



East Austin College Prep

Employee Guidebook

2017-2018 School Year

District Office
5800 E. Martin Luther King Jr. Blvd
Austin, Texas 78721
(512) 287-5000



East Austin College Prep 2017-2018 Academic Calendar

Month	Calendar Grid	STAAR Testing Dates																																																														
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LEGEND

- Staff Development/ Student Holiday
- Student/Staff Holiday
- * Early Dismissal for Students & Staff
- Campus Planning-PD/Student Holiday
- Reporting Period Begins/Ends
- + Bad Weather Make Up Day
- New Teacher Training
- Service Saturday

SCHOOL HOLIDAYS

7/4/17	Independence Day
9/4/17	Labor Day
11/20-24/17	Thanksgiving
12/18/17-1/1/18	Winter Break
1/15/18	Martin Luther King, Jr.
3/12-16/18	Spring Break
3/30/18	Easter
5/28/18	Memorial Day

Adopted/Approved by the Board on 2/28/17



VISION

The vision of East Austin College Prep is to serve as a model school that successfully prepares all students, regardless of economic background, for a rigorous high school curriculum, graduation, and ultimately success in college and career.



READY FOR COLLEGE.
READY FOR LIFE.

Welcome to East Austin CollegePrep!

We hope that you are energized about bringing out the magic in every student during the 2017–2018 school year. Our focus will be to continue cultivating academic excellence in an environment of high expectations for all students. On behalf of the East Austin College Prep Board of Trustees, we welcome you to the 2017–2018 school year. Everyone at EAPrep plays a vital role in the education of our students. The collaboration of all stakeholders will bring about the success we envision for our students. We thank you for your commitment to the students of East Austin. We are excited about the future of EAPrep and your commitment to our mission of achieving academic excellence.

Sincerely,

Dr. Salvador Cavazos
Superintendent of Schools

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Icons

Throughout this guidebook you will find icons to draw your attention to important information.



The “!” icon is used to reemphasize key information.



The “i” icon is used whenever examples or other information are provided to help you understand a policy.



Introduction

In order to succeed at East Austin College Prep (“EAPrep”), it is essential for you to have a clear understanding of the responsibilities, policies and benefits that govern our workplace. Whether you are new to the familia, or are a continuing employee, this employee guidebook is written to help you develop a satisfying career by outlining the basic elements of the employment relationship between you and EAPrep.

It is important for you to be familiar with the information in this guidebook. Please review it carefully, and contact the Principal or the Superintendent’s Office if you have any questions. Please also be sure to complete the Acknowledgement and Agreement online in Eduphoria! Formspace for inclusion in your personnel file.

In order to remain current, the guidebook treats certain topics briefly and refers you to EAPrep’s various policies and procedures manuals and other sources of more detailed information located in Eduphoria! Formspace under the Documents tab. When you refer to this guidebook in the future, remember that the most recent version is available in Eduphoria! Formspace under the Documents tab.

Please note whenever a specific position is mentioned, the employee in that position may be permitted to designate another employee to complete the task, duty, or responsibility. For example, the Superintendent might designate the Principal to complete certain tasks.

Most of our employees work within our individual school campuses and this guidebook has been written with this in mind, however, anytime the word Principal is used, it is referring to Principals as well as the Superintendent or Assistant Superintendent for central office staff.

This guidebook is informational and does not create a contract between any person and EAPrep. Rather, it is a guide to and a brief explanation of policies and procedures related to employment. East Austin College Prep reserves and retains the right to amend, alter, change, delete or modify any of the provisions at any time, with or without notice, in any manner that management or the board of directors deems to be in the best interest of EAPrep. Also, EAPrep shall adhere to any legal requirements to the extent any of the provisions in this guidebook conflict with any law.

Violation of any of the policies or procedures in this guidebook may result in disciplinary action up to and including termination of employment. However, this guidebook is not intended to cover every possible situation an employee may encounter in the workplace. Therefore, EAPrep reserves the right to address and discipline an employee for any situation deemed inappropriate by the Superintendent or Principal. Additionally, programs and departments may have policies and procedures that are more stringent than those in this guidebook with the approval of the Superintendent’s Office and Superintendent or Principal. EAPrep will not retaliate against any employee who, in good faith, reports a violation of any of the policies in this guidebook.

We wish you success in your position and hope you will enjoy a rewarding career with East Austin College Prep.

Who We Are

We believe that it is important for you, as an employee of EAPrep, to understand some background information of our school to help you recognize how important you are to EAPrep and the students we serve. To assist you in understanding your role in the East Austin College Prep familia, this section provides background on our organization, its founder and our guiding principles.

In 2007, East Austin College Prep was formed as a nonprofit organization. Southwest Key Programs, Inc. (“SWK Programs”) was instrumental in its creation and Dr. Juan Sanchez, El Presidente/CEO of SWK Programs, was one of the initial organizers of EAPrep. The Texas Education Agency granted EAPrep an open-enrollment charter and EAPrep opened its doors as an open-enrollment public charter school in August 2009 with an inaugural class of eighty-five 6th graders. EAPrep is the realization of a long standing dream to have a community school located right in the heart of the Govalle/Johnston Terrace neighborhood.

EAPrep is currently leasing space from SWK Programs in East Austin. EAPrep has its own board of trustees which selects and supervises EAPrep’s Superintendent. EAPrep has an agreement in place with SWK Programs authorizing SWK Programs to provide infrastructure and overhead support for a fee.



East Austin College Prep

Guiding Principles for Service Delivery

East Austin College Prep is a school unique in character, philosophy and spirit. We can only deliver services of the highest quality to our students and their families if our employees are dedicated to caring for our students and are enthusiastic about our school. It is our desire to create a successful school by encouraging individual creativity as well as a commitment to teamwork. We are committed to building a strong, transparent school serving the needs of our students to the best of our abilities. No matter where we do the work, or what kind of work we do, there is a single set of principles we turn to again and again to guide our service delivery and help us make change happen.

- ***Multicultural Competence:*** Effective services must be culturally relevant and delivered by persons knowledgeable of cultural, language and ethnic differences.
- ***Strength Based Practices:*** Our school builds upon the strengths of a young person in order to raise his or her motivation for success and activate his or her sense of personal responsibility.
- ***Family Centered Services:*** Families play a critical role in a student’s progress. Learning is not isolated to student, but extended to families to enable them to support the student’s growth.
- ***High Quality Services:*** We provide the highest quality of service by consistently going above and beyond the requirements of our contracts. Staff members are encouraged to be creative and innovative in order to meet the needs of students and families.

Equal Employment Opportunity and Nondiscrimination

EAPrep is committed to the policy of equal opportunity in employment. It is our policy to offer equal employment opportunity to every applicant or employee based only on the person’s qualifications to perform the job, without regard to race, religion, sex, age, national origin, sexual orientation, marital status, physical or mental disability, veteran status, genetic

information, or other status protected by law. EAPrep's equal opportunity policy also applies to any applicant or employee with a life threatening illness or contagious disease, such as cancer, heart disease, multiple sclerosis, tuberculosis, Human Immunodeficiency Virus, Acquired Immunodeficiency Syndrome, hepatitis B virus and hepatitis C virus.

This policy of nondiscrimination applies to employment, training, compensation, benefits, promotion, transfer, social and recreational programs, discipline, layoffs, return from layoffs, termination and all other conditions of employment. Reasonable accommodations, as required by law, will be provided to enable an individual, who makes known his or her disability, to perform the essential functions of his or her job and to enjoy the same benefits and privileges of employment as are enjoyed by employees without disabilities.

All employees are expected to comply with EAPrep's equal employment opportunity policy. If you have any questions regarding our equal employment opportunity policy or if you believe you have in any way been discriminated against, please contact the Superintendent's Office.

Board of Trustees

EAPrep's board of trustees is appointed to be legally responsible for educating the students of EAPrep. The board is the policy-making body within the campus and has overall responsibility for curriculum, annual budget, employment of the Superintendent and other professional staff, facilities and expansions. The board has complete and final control over school matters within the limits established by law and State Board of Education rules.

The board of trustees regularly meets once per month. School board meetings are generally held at 6002 Jain Lane, Austin, Texas 78721. Written notices of regular and special meetings are posted in accordance with state law. Generally notices of meetings are posted at least 72 hours before the scheduled meeting time, however, in emergencies, a meeting may be held with a two-hour notice. Although board meetings are generally open to the public, Texas law permits the board of trustees to convene in closed session for discussion of certain matters as permitted by law.

*Welcome to the
East Austin College Prep Familia!*

Your Job

In order to help you succeed in your job, we believe it is important that we are clear with our expectations of you as an EAPrep employee. In this section, we have described some basic information concerning your relationship with East Austin College Prep, including policies governing your work schedule, punctuality, attendance and timekeeping.

Considerations You Deserve As An Employee

- Fair treatment regardless of race, color, sex, religion, national origin, age, disability, genetic information, marital status, pregnancy, gender identity or expression, sexual orientation, ancestry, veteran status, citizenship, health condition and any other protected status or basis prohibited by law.
- Privacy in your personal life, without fear of criticism or punishment from supervisors.
- Freedom from harassment of any type by anyone working on behalf of EAPrep, as well as any vendor, funding source, student or the family members of any student.
- A generous open-door policy.
- Ability to try to successfully resolve any work-related conflicts.
- Explanations for any adverse decisions concerning your employment.
- The freedom to suggest a change or addition to school policies or procedures.

Employment At-Will

Please keep in mind as you read or refer to this guidebook that its contents do not create a contract between EAPrep and any employee. Nothing in this guidebook binds EAPrep or any employee to any specific term of employment. You are employed at-will, meaning that as an employee, you are completely free to leave the school whenever you choose, for any

reason. EAPrep has the same right to end the employment relationship at any time, with or without notice, and with or without cause. No one within EAPrep has the authority to change the “at-will” nature of your employment relationship.

Classification of Employment

EAPrep has six classifications of employment. Generally, your employment classification will dictate your eligibility for benefits, as specifically explained in the Benefits and the Leaves and Absences sections of this guidebook. The employment classifications available to EAPrep employees are:

Full Time: An employee who is regularly scheduled to work 40 hours or more per week on a consecutive weekly basis.

Part Time: An employee who is regularly scheduled to work less than 40 hours per week on a consecutive weekly basis.

Regular: An employee who is hired to work on an ongoing basis, for an undetermined time period.

Temporary: An employee who is hired for a limited time period (generally less than six months).

Relief: An employee who is hired to work on an as-needed basis.

Substitute: An employee who is hired to work on an as-needed basis to provide instruction to students in the absence of their regularly assigned teacher.

Additionally, all EAPrep employees are defined as either:

Exempt: An employee who is paid a set amount per week of work and is not paid overtime.

Non-Exempt: An employee who is paid for actual hours worked in a workweek and is paid overtime for any amount over 40 hours worked in a work week.

Work Schedules

Your supervisor will inform you of your regular work schedule, including any break or meal periods. Please note that meal periods are unpaid. All questions regarding working hours and work schedules should be directed to your Principal.

Your work schedule is subject to change depending on the needs of the school, and you are expected to be available to work different hours when directed or requested. The Principal will take into consideration any circumstances which may create a conflict for an employee to temporarily change hours and will try to reach a suitable compromise with the employee, although it may not always be possible to accommodate the employee's schedule.

You are not to enter or remain on EAPrep's premises unless you are on duty, scheduled to work, or have permission from your Principal. You are not allowed to change your work schedule without the prior approval of your Principal.

School Calendar and Required Days of Work. EAPrep adheres to the calendar that has been submitted to and approved by the board of trustees. A copy of the approved calendar can be found at the beginning of this guidebook. All EAPrep staff members are required to attend staff development in the weeks prior to the first day of school for each academic year and embedded in the calendar throughout the academic year.

While your supervisor will set your work schedule, each staff member is required to work a minimum number of days per academic school year. The minimum number of days you are required to work will be communicated to you prior to the start of the school year, but generally the minimum number of days required is:

- Year Round Staff: 240
- Extended Academic Year Staff: 230
- Academic Year Staff: 220
- Teachers: 200.5

Each staff member is also expected to work any additional staff development days deemed necessary by EAPrep's management. If you have any questions regarding the number of days per academic year you are required to work, please contact your supervisor.

Punctuality and Attendance

Punctuality in reporting for work and regular attendance are absolutely essential to the efficient operation of our school and to the success of our students. We are all part of a team, and a team does its best when everyone is present, prepared for work and ready to start at the scheduled time. This is why EAPrep has adopted policies to ensure that all employees report to work as scheduled.

Absences. If you are absent, your work must be performed by others. To ensure coverage of your duties, you must notify your supervisor as far in advance as possible if you know that you are going to be absent and in accordance with the Leaves and Absences section. If advance notice is not possible, you must follow the rules of the school for notification of your absence.

You must present your supervisor with a doctor's note, from a health care provider licensed in the United States (unless otherwise required by law), upon return to work, if: (1) you are off work for your own illness or injury for three days or more in a row; (2) you had previously made a request for the same time off and it was denied; or (3) you are absent, without pre-approval, the day before or after a holiday or approved absence.

You may be required to provide your supervisor with a doctor's note from a health care provider licensed in the United States (unless otherwise required by law) upon return to work if you demonstrate a pattern of unexcused Monday and/or Friday absences, as determined by East Austin College Prep. Additionally, if you are absent for more than one day, you must call your supervisor each day of your absence, unless you are on an approved absence or otherwise instructed your supervisor.

Excessive Absenteeism. There are times when an employee cannot avoid being absent, however, excessive absenteeism can impair EAPrep's operations and an employee's effectiveness. Excessive absenteeism is generally considered to be more than one incident of unapproved absence within a six-month period or a pattern of taking unplanned leave, unless there are extenuating and unavoidable circumstances causing the absences.

An "incident" for the purposes of this policy is each separate absence. For example, an employee who is out of work for five days in a row is considered to have had only one incident of absence. It shall be at the discretion of the Principal to determine when absences have reached the level of "excessive" within the guidelines set by this policy.



You must call your supervisor every day that you are absent, unless you are on an approved absence or otherwise instructed by your supervisor. If you do not report to work or contact your supervisor for two days in a row, you will be considered to have voluntarily terminated your employment.

No Call No Show. It is critical that your supervisor be notified if you are going to be absent from your scheduled work shift so that coverage for your shift may be arranged. Therefore, you will be considered to have voluntarily terminated employment with the school if you do not report for work or otherwise contact your supervisor for two days in a row.

Tardiness. Promptness is expected of all employees to ensure the operations of the school are efficient. You must notify your supervisor as far in advance as possible if you know that you will be late. If advance notice is not possible, you must follow the rules of the school for notification of being tardy.

Excessive Tardiness. Excessive tardiness is generally considered to occur when an employee is tardy two or more times in four weeks or less. It shall be at the discretion of your Principal to determine when incidents of tardiness have reached the level of excessive.

Staff Meetings

Regular meetings for the purpose of disseminating information and discussing various issues related to the school operations are held by EAPrep. Attendance at these meetings is mandatory unless otherwise specified by your supervisor.

If you are unable to attend a staff meeting, you must notify your supervisor as soon as possible but no later than prior to the beginning of the staff meeting. It shall be at your supervisor's discretion to determine if you have an acceptable reason for missing the staff meeting. If you miss a staff meeting, you are responsible for ensuring that you receive the information discussed at the staff meeting. Additionally, employees who do not attend a staff meeting may miss information that is crucial to their job and, depending on the information provided during the meeting, are subject to termination of employment.

Timekeeping

East Austin College Prep operates on funds received from various sources. Some of our funding sources require us, as a condition of being paid for our services, to document the time that all of our employees are working – whether in a salaried or hourly position. It is possible that our funding sources could compel the school to repay the amount of any employee's wages if, during an audit, we are unable to provide documentation reflecting the time an employee has worked.

As an employee of EA-Prep, you must keep track of the number of hours you work. Therefore, all EAPrep employees must punch in and out on time clocks every day in which hours are worked, if a time clock is available. Regular full-time employees are expected to work at least 40 hours per week, or use accrued leave time to total 40 hours. If you are traveling on EAPrep business or work away from a location where a time clock is located.



You are required to clock in at the beginning of your shift and clock out at the end of your shift. You must clock in/out at the beginning and end of any departure from work for personal reasons. If you forget to clock in or clock out, or if the time clock malfunctions, you need to follow the procedures of the school to ensure your work time is correctly recorded.

Your timecard/timesheet is your personal statement that you have worked a certain number of hours. Unless otherwise authorized by your supervisor, you may not record time for anyone you do not supervise, or ask another person, other than your supervisor, to record your time for you. You may not alter, falsify or tamper with time records of another employee. You should check your timecard/timesheet carefully to be sure it is accurate.

At the end of the pay period, you will review and verify that the total hours shown on your timecard/timesheet is correct and accurate by signing off electronically on the time record. If the hours appear inaccurate, you should not sign the time record until it has been discussed with and corrected by your supervisor.

Additional non-exempt employee timekeeping rules. Non-exempt employees are only authorized to work if they are clocked in—every minute worked must be on the clock, recorded and paid. A non-exempt employee should not clock in or out more than five minutes before they are scheduled to start or end their shift, unless otherwise authorized by the supervisor. Non-exempt employees should remain at work only if clocked in and scheduled to work. Non-exempt employees are not authorized to work off the clock and should contact the Superintendent’s Office if they have been asked by any EAPrep personnel to work off the clock.

Exempt employee salary deductions. Generally, exempt employees can have deductions made from their salary for full-day absences only. Partial-day deductions from an exempt employee’s salary will generally only occur during the employee’s first or final week of employment, or if the employee is on FMLA Leave and does not use paid accrued leave time. Exempt employees who believe deductions from their salary have been made in a manner inconsistent with this policy should bring it to the attention of the human resources department within the next pay period.



Examples of Overtime Calculations

- If a non-exempt employee works 43 hours in one work- week, the employee will be paid overtime pay for 3 hours.
- If a non-exempt employee works 35 hours between Monday and Thursday, and Friday is a holiday, the employee will be paid for 43 hours at their regular hourly rate.

Overtime

Overtime pay is paid to non-exempt employees who work more than 40 hours in a workweek. Paid hours not actually worked (e.g., State Personal Leave) will not be counted toward the 40 hours per workweek required to receive overtime pay.

A non-exempt employee is only permitted to work overtime with the prior approval of his or her supervisor or Principal. Employees may be requested to work overtime when necessary for operations and are expected to be available to work overtime when requested. Supervisors will take into consideration any circumstances that may prevent an employee from working overtime and make other arrangements if possible.

Utilization of Work Time

All employees are to utilize their work time attending to the business of the school and severely limit discussions of personal business to their lunch or rest breaks. You should at all times be mindful of the work activities of others. Care should be taken not to interfere with other employees while they are performing their duties by engaging them in conversations that are not business related or by causing other non-work related distractions.

Personal telephone calls should be limited to only the time required to conduct necessary personal business which cannot be addressed during off work hours. For those with limited access to school telephones, certain telephones are available for employees’ use during meal or rest periods. Employees should ask relatives and friends not to phone them at work except in cases of emergency.

Supervision and Performance Evaluations

East Austin College Prep views effective supervision as critical to achieving excellence. Supervisors must have a concern for both performance and learning, as it is through this relationship that employees grow, develop and are held accountable. The supervisory relationship facilitates communication and connection within the school, reduces employee conflict and concerns and assists in building connections among staff. Effective supervision enables an employee to gain knowledge, skill and commitment to EAPrep and the field as a whole. It is also through this working partnership that employees learn EAPrep’s organizational values and practices and therefore become full members of our community.

All EAPrep employees will receive periodic performance reviews. Your evaluation will provide feedback to reinforce excellent behavior, discuss and correct areas requiring improvement, determine training needs, assess individual professional growth, and address any job performance issues you or your supervisor may have. Evaluation discussions are also a time for you and your supervisor to set goals to work toward in the future and to build a foundation for open discussion. Positive performance evaluations do not guarantee an increase in compensation or promotions.

Personnel Files and Information Changes

Personnel files are maintained by the human resources department and are maintained in confidence. Supervisors may only have access to personnel files with the approval of the Director of Human Resources or Superintendent. Personnel files are to be reviewed in the Superintendent's Office. Personnel files may only be taken outside of the human resources department or the designated area within the school with the approval of the Superintendent.

Personnel files are available for viewing by the employee in the presence of an authorized representative of the Superintendent's Office. If written permission is given by the employee, the school may release dates of employment and job title to third parties. All employment verification and reference requests must be directed to the Superintendent's Office. Representatives of government or law enforcement agencies as well as third parties authorized by law may be allowed access to personnel files. This decision will be made at the discretion of the legal department in response to the request, legal subpoena or court order.



All materials submitted to EAPrep for employment consideration as well as records which are part of the pre-employment and employment processes are the property of the school. You are responsible for notifying EAPrep of all changes in your status, such as, but not limited to, the following:

- Current legal name (as listed on your Social Security card), home address and home telephone number;
- Marital status and number of dependents;
- The person to be notified in case of an accident or other emergency;
- The number of exemptions you claim for income tax purposes;
- Any professional certifications, licenses or other documents required by EAPrep.

Teacher Retirement System of Texas ("TRS") requires notification in writing when a TRS member has a name change. Please contact TRS for name change and other change in status requirements.



Remember to notify EAPrep of your new address if you move.

Staff Development

Staff development activities are organized to meet the needs of employees and EAPrep. Individuals holding renewable certificates from the State Board of Educator Certification ("SBEC") are responsible for obtaining the required training hours and maintaining appropriate documentation. Additionally, staff will be responsible for completing all legally required trainings.

Your Pay

We recognize that no matter how much we enjoy our work, compensation is an important element of employment to each of our employees. We strive to provide an efficient and accurate process for paying you for your work and this section provides information regarding your compensation, including how and when you are paid. Any questions regarding any of the policies in this section should be directed to your immediate supervisor.

Pay Periods and Payroll Checks

The workweek at EAPrep is from Sunday through the following Saturday. Each paycheck will include earnings for all work performed through the end of the previous payroll period. All employees are paid twice monthly, on the 1st and 16th. If the 1st or 16th falls on a weekend or holiday, you will be paid on the last work day before the weekend or holiday. If you do not understand information on your paycheck, please contact your supervisor or the payroll department. To ensure the security of your paycheck, it will be issued only to you personally unless you provide written authorization for us to release it to another person. Anyone authorized to pick up your paycheck may be required to present identification before your paycheck is released. Borrowing against money earned or securing paycheck advances directly or through a third party is not permitted.

Exempt Employees. Exempt employees shall have their salary paid in equal semi-monthly installments through a full year.

Direct Deposit

For your convenience, EAPrep encourages the use of direct deposit, and you can enroll for direct deposit immediately upon hire. To enroll in this service, you must forward a completed direct deposit authorization form as well as a voided check or similar document from your bank to the payroll department. Availability of funds direct deposited to your account is determined by your bank's policies. Most direct deposits are posted to employee accounts on payday; however, you should contact your bank to be sure of the timing of posting of your paycheck. Paychecks will be direct deposited to the account you specify until you notify the payroll department, in writing, to change or terminate the direct deposit.

Payroll Deductions

EAPrep is required by law to make certain deductions from your paycheck each time one is prepared. These deductions are itemized on the earnings statement portion of your paycheck, and are based on your earnings and the information you provide on your W-4 form. Deductions will also be taken from your pay if ordered by a court, the Internal Revenue Service, or any other agency with regulatory authority. EAPrep reserves the right to make deductions or withhold compensation from your paycheck so long as such action is in accordance with state and federal law.

Errors in Pay

Every effort is made to avoid errors in your pay. If you believe an error has been made, whether due to underpayment or overpayment, or if you have a question about your pay, contact the payroll department immediately. EAPrep will take the necessary steps to research the problem and make any necessary corrections properly and promptly. If you cash your paycheck before the error can be corrected, you must save the check stub. You will be required to reimburse EAPrep to the extent of any overpayment. If paycheck errors are not reported promptly, EAPrep will consider the lack of timely reporting to be the employee's agreement that all calculations are correct in the case of an underpayment. In cases of an overpayment, the lack of timely reporting may be considered a violation of the school's policy regarding theft.

Lost Checks

If you lose your paycheck, you should contact your supervisor or the payroll department as soon as possible. EAPrep will stop payment on the original paycheck and reissue a check to you. You are required to reimburse EAPrep any fees assessed for your stop payment request, unless: (1) the paycheck was stolen and the theft has been reported to the police (you will be required to provide the payroll department with a police department case number as proof that the check was reported to the police); or (2) the lost paycheck is found, is still legible, and is returned to the payroll department, for instance if it was left in a pocket and went through a clothes washer.

Your Benefits

Benefits are part of your total compensation for working at East Austin College Prep, and we strive to offer a good benefits program to eligible employees, including:

- Health Insurance
- Retirement Benefits
- Voluntary Insurance Programs
- Workers Compensation Insurance
- Employee Assistance Program
- State Personal Leave
- Local Sick Leave
- Jury and Witness Duty Pay
- Paid Compassionate Leave
- Medical Leave of Absence

For simplicity, this guidebook brings East Austin College Prep's benefits generally to your attention in this section as well as the Leaves and Absences section. If you have any questions concerning your benefits, or if you would like to receive additional information about your benefits, please refer to the Employee Benefits Portal Website.

<http://www.mybenefitshub.com/EastAustinCollege/>



Remember to check the Leaves and Absences section for more information about your benefits.

Specific information concerning benefits is available through the relevant insurance policies and summary plan descriptions, copies of which are available from the Superintendent's Office upon written request. The insurance policies and summary plan descriptions govern all issues related to employee benefits, regardless of anything to the contrary stated in this guidebook or by any EAPrep representative. EAPrep reserves the right to modify benefits or carriers with or without advance notice to employees.

Open Enrollment and Benefits Elections. The following benefits require action from you for enrollment: (1) medical insurance; (2) retirement benefits; and (3) voluntary insurance. After you have initially enrolled in or declined these benefits, you will generally only be able to make changes to your enrollment options during open enrollment. All benefits specified in this section have a semi annual open enrollment. For additional information on enrollment dates, please see the Teacher Retirement Systems ("TRS") 2017-2018 Enrollment Guide for medical and retirement benefits, available in both English and Spanish at www.tractivecareetna.com or 1-800-0222-9205. For voluntary benefits, please contact the Superintendent's Office at 512.287.5069.

It is important to remember that benefit elections made by an employee will generally remain in effect until the next open enrollment period, unless you experience a qualifying event. The following are considered qualifying events:

- Marriage, divorce, legal separation or dissolution of a domestic partnership.
- Gain or loss of an eligible dependent for reasons such as birth, adoption, court order, disability, death or reaching the dependent child age limit.
- Significant changes in employment or employer-sponsored benefit coverage that affect you or your spouse's benefit eligibility.
- Involuntary loss of other health insurance coverage (and originally declined TRS coverage in writing for individual losing other coverage because of coverage under another health benefit plan).

If you experience one of the qualifying events listed above and wish to make changes to your benefits election, please contact the Superintendent's Office.

Teacher Retirement System Insurance and Retirement Benefits

Eligibility: All regular employees working 10 hours or more a week upon hire.

Eligible employees may elect TRS medical insurance and retirement benefits upon their first day of employment with EAPrep. For detailed descriptions of insurance coverage, premiums, eligibility requirements, and any other questions regarding specific TRS benefits, please contact TRS at www.mybenefitshub.com/EastAustinCollege or call 1-800-223-8778 extension 6446.

Voluntary Insurance Programs

Eligibility: All regular employees working 18.75 hours or more a week upon hire.

In addition to the TRS benefits, all eligible employees may elect to enroll in EAPrep dental, vision, flexible spending accounts, accident, disability, life, and cancer insurance. For detailed descriptions of insurance coverage, premiums, eligibility requirements, and any other questions regarding benefits provided by EAPrep, please contact the human resources department.

Workers Compensation Insurance

Eligibility: All employees upon hire.

For your protection, you are provided with workers compensation insurance, which protects you in the case of injury or illness incurred as a result of performing your job. Workers compensation insurance provides medical care and temporary wage replacement benefits to you if you are injured or become ill as a result of performing your job duties.

Employee Assistance Program (“EAP”)

Eligibility: All regular employees upon hire.

The Employee Assistance Program (“EAP”) offers you and your family a variety of valuable, confidential services at no cost to you. Designed to help you manage daily responsibilities, life events, work stresses or issues affecting your quality of life, the EAP is available 24 hours a day, 7 days a week. The decision to seek assistance through the EAP will not adversely affect an employee’s job security or advancement opportunities. However, participation in the EAP in no way relieves you of your responsibility to meet acceptable work performance and attendance standards.

Domestic Partners

It is the policy of the school that domestic partners, whether they are of the same sex or opposite sex, be afforded the same benefits and opportunities for benefits as married spouses. If you wish to establish that you have a qualified domestic partner, contact the human resource department to request the required forms. Establishing the existence of a domestic partner relationship is necessary only if you wish to apply for benefits for your domestic partner; it is not a requirement for employment.

To qualify, you must provide proof that you have lived with your domestic partner for at least one year. You can establish that you have lived with your domestic partner for a year by providing a copy of utility bills, home loan documents, leases, checks or other correspondence to each person establishing that both you and your domestic partner have received mail at a single address for at least a year.

Leaves and Absences

EAPrep believes that you should enjoy a healthy balance between your work and home life. To allow you an opportunity to take time off from work, EAPrep has policies and procedures regarding time off from work to allow you to go on vacation, be with your family or take care of yourself or family in times of illness or other need. This section summarizes the policies and procedures regarding taking time off from work. It provides information about the various categories of time off.

State Personal Leave (“SPL”)

Eligibility: All regular employees are eligible to take accrued State Personal Leave immediately upon hire.

Accrual Rate and Maximum Accrual. If eligible, you will earn 5 days of state personal leave each school year. Regular part-time employees earn personal leave on a prorated basis depending on the part-time employee’s regular schedule. All state personal leave to which the employee is entitled shall be earned after one month of service at full pay in the current school year. There is no limit on the accrual of unused state personal leave, and state personal leave may be transferred to and from other school campuses in Texas as permitted by law.

Request for SPL and SPL Requirements. You should submit all SPL requests, in writing, to your supervisor at least one week in advance whenever possible in order to ensure the school’s efficient operations during your time off.

A request for SPL is not officially approved until you receive the approved request via Eduphoria! or confirmation email from your supervisor. Requests are approved subject to the school’s business needs. Every effort will be made to grant the requested time off whenever possible. Unapproved SPL will be unpaid, as allowed by law.

You must work your regularly scheduled work day immediately preceding the approved SPL period and the next regularly scheduled work day immediately after the approved SPL period. If you are absent without prior approval on either the day before or after the SPL period, you must provide acceptable proof of the reason for the absence, and that the absence was unavoidable. Without such documentation, the absence will be considered a violation of the school’s Punctuality and

Attendance policy and, with concurrence of the Superintendent and a representative of the Superintendent’s Office, the SPL period may be unpaid

There are two types of SPL: nondiscretionary and discretionary; requirements for approval vary depending on which type of leave is taken, as follows:

Nondiscretionary SPL. Leave taken for personal or family illness, emergency or death in the family is nondiscretionary leave. Whenever possible, you should notify your supervisor of medical appointments as soon as they are scheduled, but no later than one day prior to the appointment. You must present your supervisor with a doctor’s note, from a health care provider licensed in the United States (unless otherwise required by law), upon return to work, if: (1) you are off work for your own illness or injury for three days or more in a row; (2) you are off work for your own illness or injury and you had previously made a request for the same time off and it was denied; or (3) you are absent, without pre-approval, the day before or after a holiday or approved absence. You may be required to provide your supervisor with a doctor’s note from a health care provider licensed in the United States (unless otherwise required by law) upon return to work if you demonstrate a pattern of unexcused Monday and/or Friday absences, as determined by East Austin College Prep.

Discretionary SPL. Leave taken at an employee’s discretion and preference and that can be scheduled in advance is considered discretionary leave. Discretionary SPL will be subject to the following limitations:

- Discretionary leave of more than three (3) consecutive days must be requested in writing at least one week in advance of the anticipated absence; and
- Approval of discretionary personal leave will be based on the needs of EAPrep.

Discretionary SPL is generally not allowed on the following days:

- Days scheduled for end-of-semester or end-of-year examinations;
- The day before a school holiday;
- The day after a school holiday;

- Days scheduled for state-mandated assessments or other required tests;
- Professional or staff development days; or
- The last day of school.

Rate of Pay and Accrual Deductions. SPL will be paid on the basis of your regular pay rate and schedule. Deductions from SPL balances will be based on the actual hours you are absent from work.

An employee who leaves the employment of the school, whether voluntarily or involuntarily, will not be paid for unused SPL.

Local Sick Leave (“LSL”)

Eligibility: All regular employees are eligible to take accrued Local Sick Leave immediately upon hire.

Accrual Rate and Maximum Accrual. All regular full-time employees earn 5 days of local sick leave each school year. Regular part-time employees earn sick leave on a prorated basis depending on the part-time employee’s regular schedule. All sick leave to which the employee is entitled shall be earned after one month of service at full pay in the current school year. Accrued but unused sick leave may be carried over from one year to the next; however, once the accrued but unused sick leave balance reaches two hundred eighty-eight hours, no additional sick leave may be accrued.

Request for LSL and LSL Requirements. You should submit all Sick Leave requests, in writing, to your supervisor. In order to ensure EAPrep’s efficient operations during your time off, you should notify your supervisor of medical appointments as soon as they are scheduled, but no later than one day prior to the appointment, if possible.



Remember that you must provide a doctor’s note if you are absent for your own illness or injury for three or more days in row, if you are absent for your own illness or injury and a prior request by you for the same time off had been denied, or as otherwise required by the school or department.

A request for leave is not officially approved until you receive the approved request via Eduphoria! from your supervisor. It will be at your supervisor’s discretion, with concurrence of the Superintendent’s Office, to determine whether a Sick Leave request is approved if a prior request by you for the same time off had been denied.

- n If you are an exempt employee, unapproved Sick Leave will be paid as required by law and only to the extent you have accrued Sick Leave available.
- n If you are a non-exempt employee, unapproved Sick Leave will be unpaid.

You may use Sick Leave for your own illness, injury or medical appointments or for the illness, injury or medical appointments of your parent, spouse, child or domestic partner registered in advance with EAPrep. You may also use Sick Leave as an extension of Compassionate Leave.

You must present your supervisor with a doctor’s note, from a health care provider licensed in the United States (unless otherwise required by law), upon return to work, if: (1) you are off work for your own illness or injury for three days or more in a row; (2) you had previously made a request for the same time off and it was denied; or (3) you are absent, without pre-approval, the day before or after a holiday or approved absence. You may be required to provide your supervisor with a doctor’s note from a health care provider licensed in the United States (unless otherwise required by law) upon return to work if you demonstrate a pattern of unexcused Monday and/or Friday absences, as determined by East Austin College Prep.

Rate of Pay and Accrual Deductions. Sick leave will be paid on the basis of the employee’s regular pay rate and schedule.

Deductions from sick leave balances will be based on the actual hours you are absent from work. Non-exempt employees will not receive compensation for absences due to illness or injury if they have exhausted all of their accrued sick leave unless they use accrued personal leave. Exempt employees who exhaust their sick leave and continue to be absent for reasons of injury or illness will have deductions made from their salary for full-day absences only. Exempt employees who believe deductions from their salary have been made in a manner inconsistent with this policy should immediately bring it to the attention of the Principal.

If an employee leaves EAPrep, whether voluntarily or involuntarily, the employee will forfeit all unused, accrued sick leave time and pay.

Compassionate Leave

Eligibility: All regular, full-time employees are eligible for Compassionate Leave six months after hire.

Eligible employees are allowed up to three work days of paid time off in the case of death in the employee's immediate family. Compassionate Leave is to be used to attend funerals and handle affairs of a member of the employee's immediate family, which, for purposes of this policy, includes the employee's spouse or registered domestic partner, children, parents, siblings, grandparents, grandchildren, and the children, parents or siblings of the employee's spouse or registered domestic partner.

Family and Medical Leave ("FMLA")

Eligibility: All employees who have worked for EAPrep for a total of 12 months in the past seven years and have worked at least 1,250 hours in the previous 12 months. Employees who return to work from National Guard or Reserve military duty are credited for the time that they are on Military Leave to meet the 1,250 hours of service.

Qualification and Duration. East Austin College Prep is covered under the Family and Medical Leave Act ("FMLA") and complies with all FMLA requirements. Eligible employees are entitled to a total of 12 weeks of unpaid leave under this law during any 12-month period for one or more of the following reasons:

- n For the birth and care of a newborn child of the employee;
- n For placement with the employee of a son or daughter for adoption or foster care;
- n To care for an immediate family member (spouse, child or parent) of the employee with a serious health condition; or
- n To take medical leave when the employee is unable to perform an essential function of his/her job because of the employee's serious health condition.

For eligible part-time employees, the amount of time off provided is adjusted on a proportional basis. For example, an employee who works 20 hours per week would be entitled to 240 hours of leave.

To determine how much leave is available, EAPrep uses a "rolling" 12-month period measured backward from the date an employee first uses FMLA leave.

Unless precluded by law, spouses who are both employed by the school are entitled to a combined total of 12 workweeks of FMLA for the birth and care of a newborn child, placement of a child for adoption or foster care, and to care for a parent who has a serious health condition. Leave for birth and care, or placement for adoption or foster care must conclude within 12 months of the birth or placement of the child.

Intermittent Leave and Reduced Schedule Leave. Employees may take intermittent FMLA (taking leave in blocks of time) or reduced schedule FMLA (reducing their normal weekly or daily work schedule) if there is a medical need for such leave. If possible, the employee must try to schedule leave so as not to unduly disrupt the school's operation.

If it is medically advisable for an employee to take intermittent or reduced schedule leave, EAPrep may require the employee to transfer temporarily to an alternative or part-time position which better accommodates recurring periods of absence provided that the position offers equivalent pay and benefits for the hours worked. EAPrep may reduce the salary of exempt employees on unpaid leave, based on the amount of time actually worked.

Request for Leave and Notice Requirements. Should an employee need to request FMLA, he/she should contact his/her supervisor and/or the Benefits Coordinator. Eligible employees seeking to use FMLA are required to provide 30-day advance notice, preferably in writing, of the need to take FMLA when the need is foreseeable and such notice is practicable. Employees must notify EAPrep as soon as possible if the requisite notice cannot be given or if there will be a change in their FMLA. Failure to provide the required notice may be grounds for delay of a leave request. The school reserves the right to place an employee on FMLA in the absence of a sufficient request or documentation by the employee.

Special Rules for Instructional Employees. Special rules apply to instructional employees of EAPrep. These special rules affect leave taken intermittently or on a reduced schedule, or taken near the end of an academic term by instructional employees. For purposes of this policy, "instructional employee"



is defined as an employee whose principal function is to teach and instruct students in a class, small group or an individual setting. This term includes not only teachers, but also athletic coaches, and special education assistants such as signers for the hearing impaired. It does not include teacher assistants or aides who do not have actual teaching or instructing as their principal job, nor does it include auxiliary personnel such as counselors, psychologists, or curriculum specialists. It also does not include cafeteria workers, maintenance workers, or bus drivers.

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

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

1. To take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

2. To transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than does the employee's regular position.

"Periods of a particular duration" means a block or blocks of time beginning no earlier than the first day for which leave is needed and ending no later than the last day on which leave is needed, and may include one uninterrupted period of leave. If an employee chooses to take leave for "periods of a particular duration" in the case of intermittent or reduced schedule leave, the entire period of leave taken will count as FMLA leave.

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

EAPrep school semester, or "academic term," ends near the end of the calendar year and the end of spring each school year.

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

More than five weeks before end of semester. EAPrep may require an instructional employee to continue taking leave until the end of the semester if:

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

During last five weeks of semester. EAPrep may require an instructional employee to continue taking leave until the end of the semester if:

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

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

Summer Vacation and Other Extended Breaks. If EAPrep's activity temporarily ceases and employees generally are not expected to report for work for one or more weeks (e.g., a school closing for two weeks for winter break), those days do not count against the employee's FMLA leave entitlement. Similarly, the period during the summer vacation when the employee would not have been required to report for duty is not counted against the employee's FMLA leave entitlement.

Medical Certification. If the FMLA requested is due to a serious health condition affecting the employee or an immediate family member, the employee must provide medical certification supporting the need for leave. Medical certification must be provided within 15 days of the request for leave, unless such is not practicable. Failure to provide this certification or other required forms within 15 days of the leave request may result in delay of the request until such documentation is provided.

East Austin College Prep may, at its expense, require an examination by a second health care provider designated by the school as allowed by law. If the second health care provider's opinion conflicts with the original medical certification, EAPrep, at its expense, may, but is not required to, retain a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion.

EAPrep may require a new medical certification as permitted by law. For example, EAPrep may require a new certification when a current certification expires, upon request for an extension of the leave, after the expiration of the anticipated minimum duration of the serious health condition, if circumstances have changed, or at designated intervals. Failure to timely provide a complete and clear medical recertification may be grounds for delay of leave.



Remember that you must keep in contact with the Superintendent's Office regarding your expected return to work date.

Reporting While on Leave. An employee on FMLA must maintain contact with the Superintendent's Office as directed regarding the status of the condition and/or the employee's intention to return to work. In addition, the employee must give EAPrep reasonable notice if his or her anticipated return to work date becomes known or changes.

Leave is Unpaid. FMLA is unpaid leave; however, an employee on FMLA may be eligible for wage replacement benefits, such as disability and/or workers' compensation benefits. Please contact the Superintendent's Office for further information about these benefits.

Any accrued State Personal Leave and Local Sick Leave will run concurrently with FMLA, unless you are receiving wage replacement benefits and/or unless otherwise precluded by law. The substitution of paid leave or benefits for unpaid leave does not extend the maximum 12-week leave period. Further, in no case may the substitution of paid leave or benefits for unpaid leave result in an employee receiving more than 100% of his or her salary.

Return to Work. Under most circumstances, upon return from FMLA, an employee will be restored to the original position he/she held when the leave started, or to an equivalent position. However, an employee on FMLA has no greater right to reinstatement than if the employee had been continuously employed.

If the leave is due to an employee's own serious health condition, the employee may be required to submit a certification from his or her health care provider stating that the employee

is able to perform the essential functions of the job prior to his or her return to work.

Should an employee not return to work by the end date of the FMLA, he/she will be considered to have voluntarily terminated employment with the school unless other arrangements have been approved by the Superintendent's Office.

Other Benefits. While taking unpaid leave under this policy, an employee will not accrue State Personal Leave or Local Sick Leave.

An employee on FMLA will retain health insurance coverage while on FMLA to the extent such coverage was maintained by the employee before the leave was taken and on the same terms as if the employee had continued to work up to a maximum of 12 weeks. If State Personal Leave or Local Sick Leave is substituted for unpaid FMLA, EAPrep will deduct the employee's portion of the health plan premium as a regular payroll deduction, to the fullest extent possible. An employee must pay any portion of his or her health plan premium as reasonably requested by EAPrep, to the extent it is not paid in full through a payroll deduction. An employee's health care coverage may cease if his or her premium payment is more than 30 days late.

Servicemember Family and Medical Leave ("Servicemember FMLA")

Eligibility: All employees who have worked for EAPrep for a total of 12 months in the past seven years and have worked at least 1,250 hours in the previous 12 months. Employees who return to work from National Guard or Reserve military duty are credited for the time that they are on military leave to meet the 1,250 hours of service.

The Family and Medical Leave Act ("FMLA") provides eligible employees time off from work in certain circumstances related to a covered family member's service in the Armed Forces. Except as specified with this policy, an employee's rights and obligations with respect to Servicemember FMLA are governed by EAPrep's FMLA policy to the extent they are applicable.

Qualification and Duration for Qualifying Exigency Leave.

Eligible employees are entitled to a total of 12 weeks of unpaid leave during any 12-month period for certain qualifying exigencies arising out of the active duty status, or notifica-

tion of an impending call or order to active duty status, of an employee's covered family member's deployment to a foreign country as an active or retired member of the Armed Forces' regular or reserve components or National Guard. For purposes of this policy, an employee's covered family member includes the employee's spouse, son, daughter, or parent.

Unless another covered reason applies, leave because of "short-notice" deployment may not exceed seven calendar days, beginning on the date a covered military member is notified of an impending call or order to active duty in a foreign country.

For purposes of this policy, the following definitions apply:

- n **"Call for active duty"** means a federal call to active duty; a state call for active duty is not covered unless under order of the President of the United States according to federal law in support of a deployment to a foreign country.
- n **"Qualifying exigency"** means: (a) short-notice deployment (fewer than seven days' notice); (b) military events and related activities that are related to the servicemember's active duty or call to active duty; (c) childcare and school activities due to the servicemember's active duty or call to active duty; (d) financial and legal arrangements to address the servicemember's absence while on active duty or call to active duty; (e) counseling for the servicemember or his or her children for needs arising from the servicemember's active duty or call to active duty; (f) rest and recuperation; (g) post-deployment activities such as arrival ceremonies and reintegration briefings that occur within 90 days following termination of the servicemember's active duty status or to address issues arising from the servicemember's death while on active duty; and (h) other additional activities to address events that arise out of the covered military member's active duty or call to active duty.

Unless an employee qualifies for Military Caregiver Leave, the employee is entitled to a maximum of 12 weeks of FMLA during any 12-month period.

Qualification and Duration for Military Caregiver Leave.

Eligible employees are entitled to a total of 26 weeks of unpaid leave during any 12-month period to care for a spouse, son, daughter, parent, or next of kin that is a member of the Armed

Forces who has suffered an injury or illness in the line of active duty, including being on the temporary disabled retired list, that may render the servicemember medically unfit to perform the duties of the servicemember's office, grade, rank or rating. This policy also applies to any veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces, including the National Guard and Reserves, at any time during the five-year period preceding the date on which the veteran undergoes medical treatment, recuperation or therapy.



Military Caregiver Leave offers employees a total of up to 26 weeks of leave.

For purposes of this policy, "next of kin" of a servicemember means the nearest blood relative other than the servicemember's spouse, parent, son, or daughter in the following order of priority: blood relatives who have legal custody of servicemember; brothers and sisters; grandparents; aunts and uncles; and first cousins, unless the servicemember has specifically designated in writing another blood relative as their nearest blood relative. If no designation is made and there are multiple family members with similar levels of relationship to the servicemember, all such family members are considered to be next of kin.

For purposes of this policy, "serious injury or illness" includes, but is not limited to, an injury or illness incurred in the line of duty while on active duty, or which existed prior to active duty but was aggravated by service in the line of duty while on active duty, and that manifested itself either before or after the covered servicemember became a veteran.

An employee who qualifies for Military Caregiver Leave is entitled to a maximum of 26 weeks of FMLA during any 12-month period. If an employee does not take the full 26 workweeks of leave during a single 12-month period, the employee forfeits the remaining amount of leave. Spouses who are both employed by the school are entitled to a combined total of 26 workweeks of Servicemember FMLA to care for a serious illness or injury.

Designation of Military Caregiver Leave. If an employee's request to take Military Caregiver Leave also qualifies as leave taken to care for a family member with a serious health condition, EAPrep will designate the leave as Military Caregiver Leave first. Military Caregiver Leave will not run concurrently with any other FMLA.

Request for Leave and Certification. If an employee desires to take Qualifying Exigency Leave, the employee must provide notice of the need for leave as soon as possible as well as a copy of the covered servicemember's active duty orders or other documentation verifying the covered servicemember is on active duty or has been called to active duty to support deployment to a foreign country, and the dates of active service as well as a statement regarding the relationship of the employee to the servicemember.

If Military Caregiver Leave is requested and the leave is foreseeable, the employee must submit an application for leave not less than 30 days before the date the leave is to begin. When the leave is not foreseeable, the employee must submit an application for leave as far in advance of the date the leave is to begin as practicable. The application should state the nature of the relationship between the employee and the servicemember and must also have attached to it a medical certification from an authorized health care provider verifying certain information regarding the covered servicemember and his or her injury or illness. The medical certification should state: (1) the date on which the serious health condition commenced; (2) the probable duration of the condition; (3) the appropriate medical facts regarding the condition and its duration; and (4) that the servicemember is unfit to perform the duties of his or her office, grade, rank or rating.

Failure to provide this certification or other required forms within a reasonable period of time may result in delay of the request until such documentation is provided. The school reserves the right to place an employee on Servicemember FMLA in the absence of a sufficient request or documentation by the employee.

Medical Leave of Absence (“Medical LOA”)

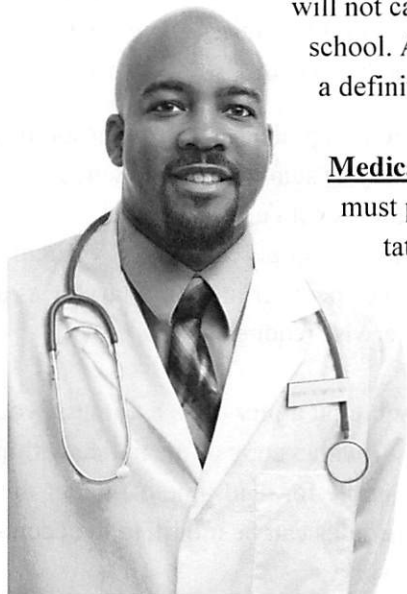
Eligibility: Any regular or temporary full-time employee who requires a leave of absence, which is defined as an absence from work that exceeds 10 consecutive working days, because of the employee’s own serious health condition, but who is ineligible for FMLA, is eligible to take a Medical LOA immediately upon hire.

Duration. If eligible, you may request up to 12 weeks of an unpaid Medical LOA during any 12-month period, when you are unable to perform an essential function your job because of your own serious health condition. A Medical LOA can only be requested and approved up to four weeks at a time.

To determine how much leave is available, EAPrep uses a “rolling” 12-month period measured backward from the date an employee first uses a Medical LOA.

Request for Leave. Requests to take a Medical LOA should be provided by submitting a completed Medical LOA Request Form to your supervisor as well as the human resources department. You must submit your Medical LOA Request Form at least 30 days in advance when the need is foreseeable and such notice is practicable. You must submit your Medical LOA Request Form as soon as possible if the 30-day notice cannot be given. Failure to provide the required notice may be grounds for denial of a leave request.

Whether the Medical LOA is granted and the amount of time granted, is at the discretion of your supervisor, with concurrence of the Superintendent’s Office, and is dependent upon a determination that the absence will not cause undue hardship for the school. A Medical LOA must have a definite duration.



Medical Documentation. You must provide medical documentation supporting your need for leave. If possible, medical documentation must be provided within 15 days of the request for leave. Failure to provide this documentation or other required forms within 15 days

of the leave request may result in denial of the request until such documentation is provided.

EAPrep may require new or additional documentation under certain circumstances, such as when current documentation expires, upon request for an extension of the leave, after the expiration of the anticipated minimum duration of the serious health condition, if circumstances have changed or at designated intervals. Failure to timely provide complete and clear documentation as requested by EAPrep may be grounds for denial of leave.

Reporting While on Leave. If you are on a Medical LOA, you must maintain contact with the Superintendent’s Office, as directed, regarding the status of your condition and your intention to return to work. In addition, you must give EAPrep reasonable notice if your anticipated return to work date changes. Failure to maintain contact as directed may be grounds for denial of leave.

Leave is Unpaid. A Medical LOA is unpaid leave; however, an employee on a Medical LOA may be eligible for wage replacement benefits such as disability and/or workers’ compensation benefits. Please contact the human resources department for further information about these benefits.

Any accrued State Personal Leave and Local Sick Leave will run concurrently with a Medical LOA to the extent you are not receiving wage replacement benefits. The substitution of State Personal Leave, Local Sick Leave, or benefits for unpaid leave does not extend the maximum 12-week leave period. Further, in no case may the substitution of paid leave or benefits for unpaid leave result in an employee receiving more than 100% of his or her salary.

Return to Work. Upon return from a Medical LOA, every effort will be made to return the employee to the position held prior to the leave or to an equivalent position; however, due to changing business necessity, there is no guarantee that the employee’s position or an equivalent position will be available.

An employee may be required to submit documentation from his or her health care provider stating that the employee is able to perform the essential functions of the job prior to his or her return to work. Additionally, an employee on a Medical LOA has no greater right to reinstatement than if the employee had been continuously employed.

Should an employee not return to work by the end date of the Medical LOA, he/she will be considered to have voluntarily terminated employment with the school unless other arrangements have been approved by the Superintendent's Office.

Other Benefits. While taking unpaid leave under this policy, an employee will not accrue State Personal Leave or Local Sick Leave.

An employee on a Medical LOA will retain health insurance coverage while on the Medical LOA to the extent such coverage was maintained by the employee before the leave was taken and on the same terms as if the employee had continued to work up to a maximum of 12 weeks. EAPrep will deduct the employee's portion of the health plan premium as a regular payroll deduction, to the fullest extent possible, if an employee uses State Personal Leave or Local Sick Leave while on a Medical LOA. An employee must pay any portion of his or her health plan premium as reasonably requested by EAPrep, to the extent it is not paid in full through a payroll deduction. An employee's health care coverage may cease if his or her premium payment is more than 30 days late.

Military Leave

Eligibility: All regular employees are eligible to take military leave immediately after hire.

Qualification and Duration. If an employee is called to active duty in the United States Armed Forces, Reserves or National Guard, the employee is eligible for Military Leave as required by law. Military Leave may not exceed the limitations specified by the Uniform Services Employment and Reemployment Rights Act ("USERRA") or other applicable law.



Notice. To qualify for the right to leave and the right to re-employment, an employee must promptly provide notice and copies of his or her military orders to the Principal prior to going on military duty, unless precluded by military necessity.

Leave is Unpaid. Military Leave is unpaid; however, employees are entitled, but not required, to use accrued State Personal Leave for time served. Additionally, the time spent on leave is also considered time spent in service with the organization for purposes of seniority and benefits entitlement as required by USERRA.

Return to Work. An employee returning from Military Leave must contact the Principal to return to work within the time constraints defined by law after his or her period of military service is done. The employee will be reinstated at the current rate of pay and benefits.

Other Benefits. The employee may continue his or her health plan coverage subject to certain time constraints, as defined by law. If the leave is for less than 31 days, the employee shall only be required to pay the employee's share of the health care premium, if any. If the leave is for 31 days or more, health benefits may continue, at the option of the employee, in accordance with applicable law.

While taking unpaid leave under this policy, an employee will not accrue State Personal Leave or Local Sick Leave.

Time off for Jury or Witness Duty

Eligibility: All regular, full-time employees are eligible to take two weeks of paid time off for jury or witness duty immediately after hire. All other employees are eligible to take unpaid time off for jury or witness duty immediately after hire.

Employees are encouraged to accept their civic responsibilities by serving jury or witness duty as summoned. The school provides regular, full-time employees with up to two weeks of paid time off each calendar year for the purpose of serving on a jury or as a witness. All other time spent serving on a jury or as a witness is unpaid, unless otherwise required by law.

If you receive a notice to serve on a jury or as a witness, you must provide your supervisor with a copy of the notice within 48 hours of receipt to be eligible for paid time off under this policy and so that work schedules can be modified to accommodate your absence from work.

If your regular work schedule is during normal business hours, you must report to work as soon as possible upon release from jury or witness duty, or, if released late in the day, you must contact your supervisor to discuss whether to report to work that day or wait until your next scheduled work day. You should discuss with your supervisor the transition from serving jury or witness duty during the day and returning to your regular work schedule, if your regular work schedule is not during normal business hours.

Time off for Voting

Eligibility: All employees are eligible to take time off to vote immediately after hire.

The school encourages all employees to vote; however, since polls are open early and close late, you should schedule your voting time so as not to interfere with your work schedule. The school will adhere to any federal, state or local laws regarding voting leave.



Absence Control Policy and Payment of Benefits

Unless otherwise required by law, no leave of absence, either by itself or in combination with other periods of leave, may exceed 12 weeks in a 12-month period. If your leave of absence exceeds 12 weeks, you will be considered to have voluntarily terminated employment with the school. The Absence Control Policy applies when an employee takes FMLA, Medical LOA or is absent from work for ten or more consecutive working days.

Unless otherwise required by law, EAPrep will only pay for EAPrep's portion of an employee's benefits during the first 12 weeks an employee takes FMLA, Medical LOA or is otherwise absent from work for ten or more consecutive working days.

Resolving Workplace Grievances and Concerns

Resolving Workplace Grievances

East Austin College Prep is concerned with any situation affecting the employment relationship and is committed to correcting any condition or situation that may cause unfairness or misunderstanding. It is possible that problems and misunderstandings may occur and EAPrep provides an orderly manner for an employee to voice an opinion or discuss a problem with management without fear of retaliation.

EAPrep intends to treat each employee fairly. EAPrep will do all it reasonably can to make this a good place to work. If, based upon specific facts, an employee has a problem, complaint or grievance concerning his or her employment or believes that he or she has not been treated fairly, the employee is expected to take the appropriate steps as provided in this policy to ensure a good faith attempt is made to resolve the problem, complaint or grievance.

Remember, even if an employee thinks his or her supervisor should be aware of the problem, the problem may not be resolved unless and until the employee takes appropriate steps.

An employee may utilize any of the options provided in this section to resolve grievances he or she may have about his or her employment with EAPrep. However, concerns regarding harassment should be brought in accordance with the school's Workplace Harassment Policy. Employees are expected to act promptly with regard to any action, occurrence, or attitude, either expressed or implied, that is perceived as unfair or inequitable. EAPrep recognizes that not all grievances can be resolved to everyone's satisfaction, however, EAPrep will strive to be fair in its decision. No one may criticize, penalize or treat an employee differently in any way for using any of the options provided within this section to resolve grievances about his or her employment at EAPrep.

In resolving a grievance under any of the options in this section, the employee should bring forth his or her grievance as specified and a proposed resolution as soon as possible after the action giving rise to the grievance and normally within five business days of the date the employee first learns of the basis for the grievance. Although EAPrep endeavors to resolve all grievances, the longer an employee waits to file a grievance, the harder it will be to investigate and resolve the grievance.

Open Door Policy

You are free to speak directly with anyone in the administration regarding concerns, questions or suggestions for improvements that you have regarding EAPrep operations. Open communication between employees as well as between employees and members of the administration is strongly encouraged.

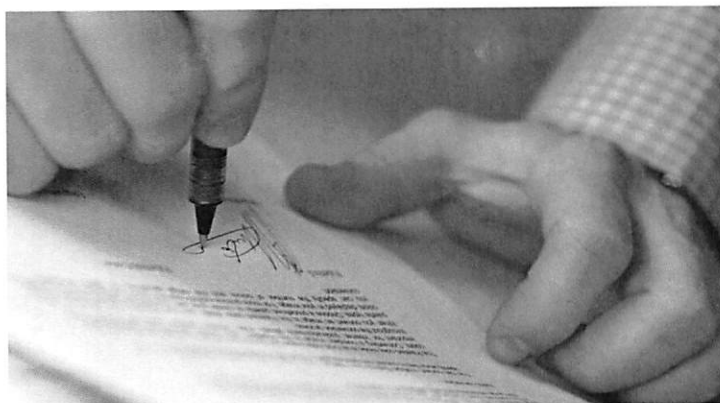
Initial Process

EAPrep encourages employees to discuss their concerns and complaints through the chain of command starting with their immediate supervisor, Principal, or other appropriate administrator. Concerns should be expressed as soon as possible at the lowest possible administrative level. Concerns or complaints about a supervisor may be made to the Superintendent or designee.

If the initial process regarding a complaint fails to reach a satisfactory outcome for the employee, he or she may initiate the Formal Grievance Process by filing a timely written Grievance Form provided by EAPrep or found on the local shared drive. Even after initiating the formal grievance process, employees are encouraged to seek an informal resolution to their concerns. An employee whose concerns are resolved may withdraw a formal grievance at anytime.

Formal Grievance Process

Step 1. A written Grievance Form must be filed by the employee with their immediate supervisor as soon as possible and within 15 days after receiving notice that the initial process has been concluded. The immediate supervisor will investigate and hold a conference with the employee generally within ten days after receipt of the written Grievance Form.



The immediate supervisor shall provide a written response generally within ten days following the conference. In reaching a decision, the administrator may consider information provided at the conference and any other relevant documents or information found during the investigation.

Step 2. If an employee believes they did not receive a satisfactory outcome in Step 1, the employee may appeal the decision in writing by completing the Grievance Appeal Form provided by EAPrep or found on the local shared drive and submitting to the Superintendent within ten days of the date of the Step 1 written response.

The Step 1 supervisor shall provide the record of the Step 1 grievance, which shall include:

1. The original Grievance Form and any attachments;
2. All other documents submitted by the employee in Step 1;
3. The written response issued at Step 1 and any attachments; and
4. Any other documents relied upon by the Step 1 supervisor.

The Superintendent or designee shall hold a conference generally within 10 days after the appeal notice is filed. The conference shall be limited to the issues presented by the employee at Step 1 and identified in the Grievance Appeal Form.

The Superintendent or designee with the assistance of the Director of Human Resources shall provide the employee with a written appeal response generally within 10 days following the conference

Step 3. If the employee would like to appeal the written response provided in Step 2, the employee may appeal the decision to the EAPrep Board of Trustees (“Board”).

The appeal notice must be filed in writing within ten days of the date of the written appeal response on a form provided by the Superintendent’s Office. The Superintendent or designee shall inform the employee of the date, time and place of the Board meeting.

The Superintendent or designee shall provide the record of the Step 2 appeal to the presiding officer of the Board.

The presiding officer of the Board may set reasonable time limits and guidelines for the appeal presentation, including an opportunity for the employee and Superintendent or designee to each make a short presentation and provide one rebuttal and an opportunity for questions from the Board.

The Board shall then consider the appeal. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the appeal by the end of the next regularly scheduled meeting, the absence of a response by the Board automatically upholds the administrative decision in Step 2.

Nothing in this section creates a contract or other commitment that would require EAPrep to have good cause or any cause for disciplinary action or for discharge of any employee. EAPrep retains the authority to render the final decision in any matter pertaining to disciplinary action or termination.

Resolving Workplace Concerns — Whistleblower Policy

East Austin College Prep expects its personnel, including all employees and volunteers, to observe high standards of business and personal ethics in the conduct of their duties and responsibilities, and is committed to fostering a workplace that protects its personnel from interference with raising good-faith concerns regarding EAPrep’s business practices. This protection will shield an employee who: (1) reports suspected violations of laws or policies regarding accounting, internal accounting controls and auditing matters; or (2) provides truthful information in connection with an inquiry or investigation by a court or other governmental body with regard to suspected violations of laws or policies regarding accounting, internal accounting controls and auditing matters.



This policy does not replace EAPrep’s existing complaint process. Rather it is to be followed only if an employee elects to make a disclosure of suspected or alleged corrupt or improper conduct and seeks protection under the law.

Reporting a Potential Violation. It is the responsibility of all EAPrep employees to report violations or suspected violations of laws or policies regarding accounting, internal accounting controls and auditing matters and/or EAPrep policy in accordance with this Whistleblower Policy. If an employee reasonably believes that a violation of law or policy regarding accounting, internal accounting controls and/or auditing matters has occurred, such person should file a complaint with any of the following: (1) the employee’s supervisor; (2) Superintendent (3) Principal (4) any member of the Board of Trustees. Alternatively, such person can file a complaint via an e-mail to whistleblower@eaprep.org. Reports may be submitted anonymously or the person submitting the report may request to remain anonymous; a reporter’s request to remain anonymous shall be respected.

Investigating a Report. Reports of suspected violations of laws or policies made pursuant to this policy and reports of retaliation protected by this policy will be investigated promptly and in a manner intended to protect confidentiality, consistent with a full and fair investigation. Discussions and documentation regarding reports will be kept in strict confidence to the extent appropriate to conduct an investigation.

No Retaliation. EAPrep expressly prohibits any form of retaliation, including but not limited to harassment, intimidation, or adverse employment actions, against employees or other persons who report suspected violations of laws or policies in accordance with this policy. This protection against retaliation shall apply even if the findings of an investigation do not support the nature of the report, so long as the report was filed in good faith. However, employees who knowingly file misleading or false reports, or without a reasonable belief as to truth or accuracy, will not be protected by this policy.



Examples of Whistleblower Complaints

Reports filed pursuant to this policy may include, but are not limited to, claims of corruption, financial reporting that is intentionally misleading, improper or undocumented financial transactions, improper destruction of records, violations of EAPrep’s conflict of interest policy, malfeasance, bribery, theft of EAPrep property, fraudulent claims, fraud, coercion, conversion, misuse of EAPrep property and facilities, or willful omission to perform duty.

Conduct, Work Rules and Guidelines

General Guidelines for Employee Conduct

In instances in which employees engage in conduct contrary to the interests of EAPrep, they will receive discipline, up to and including termination. The degree of discipline in each case will be determined by the totality of the circumstances, including the severity of the situation and the employee's work history.

Disciplinary action is taken for the purpose of guiding employees to correct unacceptable behavior and work performance and to adhere to established school policies and procedures. EAPrep has complete discretion in determining what disciplinary action will be taken depending upon the facts of the situation presented. Disciplinary action can include verbal counseling sessions, written warnings, suspensions or termination.

The following set of rules is intended to serve as a general guideline in governing appropriate employee behavior. EAPrep reserves the right to prohibit any employee negligence or misconduct as well as any behavior that threatens the school or its students. The following is a list of expected work behavior. This list is not intended to be, and should not be considered, all-inclusive.



This list is intended to be a guideline for behavior, and does not include every work rule.

Performance Rules

Display a positive attitude in the performance of your duties.

Perform your job duties to the best of your ability and in accordance with EAPrep standards and policies.

Adequately perform the duties and responsibilities of your position as listed in your job description.

Follow all laws and adhere to any code of ethics that applies to your profession.

Do not neglect your work duties, engage in personal business or waste time during working hours.

Always be at your assigned work station, ready to work, at the start of your shift and at the end of your break and lunch periods.

Do not leave work during working hours without permission from your supervisor.

Honesty

Do not commit fraud, falsify or fail to completely disclose all information requested or recorded on any employment application, personnel record, payroll record, credit card record, gas card record, time card, student file, mileage log, petty cash expense, reimbursement request or other EAPrep record.

Do not alter, misuse, reveal or remove from EAPrep premises, without proper authorization, EAPrep records, student records, employee files, checks or confidential information of any nature.

Perform your job duties in an ethical manner and display a high level of personal integrity.

Be honest in all dealings with coworkers, subordinates, supervisors, students, students' family members, vendors or other groups within the community during the course of your duties.

Behavior Toward Others

Follow the directives of your supervisor and do not be insubordinate. Insubordination includes refusal or deliberate failure to follow a reasonable instruction of, or abusive conduct toward, a supervisor or management, or refusal to perform designated job duties.

Be friendly, respectful, and courteous when dealing with students, students' family members, coworkers, and all others you come in contact with while working. Do not interfere with the work of other employees or prevent others from performing their duties.

Be mindful of the property and safety of others.

Do not threaten, intimidate, coerce, provoke, interfere or fight with employees, supervisors, management, students, students' families, visitors or vendors at any time.

Do not spread rumors, malicious gossip, or false accusations about EAPrep, its students, funding sources, employees or others.

Being supervised by a relative and other forms of nepotism are not allowed. For purposes of this policy, relatives include anyone related by blood, marriage or domestic partner status.

Do not engage in a romantic or sexual relationship with anyone in your direct line of supervision.

Do not borrow from, lend to, purchase from or sell to students any items of any kind, including money.

Adequately supervise students and report any injuries or other concerns regarding students.

Follow each student's individualized education plan, if applicable to that student.

Property of Others

Do not abuse, misuse, damage, destroy, sabotage or steal EAPrep property or the property of EAPrep employees, students, vendors or visitors.

Only use EAPrep property for business purposes, unless otherwise approved.

Other Rules

Do not gamble on EAPrep premises.

Do not participate in horseplay, practical jokes, or disorderly conduct of any kind on EAPrep property or during working hours, which may jeopardize the health or safety of any person.

Follow all policies of the school and/or department, including any dress code or cell phone policy.

Perform all job duties as directed by your supervisor.

Fully cooperate in any investigation as requested by EAPrep.

Code of Ethics and Standard Practices for Texas Educators

In addition to the General Guidelines for Employee Conduct, all EAPrep employees are required to adhere to The Code of Ethics and Standard Practices for Texas Educators adopted by SBEC, which is reprinted as follows:

Statement of Purpose

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

Professional Ethical Conduct, Practices, and Performance

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

Standard 1.2 The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage. **Standard 1.3** The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.

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

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

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

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

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

Ethical Conduct toward Professional Colleagues

Standard 2.1 The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law. **Standard 2.2** The educator shall not harm others by knowingly making false statements about a colleague or the school system.

Standard 2.3 The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.

Standard 2.4 The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.

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

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

Standard 2.7 The educator shall not retaliate against any individual who has filed a complaint with the SBEC under this chapter.

Ethical Conduct toward Students

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

Standard 3.2 The educator shall not knowingly treat a student in a manner that adversely affects the student's learning, physical health, mental health, or safety.

Standard 3.3 The educator shall not deliberately or knowingly misrepresent facts regarding a student.

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

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

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

Standard 3.7 The educator shall not furnish alcohol or illegal/unauthorized drugs to any student or knowingly allow any student to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

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

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

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

Workplace Harassment

East Austin College Prep is committed to maintaining a work environment that is free from all forms of unlawful harassment and discrimination. In keeping with this commitment, EAPrep will not tolerate verbal or physical harassment of any type or in any form, especially that which disrupts or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment for its employees by anyone including any supervisor, coworker, contractor, vendor, volunteer, funding source, student, or student's family members. Every employee is required to become familiar with this policy and actively strive to achieve the school's goal of a harassment-free workplace.

Harassment includes any unwelcome or offensive conduct, whether verbal, physical or visual, based on race, color, sex (with or without sexual conduct), religion, national origin, age, disability, genetic information, marital status, pregnancy, gender identity or expression, sexual orientation, ancestry, veteran status, citizenship, health condition and any other protected status or basis prohibited by law.

Sexual harassment includes any unwelcome sexual advances, requests for sexual favors or other unwelcome verbal or physical conduct of a sexual nature when: (1) submission to such conduct is an explicit or implicit condition of employment; (2) submission to or rejection of such conduct is used as the basis for employment decisions; or (3) the conduct is so severe or pervasive that it unreasonably interferes with an individual's work performance and creates an intimidating, hostile or offensive work environment.

Reporting a Complaint. If you experience any job-related harassment, you must report the concerning conduct immediately to the Principal or the Superintendent.

You are encouraged to report harassment before it becomes severe or pervasive. Do not assume that EAPrep is already aware of your situation. Even if members of management observe the conduct, they may not recognize that the particular conduct or comments are offensive to you. What is funny to one person may be offensive to another. A hug may be welcomed by one person and make another person uncomfortable. Bystanders are often unaware of the impact of the conduct on any particular indi-

vidual. This is why it is your responsibility to bring your concerns to the attention of personnel designated in this policy.

If the person engaging in the harassing behavior is one of the individuals designated in this policy to receive a harassment complaint, telling him or her to stop the harassing behavior will not serve as a report of your concern because that individual may fail to report the complaint to their supervisor. In such situations you must report the conduct to one of the persons designated above, other than your harasser.

Investigation and Discipline. Reports of unwelcome harassment will be treated seriously and an investigation will be initiated promptly. To the extent practical, confidentiality will be maintained.

If an investigation reveals that allegations of harassment are true, appropriate action, including discipline, will be taken. All disciplinary measures will be implemented promptly and commensurate with the person's conduct as well as the degree of control that the school has over the alleged harasser.

Further, the school encourages you, to the extent you feel comfortable, to firmly and promptly inform the offender directly that his/her behavior is unwelcome. Should an employee be informed that his/her behavior toward a fellow employee is considered to be offensive, he/she is expected to immediately cease the offensive behavior.

Continued Harassment and No Retaliation. If, following an initial report, the harassment continues, another report of the conduct must be made in accordance with this policy. EAPrep prohibits any form of retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation. EAPrep also prohibits employees from providing false information regarding a harassment complaint.

Outside Employment

EAPrep has no objection to an employee holding another job as long as he or she can effectively meet the performance standards for his or her position with the school and it does not present any type of conflict of interest with operations. If you are employed elsewhere or self-employed in any capacity for any period of time while employed by EAPrep, you must inform your supervisor of your other employment, the nature of the work performed, and the average number of hours you anticipate to work in your other employment each week. If it is determined that an employee's outside work interferes with his or her performance for the school, the employee's ability to meet the requirements of the school, or presents a conflict of interest, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with EAPrep. An employee on a leave of absence may not work on behalf of any other entity or person, including self-employment, unless he or she has received prior approval from his or her supervisor.

Communications with the Board of Trustees

The Superintendent serves as the liaison between the board and East Austin College Prep staff, and EAPrep employees may not communicate or report EAPrep business with any member of the board or request board member attendance at an EAPrep function without first attaining approval from the Superintendent. It is understood that certain established lines of communication exist between EAPrep staff and the board or certain board members. These communication lines include the ability of an employee to report to the board through EAPrep's grievance or whistleblower procedures. This policy does not limit or interfere with these recognized lines of communication or with informal communications with board members when such communication does not involve official communications or reports of EAPrep business.

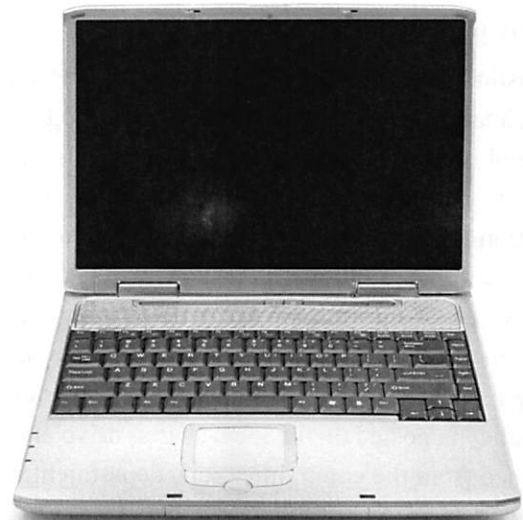
EAPrep Property

Employees are provided with all necessary equipment needed to perform their jobs. Any employee who accepts EAPrep equipment assumes full responsibility for that equipment and will be required to pay for the replacement of that equipment due to either damage or theft, when the damage or theft results from the employee's action or neglect.

Technology Equipment

EAPrep's technology equipment, including but not limited to computer systems and phones, are vital assets that require careful safeguarding against unauthorized access and use. Technology equipment includes all information technology systems which access, process, or have custody of EAPrep data as well as the physical equipment itself. The policies relating to the security of these systems and data apply to all employees and include all forms of leased, distributed, on- or off-site proprietary hardware, software, data, and output. Access to EAPrep's technology equipment is restricted to specifically authorized employees for business purposes only.

You should not attempt to gain access to technology equipment restricted for another employee's use nor should you assist others in obtaining unauthorized access. You are also responsible for controlling access to your own technology equipment by physically securing the equipment, protecting password sign-ons, computer listings, and other computer-related documentation.



Technology equipment provided to assist you with your job may not be used for sending, receiving, displaying, printing or otherwise disseminating material that is fraudulent, harassing, illegal, sexually oriented, sexually explicit, obscene, intimidating, defamatory or otherwise inconsistent with EAPrep work rules and guidelines. To the extent possible, personal email accounts should not be used for EAPrep business communications.

Employees have no reasonable expectation of privacy in regard to their use of EAPrep technology equipment. All data stored on or in EAPrep's technology equipment is the property of the school and may be reviewed or monitored by EAPrep without notice to any employee. Review and monitoring may include accessing the email systems, files stored on school computers, servers and other storage devices, as well as internet and instant message usage. The reasons for such review and monitoring include, but are not limited to, the following: maintenance, prevention or investigation of allegations of system abuse or misuse; assuring compliance with software copyright laws; compliance with legal and regulatory requests for information; and ensuring that EAPrep operations continue appropriately during an employee's absence.

In order to protect EAPrep's computer systems, the school has developed an acceptable use policy. Employees are expected to follow the rules outlined in this policy with regard to use and activity of technology equipment. A copy of this policy is posted on the local shared drive and can also be obtained from the Principal.

Social Media Policy

East Austin College Prep understands that its employees may maintain or contribute to personal blogs, message boards and other forms of social media outside of their job duties. It is never acceptable to share confidential information or to provide sensitive information about students or other employees. If you provide information about EAPrep or information related to your job, you are required to use good judgment, be respectful, honest and abide by EAPrep's social media policy. A copy of the social media policy is posted on the local shared drive and can also be obtained from the communications department.



Confidential Information

Confidential Information Regarding School Records. The school is responsible and accountable for the integrity and protection of its business information. Accordingly, all employees must maintain the confidentiality of EAPrep's records and adhere to additional confidentiality procedures as may be required by the school. Confidential EAPrep information includes, but is not limited to, all business conducted inside the school, school policies and procedures and any lawsuits involving the school.

Confidential Information Regarding Employees. Confidential employee information is to be handled with strict security at all times and only discussed as needed and expressly authorized by your supervisor. Confidential employee information includes, but is not limited to, employee injuries, personal information concerning employees (such as home phone number, home address, pay rates, and medical issues), employee termination information and references regarding job performance.

Confidential Information Regarding Students. Information concerning students and their families should only be discussed with individuals as specifically allowed by EAPrep. Confidential student information includes, but is not limited to, contents of any paperwork in the student's file as well as information regarding the students themselves or members of the student's family.

Student Records

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

- Parents: Married, separated or divorced, unless the school has been given a copy of a court order terminating parental rights or the right to access a student's educational records.
- EAPrep officials with legitimate educational interests.

Parents who want to review student records should contact the Principal for assistance. All individuals who are permitted to review student records will be required to follow all procedures set by EAPrep.

Please contact the Principal if you observe or become aware of a breach of confidentiality.

Ethics and Conflict of Interest

East Austin College Prep expects our employees to conduct business according to the highest ethical standards of conduct. We expect our employees to practice honesty, fairness, respect and integrity in our contact and relationships with one another, our funding sources, students, and the general public.



Examples of Potential Conflicts of Interest

- Buying or selling any items from or to a student's family.
- Working a second job for an EAPrep funding source or competitor.
- Hiring a company as an EAPrep vendor that one of your friends or relatives works at or owns.
- Getting paid by another company or person in connection with your employment at EAPrep.

In order to ensure ethical practices, EAPrep has adopted and implemented a conflict of interest policy which is provided to and applies to each employee. Each employee receives a copy of the policy upon hire and is required to complete a related disclosure form periodically. Additional copies of the policy can be found on the local shared drive or requested from the Principal or the Superintendent's Office. EAPrep's conflict of interest policy requires you to report to the Superintendent if circumstances in your personal life influence or appear to influence your duties on behalf of EAPrep. The Superintendent will consider the situation and make a determination regarding whether a conflict of interest exists and what further steps, if any, must be taken. Questions concerning conflicts of interest should be directed to the human resources department or the legal department.

Gifts from Vendors and Potential Vendors. Employees are only permitted to accept gifts from vendors and potential vendors if they are worth less than \$30.00. Any gift must be disclosed to the Principal. Gifts from vendors or potential vendors that are worth more than \$30.00 should be graciously not accepted or donated to the school.

Gifts from Students or their Families. Employees may not accept cash from students or their families under any circumstance. Employees may only accept homemade gifts or purchased gifts worth less than \$25.00 from students or their families. Examples of such gifts might include a small gift card, baked goods or a small trinket made by the student. Any gift must be approved by the Principal to determine whether the gift presents a conflict of interest.

Health and Safety

East Austin College Prep has a genuine concern for the safety of its employees and students; however, creating and maintaining a safe work environment is every employee's responsibility. Unsafe work practices can result in injuries which can affect employees' health and job performance. Most accidents are preventable. When an accident or injury occurs, everyone suffers because an accident can injure students or employees, damage property, waste time and money and create unpleasantness for everyone involved. Employees should use common sense when performing their daily work activities, work in a safe manner and keep their work environment safe and hazard free.



Remember to report any safety concerns, violations or on-the-job injuries to your supervisor or the Safety Coordinator as soon as you become aware of them.

You should perform your job in a manner that considers your own personal safety as well as the safety of your coworkers and others. You should report any safety concerns, violations or on-the-job injuries to your supervisor or the Superintendent's Office as soon as you become aware of them.

Criminal Arrests and Convictions

EAPrep is required by law as well as internal policies to retain employees that meet certain criminal history standards. Consequently, if you are arrested or receive any form of adjudication, you must notify the Principal, in writing, before you start your next shift or within three calendar days of the arrest or adjudication, whichever is sooner.

Additionally, an employee who is authorized to drive on behalf of EAPrep must also notify the Principal, in writing, before the employee starts his or her next shift or within three calendar days (whichever is sooner) of the following: (1) receipt of a citation or adjudication for DWI, DUI, hit and run, manslaughter or similar charge; or (2) receipt of a traffic violation citation or involvement in an accident that results in the employee's accumulation of more than three traffic violation citations and/or accidents within the preceding three year period.

Workplace Violence

East Austin College Prep does not tolerate any type of workplace violence committed by or against individuals on EAPrep property or engaged in EAPrep business. Employees are expected to exercise good judgment and to inform their supervisor or the human resources department if they become aware of any employee or other person on EAPrep property committing workplace violence or exhibiting behavior that could be a sign of a potentially dangerous situation. EAPrep will take appropriate actions to ensure the safety of its employees, volunteers, students and the general public.



Examples of Prohibited/ Potentially Dangerous Behavior

- Causing physical injury to another person.
- Making threatening remarks or engaging in verbal or written harassment.
- Acting in an aggressive or hostile manner that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Intentionally damaging EAPrep property or the property of another person or entity.
- Possessing or using a weapon of any kind, concealed or otherwise.
- Committing acts motivated by, or related to, sexual harassment or domestic violence.
- Discussing weapons in an inappropriate manner or bringing them to the workplace.
- Displaying overt signs of extreme stress, resentment, hostility or anger.

For purposes of this policy, a weapon is defined as any device or object capable of causing serious bodily injury or death to another person, including, but not limited to, firearms, stun guns, and/or knives, but does not include mace, pepper spray or other similar devices intended to temporarily disable a person for safety measures.

Drug and Alcohol Free Workplace

In order to maintain a healthy work environment and to meet obligations under our funding contracts, we must take a firm and positive stand against substance abuse. Accordingly, EA-Prep has adopted a drug and alcohol policy to maintain a workplace free of illegal drugs and alcohol.

You must inform your supervisor if you are taking a prescribed or over the counter drug that may cause side effects that would impair your ability to safely perform your job duties. Impairment includes drowsiness, reduced mental judgment or coordination ability. Depending upon the side effect being experienced, the Principal will determine if you will be allowed to remain at work.



Examples of Prohibited Drug/Alcohol-Related Behavior

- n The sale, offer, purchase, use or possession of alcohol, illegal drugs, drug paraphernalia, inhalants or prescription drugs not prescribed to the employee while on EAPrep property, or during the course of work. Please note that alcohol provided by the school during the course of a sanctioned work event, such as an office party, does not fall in this category.
- n Being under the influence of alcohol, illegal drugs, inhalants or prescription drugs not prescribed to the employee while on EAPrep property, during the course of work, or while on call.
- n The presence of any detectable amount of illegal drugs, inhalants or prescription drugs not prescribed to the employee in the employee's system while on Southwest Key property, during the course of work, or while on call.
- n Refusal to submit upon request to a urinalysis or other diagnostic test as required by this policy.

Employee Drug and Alcohol Testing. You may be required to undergo a urinalysis or other diagnostic test under any of the following circumstances: (1) prior to beginning employment; (2) upon transfer to a different campus; (3) when there is reason to believe, in the opinion of EAPrep management, that you have violated this policy; (4) before returning to work following a leave of absence; (5) after the occurrence of any

work related incident that requires a physician's treatment or has resulted in property damage; (6) where the employee is the driver in an auto accident in an EAPrep vehicle or while on EAPrep business; (7) upon request or requirement by a funding source, licensing department or governmental agency; (8) as part of a random sample testing of employees or programs; and/or (9) when deemed by EAPrep management to be in the best interest of EAPrep.

Employee Assistance Program for Alcohol or Drug Problems. If you are experiencing problems with alcohol or other drugs, we urge you to seek assistance to resolve such problems. Should you decide to seek assistance for such dependency, the school has an Employee Assistance Program which may be able to assist you. Participation by an employee in a treatment program for an alcohol or drug problem will not jeopardize the employee's employment. However, participation will not prevent normal disciplinary action for any violation of an EAPrep rule, or relieve an employee of the responsibility to perform his/her assigned duties safely, efficiently and in accordance with the school's standards.



Smoking and Tobacco Products

It has long been EAPrep's goal to provide healthful environments for its employees. We strive to provide a broad array of benefits to encourage healthy lifestyles, and remain aware of the impressions we make on the youth we serve and of the necessity to model positive behaviors for the kids in our care.

Accordingly, EAPrep has adopted a clean air policy, which prohibits smoking or the use of any tobacco product while in the presence of EAPrep students. Additionally, EAPrep employees shall not permit students to smoke, nor shall employees supply students with tobacco products, and must immediately report any instance of students obtaining or possessing any tobacco products. Employees should ask their supervisors if there are designated smoking areas in their specific work location, and if so, where the designated areas are located. Tobacco products include, but are not limited to, cigarettes, e-cigarettes, vape devices, cigars, pipe tobacco, chewing tobacco, and snuff.

Vehicle Safety

EAPrep considers safety and accident prevention to be one of our highest priorities in all areas of operation, including vehicle safety. Accordingly, EAPrep has adopted and implemented a vehicle safety guidebook which is given to every employee authorized to drive on behalf of the school. Additional copies of the guidebook can be requested from the Principal or human resources. Questions concerning vehicle safety should be directed to human resources.

Bad Weather/Emergency Closing

The closing of EAPrep may occur when bad weather or emergency conditions exist. EAPrep may close for a full day or part of a day during inclement weather. In the event of inclement weather, EAPrep will follow the “closing schedule” of the Austin Independent School District (AISD).



AISD has an agreement with the major local news and radio programs that will allow for the notification of these closings or “late starts” in a manner that will be most readily accessible to the majority of staff and students. In the event there are conflicting AISD closure notices appearing on different news sources, the official news station by which to determine information will be KXAN.

Evacuations

If public safety officials require that an EAPrep building be evacuated, students and staff members will be safely transported to a designated parent-student reunification center. Parents will be informed of the reunification location via the local media. At the reunification center, employees may release students to their parents upon presentation of proper identification. Employees may only release children to individuals who are authorized on the student’s emergency contact form or who have written parent authorization. All employees must make every effort to ensure the safety of students and assist them in returning to their homes.

Emergencies

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

Leaving Your Job

East Austin College Prep is an at-will employer, meaning the school or the employee has the right to terminate the relationship at any time, with or without notice and/or with or without cause.

All EAPrep property, such as keys, credit cards, computers, access cards, pagers, cellular phones, electronic storage media, notes, notebooks, reports and all other equipment, records or other material, must be returned to EAPrep in satisfactory condition at the time of termination, as directed by the supervisor.

Detailed below are the usual reasons of termination.

Voluntary Termination

A voluntary termination is a separation of employment initiated by the employee. If an employee chooses to resign from EAPrep, it is expected that the employee will give the school as much notice as possible.



Examples of Reasons for Voluntary Termination

- The employee resigns.
- The employee is absent for two consecutive work days or shifts without approval.
- The employee fails to return from any type of leave of absence.
- The employee refuses to accept a temporary transfer when such transfer is required by a change in business conditions.
- The employee fails to return from a reduction-in-force upon recall.

In order to provide EAPrep with sufficient time to hire and train a replacement for your position, adequate notice for employees in management positions is considered to be four weeks' notice; for all other employees, adequate notice is considered to be two weeks' notice. If you fail to provide adequate notice of your resignation, you may be ineligible for rehire by the school.

Layoff or Reduction in Force

A layoff or reduction in force is a separation of employment initiated by EAPrep due to an organizational or funding change. Should a layoff or reduction in force be necessary, notification to an employee will be made as early as practical as determined by circumstances affecting the school's decision. Seniority alone will not be the basis for deciding which employees will be laid off. EAPrep will take into account factors including, but not limited to, operational requirements of the school and the employee's skill, productivity, ability, and past performance.

Involuntary Termination

An involuntary termination is a separation of employment initiated by EAPrep based on the employee's poor work performance, disciplinary reasons or other reasons deemed sufficient by the school.

Final Paycheck

An employee's final paycheck will be paid as required by law. In addition, if EAPrep property is not returned in satisfactory condition, or if there is a balance remaining in an authorized payroll deduction, appropriate deductions will be taken from the employee's final paycheck.

If an employee's salary is annualized, the employee will be compensated for all amounts earned, but not yet paid, in the employee's final paycheck.

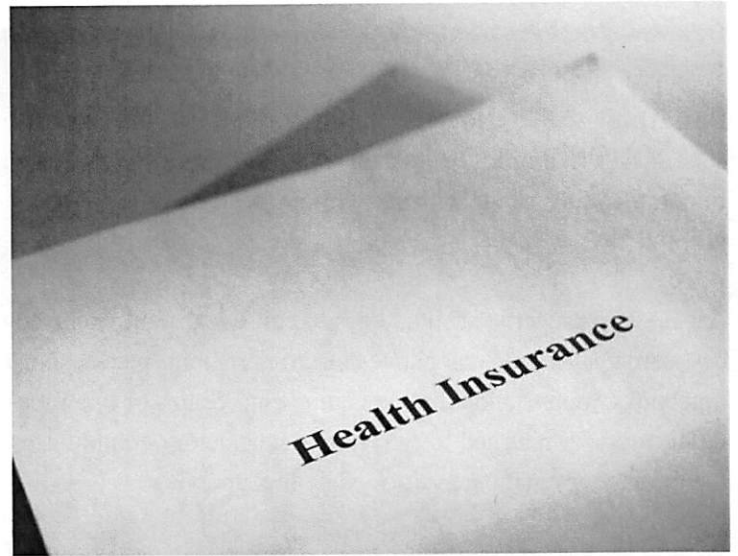
W2 Forms for Former Employees

W2 forms notifying employees of the total wages earned in the previous year will be mailed to a terminated employee's last known address. It is the former employee's responsibility

to ensure the payroll department is notified of any change of address which occurs after the employee has left EAPrep so that the W2 is sent to the correct address.

COBRA—Continuation of Health Insurance

Under the Consolidated Omnibus Budget Reconciliation Act of 1985, better known as COBRA, if an employee terminates employment with the school, the employee is generally entitled to continue participating in the school's group health plan, at the employee's expense, for a prescribed period of time, usually 18 months. For detailed information or questions regarding COBRA, employees should contact the Benefits Coordinator.



General Policies

As an employee of EAPrep, you may be presented with situations that you do not encounter on a day-to-day basis. This section outlines the policies that relate to the most frequent situations our employees come across.

Media Inquiries and Requests

All media inquiries and requests, verbal or written, are to be forwarded to the Superintendent, who will evaluate the request and respond to it as appropriate. This includes any formal or informal media outlets including, but not limited to, printed magazines, newspapers, and television or radio stations. Do not respond to any media inquiries or requests, and immediately advise your supervisor if you receive a media inquiry or request. Employees must contact the communications department before contacting any media outlet. Members of the media are not allowed on EAPrep property without approval of the communications department.

Legal Inquiries

If an outside attorney calls you or the school for any reason about the school, make sure that you direct him or her to the legal department. Never engage in a discussion with any lawyer about EAPrep business other than those lawyers employed by the school, and immediately forward all written communications from outside attorneys to the legal department.

Searches and Inspections

EAPrep reserves the right for authorized personnel to search and inspect school property, including but not limited to lockers, desks, cabinets, and mail (including voicemail and email). Additionally, an employee's personal property, including but not limited to purses, backpacks, and vehicles, may be inspected at any time it is on EAPrep property or used for EAPrep business.

No Solicitation or Distribution

In order to minimize interruptions to work, EAPrep prohibits solicitations of any kind during working time and prohibits distribution of any literature in working areas during working time of the employees involved unless specific permission has been given by the Principal.

Local Shared Drive & Bulletin Boards

Local Shared Drive and the bulletin boards, located on site at each EAPrep campus, are intended for sharing EAPrep business information; however, employees may post non-business related information in designated areas with supervisor approval. All employees are required to access the local shared drive and check the bulletin boards often because a variety of school-related information may be posted there affecting employees' jobs.

Record Retention

It is the policy of EAPrep to generate and retain only those papers, records, and electronic data which are required for the effective operation of the school and to meet our obligations to our students, funding sources, employees, and the government. Records must be retained and destroyed in accordance with EAPrep's Record Management policies. Please contact the legal department if you have any questions about record retention.

Signature Authority

Only employees who have been granted signature authority by the board of trustees may sign contracts on behalf of the school. Other employees are prohibited from signing contracts on behalf of the school, unless given explicit permission to do so by an individual who has been granted signature authority.



Non-Routine Information Requests

All non-routine requests for information must be immediately forwarded to the legal department and Superintendent. This includes, but is not limited to, requests about students, employees or the school generally.

Student Issues

As a school, there are certain policies that EAPrep employees must be aware of regarding the students we serve. This section provides an overview of some of the policies relating to our students. For more information regarding student issues, please refer to the Student/Parent Handbook or contact the Principal.

Administering Medication to Students

EAPrep employees designated by the Principal may administer prescription and nonprescription medication in accordance with legal requirements. Any medication administered to a student must have a written request/authorization from the student's parent or legal guardian and must appear to be in the original container and be properly labeled.

All medication shall be securely stored, under double lock, in the main office and only authorized employees will have access to medications. Employees shall not administer prescription medication dispensed outside the State of Texas or non-prescription medications dispensed outside the United States.

Equal Educational Opportunities

EAPrep does not discriminate on the basis of race, color, religion, national origin, gender or disability in providing educational services, activities and programs in accordance with the law.

Questions or concerns about discrimination of students on any basis of should be directed to the Principal or Superintendent.

Student Discipline

Students are expected to follow the campus rules, classroom rules, and rules listed in the Parent/Student Handbook. Every employee must be familiar with the rules of conduct and mindful of their requirements and expectations. Employees that have concerns about a particular student's conduct should contact the classroom teacher or Principal.

Classroom teachers have the authority and responsibility to develop and communicate rules for classroom behavior. EAPrep expects employees will handle minor disturbances in the classroom through these rules.

Teachers must file a written report with the Principal or another appropriate administrator when they have knowledge that a student has violated the Student Code of Conduct. An Teacher or Administrator will make contact with the student's parents to explain the violation and the disciplinary consequences.

Classroom teachers must not leave students unattended at any time. If you must leave your classroom during instruction you must notify the Principal and are also responsible for ensuring that arrangements are made to have an EAPrep employee present in the classroom while you are away.

Student Attendance

Teachers and staff should be familiar with EAPrep's policies and procedures for attendance accounting. These procedures are addressed in employee training, the Student/Parent Handbook, and the Accounting Manual. Contact the Principal for additional information.

Bullying and Hazing

All employees are required to report any complaints of bullying or hazing to the Principal. Any employee who observes a student engaged in any form of bullying or hazing or who has reason to know or suspect that a student intends to engage in bullying or hazing or has engaged in bullying or hazing must report that fact or suspicion to the Principal.

Child Abuse and Neglect

As a school that serves children and families, EAPrep has a zero tolerance policy against child abuse and neglect.

Duty to Report. Every employee of EAPrep has a responsibility to immediately report any incident of suspected or actual child abuse or neglect to law enforcement or to Child Protective Services ("CPS") as well as to the Principal. Any employee has an additional legal obligation to submit the oral or written report within 48 hours of learning of the facts giving rise to the suspicion to one of the entities described below.

Restrictions on Reporting. Under state law, an employee is prohibited from using or threatening to use a parent's, guardian's, or managing or possessory conservator's refusal to administer or consent to the administration of a psychotropic drug, or

to consent to any other psychiatric or psychological testing or treatment of a child, as the sole basis for making a report of neglect, unless the employee has cause to believe that the refusal:

- Presents a substantial risk of death, disfigurement, or bodily injury to the child; or
- Has resulted in an observable and material impairment to the growth, development, or functioning of the child.

Contents of Report. The report should reflect the reporter's belief that a child has been or may be abused or neglected or has died of abuse or neglect. The person making the report shall identify, if known:

1. The name and address of the child;
2. The name and address of the person responsible for the care, custody, or welfare of the child; and
3. Any other pertinent information concerning the alleged or suspected abuse or neglect.

To Whom to Make a Report.

Reports may be made to any of the following:

1. Any local enforcement agency: The Austin Police Department at (512) 834-3195;
2. The CPS division of the Texas Department of Family and Protective Services at 1-800-2525400 or on the Web at <http://www.txabusehotline.org>;
3. The Travis County CPS office at (512) 834-3195; or
4. If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to CPS, unless the report is to the state agency that operates, licenses, certifies or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Probation Commission as a report of suspected abuse or neglect in a juvenile justice program or facility.

Reporting your suspicion to a school counselor, the Principal, or to another school staff member does NOT fulfill your responsibilities under the law. Furthermore, EAPrep does not require you to report your suspicion first to a school administrator.

Reports are Confidential. State law requires that the identity of a person making a report of suspected child abuse or neglect be kept confidential.

Immunity from Liability for Making a Report. A person acting in good faith who reports or assists in the investigation of a report of alleged child abuse is immune from any civil or criminal liability.

Failure to Report Child Abuse. A person commits a class A misdemeanor if he or she has cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect and knowingly fails to report it as provided by law. Failure to report child abuse or neglect violates the Educator's Code of Ethics and may result in sanctions against an educator's certificate, as addressed in 19 TAC 249.

Responsibilities Regarding Investigations.

State law specifically prohibits school officials from:

- Denying an investigator's request to interview a child at school in connection with an investigation of child abuse or neglect; or
- Requiring that a parent or school employee be present during the interview.

School personnel must cooperate fully and may not interfere with an investigation of reported child abuse or neglect.

Prohibition of Sexual Harassment and Sexual Abuse of Students

Sexual harassment of students by employees is a form of discrimination and is strictly prohibited. Sexual harassment of students includes any welcome or unwelcome sexual advances, requests for sexual favors and other oral, written, physical or visual conduct of a sexual nature. Romantic relationships between EAPrep employees and students are strictly prohibited. Other prohibited conduct includes, but is not limited to, the following:

- engaging in sexually oriented conversations for the purpose of personal sexual gratification;
- telephoning or texting students at home or elsewhere for inappropriate social relationships;
- enticing or threatening students to engage in sexual behavior in exchange for grades or other school-related benefit;

- sexual touching and fondling;
- exposing children to adult sexual activity or pornographic movies and photographs;
- having children pose, undress, or perform in a sexual fashion in film;
- peeping in bathrooms on children; and
- rape or attempted rape of a child.

All allegations of sexual harassment or sexual abuse of students will be reported to parents and promptly investigated. Conduct that may be characterized as known or suspected child abuse will also be reported to appropriate authorities, as required by law. Employees with questions or concerns relating to alleged sexual harassment of a student should contact the Principal.

Dietary Supplements

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

Psychotropic Drugs

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

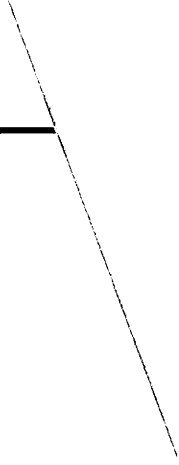
EAPrep employees are prohibited from: (1) recommending that a student use a psychotropic drug; (2) suggesting a particular diagnosis; and/or (3) excluding from class or a school-related activity a student whose parent or guardian refuses to consent to a psychiatric evaluation or to authorize the administration of a psychotropic drug to the student.

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East Austin College Prep Elementary School - Southwest Key Campus
6002 Jain Lane
Austin, Texas 78721
(512) 287-5000

East Austin College Prep Secondary School - MLK Campus
5800 E. Martin Luther King Jr. Blvd
Austin, Texas 78721
(512) 287-5050