



Amigos Por Vida Friends For Life

Public Charter School

Employee Handbook

2023-2024

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DISCLAIMER: Employee At-Will Status

Employment with Amigos Por Vida - Friends For Life Public Charter School shall be at-will unless a term of employment is expressly stated in a written contract. **At-will employment means that an employee may be terminated with or without cause, with or without prior notice, at anytime, for any reason or for no reason. Similarly, employment with Amigos Por Vida - Friends For Life Public Charter School is voluntarily entered, and employees are free to resign at any time, with or without cause or notice.**

Status as an at-will employee may not be changed except in writing signed and approved by the Board of Directors. Employment at-will is the sole and entire agreement between Amigos Por Vida - Friends For Life Public Charter School and you concerning the duration of your employment, and the circumstances under which your employment may be terminated.

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

1. INTRODUCTION

1.1. Welcome to Amigos Por Vida - Friends For Life Public Charter School

Dear APV - FFL Colleagues,

We are excited to have you be a part of our extraordinary team. I am excited about what we will be able to accomplish this new academic year by having such a Great Team of Teachers and Employees like you. We are pleased that you have chosen Amigos Por Vida – Friends for Life as part of your professional path and wish you great success at work.

We encourage you to continuously learn, grow, and celebrate as your work has profound meaning and purpose. We encourage our employees joining our school for the first time, to become actively involved in our school events, like our clubs, sports events, gatherings, etc. For those of you returning, we trust that you will continue to be more involved in our everyday activities and motivate our new employees to continue with our culture of a family.

We challenge all of you to support our efforts to provide a quality school through your ongoing participation in our quest for excellence. We are confident that your employment here will be a challenging, enjoyable, and rewarding experience.

This employee manual was prepared to help you become familiar with APV - FFL and its personnel standards and procedures. Please read it carefully and if you have questions or concerns speak with your supervisor. If you need further information or assistance, please reach APV - FFL's Human Resources Department at ph. (346) 326-9749.

We are honored you have chosen us and look forward to the great things that you will accomplish.

Sincerely,

Freddy Delgado, Superintendent
Amigos Por Vida - Friends For Life Public Charter School

1.2. About this Personnel Handbook

The purpose of this personnel handbook is to provide employees with a source of information about Amigos Por Vida - Friends For Life Public Charter School's procedures and policies. The policies and procedures in this handbook are to serve as guidelines and address the minimum requirements established by applicable or relevant legal requirements and best practice. Although APV - FFL has tried to be comprehensive, the handbook does not, and cannot, include procedures and policies which address every situation that may arise. Such a list would be limitless.

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

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

1.3. About Amigos Por Vida - Friends For Life Public Charter School
School Directory 2023-2024 School Year

School Information

5503 El Camino Del Rey St.

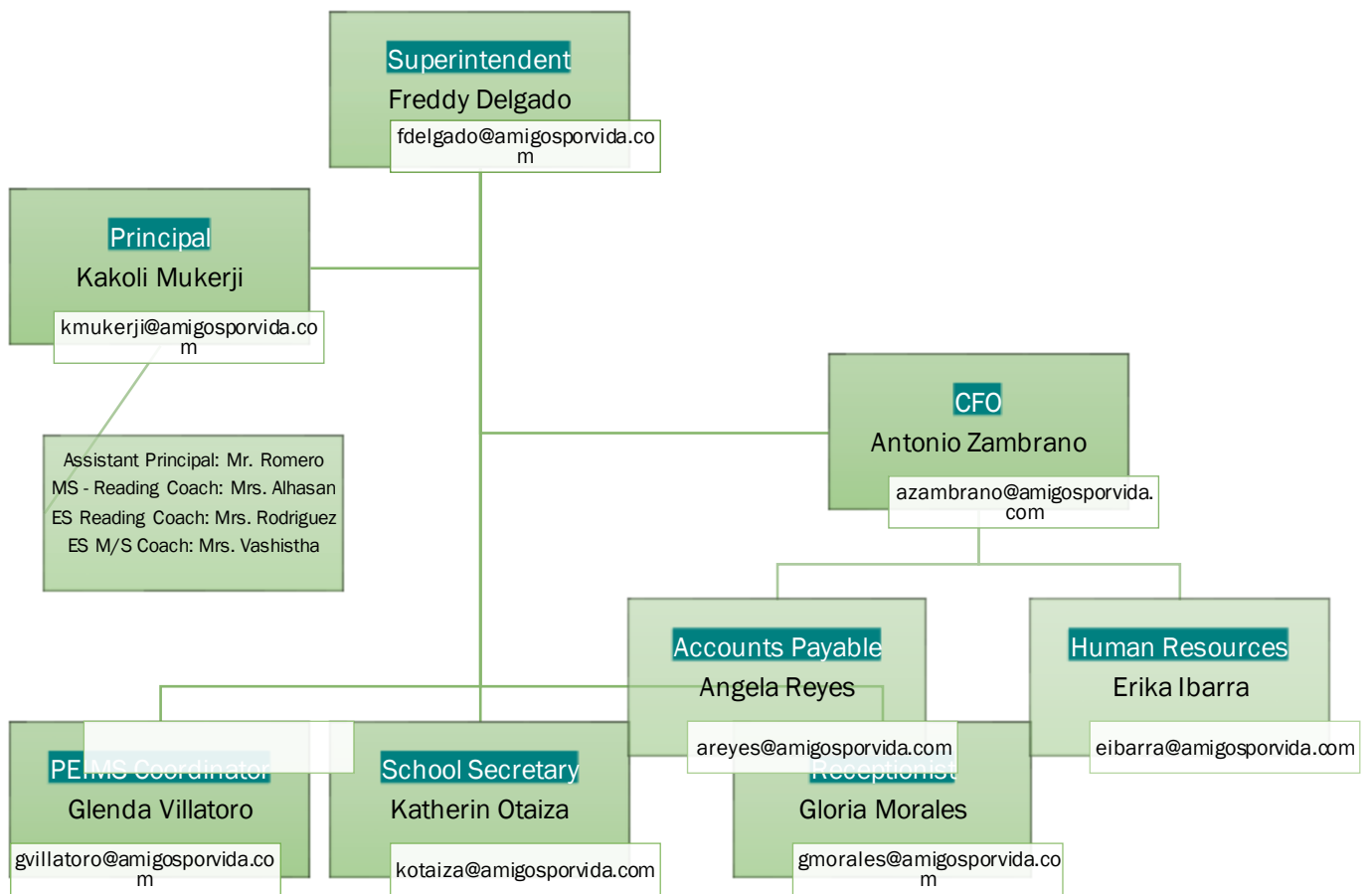
Houston, TX 77081

O: (713) 349-9945

F: (713) 349-0671

www.amigosporvida.com

Administrative Team



Mission Statement

Our purpose is to empower our students to become life-long learners and to achieve academic and personal success by providing an excellent education in a safe environment.

History and Description

Established in 1999, Amigos Por Vida-Friends for Life Public Charter School (APV-FFL) served to alleviate severely overcrowded public schools in the Gulfton community. Described as the “Ellis Island” of our time, Gulfton is a community of critical importance to the future of Houston. Considered one of Houston’s most densely populated and poorest communities, Gulfton is composed of a growing number of children whose families have had limited educational opportunities. Of APV-FFL’s 570 students, 99% are Hispanic, 92% are English Language Learners (ELL), over 97% are considered by the state at-risk of dropping out of school, and over 97% qualify for free or reduced priced lunches.

APV-FFL addresses this unique environment in three critical ways: (1) by providing a high quality and rigorous academic program, (2) by using a dual-language program to integrate Spanish speakers quickly into English classes while retaining their fluency in Spanish, and (3) by providing adult and social service programs to increase parental learning and engagement in their children's education. Only if this next generation of children can exceed their parent's educational status by completing high school and completing an advanced degree or certification will Houston have an opportunity to thrive. Additionally, if these youths achieve higher educational outcomes, the work force they represent will be able to support itself, provide a stable and qualified employment base for Houston companies and purchase services needed to support Houston's economy.

In 2007, the U.S. Department of Education released a report titled Innovations in Education, identifying APV-FFL as one of eight charter schools in the country that is closing the achievement gap between low income/minority students and their well-off Anglo peers. Despite having a higher percentage of ELL students than almost all other schools in Houston, APV-FFL's third grade students consistently outperform their peers at other local schools on state Reading and Language Arts exams. In 2005, 99% of third graders met state Mathematics standards compared to less than 65% of third graders at other local elementary schools. In addition, APV-FFL has received the Governor's Excellence Award for two consecutive years, the State's Gold Performance Acknowledgement in Comparable Improvement in Reading/LA, Math and Attendance, and a Financial Accountability Rating of Superior Achievement.

As of today, we have maintained our Financial Accountability Rating of Superior Achievement, continued our tradition of excellence, and kept our A-rating score along with a myriad of accolades in Math, Science, Reading/ELA, and Post-Secondary Readiness. We currently have one campus serving PK3-8 at 5503 El Camino Del Rey St. Houston, TX 77081.

Vision Statement

It is our desire every program, event, and resource points toward the development of a Community of Learners. We will endeavor to connect the daily operations of our school to successful student learning outcomes. The following standards will be used for the purpose of developing APV-FFL students as integral stakeholders, actively contributing toward the global learning community.

School Creed for Students

I believe in myself, and my ability to do my best at all times. Today, I will be Responsible, Respectful, and Ready.

Amigos Por Vida Employs: Highly motivated individuals invested in the school community and want to make an impact on our students' academic performance. These professionals operate under a "whatever it takes" mindset to ensure our students experience academic success. Our teachers are data driven and have high expectations for all students. They believe they are the key ingredient to student achievement. Our other professionals provide the necessary support, information, and assistance for all stakeholders to be involved in the school's mission.

School Governance

The Texas Education Agency charter APV-FFL. The School Board is composed of three to seven members who assist the principal with the operation of the school, through a model of shared governance. If the Board of Directors makes no specific determination, there will be five acting Board positions.

1.4. Acknowledgement of Receipt of Personnel Handbook (2023-2024)

The information contained in this personnel handbook is important and I should consult with my immediate supervisor, Superintendent, CFO, or the Human Resources Department if I have a question that is not answered in this handbook.

I acknowledge that the APV - FFL personnel handbook does not create an employment contract or otherwise modify my at-will employment status. I understand that no one has the authority to alter my at-will employment status, or to guarantee my employment for a specific period, unless it is approved by the board of directors, in writing, and signed by both me and the chair of the board of directors. I understand that my employment may be terminated at the will of either party, with or without cause, and without prior notice.

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

I acknowledge that I have read this handbook and agree to read any amendments of the handbook. Specifically, by signing this form, I acknowledge that I have read, understood, and agree to comply with all policies in this handbook, including but not limited to, the Harassment Policy, the Overtime and Timekeeping Policy, the Violence in the Workplace Policy, and the Electronic Media, Communications Systems, and Technology Resources Acceptable Use Guidance. Finally, in the event of any inconsistency between the information, policies, and benefits described in this Handbook and in my Employment Agreement, the information, policies, and benefits described in the Employment Agreement will supersede.

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 supervisor or the Human Resources Department if I have questions or concerns or need further explanation concerning the contents of this Employee Handbook or my employment with APV-FFL.

I have received training and fully understand the contents of the Amigos Por Vida – Friends for Life Public Charter School Employee Handbook. I have read and received an electronic copy of the handbook. I hereby sign and date this Acknowledgment of Receipt and return it to the Human Resources Department. I understand that a copy of my signed form will be retained in my personnel file.

Print Employee's Name

Date

Employee's Signature

1.5 Open Door Policy

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

APV - FFL values each employee and strives to provide positive work experience. By listening to you, APV - FFL is able to improve, to address complaints, and to foster employee understanding of the rationale for practices, processes, and decisions. The Open Door Policy is not a substitute for a formal complaint. If an employee has a formal complaint or grievance, the employee should timely pursue it in accordance with Section 9 of this Handbook.

2. STARTING YOUR JOB

2.1 Accuracy of Information

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

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

2.2. Pre-employment Affidavit for Applicants and Applicants Offered Employment

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

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

2.3. Employment Application & Other Forms

Those seeking employment with APV-FFL Public School can log on to the APV-FFL website at <https://amigosporvida.com/about-us/job-opportunities/pre-employment-application/>.

Applicants must be 18 years of age or older to be considered for employment. Applicants will be required to reapply after their application has been on file for a year.

APV-FFL 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 activity or misrepresents information regarding any such charge or conviction on an employment application.

New employees are asked to review and/or complete the following forms:

- Pre-Employment Application
- I-9 Employment Eligibility Form (“EEVF”) required by the Department of Homeland Security
 - It must be completed prior to the start of employment.
- W-4 Employee’s Withholding Allowance Certificate
- Signed Hire Letter
- Acknowledgement of Receipt of Personnel Handbook
- Direct Deposit Information Form
- Applicable Healthcare/Benefit Forms
- Notice Regarding Workers Compensation Benefits
- Pre-Employment Affidavits
- Authorization for Criminal History Background Check form

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

2.4. Criminal History Background Checks

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

Information collected on an individual to comply with the requirements listed above is confidential and may not be released except as authorized by law or with the consent of the person who is the subject of the information.

All employees and applicants must complete the Authorization for Criminal History Background Check form accompanying this Handbook. Nobody may be placed in a classroom or interact with students until a background check has been completed.

2.5. Prohibition Against Employing Individuals Convicted of Certain Offenses

APV - FFL 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, APV - FFL shall discharge or refuse to hire an employee or applicant for employment if it obtains information through a criminal history review that:

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

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

As allowed by Commissioner of Education rule, a person may not serve as a APV - FFL officer or employee if the person has been convicted of any of the following:

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

Additionally, APV - FFL shall discharge or refuse to hire a person listed on the registry of

persons not eligible for employment in Texas schools, as maintained and made available by the Texas Education Agency (“TEA”).

APV - FFL 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 APV - FFL or the State Board of Educator Certification (“SBEC”).

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

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

2.6 Fair Credit Reporting Act

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

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

In the event APV - FFL relies on a “consumer report” for an “adverse action” as defined by the Fair Credit Reporting Act and regulation – i.e., denying a job application, reassigning or terminating an employee, or denying a promotion – APV - FFL 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 APV - FFL as to what action is taken.

2.7. 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.

2.8. New Hire Reporting

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

2.9 Pre and Post Offer Medical Testing

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

2.10. New Employee Orientation

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

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

2.11. Employee Election Form to Withhold Certain Information from Public Access

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

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

Employees must complete and submit the Public Access Option Form to the Human Resources Department no later than the 14th day after the date the employee begins

employment with APV - FFL to keep certain information about them confidential under the Texas Public Information Act. The Human Resources Department shall provide the employee with the Public Access Option Form upon employment with APV - FFL.

2.12. Arrest & Conviction Occurring After Employment Begins

An employee must notify his or her Principal or immediate supervisor within two business days or sooner, if possible, of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, and any of the other offenses listed below:

- Crimes involving school property or funds.
- Crimes involving attempt(s) by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator.
- Crimes that occur wholly or in part on school property or at a school-sponsored activity; or
- Crimes involving moral turpitude, please see board policy group 4 - Personnel Criminal History and Credit Reports PG-4.6.

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

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

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

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

2.13. Personnel Records

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

All information in an employee's personnel file will be made available to the employee or his

or her representative in the same manner that public information is made available under the public information laws found in Texas Government Code Chapter 552.

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

If APV - FFL 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. APV - FFL will release the information to the employee requesting the information in accordance with applicable law.

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

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

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

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

2.14. Name and Address Changes

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

2.15. 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 APV - FFL wishes to operate. APV - FFL's framework is also guided by applicable state and federal law governing conflicts of interest and nepotism applicable to Texas open-enrollment charter schools and nonprofit tax-exempt entities. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact Human Resources for more information or questions about conflicts of interest.

All APV - FFL employees shall avoid employment, financial, business, social, or other relationships that might be opposed to the interests of APV - FFL or might create the appearance of impropriety or might cause a conflict with the performance of their duties. Employees shall always behave in a way that avoids conflict between their personal interests and those of APV-FFL.

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

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

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

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

Employment of Relatives and Fraternization

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

While relatives of employees or the Board of Directors may be employed by APV - FFL in accordance with applicable law, a familial relationship among employees can also create an actual, or at least a potential conflict of interest in the employment setting, especially where one relative has professional supervisory responsibility over another relative. Additionally, APV

- FFL may not employ relatives of the Superintendent if the Superintendent has final hiring authority over the position sought, unless the relative of the Superintendent was hired prior to September 1, 2013.

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

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

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

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

First Degree Parent, Child

Second Degree Grandparent, Grandchild, Sibling

Third Degree Great-Grandparent, Great-Grandchild, Aunt/Uncle, Niece/Nephew

Non-Disclosure

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

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

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

2.16. Special Rules for Social Studies Courses

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

2.17 Assignment and Reassignment

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

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

2.18 Professional Development

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

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

3. REPORTING TO WORK

3.1. Official Amigos Por Vida - Friends For Life Public Charter School Office Hours

During the school year, standard hours of operation in the administrative office areas are Monday - Friday from 7:30 a.m. until 4:00 p.m. Students are in session from 8:00 a.m. until 3:30 p.m.

During the summer (June and July), standard hours of operation in the administrative office areas are Monday - Thursday from 7:00 a.m. until 5:00 p.m.

3.2. Regular Work Schedules

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

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

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

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

All staff must clock in and out at their designated time, unless given **written** approval from their supervisor:

Clock In	Clock Out	Position
6:30 (am)	3:00 (pm)	Cafeteria Manager
TBD	TBD	Teacher Assistants 1
TBD	TBD	Teacher Assistants 2
7:45 (am)	4:00 (pm)	Teachers
7:00 (am)	3:30 (pm)	PEIMS
7:30 (am)	4:00 (pm)	Instructional Coaches and Administrators, Counselor, Medical Assistant, Receptionist, Accounts Payable, HR, IT
8:00 (am)	4:30 (pm)	Secretary, Maintenance Supervisor, CFO, Superintendent
10:00 (am)	6:30 (pm)	Custodians

The clock stations are in the Main Office and the 2nd Floor Lounge. You will not be counted present until you clock-in and your leave will be adjusted accordingly.

3.3. Attendance

Subject to disciplinary actions and/or termination:

- Clocking-in or clocking-out more than 5 minutes after your designated time without WRITTEN approval from your supervisor. (NON-EXEMPT EMPLOYEES)
- Clocking-in or clocking-out for another person is a violation of school policy.
- Failing to clock-out when leaving campus during the school day for non-APVFFL activities and failing to clock-in upon returning.
 - Include: eating lunch, running errands, transporting children to or from day care/school
- Failure to provide WRITTEN notice to your supervisor and HR of any time clock issues such as clocking in late, clocking in early, forgetting to clock in or clock out, or any other shift time management issue.

APV - FFL employees are expected to be reliable and punctual in reporting for work each scheduled day. If an employee is late to work or is unable to work as scheduled, the employee should notify their supervisor immediately.

APV - FFL recognizes there will be occasions when an illness or other personal event may result in an unscheduled absence. As such, APV - FFL has a leave policy (see Section 4.2.). It is the charter school's expectation that each employee attends work every day unless approved paid or unpaid leave is granted pursuant to the charter school's leave policy.

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

Excessive absenteeism, tardiness and leaving work prior to designated time are disruptive to the operations of APV - FFL and may lead to disciplinary action, up to and including discharge from employment. Failure to attend work for up to three days in a row (unless prevented by circumstances beyond the employee's control) without notice to the charter school will constitute job abandonment and/or voluntary resignation on the last day worked, in accordance with applicable federal and state law, and APV - FFL shall process the work separation as a voluntary resignation on the employee's part.

In the event of a voluntary resignation, all school-owned property (e.g., keys, school ID, etc.) must be returned immediately to APV - FFL.

No payment shall be made for accrued or unused sick leave or any other type of leave upon voluntary resignation or job abandonment, regardless of whether or not the employee provided advance notice of resignation.

Notice of Resignation

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

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

3.4. Textbook and Materials Acquisition

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

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

Instructional/Curricular Guidelines and Procedures

Lesson Plans

Must include the following:

- Objectives- TEKS, (with descriptions), ELPS (with descriptions)
- Essential Understanding (what is the lesson goal)
- Resources needed (name of book, unit, page numbers/title of the book and/or video)
- Vocabulary
- Strategies-Flow of the lesson (add links to video)
- Evaluation (ex: exit ticket, quick check, short quiz, test-please attach test)
- Interventions- (include ESL and Sped modifications also)
- Enrichment

All Teachers will submit electronic copies of weekly lesson plans to their supervisor by Thursday for the following instruction week. Teachers need to complete detailed lesson plans according to the format provided above. They should be completed with the expectation that another professional could use them to effectively continue the learning experience of students if a teacher is absent.

Homework

The school regards homework as an essential continuation of the school day. Teachers will assign homework on a consistent basis to reinforce daily learning, encourage self-discipline, and promote independence and responsibility.

The recommended homework time is as follows:

Kindergarten	15-20 mins
1st Grade	20-25 mins
2nd Grade	30-35 mins
3rd Grade	35-40 mins
4 th Grade	40-45 mins
5 th /6 th Grade	45-50 mins
7 th /8 th	50-60 mins

The Instructional Period

Teachers should prepare a full instructional plan for each period. Instructional strategies should vary to accommodate all student learning styles. Examples of varied learner-centered activities include:

- Cooperative learning
- Role playing
- Debates
- Demonstrations
- Think-Pair-Share strategy
- Lab work
- Projects
- Workstations
- Journal assignments
- Individualized conferences, etc.
- Word wall

To prepare our students for instruction, lessons must show rigor using:

- High order thinking questions (Bloom's taxonomy)
- Making connections to students' background knowledge
- When students are writing, incorporate various modalities.
- Content integration

Active Monitoring, Data Driven Instruction, Vocabulary and Student's Engagement

All teachers at APV-FFL will follow the Active Monitoring and Data Driven Instruction protocols established during the training at the beginning of the year. Data should drive the small group instruction in the classroom. These effective-proven methods will enhance instructional practices and will maximize students' learning during the year.

Teachers must ensure that the student's engagement and vocabulary are central elements in the daily instruction. The strategies received during the training weeks must be implemented and applied daily. Instructional leaders will verify that rigor, transparency, and accountability are always present during the year.

Curriculum

Teachers need to utilize field guides from www.lead4ward.com and TEKSGuide.org for all instructional planning.

Substitute Folders

Teachers must maintain an updated substitute folder including (but not limited to) the following items: routines, procedures, classroom management plan, emergency operations plan, student rosters, student contact information, lesson plans, and multiple items of student work.

In case of unforeseen emergencies, please prepare review lesson and have multiple students work ready for a substitute.

Movies/Videos in Class

A written permission of Approval needs to be obtained from your administrator before any movie or video (longer than 10 minutes) is shown. All movies must be rated "G", as defined by the Motion Picture Association of America.

Movies or videos may only be shown if the following conditions are met:

- Movies/Internet streamed videos must be previewed before students viewing.
- Can be shown as part of an instructional activity.
- Referenced in the lesson plans.
- An activity must be completed while viewing a movie or video.
- Teachers need to pause throughout the viewing, to check for comprehension.

Textbooks and Instructional Materials

At the end of the school year, all school-issued textbooks and materials must be returned to the textbook clerk and all technology tools to be returned to the technology department.

- Items need to be in good condition, without damage beyond normal wear and tear.
- Teachers are responsible for maintaining a textbook list and informing the textbook clerk

- regarding issues that may result in fines.
- Teachers are responsible for all materials and resources checked out for them.
- Annual reconciliation of all items provided to employees is required.
- Employees are responsible for replacing any damaged or lost technology devices/tools.
- See the Principal immediately regarding concerns and /or missing items.

Instructional Planning

Teachers have 55 minutes to plan for the following:

- Instructional preparation
- Evaluation of student work and progress
- Conduct parent-teacher conferences (as needed)
- Teachers are not allowed to leave campus during their planning time.

Parent-Teacher Communication Regarding Student Progress

The teacher shall initiate a parent-teacher conference when a student is not progressing satisfactorily. This also includes sending a progress report when a student's academic performance falls below 70%. Conferences should be scheduled during the teacher's planning period and not during instructional time.

Samples of the student work, behavior log, attendance, and grades should be available for review. Always begin a conference on a positive note and allow parents to discuss their concerns. The teacher should be prepared to work with the parents to solve student concerns. Intervention and behavioral plans can be created for students during these conferences.

When a student is absent for three or more consecutive days, the teacher must submit documentation showing the parent/guardian has been contacted.

Calculations of Student Grades

- All assignments recorded in the grade book must have the learning objectives listed.
- Report cards will be issued every 7 weeks to students from first through eighth grade.
- Progress reports will be issued every 4 weeks for students in 1st through 8th grade (anytime their performance falls below 70%).
- PK and Kinder will provide an appropriate report card with detailed anecdotal records regarding student progress. Different reporting cycles will be used to capture student learning every 12 weeks.
- Progress reports for PK and Kinder will be issued every 6 weeks.
- Teachers are required to record a minimum of 12 grades per subject for each 6 - week grading period (grades 1st-8th).

Posting Weekly Grades

Weekly grades must be posted by Sunday, and it will be checked by administrators on the next school day.

All grades will be assigned to the following weighted categories:

Grades

CATEGORY	PERCENTAGE
Test	50
Homework	5
Classwork	40
Participation	5

The four categories and assignment weights will apply to all courses in all subject areas. Determinations for final grades are calculated as follows:

- If students missed assignments due to absences, they have the right and responsibility to complete assignments, quizzes, labs, or tests. Assignments must be completed within a reasonable time, usually within three days of being absent. Teachers and students may agree to alternative timelines for completing assignments.
- Grades should be sufficient in number to justify the final grade for a course. For each class, teachers must assess student learning and record at least two grades per subject each week.
- At least one test grade must be included per week.
- Every Monday, administrators will check grades in Ascender.

Copy Room

Teachers will have a printing limit to the grade level printer. Please be ethical in following this rule. Administrator approval is required prior to any printing request. You may request copies by filling in and submitting a request form or sending it via e-mail. The copies will be made no later than 24 hours from the day you requested. Submit legible/clear master copies with no staples or tape. **Employee members are expected to adhere to copyright laws and are personally liable for any copyright violations.**

Additional Materials

If you need additional supplies (i.e., markers, scissors, tape, etc.), please fill out the supply request form found in the teacher's workroom. If there is something you need that is not in our supply room, ask the Assistant Principal if it can be ordered.

Lamination

All lamination work will be done on Fridays. The teacher's request must be in by Thursday.

Supply Request

Supply requests must be done on Mondays by noon, and they will be filled in by Tuesdays

Instructional Resources

Instructional non-web based, and web-based resources used at APV-FFL are as follows:

- DMAC
- NWEA MAP (student diagnostic & growth)
- TFAR
- Teacher Toolbox (Think-up Reading, Math, and Science)
- Amplify Reading
- Eureka Math
- State adopted textbooks.
- LEAD4WARD field guides
- Starfall
- BrainPOP
- RAZ PLUS
- EDUSMART
- STEP up TO TEKS for writing
- LOWMAN for social studies
- PENDA Learning for Science
- Get More Math

3.5. Copyrighted Material

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

Employees acknowledge and understand that the entire right, title and interest of any and all writings, works and other creations that they may prepare, create, write, initiate or otherwise develop as part of their efforts while employed by APV - FFL shall be considered the property of APV - FFL. 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 APV - FFL, including any copyright, patent or trademark or application thereof. Employees hereby assign and transfer to APV - FFL 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 APV FFL’s opinion may be necessary or desirable to secure the APV - FFL’s full enjoyment of all right, title interest and properties

herein assigned. Employees agree not to charge the school for use of their copyrighted, trademarked and patented material.

3.6. Proprietary Information

Proprietary information includes all information relating in any manner to the business of APV - FFL and its schools, students, parents, consultants, customers, clients, and business associates obtained by APV - FFL employees during the course of their work. Occasionally, in the service of APV - FFL's mission, APV - FFL 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 APV - FFL documents, that employee should direct the request to Human Resources.

3.7. Performance Evaluations

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

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

4. TIME AWAY FROM WORK

4.1. Holidays & School Breaks

ALL EMPLOYEES:

APV - FFL will be closed during the following recognized school holidays:

- Labor Day: September 4th, 2023
- Martin Luther King Jr. Day: January 15th, 2024
- President's Day: February 19th, 2024
- Spring Holiday: March 29th, 2024
- Memorial Day: May 27th, 2024

Additionally, during the following dates, APV - FFL will be closed for school break:

- Thanksgiving Break: November 20th - 24th, 2023
- Winter Break: December 25th, 2023 - January 5th, 2024
- Spring Break: March 11th - 15th, 2024

>187 Days Employees:

APV - FFL will be closed during the following recognized federal holidays:

- Juneteenth: June 19th, 2024
- Independence Day: July 4th, 2024

4.2. Local Personal Leave

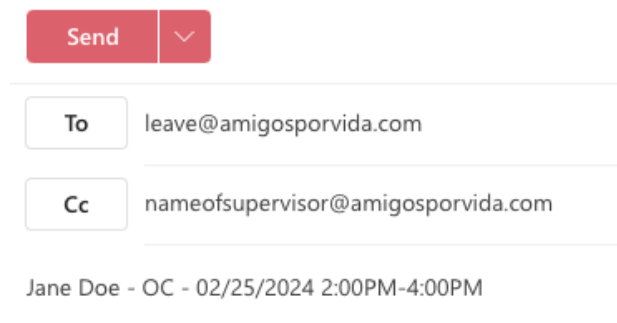
- Eligibility for Local Personal Leave. Each full-time employee under 220 days, whether working in an exempt or non-exempt position, will be granted 5 days per school year for local personal leave. Part time and temporary employees are not eligible for Local Personal Leave. All employees must take local leave in full, half day, or 2-hour increments. 230 employees, whether working in an exempt or non-exempt position, will be granted 6 days per contract year for local personal leave.
- Use of Local Personal Leave. Personal days can only be used one day at a time. If you are absent for 2 or more consecutive days, you must provide a doctor's note. Local Personal Leave is paid leave and may be used for an employee's illness, for the illness of a family member, family emergencies (i.e., natural disasters, or life threatening situations), death in the immediate family (parents, stepparent, child, stepchild, sibling, grandparents, or cousin), active military service in conjunction with any applicable military leave of absence, or for any other personal reason as determined by the employee. **Unless previously approved by the employee's supervisor, local personal leave may not be taken on the first 10 days of school for students, on the last 10 days of school for students, on any testing day, on any professional development days, or on any day immediately before or after a school holiday or school break.**
- Approval for Local Personal Leave. At least 5 days prior to the anticipated absence, employees are required to complete a Leave Request and submit it to their direct

supervisor and to leave@amigosporvida.com for approval. For unexpected illnesses of an employee or of an employee's family member, employees are required to submit a completed Employee Request for Leave no later than the day that the employee returns to work.

- Create e-mail using school network (outlook)
- In the subject line write:
 - Person requesting
 - OC = Off Campus or PD = Professional Development
 - Dates/Hours

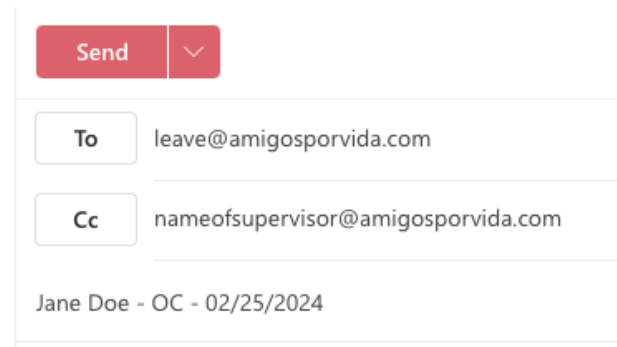
Examples:

For a portion of a day:



The screenshot shows an email composition interface. At the top is a red 'Send' button with a dropdown arrow. Below it are two input fields: 'To' with the value 'leave@amigosporvida.com' and 'Cc' with the value 'nameofsupervisor@amigosporvida.com'. At the bottom, the subject line reads 'Jane Doe - OC - 02/25/2024 2:00PM-4:00PM'.

For a full day:



The screenshot shows an email composition interface. At the top is a red 'Send' button with a dropdown arrow. Below it are two input fields: 'To' with the value 'leave@amigosporvida.com' and 'Cc' with the value 'nameofsupervisor@amigosporvida.com'. At the bottom, the subject line reads 'Jane Doe - OC - 02/25/2024'.

- If necessary, give any clarifying info in the body of your message.
- Unused Local Days Unused local days cannot transfer but can be carried over while employed at APV - FFL. If at the end of the annual contract period, an employee has accumulated more than 20 local days, he or she may request, in writing no later than August 5th, to be paid. This can be paid for the excess days at the employee's daily rate, up to a maximum of \$100 per day. All local accrued days will be forfeited at the time of employment ends at the school.
- Leave taken but not earned will be deducted from your pay.

4.3 State Leave

Under the State of Texas' minimum personal leave program, which is codified in Section

22.003 of the Texas Education Code, public school district employees receive 5 days per year of personal leave that has no limit on accumulation and is transferable among school districts. This program does not apply to charter schools. Nevertheless, APV - FFL honors state leave days. State leave days may be transferred to and used by any former school district employee during the employee's employment tenure with APV - FFL. Furthermore, APV - FFL allows additional state leave days to accumulate and may be transferred to another school after employment tenure. 230 employees, whether working in an exempt or non-exempt position, will be granted 6 days per contract year for local personal leave. **Unless previously approved by the employee's supervisor, state personal leave may not be taken on the first 10 days of school for students, on the last 10 days of school for students, on any testing day, on any professional development days, or on any day immediately before or after a school holiday or school break.**

Leave taken but not earned will be deducted from your pay.

4.4. Vacation Leave

APV - FFL offers vacation leave for 230 employees. Every 230 employee receives 10 vacation days per school year. Vacation days must be used before the end of the employee's contract, since they do not roll over to the next year. **Unless previously approved by the employee's supervisor, Vacation days cannot be taken during the first week of instructional staff returning, during the first 10 days of students returning, during state assessments, and during the last 10 days of school. In each department, no more than 1 employee can be on vacation at a time. Please coordinate and get clarity from your direct supervisor. In addition, vacation days cannot be combined with local or state leave.**

Leave taken but not earned will be deducted from your pay.

4.5. Limitation on Leaves of Absences (Unavailability to Work)

With the exception of leaves of absence for military duty or approved leave under the FMLA, if an employee accumulates more than 2 days of absence after exhausting all available paid and unpaid leave, the employee shall be separated due to unavailability for work, subject to any reasonable accommodation duties APV - FFL may have under the ADA or similar law. Any employee separated for unavailability for work following exhaustion of all available leave will be eligible for rehire and will be able to apply for any vacancies that may exist at any given time, depending upon qualifications and availability of job openings.

4.6. Family and Medical Leave Act (FMLA)

The FMLA provides employees who meet certain eligibility criteria with unpaid leave for certain family and medical reasons during a 12-month period. During a period of FMLA leave, eligible employees are entitled to continue group health plan coverage as if they had continued to work. At the conclusion of the leave, subject to some exceptions, eligible employees generally have the right to return to the same or an equivalent position and equivalent pay, benefits and working conditions.

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

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

Leave Entitlements

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

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

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

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

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

Benefits and Protections

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

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

An employer may not interfere with an individual's FMLA rights or retaliate against someone

for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

Eligibility Requirements

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

- Have worked for the employer for at least 12 months.
- Have at least 1,250 hours of service in the 12 months before taking leave; and
- Working at APV - FFL at least 50 employees are employed within 75 miles.

Requesting Leave

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

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

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

Employer Responsibilities

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

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

Enforcement

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

The FMLA does not affect any federal or state law prohibiting discrimination or supersede

any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information or to file a complaint:

1-866-4-USWAGE

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

www.dol.gov/whd

Local FMLA Guidelines

Calculating FMLA Leave Year

APV - FFL uses the following method to establish the 12-month period in which FMLA leave may be used: A fixed 12-month period starting on an employee's employment anniversary date (i.e., the 12-month period starting on the employee's first day of employment).

Use of Paid Leave

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

Combined Leave for Spouses

Spouses who are employed by APV - FFL are limited to a combined total of 12 weeks (about 3 months) of FMLA leave to care for a parent with a serious health condition, or for the birth, adoption, or foster placement of a child. Military caregivers leave for spouses is limited to a combined total of 26 weeks (about 6 months).

Intermittent Leave

When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. 12 weeks total only.

Fitness for Duty

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

Reinstatement

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

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

Failure to Return

If, at the expiration of FMLA leave, an employee can return to work but chooses not to do so or is not cleared to perform their job duties, APV - FFL may terminate their employment.

Contact

Employees that require FMLA leave or have questions should contact Human Resources, at (346) 326-9749 or visit the Business Office for details on eligibility, requirements, and limitations.

4.7. Bereavement Leave

If full time and part time employees experience the death of an immediate family member, APV - FFL may deduct up to 3 days from your leave bank or deduct pay if there is no leave available. An employee may request additional vacation or personal paid leave time if the employee has such leave available. An immediate family member is defined as a spouse, child or stepchild, parent, grandchild, grandparent, sibling, father-in-law, and mother-in-law, spouse's grandparent, daughter-in law/son-in-law, any other family member residing in the employee's home.

APV - FFL will provide up to 3 days of unpaid bereavement leave in the event of a death in employee's extended family. For purposes of this policy, "extended family" is defined as a first cousin, brother-in-law/sister-in-law, aunt/uncle, spouse's aunt/uncle, and spouse's niece/nephew, or a beloved one.

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

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

4.8. Military Leave of Absence

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

With respect to any retirement plan sponsored by APV - FFL, 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 APV - FFL matches for such contributions.

Please contact Human Resources 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 APV - FFL notice of the need for military leave.
- The period of military service did not exceed five. Years. (Note: Some types of duty do not count against this five-year limit. Employees with disabilities have two years after their return dates—for purposes of recuperation and convalescence—to seek reemployment.)
- The employee was released under honorable conditions.
- The employee returned and reapplied for re-employment within the following time restrictions:
 - Leaves of fewer than 31 days: The employee must report to work on the first regularly scheduled work period following the completion of military service;

- no application is required.
- Leaves of more than 31 but fewer than 180 days: The employee must apply for reinstatement within 14 days after completion of military service.
- Leaves of more than 180 days: The employee must apply for reinstatement no more than 90 days after completion of military service.

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

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

Protection from Discharge

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

General Benefits Upon Reemployment

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

4.9. Jury Duty/Court Appearance

APV - FFL will grant employees time off for mandatory jury duty or for court appearances as a witness when the employee must serve or is required to appear because of a jury summons, court order, or subpoena. A leave of absence for jury or grand jury duty will be granted to any employee and will be compensated at his or her regular daily or hourly rate for each day of absence due to jury or grand jury duty, up to a total of 10 days of paid absence per school year. A copy of the jury summons, court order or subpoena must be supplied to the employee's supervisor when requesting time off. You are expected to return to work if you are released early from duty. You must turn in a copy from the courts indicating you were present for jury duty.

Other Court Appearances. Employees will be granted leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Absences for court

appearances related to an employee's personal business must be taken as local leave or leave without pay (if no local leave is available). Employees must submit documentation of their need for leave for court appearances to their supervisor and Human Resources. APV - FFL 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.

4.10. Workers' Compensation

APV - FFL provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. APV - FFL's workers' compensation coverage is administered by Brown & Brown Lone Star Insurance Services, Inc.

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

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

An employee absent from duty because of a job-related illness or injury may be eligible for workers' compensation weekly income benefits if the absence exceeds 7 calendar days.

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

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

Additional information about APV - FFL's workers' compensation benefit offerings may be obtained from Human Resources.

4.11. Optional Unpaid Leave

With the express written permission of the employee's direct supervisor and the charter school superintendent, any employee may be permitted to take unpaid leave for up to one school year for any professional or personal reason determined acceptable by the charter school superintendent. Unless otherwise required by law, the employee will not be entitled to any compensation or employment benefits during the period of the employee's unpaid

leave. Upon return from the unpaid leave, the employee will be eligible for reemployment with APV - FFL; however, the employee may be subject to reassignment to a different position than the position held prior to the leave of absence and a different rate of pay.

4.12 Voting Leave

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

5. BENEFITS (will be updated after open-enrollment, if needed)

5.1. Health

Health Coverage Benefits

APV - FFL sponsored group health insurance coverage is available through EMI Health to all employees working 30 or more hours a week. APV - FFL pays a portion of the premium for employees only. Employees may access the EMI Health portal at:

<https://emihealth.com/Identity/Account/Login>

APV - FFL Cigna Group #: 0199619

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

5.2. Dental/Vision

APV - FFL optional group dental and vision insurance coverages are available through Ameritas to all employees working 30 or more hours a week. APV - FFL pays a portion of the Dental premium for employees only. Employees are responsible for paying their vision premium, should they choose to enroll in vision coverage. Employees may access the Ameritas portal at:

<https://www.ameritas.com/service/login.asp>

APV - FFL Group #10-60559

Detailed information and descriptions of coverages, premiums, and eligibility are available through Human Resources.

5.3. Teacher Retirement System of Texas

The Teacher Retirement System of Texas (TRS) administers a pension trust fund that has been serving the needs of Texas public education employees for over 75 years.

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

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

An employee is no longer eligible to receive retirement annuity from TRS if the person is convicted of a qualifying felony against a student. A qualifying felony includes the

continuous sexual abuse of a young child or children, an improper relationship between an educator and student, sexual assault, or aggravated sexual assault.

5.4. Other Retirement Plans

APV - FFL's 403(b)-retirement plan is available through National Life Group for all employees. If you wish to enroll in additional benefit plans or would like information about available plans, please contact Gary Nething at Gary_Nething@rep403b.com or (832) 247-2421. Gary can also help with Supplemental Insurance needs through Allstate Benefits.

Detailed information and descriptions of eligibility are available through Human Resources.

5.5. Same Sex Spouses

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

5.6. Unemployment Compensation Insurance

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

6. WAGES & EXPENSES

APV - FFL follows all Texas Payday Laws. All employees are paid twice a month, on the 1st and 15th of the month, in accordance with the Texas Payday law. Pay dates are posted in the Main Office and the Business Office.

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

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

6.1. Classification of Employees: Hours Worked

- **Full-Time Employees.** Full-time employees are employed at least 40 hours per week. Full-time employees are eligible for the employee benefits set forth in this Handbook in Section 4.
- **Part-Time Employees.** Part-time employees work less than 40 hours per week. Part-time employees are regularly scheduled to work during the work week on a fixed part-time schedule. Part-time employees are eligible for the employee benefits set forth in this Handbook in Section 4, if they work 30 or more hours a week.
- **Temporary Employees.** Temporary employees are hired as interim replacements to temporarily supplement the workforce, such as substitute teachers, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration.

6.2. Classification of Employees: Non-Exempt Status v. Exempt Status

APV - FFL assigns position, determines wages and compensates employees for overtime in accordance with state laws, local laws, and the federal Fair Labor Standards Act. The workweek for each employee is set in accordance with Section 3.2 of this Handbook.

- **Exempt v. Non-Exempt Designations.** Each employment position is designated as either non-exempt or exempt as required by the federal Fair Labor Standards Act (FLSA). It is the intent of APV - FFL to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time.
- **The right to terminate the employment relationship at-will at any time is retained by both the employee and APV - FFL.**
- **Exempt Positions.** Exempt status applies to the position, not the employee. Exempt simply means the position the employee fills are exempt from the FLSA and is not entitled to overtime compensation. Exempt employees are paid on a salaried basis, and their salaries are not reduced for absences of less than one full day. However, any full days of absence taken in excess of the employee's allotment/service record accumulation of sick or personal leave will result in an employee payroll deduction calculated at a pro-rated daily rate. Generally, teaching and administrative positions

are designated as exempt positions.

- Teaching positions are classified as exempt positions if:
 - The primary duty is teaching, tutoring, instructing, or lecturing in the activity of imparting knowledge; and
 - They are employed and engaged in this activity as teachers in an educational establishment.
- Administrative positions are classified as exempt positions if:
 - The position is compensated on a salary basis at a rate of \$684 or more per week; and
 - The primary duty is performance of office or non-manual work related to the management or general business operations of the employer or the employer's customers; and
 - The primary duty includes discretion and independent judgment on matters of significance.
- Exempt employees are excluded from specific provisions of federal and state wage and hour laws.
- An employee's Exempt or Non-Exempt classification may be changed only upon written notification of APV - FFL, and in accordance with applicable federal law.
- **Non-Exempt Positions.** Non-exempt positions are those positions that are not exempt from the FLSA. Non-exempt positions require the school to pay the employee overtime (time and a half) for all hours worked more than 40 hours in a workweek. The key phrase is "hours worked." An employee may work 32 hours in a week and have 16 hours of vacation time. 48 hours (about 2 days) This would reflect 48 hours on a paycheck, but for overtime, the employee worked 32 hours, so overtime would not be paid. All employees in positions that are classified as non-exempt will be required to maintain a timecard and will be eligible for overtime pay in accordance with the appropriate federal and state wage and hour laws.
- APV-FFL positions are reviewed and assigned an FLSA (exempt or non-exempt) status maintained on a master record by Human Resources. Employees may obtain this information from Human Resources upon request.
- **Timekeeping.** Federal and state laws require APV-FFL to keep an accurate record of time worked to calculate employee pay and benefits. Time worked at is all the time spent on the job performing assigned duties. Employees are not to estimate future hours and include them on their timecards.
- **If you forget to clock in or out, you must send an email to HR and cc your supervisor.** Disciplinary actions will result if this step is not taken.
- Non-exempt employees should accurately "clock in" at the time they begin and "clock out" at the time they end their work, as well as "punch for lunch" at the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. This work log should be recorded as it takes place – not several hours or days later. Overtime work must always be approved before it is performed.
- Non-exempt employees should report to work no more than 5 minutes prior to their scheduled starting time nor stay more than 5 minutes after their scheduled stop time without expressed, prior authorization from their immediate supervisor.
 - Exempt employees should use clock in and out to document days worked. This will help Human Resources with accuracy on leave and

dock days.

- Employees sign their timecards to certify pay deductions when needed.
- Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Minimum Wage and Overtime

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

6.3. Payday

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

- All Employees. Paydays will take place twice per month on the 1st and 15th of each month. The amount of the paycheck will depend on the number of hours worked by the employee during the designated pay period for part-time employees only.
- Final Paycheck. If an employee is laid off, discharged, fired, or otherwise involuntarily separated from employment, the final payday will be on the next regularly scheduled payday following the effective date of discharge. If the employee quits, retires, resigns, or otherwise leaves employment voluntarily, the final payday will be on the next regularly scheduled payday following the effective date of resignation. Any school employee who receives annualized pay and who has been overpaid wages as of their last day of employment either must reimburse the school for the number of overpaid wages or must provide written consent for the overpaid wages to be deducted from the employee's final paycheck.

6.4. Supplemental Duties and Related Stipends

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

- Supplemental Duty Pay for Exempt Employees. Exempt employees assigned supplemental duties shall be compensated for these assignments according to the compensation plan set by APV - FFL.
- Supplemental Duty Pay for Non-Exempt Employees. Non-exempt employees assigned supplemental duties shall be compensated for the supplemental duties on an hourly rate. The hourly rate set for the employee's supplemental duty may differ from the hourly rate set for the employee's core employment position. Overtime wages will be paid if the employee works over 40 hours per work week, whether the work is performed in the employee's core duties, supplemental duties, or a combination of both duties.
- No Contractual Obligation Committed. Paid supplemental duties do not create any contractual obligation by the charter school to continue the assignment of the

supplemental duty. An employee shall hold no expectation of continuing assignment to any paid supplemental duty.

6.5 Automatic Deposit

Employees can have their paychecks deposited into a designated account. This structure helps APV - FFL pay its employees faster and more accurately. You may contact the Payroll Clerk for more information about automatic payroll deposit services.

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

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

6.6. Mistake in Payroll or Expense Reimbursement

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

6.7 Lost/Stolen Paychecks

Lost or stolen paychecks should be reported to the Payroll Clerk immediately. APV - FFL will issue a stop payment on the lost or stolen check. Only after the financial institution has notified APV - FFL that payment of the check has been stopped can a new check be re-issued.

6.8. Unclaimed Payroll Checks

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

6.9 Authorized Check Pick Up

APV - FFL will release a paycheck to a third party, including a spouse, who is authorized in writing by the employee to receive the paycheck. Written authorization must be provided to the Payroll Clerk prior to any paycheck being released.

6.10. Attendance Keeping

Employee attendance records must be kept complete and accurate. Attendance records are subject to unannounced reviews to ensure proper use. Falsification of time records is

a serious offense and may lead to disciplinary action, up to and including discharge from employment.

6.11. Travel Expense and Other Reimbursements

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

6.12. Deductions in Pay

APV - FFL is required to make the following automatic payroll deductions.

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

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

If you have questions about why deductions were made from your paycheck or how they were calculated, notify the Payroll Clerk.

7. NON-DISCRIMINATION & ANTI-HARASSMENT

7.1. Non-Discrimination

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

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

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

APV - FFL 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: Ms. Claudia Zelaya, School Counselor, 5503 El Camino Del Rey St, Houston, TX 77081, (713) 349-9945 x1120, czelaya@amigosporvida.com.

APV - FFL has designated the following person as the ADA Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of disability: Ms. Alexandra Crane, SpEd Teacher, 5503 El Camino Del Rey St, Houston, TX 77081, (713) 349-9945 x1190, acrane@amigosporvida.com.

APV - FFL has designated the following person as the Title VII/ADEA Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of age: Ms. Erika Ibarra, Human Resources, 5503 El Camino Del Rey St, Houston TX 77081, (713) 349-9945 x2181, eibarra@amigosporvida.com.

All other complaints regarding equal employment opportunity may be directed to: info@amigosporvida.com.

Federal and State Worksite Postings

Required state and federal postings are found at each APV - FFL. The following postings can be found in an area common to all employees at their facility: Employee Rights Under the Fair Labor Standards Act; Job Safety and Health: It's the Law; Employee Rights and Responsibilities Under the Family and Medical Leave Act; Equal Employment Opportunity is the Law; Your Rights Under USERRA; Employee Polygraph Protection Act Notice ("EPPA"); Texas Payday Law; Texas Whistleblower Act Notice ("TWA"); Unemployment & Payday Law; Notice to Employees Concerning Workers' Compensation in Texas; and the Texas Hazard Communication Act Notice ("THCA") to Employees. Postings are in both English and Spanish for all employees to read.

7.2. Immigration Law Compliance

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

7.3 Nondiscrimination Based on Religion

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

7.4 Nondiscrimination Based on Military Service

APV - FFL 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.

APV - FFL 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").

7.5 Americans with Disabilities Act (ADA)

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

Hiring procedures have been reviewed and provide persons with disabilities 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.

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

7.6. Prohibition of Harassment

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

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

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

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

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

Retaliation

APV - FFL 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 APV - FFL investigation regarding harassment or discrimination is subject to appropriate discipline, up to and including termination.

7.7. Reporting Discrimination and/or Harassment

****NOTE**** The following procedures apply to allegations of Prohibited Conduct other than allegations of harassment prohibited by Title IX. For allegations of sex-based harassment that, if proved, would meet the definition of a formal complaint of sexual harassment under Title IX, please see the procedures outlined in “Sexual Harassment Prohibited,” Section 7.8 of this Handbook.

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

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

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

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

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

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

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

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

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

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

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

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

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

7.8 Sexual Harassment Prohibited

APV - FFL prohibits discrimination based on sex, including sexual harassment, by an employee, volunteer, or student.

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

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

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

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

General Definitions

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

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

A "formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that APV - FFL 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 APV - FFL's educational program or activity without unreasonably burdening either party, including measures designed to protect the safety of all parties or APV - FFL's educational environment, or deter sexual harassment. Examples of supportive measures include 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 7.1 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.

APV - FFL'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, APV - FFL must provide the following written notice to the parties who are known:

- Notice of APV - FFL'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 APV - FFL prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

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

Grievance Process

When filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of APV - FFL.

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

- APV - FFL 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 APV - FFL 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. APV - FFL 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 APV - FFL's sexual harassment policy.

- APV - FFL 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.
- APV - FFL shall attempt to complete an investigation of reported sexual harassment within 60 calendar days of receiving a complaint. However, the investigation process may be delayed or extended for a limited time for good cause with written notice to the complainant and the respondent of the delay or extension. Good cause may include considerations such as absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- Students found to have engaged in sexual harassment are subject to disciplinary action as outlined in the Student Code of Conduct.
- APV - FFL shall employ the or the clear and convincing evidence standard to determine responsibility when reviewing formal complaints.
- APV - FFL 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

APV - FFL 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

APV - FFL must investigate the allegations in a formal complaint.

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

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

Upon a dismissal, APV - FFL 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 APV - FFL from taking appropriate action under the Student Code of Conduct or any other school policy that may apply to the alleged conduct.

Investigating Formal Complaints

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

- APV - FFL will ensure the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on APV - FFL and not on the parties.
- APV - FFL 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 APV - FFL receives that party's voluntary, written consent to do so.
- APV - FFL will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- APV - FFL will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- APV - FFL 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. APV - FFL may establish restrictions regarding how much the advisor may participate in the proceedings, if they apply equally to both parties.
- APV - FFL 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.
- APV - FFL 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, APV - FFL must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days (about 1 and a half weeks) to submit a written response, which the investigator will consider prior to completing the investigative report.
- APV - FFL must create an investigative report that fairly summarizes relevant evidence and, at least 10 days (about 1 and a half weeks) 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) deciding regarding the 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 decision, based on the clear and convincing 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 APV - FFL'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 APV - FFL's education program or activities will be provided to the complainant; and
- APV - FFL's procedures and permissible bases for the complainant and respondent to appeal.

APV - FFL must provide the written determination to the parties simultaneously. The determination becomes final either on the date APV - FFL 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

APV - FFL will offer both parties an appeal from a determination regarding responsibility, and from APV - FFL'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 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, APV - FFL 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. APV - FFL 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 clear and convincing 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 dissatisfied with the appeal decision may file an appeal to the Board of Directors through the process outlined in APV-FFL's grievance procedures.

Emergency Removals

APV - FFL is able to remove a respondent from APV - FFL's education program on an emergency basis, provided that APV - FFL 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. APV - FFL'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, APV - FFL may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. However, APV - FFL 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, APV - FFL 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, APV - FFL 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.

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

Retaliation Prohibited

Neither APV - FFL 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 intimidation, threats, coercion, or discrimination.

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

Confidentiality

APV - FFL 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 7.8 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 7.7 of this Handbook.

7.9 Student Discrimination/Harassment

Discrimination and harassment of students by employees are forms of discrimination and are prohibited by law. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the Principal or other appropriate APV - FFL 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.

APV - FFL 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 APV - FFL 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.

APV - FFL employees are generally encouraged to report an illegal or suspected action that violates any adopted Board policy. Good faith reports may be made without fear of reprisal.

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

7.10 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.

7.11 Insubordination

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

In the event a supervisor directs an employee to perform an illegal or immoral act/task, the

employee should immediately notify the Principal or its designee.

7.12 Growth Plan/Disciplinary Action

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

Disciplinary action will follow the below sequence:

1. Verbal warning.
 - a. Imposition of an employee growth plan / performance improvement plan.
2. E-mail warning.
 - a. Reiteration of the employee growth plan / performance improvement plan.
3. Written warning.
4. Memorandum

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

8. EMPLOYMENT STANDARDS

The successful operation and reputation of APV - FFL 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.

APV - FFL will comply with all applicable laws and regulations, including its charter agreement with the State of Texas, and expects all employees to conduct their work in accordance with relevant law and to refrain from any illegal, dishonest, or unethical conduct. Neither the Board of Directors nor any APV - FFL 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 APV - FFL'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.

8.1. Expected Employee Conduct

All employees are expected to:

- Meet established expectations of job performance.
- Comply with attendance policies.
- Be responsible in the performance of job duties.
- Be efficient.
- Respect the personal and property rights of all individuals one encounters during APV - FFL business.
- Follow job instructions.
- Maintain a courteous and professional demeanor.
- Work together in a cooperative spirit to serve the best interests of APV - FFL and to be courteous to students, one another, and the public.
- 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, parents, other employees, and members of the community.
- Create an environment that ensures respect for other employees, parents, and students' views and opinions. With that said, any political, religious, or sexual orientation will NOT be discussed or displayed during work times in all school areas.
- Report to work according to the assigned schedule.

- **Not interrupt instructional time, including visiting other staff members and sending emails when students need to be monitored.**

Excessive documented incidents of failure to abide by our goals and code will be reflected in the employee's evaluation and shall be considered grounds for disciplinary action, up to and including termination.

Educator Standards

1. Set high expectations and standards for the academic and social development of all students and the performance of adults by:
 - a. Articulating a clear vision
 - b. Ensuring all students have opportunities to meet high standards while preparing them for higher learning and for enriching an interdependent world.
 - c. Developing our school culture in a manner that results in flexibility, collaboration, and support for all efforts to improve student achievement.
 - d. Mold a professional learning community that strives for excellence, applies wisdom, and models integrity.
2. Work toward having content and instruction that ensures student achievement of APV - FFL's academic standards by:
 - a. Holding teachers and students responsible for student learning
 - b. Letting students participate in their own learning process and the assessment of/for that learning.
 - c. Monitoring alignment of curriculum standards, instruction, goals, and assessments
 - d. Observing classroom practices
 - e. Assisting teachers in reviewing and analyzing student work in a collaborative setting
3. Foster a Culture of Continuous Learning for Adults Tied to Student Learning by:
 - a. Professional development for teachers on high yield instructional methodologies that promote success for bilingual English Language Learners.

Planning Period

Teachers cannot use their planning period to leave campus for personal business. The conference/planning period is a time provided for planning, grading, and parent conferences. Teachers must drop off and pick up students on time from their respective ancillary classes.

E-Mail Correspondence

Before the instructional day begins, during planning or lunch, and before leaving campus, all employees should check their emails and/or TEAMS messages to avoid missing critical information. Due to confidentiality purposes, when mentioning a student in an e-mail, please use their first and last name initials (not the student's full name). All e-mail and TEAMS messages are subject to monitoring by campus administration. Communication must always be professional. Main communication for employees and all stakeholders will be virtual. If you fail to comply with communication protocols, it will lead to administrative consequences.

Professional Learning Communities (PLC) Meetings

Grade-levels will meet with their professional learning community once a week during the common planning period. Meetings will focus on students' data and instruction (teaching and learning). Attendance is mandatory and you must arrive on time. T-TESS binders should be taken to the PLC meetings to discuss/review student progress and use this information to plan more effectively.

Mailboxes

Employee mailboxes are in the main hallway next to the back door of the Main Office. **Mailboxes must be checked daily.** Students cannot check any employee's mailbox. In case of emergency, items will be delivered to your classroom. There is a \$10 replacement fee for mailbox keys.

Building Maintenance

It is expected that all employees will exercise care and vigilance regarding school maintenance.

Floors & Stairs

- Carpet - Inform the custodial employees of spills and stains immediately.
- Floors - Make sure floors are free of debris that could permanently cause damage or spills that could result in physical harm to someone. Floors must be free of debris.
- Staircase - Use handrails when going up and down the stairs. If carrying items requiring both hands, please use the elevator.

Furniture

School furniture is accounted for in all instructional and administrative spaces. Please place a work order request for furniture that needs to be repaired and/or for requesting additional furniture. Do not move or take furniture without permission from an administrator. If furniture needs to be discarded, label it and notify a custodian. Place the furniture outside the classroom and/or Main Office space.

Lounge

Please pick up after yourself and report any matter that needs attention. The employee lounge and cafeteria both have a refrigerator to store food items and microwaves. Please be courteous, do not eat or drink anything not belonging to you. Refrigerators will be cleaned out by custodians on Fridays. If you have food and or condiments not in the original package, or not inside an insulated bag, it is subject to being discarded. Please eat breakfast prior to arriving for work.

Staff cannot send students to the lounge or other areas for personal errands.

Note: The last person to leave work; please make sure all heating appliances are turned off.

Walls

- Only staples may be used to place instructional items on the walls.
- Never use industrial/heavy-duty staples on the walls.
- Please remove all staples from the walls after removing displays.
- No tape is permitted on walls or whiteboards, especially packaging and double-sided tape.
- Please remember to keep displays presentable, including posting a learning objective, if the display is for instructional purposes.
- Cafeteria Walls During events only regular tape should be used; no double-sided tape, no duck-tape.

Work Order Request

Submit a Maintenance Request form to the custodial supervisor or the school secretary if you need to report a damaged or malfunctioning system or property. If you are unable to locate a custodian, immediately contact the school secretary to report any emergencies. Emergencies are situations that involve the safety of employees and students such as overflowing toilets, serious vomiting, etc.

8.2. Alcohol and Drug-Abuse Prevention

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

Drug-Free Workplace Notice

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

APV - FFL Strictly Prohibits

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

Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from APV - FFL property, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk APV - FFL's reputation.

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

Additionally, an employee must notify APV - FFL of any criminal drug statute conviction for a violation occurring in the workplace immediately. Within 30 days (about 4 and a half weeks) of receiving such notice, APV - FFL shall either (1) take appropriate personnel action against the employee, up to and including termination; or (2) require the employee to participate satisfactorily on drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency or other appropriate agency.

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

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

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

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

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

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

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted at random when reasonable suspicion exists, and as a follow-up measure. Testing will be conducted for the following accidents. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

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

8.3 Violence in the Workplace

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

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

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

8.4. Suspicious Behavior

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

8.5. Former Employees

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

8.6. Employee Dress Code

APV - FFL strives to maintain an educational environment that functions well and is free from unnecessary distractions. As part of that effort, APV - FFL requires employees to maintain a neat and clean appearance that is appropriate for the workplace setting and for the work being performed. APV - FFL employees are expected to set a good example for students and

should not allow themselves to become careless in their grooming and attire. If an employee is unsure of the appropriateness of a particular item of clothing, the employee should choose not to wear it.

Employee (for all) dress code is as follows:

- ID badges, access cards, and classroom keys (if assigned) must be worn and visible at all times.
 - Each item can be replaced if lost/stolen for \$10/each. Contact the Business Office.
- Monday/First Day of Instructional Week - Professional Dress Day
 - Men must wear button down, long-sleeve shirts and a tie with slacks.
- Tuesday and Thursday - Business Casual
- Wednesday - College Polo
- Friday - APV Polo with Jeans

Additional Measures:

- Grooming and personal hygiene should always be at its best. Clothing should be pressed and smoke free.
- Hair must be clean and always worn away from the face.
- Jewelry should be worn tastefully and kept to a minimum.
- Tattoos will be always covered when there are students on campus.
- In keeping with professional decorum, earrings may be worn by female employees only, and ears are the only exposed areas of the body on which pierced jewelry may be worn, unless for religious or cultural reason.
- Professional footwear does not include flip flops, slippers, shower shoes, house shoes, or "Crocs."
- Appropriate athletic attire is permitted ONLY for the PE coaches.
- Jeans can be worn on professional development days and any other day the superintendent allows them.
- **T-Shirts can only be worn on special dates approved by the superintendent.**

Business Casual Dress for Women:

- Skirt (below knee, even when sitting down)
- Casual Dress (below knee, even when sitting down)
- Slacks (khaki, twill, or cotton)
- Blouses
- Blazers
- Heels, flats, or loafers, mules, etc.

Additional Measures:

- Dress pants cropped pants (needs to be 2-3" above ankle), Capri pants, loosely fitted on the leg, and no shorter than mid-calf are permissible.
- Sweatpants, wind pants, warm-ups, leggings, cargo style, low-rise, spandex, or similar tight pants are not permitted.

- Clothing should fit appropriately and should not be too loose or too tight. Clothing should be neatly ironed.
- The length of skirts, split skirts, and dresses must be below the knee even when sitting down, and allow one to walk, stoop, kneel and sit with modesty.
- Blouses, sweaters, and shirts must cover the midriff and lower back, including while reaching or bending.
- Sleeveless, halters, bare backs, tank tops, spaghetti straps, muscle shirts, see-through garments, revealing, or provocative necklines are not permitted.
- Undergarments must not be visible.
- Low cut clothing is not permitted. No cleavage should be visible.

Business Casual Dress for Men:

- Pressed, collared, long-sleeve button up.
- Sportscoats
- Polo
- Dress slacks, socks, belt, and shoes

Additional Measures:

- Business casual shirts and pants will be worn.
- Cargo pants and baggy pants are not acceptable.
- Clothing should be neatly ironed.
- Facial hair (beard, mustache, or goatee) must be well groomed.
- Hair length must not be longer than ear length. Hair fasteners are not allowed.

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

8.7. Employee Searches

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

Employees do not expect privacy in any work areas such as classrooms, offices, desks, file cabinets, computers or cell phones owned or leased by the APV-FFL. Work areas, Employees, and APV - FFL property are subject to search at any time including but not limited to lockers, personal vehicles (if driven or parked on school property), and other personal items such as bags, purses, briefcases, backpacks, lunch boxes, and other containers. Any of the following may be monitored if they occur during business hours, at school activities, and/or on school property: phone calls, - voice mail.

Also, employees have no expectation of privacy regarding their text messages or emails about school business. Consequently, all school related records or student related records, including text messages, emails, and photography/videography must be kept in accordance with APV - FFL's records retention policy.

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

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

8.8. Tobacco Products and E-Cigarettes

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

For purposes of this policy, "e-cigarette" means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. This also includes 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 APV - FFL property.

8.9. Audio & Video Recordings

APV - FFL is charged with the responsibility of caring for students. Maintaining a safe and efficient school is critical to fulfilling this responsibility. APV - FFL reserves the right to conduct surveillance in its facilities and offices when such surveillance is in the best interest of the school, its students, or its employees, such as for possible problems with student abuse, theft, drugs, alcohol or other serious misconduct. Therefore, employees are on notice that they should have no expectation of personal privacy while at work and all schools and school facilities are subject to surveillance, including parking lots. Surveillance may be by electronic means or direct human involvement. Surveillance methods may be visible or may be concealed. Periods of surveillance may or may not be announced at the option of APV - FFL.

No employee shall initiate surveillance of any kind without express approval of the Superintendent. Technical assistance with surveillance may be sought from local law enforcement agencies in conducting surveillance and surveillance results may be shared with local law enforcement agencies when possible criminal action is indicated.

8.10. Office Dating

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

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

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

8.11. Workplace Investigations

When APV - FFL 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, APV - FFL 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.

8.12. Reporting an Educator's Misconduct

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

1. That an educator, applicant for, or holder of an educator's certificate has a reported criminal history, and APV - FFL learned of the criminal record by means other than the criminal history clearinghouse established by the TDPS.
2. That an educator or certificate holder was terminated and there is evidence that the educator:
 - a. Abused or otherwise committed an unlawful act with a student or minor.
 - b. Was involved in a romantic relationship or solicited or engaged in sexual conduct with a student or minor.
 - c. Possessed, transferred, sold, or distributed a controlled substance.
 - d. Illegally transferred, appropriated, or expended school property or funds.
 - e. Attempted by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to be employed in a position requiring such a certificate or permit or to receive additional compensation associated with a

- position; or
- f. Committed a crime or any part of a crime while on school property or at a school-sponsored event.
 3. That a certificate holder resigned, and reasonable evidence supported a recommendation to terminate the individual because he or she committed one of the acts specified in paragraph 2 above.
 4. That an educator engaged in conduct that violated the assessment instrument security procedures established by Education Code 39.0301.

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

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

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

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

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

8.13. Reporting Employee Misconduct (Non-Educators)

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

1. A non-educator's employment with APV - FFL 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 APV - FFL 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.

8.14. Updated/Current Employee Information

Employees are required to regularly update:

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

Updates should be made by notifying Human Resources.

8.15. Allowable Uses of School Property

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

Employees of APV - FFL may use local telephone service, cellular phones, electronic mail, Internet connections, etc. for incidental personal use under the following conditions:

- Such incidental personal use must not result in any direct cost paid with state funds. If this does happen, the employee who caused the

- direct cost to be incurred by APV - FFL must reimburse APV - FFL;
- Such incidental personal use must not impede the functions of APV - FFL;
- The use of APV - FFL property for private commercial purposes is strictly prohibited; and
- Only incidental amounts of an employee's time for personal matters, comparable to reasonable coffee breaks during the day, are authorized under this section.

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

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

8.16. Computer & Internet Use

With the exception of the incidental personal use described in Section 8.15 access and use of APV - FFL's computers, computer networks, electronic mail, and the Internet is only for educational and administrative purposes. The access of material that is obscene, child pornography, or harmful to minors is prohibited. Please see Section 12 for a more in-depth policy regarding communication systems, property, and networks.

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

8.17. Administration of Medication to Students

Administration of Medication

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

- Nonprescription medication brought to school must be submitted by a parent along with a written request. The medication must also be in the original and properly labeled container.
- Prescription medications administered during school hours must be prescribed by a physician or advanced nurse practitioner ("ANP") and filled by a pharmacist licensed in the State of Texas. Prescriptions ordered or filled in Mexico will not be accepted.
- Prescription medications must be submitted in a labeled container showing the student's name, name of the medication, reason the medication is being given, proper dosage amounts, the time the medication must be taken, and the method used to administer the medication. Medications sent in plastic bags or unlabeled containers will NOT be administered.
- If the substance is herbal or a dietary supplement, it must be provided by the parent and will be administered only if required by the student's Individualized Education

Program (“IEP”) or Section 504 plan for a student with disabilities.

- Only the amount of medication needed should be delivered to the school, i.e., enough medication to last one day, one week, etc. In cases of prolonged need, send in the amount for a clearly specified period. Extra medication will not be sent home with the student.
- In certain emergency situations, APV - FFL 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.

8.18. Psychotropic Drugs and Psychiatric Evaluations or Examinations

No employee may:

- Recommend that a student use a psychotropic drug.
- Suggest any 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.

8.19. Parent and Student Complaints

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the Board of Directors has adopted orderly processes for handling such complaints. Parents or students may obtain information on this process from the main office or the approved board policies on APV - FFL website: <https://amigosporvida.com/about-us/policies/>.

8.20. Student Conduct and Discipline

During Meet the Teacher, Open House, on the first day of school, and parent-teacher conferences, teachers should review the Student Handbook and the Code of Student Conduct with their students and parents. Students are expected to follow all classroom and campus rules, and the rules listed in the Student Code of Conduct. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management strategies that have been adopted by APV - FFL. Non-instructional employees with concerns about a particular student’s conduct should contact the student’s classroom teacher or the principal.

Parent/Teacher Conferences and Communications

Teachers are to contact a parent or guardian and arrange a conference date/time when notified of a conference request. The same day or within 24 hours the message/e-mail is received, every effort should be made to return the call to the parent/guardian. Upon

request, an administrator will make every effort to attend parent conferences.

Parent Conferences protocol as follows:

- Parent meets with the teacher
- When meeting with a parent, ensure you don't meet with them alone
- If the teacher is not able to resolve the issue, then the parent meets with the Assistant Principal
- If the Assistant Principal is not able to resolve the issue, then the parent meets with the principal

School Discipline Guidelines

Disciplinary measures shall be administered when necessary to protect students, school employees, and school property. Students will be treated with respect. Disciplinary actions will be carefully assessed and based on the facts of each case. Factors to consider are as follows:

- Seriousness of the offense
- Frequency of misconduct
- Student's attitude
- Potential effect of the misconduct on the school environment

Teachers are responsible for managing student discipline for Level I and Level II offenses (please review "Student Code of Conduct") In addition, teachers must inform parents regarding student misbehavior and maintain a parent communication log.

School-Wide Discipline

Teachers are required to monitor students in the hallways (in close proximity to their classrooms) during each five- minute changing period. Students remaining in the classroom must also be continuously monitored.

Discipline Management Plan

Level I:

(Do not send students to the office for these offenses)

- Disruptive Behavior (Horseplay, excessive noise, gum chewing, eating, dress code violations)
- Inattentiveness
- Uncooperative
- Disturbing Class Environment
- Unprepared/Lack of supplies or class materials including homework & class work.

- Failure to follow directions.

Actions taken by teacher prior to submitting a Discipline Referral (documentation must be attached):

- Verbal warning
- Student/teacher conference
- Academy detention
- Parent conference

Sending Students to the Administrator

Teachers should send discipline reports to the appropriate Assistant Principal. Supporting documentation of previous teacher interventions and parent conferences will be required to take the appropriate disciplinary action. Teachers needing immediate assistance should call the administrator and send a dependable student messenger. Campus security should not be contacted. Security can be called in cases where the safety of the teacher or students is in jeopardy.

Students Should Not Be Placed in the Halls as a Disciplinary Consequence. Instead, teachers are encouraged to buddy-up with another teacher to find a temporary placement for the disruptive student. The student must be escorted by another trustworthy classmate.

The following are the immediate steps taken by the administrator.

- Lunch (with the teacher), Ancillary, or After School Detention (with administrator)
- In School Suspension
- Out of School Suspension (*only for Level III offenses*)

Bullying

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

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

4. infringes on the rights of the victim at school.

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

APV - FFL’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 APV - FFL’s anti-discrimination and harassment policy instead. The Principal or designee shall conduct an appropriate investigation based on the allegations in the report, and shall take prompt interim action calculated to prevent bullying during the course of an investigation, if appropriate.

The Principal or designee shall prepare a written report of the investigation, including a determination of whether prohibited bullying occurred. If the results of an investigation indicated that bullying occurred, the school shall promptly respond by taking appropriate

disciplinary or corrective action reasonably calculated to address the conduct in accordance with the Student Code of Conduct. APV - FFL may act based on the results of an investigation, even if the school concludes that the conduct did not rise to the level of bullying under this policy.

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

Student Attendance

Teachers and staff should be familiar with APV - FFL's policies and procedures for attendance accounting. Contact the PEIMS Coordinator for additional information.

Students must be physically in their class to be considered present, unless they are participating in a field trip, or another school activity approved by the principal. Taking and recording student attendance is the teacher's responsibility. The teacher is responsible for taking:

- Attendance at 9:30 a.m. (Period 2)
- Accurate daily attendance is a must during the 2nd Period. Ancillary teachers will take attendance for Middle School during their respective periods.
- Inform the PEIMS regarding students who have been absent 3 or more days.
- Ensure opportunities are provided for students to do make-up work for the days they are absent.

If you experience a computer hardware or software problem preventing timely reporting of attendance, you are to immediately notify the PEIMS Coordinator, who will provide an attendance sheet that will be manually completed. A trusted student must be sent to the Front Office to pick up the attendance sheet. All manual attendance sheets need to be hand delivered to the PEIMS Coordinator by 9:30 a.m.

The first 3 days of the school year attendance will be taken on paper roster (training will be provided during preservice week in August).

Teachers who repeatedly fail to take and record attendance as directed will be subject to disciplinary action.

Student Tardy Policy

Students arriving late to school will receive a tardy pass from the Front Office. Upon their arrival to class, they must give their teacher the tardy pass for documentation purposes. After five tardies, the receptionist and/or PEIMS coordinator will notify parents.

For five or more tardiness per six weeks students will lose their perfect attendance certificate and reward. Administrators will decide on the consequences for chronic tardiness.

Student Leaving School Early

Students leaving before the end of the school day must sign out through the Main Office. The Main Office will maintain a daily “sign-in” and “sign-out” sheet for students departing school before the end of their scheduled time. The Main Office will keep all notes or authorizations for students leaving school early. Students will not be allowed to leave after 2:30 p.m.

Excessive Student Early Leaves

After five early leaves in a 6-week period, a formal meeting with parent/guardian must take place. Students will lose perfect attendance certificate and award.

Student Excuse Notes

The student returning to school from being absent must submit a note written by a parent/guardian. Included in this note should be the reason for the absence(s) and the parent/guardian contact number. Excuse notes for absences must be submitted within three days after a student return to school.

Student Suspended from School

When a student is suspended from school, missed days will be considered unexcused absences. During the days of suspension, the student will be required to make-up all work missed. All work must be made up within five school days of returning to school from suspension.

Medical Appointments

If a student is absent (for a portion of the day) for a healthcare appointment, the absence is erased, and the student can make-up work. The student must bring a note from the healthcare provider.

Student Transportation

APV - FFL employees are not authorized to transport students in the employee’s personal automobile unless approved by their supervisor and the students’ parent/legal guardian. A driver’s license for said employee should be on record with Human Resources along with a permission slip signed by parent/legal guardian, staff member, and supervisor.

Student Welfare: Reports of Child Pornography

All APV - FFL employees who, in the course and scope of employment or business with APV - FFL views an image on a computer that is or appears to be child pornography must

immediately report the discovery to a local or state law enforcement agency or the Cyber Tipline at the National Center for Missing and Exploited Children. The report must include the name and address of the owner or person claiming the right to possession of the computer, if known, and as permitted by federal law.

8.21. Reporting Child Abuse/Child Neglect

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

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

Reports to CPS can be made 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, APV - FFL is prohibited from taking an adverse employment action against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

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

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the Principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agency. In addition, employees must cooperate with investigators of child abuse and neglect.

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

investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

Sexual Abuse and Maltreatment of Children

APV - FFL has established a plan for addressing sexual abuse, sex trafficking, and other maltreatment of children. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused, trafficked, or otherwise maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Sex trafficking involves forcing a person, including a child, into sexual abuse, assault, indecency, prostitution, or pornography. Maltreatment is defined as abuse or neglect. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect following the procedures described in "Student Welfare: Child Abuse and Neglect Reporting" above.

Notification to Parents Regarding Qualifications

In schools receiving Title I funds, APV - FFL is required by 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 APV - FFL provide the parent or guardian of each enrolled student written notice of the professional qualifications of the student's classroom teachers. APV - FFL will also provide this information upon request from a parent.

Employee Training

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

Corporal Punishment

APV-FFL policy prohibits any form of corporal punishment including students standing up for an extended period of time.

Lost and Found

Any sweaters/jackets found in the classroom should remain in the classroom. Any

sweaters/jacket found outside of the classroom should be taken to the nurse's office. Any toys or items teachers take from students should be returned at the end of the day to the student or to the parent. Any item brought to the front office will be discarded.

Phones collected should be kept under lock and key or given to the appropriate supervisor.

Special Events

An Event Set-Up form should be filled out for events requiring movement of furniture and/or the preparation of space. This form needs to be forwarded to the Receptionist. Allow 3 weeks to obtain the necessary signatures. The Event Request Form can be found in SharePoint.

Please check the master calendar on SharePoint and then contact the receptionist to add the special event to the weekly newsletter. If you need to reserve an area to conduct an event, please make sure to reserve it ahead of time. Contact the following employee to reserve the cafeteria or library:

- Cafeteria Manager
- Librarian

Class Celebrations

Teachers need to inform the appropriate administrator regarding all class celebrations. Teachers must obtain administrative approval for all celebrations not listed:

- Birthday celebrations should only take place on Friday's from 2:45 p.m. – 3:15 p.m.
- Only 2 semester celebrations (before the winter break and the last day of school).

Food and Beverage

In general, food is not permitted in classrooms. Classroom parties and /or special requests must be pre-approved by an administrator. Classroom parties, when approved, can happen only during the last 30 minutes of the school day. School-wide special celebrations are the exception. All beverages must be in a closed container.

Lunch Cafeteria Procedures

Student safety is a priority at APV-FFL. During lunch students will be supervised by employees. Employee members will actively monitor students and ensure the cafeteria is a safe environment. Employees need to:

- Arrive and pick-up on time (use an atomic clock to ensure punctual arrival).
- Walk to the pick-up area and take their students.

911

All school phones are equipped with the 911 safety feature. Please do not allow students to use the phone without proper supervision.

Doors

When exiting exterior doors, please check to make sure they are closed and locked. Doors should never be propped open. If you notice any issues or malfunctions with the doors, please report it to the Business Office.

Restrictions Concerning Tutoring Students

Employee members are not permitted to use the school building for conducting private lessons or tutoring for pay.

8.22. Use of Personal Vehicles and Traffic Violations

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

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

8.23. Weapons and Firearms Prohibited

Pursuant to Section 30.05, Penal Code (criminal trespass), a person may not enter this property with a firearm. Any violation of this policy by an APV - FFL employee may result in immediate termination. To ensure the safety of all persons, employees who observe or suspect a violation of this prohibition should report it immediately to their supervisor.

8.24. Social Media Usage

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

APV - FFL prohibits employees from being friends or connecting with students on any social media platform such as Facebook, Twitter, Snapchat, Instagram and others, unless you have an appropriate out-of-school relationship with the student such as relatives, church, scouts, or other activity that would be appropriate for such informal communication. (see also section 8.20) Staff must avoid posting student information, pictures, work product exemplars on personal social media sites, blogs, etc. Parental consents apply only to school-sanctioned sites. Be aware that even with the most stringent privacy settings, photo tagging and other tools may make personal information regarding students and their families publicly available.

When using personal social media sites, if you identify yourself as an employee of the APV - FFL, you must remember that you have associated yourself with the school, your colleagues, and your school community; therefore, your online behavior must reflect the same standards of professionalism, respect and integrity as your face-to-face communications. You must ensure that any associated content is consistent with the mission and work of the school. You must also respect all copyright and other intellectual property laws. For APV - FFL'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 APV - FFL's own copyrights, trademarks, and brands.

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

Professional Accounts. When using social media sites/products for school related purposes, use APV - FFL sanctioned and/or created platforms, (e.g. APV - FFL Facebook page).

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

We encourage staff to establish "professional office hours" and share them with students and parents so that they know if and when you will respond to questions that are emailed, posted on social media, or otherwise communicated to staff.

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

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

8.25. Staff/ Student Romantic Relationships

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

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

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

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

8.26. Authority to Bind Contracts

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

8.27. Expressing Breastmilk in the Workplace

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

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

8.28. Safety & Security

Access Cards & Keys

All employees will get an access card for all exterior doors. Classroom teachers will be issued keys to their rooms. Some other staff will be given keys, if their role requires them to have room keys. Under no circumstances allow unauthorized personnel (including students) to use your school keys or access card. Before clocking-out, employees with room keys are required to lock their room door. Custodians will be responsible for locking all classroom doors after completing their cleaning duties.

Employees CANNOT duplicate keys without the written permission of the CFO or Superintendent. There will be a \$10 replacement fee for each item if lost/stolen.

Visitors

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

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

Student Arrival and Dismissal Procedures

APV-FFL is committed to providing a safe and enjoyable learning environment. The information provided highlights policies and procedures that will maximize safety for students as they arrive and leave daily from school.

- School hours are from 8:00 a.m. to 3:30 p.m.
- If a student comes to school at 8:05 a.m., they are tardy.
- Breakfast - served in the cafeteria from 7:15 a.m. to 7:45 a.m.
- Students arriving after 8:05 a.m. are tardy and must enter through the front door to obtain a tardy pass.
- Dismissal will be at 3:30 p.m. and parents must pick up their children on time.
- Late pick-up will result in a \$5 charge every 15 minutes.
- Late fees apply per student (not per family).

We recognize the importance of the school and community working together and request you read this information carefully and follow these policies and procedures with fidelity.

Morning Arrival

- Students may enter the cafeteria at 7:15 a.m. There will be no employee members on duty before 7:15 a.m. to supervise students.
- Parents who arrive earlier must remain with their child and/or children.
- All students will use the cafeteria door to enter the building.
- Students should exit their parent's vehicle from the passenger side only.
- Parents must remain in their vehicle and leave quickly when student(s) exit.
- There is only 1-car rider line and students should never exit a vehicle in the parking area to walk through the traffic without parental supervision.
- Students will not be able to enter the school using the main entrance, unless accompanied by a parent.
- Parents must be sure to sign in at the Main Office and obtain a visitor's badge if a parent/teacher conference is scheduled.
- After eating breakfast, students report to their designated areas as mentioned below:
 - 6th and 8th grade – Library
 - 4th and 5th grades – Music Room
 - PK – 3rd grades – Cafeteria
- Students dismissed from their areas at 7:45 a.m.
- Students need to be in the classrooms and ready to start their instructional day by 7:50 a.m.

After School Dismissal

- To maximize instructional time and maintain an orderly school environment, students cannot be checked out by parents between 2:45 p.m. and 3:30 p.m.
- Parents who pick-up their child(ren) must stand in line outside the building on the sidewalk near the Main Office/conference room.
- Car riders will be picked up in 2 designated areas (the cafeteria on rainy days and from the back of the library on non-rainy days).
- Parents picking up students in a vehicle will have a sign with the student(s) name. Signs must be visible on the dashboard.
- All parents must display appropriate sign, or their child(ren) will not be released.
- Students cannot go home with individuals not on the authorized list.

Supervision of Students

Teachers are responsible for the supervision of their students at all times. Should you need to leave your room in an emergency, please notify a neighboring teacher to provide coverage for your class. Under no circumstances should a student be left in charge of a class. Students are never to be left unsupervised. Teachers are required to stand at their doors at the beginning (arrival) and end (dismissal) of each school day. These procedures are necessary to maintain the safety of our students. If there is an emergency, an administrator must be notified immediately. If students are left unsupervised by any employee member, the employee member will be held accountable for the infraction.

Accidents

Accidents that occur to employees and students can be prevented. It is the responsibility of every employee to follow the safety procedures provided below:

- All employee accidents must be reported to the immediate supervisor and to the Human Resource Office. Accidents must be reported to the Human Resource Office within 24 hours of occurrence. In the case of an emergency, you are authorized and expected to contact 911 (if you believe it is appropriate).
- Student accidents must be reported immediately to the Nurse who will notify the Front Office and the parents.
- All accidents need documentation on an Incident/Accident Report form on SharePoint.
- All spills need to be cleaned immediately. Use walkie-talkies to contact custodians for assistance and block the area until it is cleaned. Please make sure your drink has a lid.
- Unsafe climbing can lead to serious injuries. No items are to be stored above closets or posted on walls or bulletin boards if it is above your reach while standing on the floor. Under no circumstances is any student or employee to stand, kneel, climb upon counters, chairs, tables, desks, or on other items. Only employee members are allowed to use ladders or stepstools.
- All employees are responsible for reporting any potential hazard to the custodians. This includes, but is not limited to broken glass, damaged furniture, protruding objects, sharp edges, and unusual odors, broken or damaged equipment.

- All employees must park in reverse.

Classroom Security

Classrooms are to be always locked for security and safety. Valuables should be placed out of sight and always locked up. All money collected needs to be submitted to the Business Office. This must be done in person prior to 3:45 p.m. daily and cannot be left in the classrooms. Money not turned to the Office is the responsibility of the employee member. If the funds are lost or stolen, the employee member will be required to replace the funds. Audio-visual and computer equipment should be stored in a secure area as much as possible. Every room should have at least one locked cabinet. During the first week of school, teachers are to report to the Principal or CFO, if they do not have a locked cabinet.

Security

As part of security, an armed security guard serves at our school.

In the event of an emergency, contact an administrator. Everyone in the school building must have a visitor's pass or a school ID. If a pass is not visible, the person must be escorted to the Main Office. A teacher who has a class will ask another teacher to watch their class while escorting the visitor to the Main Office. Anyone refusing to go to the Main Office is considered a trespasser and the teacher should inform the Main Office immediately.

All employees will be assigned a morning and/or after school duty to maintain a safe and orderly environment. In addition, all teachers are expected to assist with monitoring the halls.

Fire Drills

State law requires all Texas schools to conduct a monthly fire drill. Half of these drills must be conducted as a "fire with an obstructed" pathway. It is very important that you become familiar with the fire drill procedures. All students must also know the correct fire exits (primary and alternate). Post the "Exit Route" map near the class entrance. During a drill, you are to take class rosters. Once outside, make sure all students on your roster are present (once they are in line on the field near the entrance gate). Immediately inform an administrator if a student is missing. All fire drills will be conducted at the discretion of the principal.

All occupants in the building during a fire drill must participate for safety purposes.

Emergency Operations Plan

Every room must have an emergency evacuation map and a class roster with current phone numbers inside the "Emergency Operations" folder. Both items are to be located near the class entrance. All employees are responsible for knowing all emergency procedures and protocols.

Loitering-Unauthorized Persons on Campus

Only APV-FFL students, parents, employees, and visitors conducting professional business at school are allowed on campus during school hours. All visitors must sign-in and secure a visitor's badge from the Main Office before visiting a classroom. All employees must call the Main Office if a visitor is seen without a badge.

Any person loitering on school property will be asked to leave and reported to an administrator and security. In case criminal charges are filed, these reports will be used.

Employee and Student Safety Rules

Students may be released to the parents, legal guardian, or emergency contacts through the Main Office. The Main Office will call the classroom to inform the teacher that the student is leaving early. Students are never to contact parents using their personal cellphones.

Amigo Online

Heard something that sounds wrong? Want to report to someone who needs help? Parents, students, and employees can submit a report on our website under the AMIGO ONLINE form found on the homepage. All reports are anonymous. AMIGO ONLINE is meant to report instances such as: witnessing someone stealing, witnessing someone damaging property, etc. Any other complaint should be directed to the Main Office.

Web Usage

Social media profiles and posting should not include information regarding your place of employment. In addition, employees are not to befriend students on Facebook, Snapchat, Twitter, or any other social media platform. Keep in mind that anything posted may be used against you or can be misinterpreted by others. The school is not responsible for any information posted by a teacher on a social media website.

Alarm

APV-FFL is equipped with technology devices such as cameras, building entry sensors, and web-based 24/7 viewing. The last person to leave is responsible for setting the alarm. Selected personnel will be authorized to engage/disengage the alarm.

9. GRIEVANCE PROCEDURES

Informal Process

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

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

Guidelines for General Employee Complaint Process

Definitions

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

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

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

“Business Day”

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

Filing

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

representative no more than three days after the deadline.

Scheduling Conferences

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

Response

Pursuant to section 9.1 and 9.2 below a "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's e-mail address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

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

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

Representative

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

Consolidating Complaints

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

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

Untimely Filings

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

Costs Incurred

Each party shall pay its own costs incurred during the complaint.

Complaint and Appeal Forms

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

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

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

Formal Process

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

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

9.1. Campus Principal Review of Complaint

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

9.2. Superintendent Review of Complaint

If the complainant is not satisfied with the final decision of the campus principal/supervisor,

then the individual may file a written appeal to the Superintendent. This written appeal shall be filed with the Superintendent's office within 10 business days of the individual's receipt of the final decision from the campus principal/supervisor. The complaint shall include a copy

of the prior written complaint, along with a copy of the final decision of the campus principal/supervisor. A copy of the appeal shall also be delivered to the campus principal/supervisor.

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

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

9.3. Board of Directors Review of Complaint

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

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

9.4 Whistleblower Complaints

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

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

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

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

1. Exhaust the APV - FFL complaint procedure, in which case the employee must sue not later than the 30th day after the date those procedures are exhausted to obtain relief

under the TWA; or Terminate the school's complaint procedures and sue within the timelines established by the TWA.

10. SEPARATION FROM EMPLOYMENT

10.1. Termination or Resignation

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

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

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

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

Reports Concerning Court-Ordered Withholding

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

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

Termination Grievances (General Complaints)

A terminated employee may request a review of the dismissal decision. Termination grievances (other than whistleblower complaints) must be submitted in writing to Human Resources within five calendar days of notice of termination. A Human Resources representative will schedule and hold a conference within five business days of the request and shall issue a written decision within five business days after the conference. A former employee wishing to appeal against this decision may appeal through the General Employee Complaints and Grievances process described in Section 7 of this Handbook. Termination decisions will not be deferred pending the outcome of an appeal.

10.2. COBRA Notice

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

11. Miscellaneous Provisions

11.1. Emergencies

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

11.2 Family Educational Rights and Privacy Act

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

11.3. HIPAA

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

11.4 Limitations on Employee Training

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

11.5 Records Retention

Current and former employees are considered temporary custodians of APV - FFL 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 APV - FFL. 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.

11.6 School Closures

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

11.7 School Property

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

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

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

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

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

11.8 Fundraisers

- Before committing to any fundraising projects, employees must submit and obtain a

written request to the Principal, Assistant Principals or CFO. The principal's secretary will notify the HR manager. Fundraiser Request form must be filled out prior to conducting a fundraiser.

- APV-FFL procedures must be strictly followed when conducting fundraisers and collecting money.
- Only one club fundraiser can be conducted and completed, before another can be initiated.
- Under no circumstances are any funds to be collected (for any purpose) without prior written approval.
- Cash received must never be used for purchases, check cashing, loans, reimbursements, or advances.
- Raffles may only be run as a school-wide activity, no more than twice per calendar year.
- Fundraisers must be closed with the HR manager, no later than 2 weeks after the final date of sales. Failure to finalize a fundraiser in a timely manner may result in suspension from future fundraising activities.

11.9 Procedures for Collecting Money

- Complete a Fundraiser Request Form and submit it for approval, prior to any fundraiser
- Permission must be granted for all fundraising usage
- As students turn money in, have them sign their names and the amount collected on the AF104 form.
- All money collected must be receipted immediately and turned in when the sum exceeds \$20.00. If the money is not turned in and it is lost or stolen, it is the responsibility of the teacher to replace it. If personnel are not available to receive the money, it can be locked in the Main Office vault for safekeeping.
- Money collected may not be spent under any circumstances.
- All money collected must be submitted to the Main Office in the same form as was collected.
- Employee and student personal checks may not be submitted in place of cash collections.

12. Electronic Media, Communications Systems, and Technology Resources Acceptable Use Guidelines

You are being given access to the Amigos Por Vida – Friends For Life Public Charter School (District) provided technology resources listed below. It is important that you read the applicable District policies, administrative regulations, and this agreement form.

Please contact the IT department or your immediate supervisor if you have questions or need help understanding the material.

The following guidelines apply to all Amigos Por Vida – Friends For Life Public Charter School e-mail accounts, devices connected to the district’s networks, and all District-owned devices used on or off school property, whether connected to the district’s network or connected through a personal data plan or other means of access.

Additionally, the District prohibits harassment through electronic means regardless of the device used, the network used, or the location of use. [Board Policy 4.28 Internet Safety]

Inappropriate use of the district’s technology resources may result in revocation or suspension of the privilege of using these resources, as well as other disciplinary or legal action, in accordance with applicable District policies, administrative regulations, and laws.

You are being given access to the following technology resources:

- District network: A district email account, including access to cloud-based (online) document storage and collaboration space.
- District computer hardware, software, and printers
- Access to District-owned technology resources for use at home
- District-filtered Internet access wired and wireless.
- Communication devices (landline, fax, walkie, etc.)
- Instructional devices (projectors, TV’s, etc.)

Please note that the Internet is a network of many types of communication and information sources. It is possible that you may run across some material you might find objectionable. While the District will use filtering technology to restrict access to such material, it is not possible to absolutely prevent such access. It will be your responsibility to follow the rules for appropriate use.

If you are being issued a District-owned technology device(s) that will be used off campus, you will assume financial liability should the device(s) be damaged, stolen, or lost.

RULES FOR RESPONSIBLE USE

- You will be assigned an individual account for access to approved District technology resources, and you are responsible for not sharing your password or other account

information with others.

- District technology resources are primarily for instructional and educational purposes. Limited personal use is allowed only if the rules in this agreement are followed, and the use does not interfere with your assigned duties.
- You must comply with the Public Information Act, the Family Educational Rights and Privacy Act (FERPA), and any other applicable law or policy regarding records retention and confidentiality of student and District records.
- You must maintain the confidentiality of health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
- Please remember that all communications sent through District e-mail accounts may be perceived as communications on behalf of the district. Consequently, all e-mails sent from District e-mail accounts are subject to the district's responsible use agreement, and an employee who violates the agreement may be disciplined accordingly.
- When communicating through e-mail or other electronic means, you must use appropriate language and etiquette as you would when communicating face to face. Always be respectful.
- Only authorized District staff may communicate with District students through electronic means, including social media, e-mail, and text messaging. If you are unsure whether you are authorized to communicate with a student through electronic means, ask your supervisor.
- When communicating through electronic means with staff, parents, students and community members, you must use services vetted and approved by the IT department and Superintendent. District staff should not accept terms and conditions or sign user agreements on behalf of the district without pre-approval.
- Before use on a District device or for a District purpose, digital subscriptions, online learning resources, online applications, or any other program must be approved by the IT Department and Superintendent. District staff should not accept terms and conditions or sign user agreements on behalf of the district without pre-approval.
- Copies of potentially sensitive or confidential District records should not be sent, viewed, or stored using an online application not approved by the district.
- You must immediately report any suspicious behavior or other misuse of technology to your supervisor or other campus administrator.
- You will be held responsible at all times for the proper use of your account and devices, and the district may suspend or revoke your access if you violate the rules, and they may collect a fee based on the nature of use.

INAPPROPRIATE USE

- The following are examples of inappropriate use of technology resources:
- Using the resources for any illegal purpose, including threatening school safety.
- Accessing the resources to knowingly alter, damage, or delete District property or information, or to breach any other electronic equipment, network, or electronic communications system in violation of the law or District policy.
- Damaging electronic communication systems or electronic equipment, including

knowingly or intentionally introducing a virus to a device or network, or not taking proper security steps to prevent a device or network from becoming vulnerable.

- Disabling or attempting to disable or bypass any Internet filtering device.
- Encrypting communications to avoid security review.
- Using another staff member network or digital account unless providing technical support
- Sharing your account credentials with others (other staff, substitute teachers, students, etc.)
- Pretending to be someone else when posting, transmitting, or receiving messages.
- Attempting to read, delete, copy, modify, or interfere with another user's posting, transmission, or receipt of electronic media.
- Using resources to engage in conduct that harasses others.
- Sending, posting, or possessing materials that are abusive, obscene, pornographic, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including material that constitutes prohibited harassment and "sexting".
- Using inappropriate language such as cursing, vulgarity, ethnic or racial slurs, and any other inflammatory language.
- Violating others' intellectual property rights, including downloading or using copyrighted information without permission from the copyright holder.
- Posting or transmitting pictures of students without obtaining prior permission from all individuals depicted or from parents of depicted students who are under the age of 18.
- Wasting school resources through improper use of the district's technology resources, including sending spam; and
- Selling items and resources created on school time and/or using district provided technology resources through marketplaces, (TeachersPayTeachers, etc.)
- School equipment shall not be used to advertise, promote, sell tickets, or collect funds for any non-school-related purpose without prior approval of the Superintendent or designee.
- Do not use district e-mail accounts to create or forward political campaign materials or to encourage others to vote for or against any specific candidate or measure.
- Employees should not use campus-wide email groups for any personal purpose.
- Gaining unauthorized access to restricted information or resources.
- Allowing anyone, other than yourself or IT, to gain access to your school account or devices such as students, children, spouses, coworkers, etc.

CONSEQUENCES FOR INAPPROPRIATE USE

- The following are possible consequences of inappropriate use of technology resources:
- Suspension of access to the district's technology resources;
- Revocation of the account; or
- Other disciplinary or legal action in accordance with the district's policies and

applicable laws.

- Applicable fees for lost/stolen/damaged devices.

REPORTING VIOLATIONS

- You must immediately report to the IT department or your immediate supervisor any known violation of the district’s applicable policies, Internet safety plan, or acceptable use guidelines.
- You must report requests for personally identifiable information, as well as any content or communication that is abusive, obscene, pornographic, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal to the IT department and Superintendent.

RETURN OF TECHNOLOGY RESOURCES AND RECORDS

- Upon leaving employment, or upon request from the Superintendent, you must return any District-owned equipment or resources in your possession.
- You must also return any records, written or electronic, to the district for records retention if you have reason to believe you are retaining the sole copy of a record subject to records retention requirements. You must destroy (delete or shred) any other confidential records remaining in your possession.

Technology resource(s) issued:	Maximum financial responsibility incurred in the event of loss, damage, or destruction:
Lenovos 100e 2nd G (8th grade students)	\$178.00
Lenovo chargers	\$17.95
Ipads 5th Gen	\$185.00
iPads 6th Gen	\$199.97
iPads 7th Gen	\$233.00
iPads 8th Gen	\$269.00
iPads 9th Gen	\$329.00
iPads chargers	\$29.99
Dell Laptop Latitude 3410(Teachers)	\$749.98
Dell laptop charger	\$20.99
Lenovo Ideapad Gaming 3 (8th grade Teachers)	\$845.00

Lenovo Ideapad Gaming 3 charger	\$28.88
Apple Pencils 1 G(Teachers)	\$98.00
Apple Pencils 2 G (Teachers)	\$129.00
Apple TVs 4th Gen (Teachers)	\$159.00
Apple TVs 4th Gen Remote	\$59.00
Sound Bars LG (Teachers)	\$125.00
Sound Bar LG Remote	\$13.99
Macs	\$1,699.00
TV 65" 4K Ultra HD Smart LED (3-year warranty)	\$686.00
Class F20 Series Smart HD 720p Fire TV (NS-32F201NA22, 2021 Model)	\$179.99
Dell Desktop for Computer Labs	\$724.00
Dell Professional P190S 19-inch Flat Panel Monitor	\$179.00
T-Mobile Hotspot	\$17.95
Elite Screens Manual B, 100-inch Manual Pull Down Projector Screen Diagonal 16:9 Diag	\$81.00
EPSON VS350 Projector	\$729.00
Projector Remote	\$17.00
BenQ MH733 1080P Projector	\$849.00
Projector Remote	\$25.60

*Financial responsibility may be less than this amount based on the nature of the damage and the age of the device. Keep in mind, this only applies when technology is used off school property or for personal business.