Response Act (AHERA), Public Law 99-519 (40 CFR 763 Subpart E), which requires schools to annually notify parents, legal guardians, students, school staff, employees, and workers of the availability of the schools' Asbestos Management Plan. We here at IDEA Public Schools willfully comply with the AHERA requirement because of our commitment to the well-being of your children, our employees, and our visitors.

Should you have any questions regarding the Asbestos Management Plan, please contact the Assistant Director of Facilities and Construction.

## **7.6 Workplace Violence Prevention**

IDEA is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, IDEA 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 performance managers and temporary employees, should always be treated with courtesy and respect. 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 performance manager 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 performance manager. Do not attempt to interfere in a disturbance unless it is reasonably safe to do so.

IDEA 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, IDEA 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.

## **7.7 IDEA Property and Purchases Made with IDEA Funds**

All employees are responsible for taking proper care of IDEA-owned property, including vehicles, buildings, furnishings, equipment, tools, and supplies. Proper care and maintenance of IDEA-owned vehicles is also required. Employees must return all IDEA-owned property that is in their possession or control in the event of termination of employment, resignation, or layoff, immediately upon request.

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



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

All requests for purchases must be submitted to the Business Office on an official requisition form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for IDEA can be made without a Purchase Order issued by the Business Office. IDEA will not reimburse employees or assume responsibility for purchases made without authorization. Additionally, employees are not permitted to purchase supplies or equipment for personal use through IDEA's purchasing procedures. Only those administrators designated by the Board may sign contracts or negotiate grants on behalf of IDEA.

## **7.8 IDEA Vehicle Policy**

IDEA provides a limited number of company vehicles, other than buses, for designated IDEA personnel and school purposes.

No employee will be allowed to use an IDEA vehicle without a valid Texas Driver's License, insurance coverage with minimum state requirements, and White Fleet Certification. Drivers of IDEA vehicles must be 21 years of age. Under no circumstances will IDEA vehicles be used for personal business.

A request to use an IDEA vehicle must be coordinated with the Transportation department. Transportation will keep a log of all usage. Vehicle reservations are dependent on availability and are not guaranteed. Employees should make reservations at least seven days before the date the vehicle is needed. All vehicle usage will be granted on a "first-come, first-served" basis. All cancellations must be made 24 hours prior to the reservation date.

Vehicles are housed at IDEA locations and cannot be taken home by employees unless pre-approved. All possessions and trash must be removed from the IDEA vehicle prior to returning it.

The Transportation department will be responsible for the scheduling of routine maintenance and cleaning of these vehicles. All IDEA employees who utilize an IDEA vehicle shall report any mechanical or cosmetic concerns to the Transportation department.

When IDEA employees are assigned to attend out-of-town workshops or to fulfill other school-related responsibilities, every attempt will be made to secure a suitable IDEA vehicle or rental vehicle using the agency's booking tool for those employees.

If no IDEA or rental vehicle is available, approval may be given by the Concur Team for a personal car to be used, and reimbursement will be made using IDEA's Mileage Reimbursement Policy. Employees conducting school-related business in their personal vehicles are expected to be in compliance with all state laws related to vehicle insurance coverage requirements. If involved in an accident while on school-related business, personal vehicle insurance takes precedence.

All vehicle accidents and/or emergencies must be reported to the Transportation and Risk Management Department as soon as possible. All traffic violations incurred through the use of an IDEA-provided vehicle and/or a personal vehicle while on school-related business are the financial responsibility of the employee.

Except in limited emergency situations, IDEA employees are not authorized to transport students in the



employee's personal vehicle. Violations of this policy may lead to disciplinary consequences, up to and including termination.

## PART 8. COMPLAINTS AND GRIEVANCES

### 8.1 Process for Filing General Employee Complaints and Grievances

In an effort to resolve employee concerns or complaints in a timely manner and at the lowest administrative level possible, the IDEA Public Schools Board of Directors have adopted an orderly grievance process.

The formal grievance process provides all employees with an opportunity to be heard by the Board of Trustees if they are dissatisfied with the administration's response to the grievance. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the Board of Trustees through the procedures outlined in the grievance process.

Employees are encouraged to discuss their concerns and complaints through informal conferences with their performance manager, or other appropriate administrator. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process by timely filing a formal grievance. Even after initiating the formal grievance process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal grievance at any time. The process described in the policy 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.

For additional information regarding filing of grievance and grievance process please reference [IDEA Complaints and Grievance Board Policy \(General\)](#).

#### **Freedom from Retaliation**

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

### 8.2 Whistleblower Complaints

The Texas Whistleblower Act ("TWA") protects employees who make good faith reports of violations of law by IDEA or another employee to an appropriate law enforcement authority. IDEA 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 can submit an anonymous report via [www.lighthouse-services.com/ideapublicschools](http://www.lighthouse-services.com/ideapublicschools) or can call our dedicated anonymous toll-free phone number at,

- 833-380-1041 (English)
- 800-216-1288 (Spanish)

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

Following receipt of a whistleblower complaint, the Superintendent or designee will conduct an investigation and issue a written response to the complaint. An employee who is dissatisfied with the outcome of the investigation may file an appeal to the Board of Directors through the General Employee Complaints and Grievances process described in Section 8.1 of this handbook, beginning at Level Four.

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

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

## **PART 9. SEPARATION FROM EMPLOYMENT**

### **9.1 Terminations**

An employee may be terminated involuntarily for reasons that may include, but are not limited to, poor performance, misconduct, or other violations of IDEA policies or rules of conduct. Notwithstanding these lists of rules, IDEA reserves the right to discharge or demote any employee if it is deemed to be in the best interest of IDEA.

#### **Reports Concerning Court-Ordered Withholding**

IDEA is required to report the termination of employees who 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.

### **9.2 Resignations**

Contracted and at-will employees are encouraged to provide at least 14 days' written notice of resignation to the employee's manager and Human Resources. Employees forfeit all accumulated local leave on the last day of employment with IDEA.

### **9.3 Job Abandonment**

Employees who fail to report to work without notice to, or approval by, their performance manager for three

consecutive workdays (unless prevented by circumstances beyond the employee's control) may be considered to have voluntarily resigned and/or abandoned employment on the last day worked in accordance with applicable federal and state laws.

## 9.4 Exit Interviews and Procedures

The Human Assets department will attempt to conduct an exit interview with employees who voluntarily leave IDEA. In some cases, an exit interview may occur for employees who involuntarily leave IDEA. The purpose of the exit interview is to gather information about the reason for leaving and to get feedback for making IDEA a better place to work.

Upon separation of employment, whether voluntary or involuntary, all IDEA documents, computer records, and other tangible IDEA property in the employee's possession or control must be returned to IDEA. This includes but is not limited to IDEA-issued laptops and cellular phones. In addition, any and all school supplies purchased with IDEA funds are IDEA property and must be returned to IDEA.

IDEA will provide information on final pay, continuation of benefits, release of information, and procedures for requesting references. Separating employees are asked to provide IDEA with a forwarding address and telephone number.

## 9.5 For Cause Termination

The following are examples of conduct and situations that may constitute "good cause" for termination, but the term is not limited in meaning by this list:

- Accepting an offer for future employment with a competitor of IDEA.
- Assault on an employee or student.
- Conscious misrepresentation of facts to IDEA officials in the conduct of IDEA's business.
- Conviction of a felony or misdemeanor offense involving moral turpitude.
- Drunkenness or excessive use of alcoholic beverages.
- Engaging in any conduct listed in "Unacceptable Employee Conduct," Section 6.6 of this Handbook.
- Engaging in conduct that is disparaging toward IDEA's educational mission or program.
- Engaging in conduct that is threatening, intimidating, disrespectful, or assaultive toward a manager or performance manager, coworker, parent, student, volunteer, or vendor.
- Engaging in conduct that violates the Code of Ethics and Standard Practices for Texas Educators, 19 Tex. Admin. Code § 247.2, as may be amended.
- Engaging in inappropriate communications 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 communications.
- Engaging in or soliciting any inappropriate relationship with a student or minor, including but not limited to engaging in or soliciting a romantic or sexual relationship with a student or minor.
- Failure to comply with reasonable IDEA professional development requirements regarding advanced course work or professional development.
- Failure to fulfill duties or responsibilities as set forth under the terms and conditions of an employment agreement or contract.
- Failure to meet IDEA's standards of professional conduct, including those set in Part 6 of this Handbook.
- Illegal use of drugs, hallucinogens, or other substances regulated by the Texas Controlled Substances Act.
- Immorality, which is conduct that IDEA determines is not in conformity with the accepted moral standards

of the community encompassed by IDEA. Immorality is not confined to sexual matters and includes conduct inconsistent with rectitude or indicative of corruption, indecency, or depravity.

- Incompetence or inefficiency in the performance of required or assigned duties as documented by evaluations, supplemental memoranda, or other written communication from superiors.
- Insubordination or failure to comply with lawful directives of superiors.
- Knowingly falsifying records or documents related to IDEA's activities.
- Making a false statement in an employment application or in information provided by the employee during the hiring process and/or any misrepresentation or omission of requested information.
- Neglect of duties.
- Willful failure to comply with state law, IDEA policies, administrative procedures or regulations.
- Any other reason constituting "good cause" under Texas law or as determined by IDEA.

## 9.6 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 the Regional Director of Human Resources (or National Director of HR if the employee is not affiliated with a specific region) within five calendar days of notice of termination. The Director of Human Resources or designee (e.g., Manager of HR) will schedule and hold a conference within ten business days of the request and shall issue a written decision within ten business days after the conference. A former employee wishing to appeal the written decision may appeal through the "General Employee Complaint Process" outlined in Section 8.1 of this Handbook, beginning at Level Three. Termination decisions will not be deferred pending the outcome of a termination grievance.

# PART 10. TECHNOLOGY AND INFORMATION RESOURCES

## 10.1 Technology Resources

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

IDEA's technology and information resources, including its networks, computer systems, email accounts, devices connected to its networks, and all IDEA-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 IDEA;
- Does not unduly burden IDEA's technology resources;
- Has no adverse effect on job performance or on student academic performance; and
- Is not for commercial or political purposes

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

IDEA 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 IDEA computers or accessing the IDEA 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 IDEA's technology and information resources are required to abide by the provisions of IDEA'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 IT department.

### **Internet Filter**

IDEA 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 IDEA 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 report to the administration any inappropriate Internet sites that are not filtered.

### **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 IDEA 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 IDEA 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**

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

## **10.2 Network Behavior**

Network/Internet users are responsible for their actions in accessing available resources. The following standards

will apply to all users of the Network/Internet:

- The user in whose name a system account is issued will always be responsible for its proper use. Users may not use another person's account.
- The system may not be used for illegal purposes, in support of illegal activities, or for any other activity prohibited by IDEA policy.
- Users may not redistribute copyrighted programs or data without the written permission of the copyright holder or designee. Such permission must be specified in the document or must be obtained directly from the copyright holder or designee in accordance with applicable copyright laws, IDEA policy, and administrative regulations.

Computers are joined to either a student or employee domain for management and inventory. Computers should not be removed from these domains.

### **General Unacceptable Behavior**

While utilizing any portion of the IDEA electronic 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 IT department and senior leadership. The use of the “all staff” group for other purposes must be approved by the IT department prior to sending.
- Attempting to access non-instructional systems, such as student information systems or business systems, without authorization.
- Attempting to circumvent web filtering through proxies or other means.
- Connecting any networkable device (either wired or wireless) to the IDEA network without authorization. The use of a computer or device brought from home to access the network in any way not designated as “guest access.”
- Creating, producing, distributing, sharing, or showing to others by electronic means a deep fake image or video that appears to depict a person (including but not limited to an IDEA student or employee) with the person’s intimate parts exposed or engaged in sexual conduct.
- Displaying, accessing, or sending offensive messages or pictures.
- Engaging in abusive, harassing, insulting, ostracizing, intimidating, or any other online conduct that could be considered bullying and/or damaging to another’s reputation while using any IDEA technology resource, including the use of any website or software used by IDEA.
- Engaging in any conduct potentially constituting “cyberbullying,” which means bullying done through the use of any electronic communication device, including 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. Examples of cyberbullying include, but are not limited to:
  - Creating a social networking site or web page that masquerades as another person’s personal site and using it to embarrass the other person.
  - Making it appear that a person is posting malicious comments about a friend to isolate the person from his or her friends.
  - Posting a person’s personally identifiable information on a site to put the person at greater risk of contact by predators or strangers.
  - Posting abusive comments on someone’s social networking site.
  - Recording and distributing media with the intent to manipulate or embarrass others.
  - Sending abusive comments while playing interactive games.
  - Sending abusive text messages to cell phones, computers, or Internet-connected game consoles.
  - Sending, posting, or sharing negative, harmful, false, or mean content about someone else.
  - Sending, posting, or sharing statements encouraging another person to commit self-harm.

- Engaging in any conduct that damages or modifies, or is intended to damage or modify, any IDEA equipment, network, stored computer file, or software, including but not limited to any conduct that results in a person's time to take any corrective action.
- Engaging in personal attacks, including prejudicial or discriminatory attacks.
- Engaging in sexual harassment or using language of a sexual or otherwise objectionable nature (e.g., racist, terroristic, abusive, threatening, demeaning, slanderous) in public or private messages.
- 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 IDEA Public Schools.
- Installation of any programs or software not approved by IDEA Public Schools.
- 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 IDEA Public Schools.
- Posting information that could cause damage or danger of disruption.
- The intentional sending of messages that are likely to harm the recipient's work or system and any other types of use which could cause congestion of the IDEA 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 IDEA equipment, network, or credentials to threaten other users, or cause a disruption to the educational program.
- Using IDEA's electronic network for commercial purposes, or offering, providing, or purchasing products or services through the network.
- Using IDEA's electronic network for political lobbying.
- Using obscene, profane, lewd, inflammatory, threatening, disrespectful language, or speech that is inappropriate in an educational setting or that otherwise violates IDEA's standards for employee conduct in emails distributed through IDEA's network.

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

### **No Expectation of Privacy**

IDEA email accounts should be used primarily for IDEA-related purposes. Personal use of IDEA 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 (periods comparable to reasonable coffee breaks during the day).

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



IDEA owns any communication sent via email or that is stored on IDEA equipment or its cloud accounts. IDEA employees shall have no expectation of privacy in anything they store, send, or receive on IDEA's email system or computer equipment, or cloud accounts. All communications sent via email or stored on IDEA equipment may also be subject to the Texas Public Information Act. IDEA 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 IDEA employee may access another employee's computer, computer files, or email messages without prior authorization from Human Resources or legal counsel designated to allow access to email accounts.

### 10.3 Use of Artificial Intelligence

Artificial intelligence ("AI") is a system of machine learning that is capable of performing complex and original tasks, such as problem-solving, reasoning, recognizing data patterns, and understanding natural language. AI uses computational power and algorithms to simulate autonomous cognitive decisions. Generative AI refers to the use of computer algorithms to generate original content that mimics human writing styles.

IDEA recognizes that the proper use of AI has the potential to enhance student learning by improving efficiencies, providing creative methods to support learning, and encouraging curiosity and independent research.

IDEA authorizes staff members to utilize and permit students to use AI in an ethical and legal way as a supplemental tool to support classroom instruction and increase educational and learning opportunities. While this technology can be useful for various academic and creative purposes, it is important to note that using generative AI to plagiarize someone else's work is unethical. Moreover, the use of generative AI for purposes of academic cheating, dishonesty, or plagiarism is expressly prohibited under IDEA policy.

When utilizing artificial intelligence ("AI") tools to create or support the creation of text or other work, staff are expected to adhere to the following guidelines:

1. **Use AI responsibly:** Staff should use AI tools and techniques in a responsible and ethical manner. Teachers should delineate the circumstances under which AI tools may be used for classroom activities, while ensuring compliance with relevant laws and regulations pertaining to data security and privacy.
2. **Vetting AI Platforms:** Before allowing students to use an AI platform or tool and before using an AI tool as a resource, employees must ensure that the AI platform has been vetted and approved by IT or IT's designee, or otherwise meets IDEA's standards for use of electronic technology. AI tools must be vetted to determine whether the platform:
  - Is an open or closed environment for purposes of data collection;
  - Includes privacy settings where data resharing can be blocked or otherwise limited;
  - Meets IDEA's standards for student data privacy; and
  - Has safeguards to confirm that accurate and factually correct information can be generated through the platform.
3. **AI Literacy:** It is important to improve AI literacy among students and staff to understand its risks and benefits, and to develop skills for future use. In the classroom, AI tools should only be used for school-related work with prior approval or guidance from a teacher. Teachers should communicate their expectations for student use of AI on assignments in the following ways:
  - **AI Recommended:** AI technology is recommended for use in completing this assignment or project. Students are encouraged to explore AI tools and techniques to enhance their work. Students must properly cite any AI-generated work.
  - **AI Permitted:** AI technology is permitted but not required for completing the assignment or project.

Students can choose to use AI tools and techniques if they believe it will improve their work. Students must properly cite any AI-generated work.

- **AI Restricted:** AI technology cannot be used in completing assignments or projects. Students are expected to complete the work using their own knowledge and skills.
- 4. **Understand AI's limitations:** Staff must recognize that AI has its limits. While it can offer suggestions or aid decision-making, staff and students need to act as discerning users of AI and monitor any organizational and academic decisions. Individuals will bear responsibility and accountability for educational or decision-making processes where AI contributes.
- 5. **Maintain data privacy:** AI should be used in a way that protects personally identifiable information. Staff and students should not share with AI technologies personal information, such as name, birth date, address, or other financial or confidential information. All use of an AI system must comply with the Family Educational Rights and Privacy Act ("FERPA"). Employees **must not** use student names or other personal identifiable information when generating AI prompts or otherwise upload or share personally identifiable information pertaining to students into an AI prompt.
- 6. **Seek guidance:** When uncertain about the appropriateness of using a specific AI tool, staff should consult relevant organizational policies on technology use.
- 7. **Proper attribution:** Student use of an AI tool on schoolwork must be cited as any other source and must not be submitted as the student's original work.

The Superintendent, or designee, may develop separate guidelines requiring parental consent before offering certain AI services to students, especially those in the Academy grade levels.

### **Examples of Responsible Uses of AI**

- **Content Creation and enhancement:** Staff and students can use generative AI to enhance creativity, create personalized study materials, and organize content across various subjects.
- **Instructional Design and Feedback:** AI can assist educators in creating and analyzing assessments, differentiating curricula, customizing lesson plans, and providing individualized feedback, while teachers retain the ultimate responsibility for evaluation and grading.

### **Examples of Prohibited Uses of AI**

- **Harassment and academic dishonesty:** Using AI tools for bullying, harassment, discrimination, impersonation, plagiarism, or cheating is prohibited, and all users must uphold values of respect and academic integrity, ensuring all AI-generated work is properly documented and adheres to our employee code of ethics and student code of conduct.
- **Harmful materials:** IDEA prohibits the use of AI systems to access, create, or display harmful material or content that is disruptive, obscene, sexually explicit, or threatening, or to access, create, or display a deep fake image or video that appears to depict a person (including but not limited to an IDEA student or employee) with the person's intimate parts exposed or engaged in sexual conduct.
- **Reduction of staff agency and accountability:** AI tools should not be used to replace the role of human subject matter experts when completing work, providing instruction, or making decisions.
- **Unlicensed use:** Employees are required to comply with established policies and procedures regarding the procurement and utilization of third-party platforms.

Violations of IDEA's standards for use of AI may lead to limitation or cancellation of privileges with respect to the use of AI platforms, as well as disciplinary action up to and including termination. Improper use may also result in reports to law enforcement authorities.

## 10.4 Use of Third-Party Platforms

On occasion, employees may find it useful to use third-party platforms not belonging to IDEA to assist in the performance of their duties. This includes, but is not limited to, third-party platforms such as Google Docs, Google Classroom, Zoom, or other similar technology solutions.

Before using any third-party software platform or solution that has not previously been sanctioned by IDEA, employees **must obtain written permission from IT** due to security and confidentiality concerns. Employees do not have the authority to enter into service agreements with third-party platforms or to install non-approved software or solutions on IDEA's technology resources. Failure to obtain prior permission may result in disciplinary action, up to and including termination.

## 10.5 System Security

On occasion, IDEA may need to access its 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 IDEA's electronic network, including personal information or messages. IDEA 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 IT 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 are responsible for maintaining their passwords and are required to reset their passwords according to our Security Password Policy. They are also required to maintain the use of 2-factor authentication on all IDEA applications as applicable.

Users will not attempt to gain unauthorized access to any portion of the IDEA 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 IDEA's electronic network or computer system or destroy data

by spreading computer viruses or by any other means.

Users will not attempt to access websites blocked by IDEA policy, including the use of proxy services, software, or websites. Users will not use “sniffing” or remote access technology to monitor the network or other users’ activity.

Users will not attempt to circumvent any of IDEA’s security controls set in place to protect all of IDEA’s data, systems, network, or resources.

## 10.6 Software and Files

Software is available to users to be used as an educational resource or to conduct IDEA business. Users may not install, upload, or download software without permission from the IT department. A user’s account may be limited or terminated if the user intentionally misuses software on any IDEA-owned equipment.

Files stored on the network are treated in the same manner as other school storage areas. Routine maintenance and monitoring of IDEA’s electronic network may lead to the discovery that a user has violated this policy. Users should not expect that files stored on IDEA servers are private. When sharing or storing sensitive information, users must utilize approved network storage devices and applications.

## 10.7 Technology Hardware

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

IDEA may permit the use of personally owned computing devices on its network, at the discretion of IDEA. All “guest” users must comply with administrative regulations governing the use of IDEA’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 IDEA policy.

## 10.8 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 IDEA 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, Dropbox, 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.

### **Incident Management Policy**

Whenever a security incident, such as a virus, worm, hoax email, discovery of hacking tools, altered data, etc., is suspected or confirmed, and the situation is deemed appropriate by IT, the following incident management procedures must be followed:

- Employees are responsible for immediately notifying IT or their performance manager to initiate the appropriate incident management action.
- IT is responsible for determining the physical and electronic extent of the incident and will determine the need for an investigation of the incident.
- The appropriate technical employees from the IT department are responsible for monitoring that the damage from a security incident is repaired or mitigated and that the vulnerability is eliminated or minimized where possible.
- IT or other IDEA administrators will determine if widespread communication is required, the content of the communication, and how to distribute the communication.
- The IT department is responsible for initiating, completing, and documenting the investigation of the incident, and, in the case where law enforcement is not involved, the Chief Information Officer or department manager will recommend disciplinary actions, if appropriate.

### **Damage to Technology Assets**

Employees are responsible at all times for electronic equipment issued by IDEA, and for taking responsible precautions to secure the equipment in such a manner that it will not be subject to theft or damage. Electronic equipment issued to employees may include, but is not limited to, cell phones, computers (desktop or laptop), wireless cards, Bluetooth headsets, projectors, document cameras, digital cameras, video cameras, or any other electronic device issued to an employee for work use.

Damaged, lost, stolen, or improperly working equipment must be reported immediately to the Assistant Principal of Operations or performance manager.

Employees are also responsible and will be held accountable for the security of protected information, including but not limited to information made confidential under FERPA, HIPAA, or other applicable law, that is accessed or maintained on electronic equipment issued by IDEA. As such, equipment should not be left unattended in any unlocked area.

If any piece of electronic equipment issued to an employee is lost, stolen, or damaged due to an employee's

intentional act, neglect, or abuse, or because of the employee's failure to follow IDEA policies, rules, or guidelines, the employee may be responsible for reimbursing IDEA for the equipment's replacement cost. Such cost may be deducted from the employee's paycheck, in accordance with all applicable wage and payday laws. In no circumstance will a deduction take the employee's pay below minimum wage or, if the employee is assigned to an exempt position, reduce the employee's salary below its predetermined amount.

## 10.9 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 IDEA'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 social network page(s) using IDEA's computers, network, or equipment.
- The employee shall limit the use of personal electronic communication devices to breaks, mealtimes, and before and after scheduled work hours, to send or receive calls, text messages, pictures, and videos, unless there is an emergency or the use is authorized by a performance manager to conduct IDEA business.
- The employee shall not use IDEA's logo or other copyrighted material of IDEA without express written consent.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
  - Confidentiality of student information, including photos.
  - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law.
  - Confidentiality of IDEA records, including educator evaluations and private e-mail addresses.
  - Copyright law.
  - Prohibition against harming others by knowingly making false statements about a colleague or the school system.

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

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

The following definitions apply to 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 one-way communication as well as a dialogue between two or more people. Public communication by an employee that is not targeted at students (e.g., a posting on the employee's social network page or a blog) is not a communication; however, the employee may be subject to regulations on personal electronic communications. See Section 10.9 above. Unsolicited contact from a student through electronic means is not communication.

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

- 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 the 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 IDEA email address.
- Employees should avoid one-on-one video conferencing with students. A group setting is advised.
- Employees are prohibited from knowingly communicating with students through personal social network pages.

- Employees shall not communicate directly with any student between the hours of 10:00 pm and 6:00 am, except when necessary to notify students about urgent scheduling or transportation issues. Employees may, however, make public posts to a social network site, blog, or similar application at any time.
- Employees shall not solicit or engage in sexual conduct or a romantic relationship with a student.
- Upon request from IDEA'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 currently enrolled students.
- Employees shall refrain from inappropriate communications with students. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:
  - The nature, purpose, timing, and amount of the communication;
  - The subject matter of the communication.
  - Whether the communication was made openly or the employee attempted to conceal the communication.
  - Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship.
  - Whether the communication was sexually explicit; and
  - Whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the employee or the student.

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

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

Upon request from IDEA'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.

## 10.11 Consequences of Technology Misuse

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

- Use of IDEA's technology and information resources only under direct supervision;
- Suspension of access to IDEA computers and network resources;
- Revocation of access privileges or user accounts; or
- Other disciplinary or legal action, up to and including termination, in accordance with IDEA policies and applicable law.

IDEA may also initiate law enforcement referrals for certain employee misconduct with respect to the misuse of technology and information resources. Specific disciplinary measures will be determined on a case-by-case basis.



# PART 11. MARKETING AND COMMUNICATIONS

## 11.1 Branding

The IDEA Public Schools brand includes its name, logo, slogans, mission statement, and the design layout associated with the organization. The logo, fonts, color schemes, symbols, sounds, and look are designed to convey our values, mission, vision, and personality. Through uniform communications, we can convey a professional image that is easily recognizable by the community.

IDEA branding may not be used to create (either individually, or through the use of third parties) any items (including, but not limited to, clothing, office supplies, cups, water bottles, car accessories, umbrellas, etc.) without an express licensing agreement approved or ratified by IDEA's board of directors authorizing such use of the branding. Employees who violate this provision may be subject to employee discipline, up to and including termination, regardless of whether such use was for personal financial benefit. Employees who violate this provision may also be responsible to IDEA for any damages caused by such unauthorized use of IDEA's branding.

## 11.2 Entity Name

IDEA Public Schools is the umbrella organization for all IDEA schools. For example, you might be a teacher for IDEA Quest Academy, which is an IDEA Public School. The campus is made up of the academy and college preparatory schools (e.g. IDEA San Benito). Academies serve students in grades PreK or K-5 (e.g. IDEA Academy San Benito). College Preparatory serves students in grades 6-12 (e.g. IDEA College Preparatory San Benito).

When referring to campuses and/or schools, it is very important to use the correct campus name, school name, or abbreviation. "Prep" may be used in lieu of "Preparatory" when speaking or in informal conversation; however, "Preparatory" must be used in all formal written communication. There are no commas, colons, periods, or dashes used in the naming of IDEA campuses or schools.

## 11.3 Logo Usage

The IDEA logo is made up of the light bulb and the text that accompanies it. The IDEA logo cannot, in any way, shape, or form, be modified or changed without prior written approval from the Creative Services department. The logo should be visible on every piece of communication that goes out from the campus.

## 11.4 Working with Media

The Communications department is IDEA's contact for the media. This allows IDEA to deliver an appropriate message and avoid giving misinformation in response to any media inquiries. IDEA requests that all employees forward media requests to the Communications department. All publicity requests for events should be sent to the Communications department.