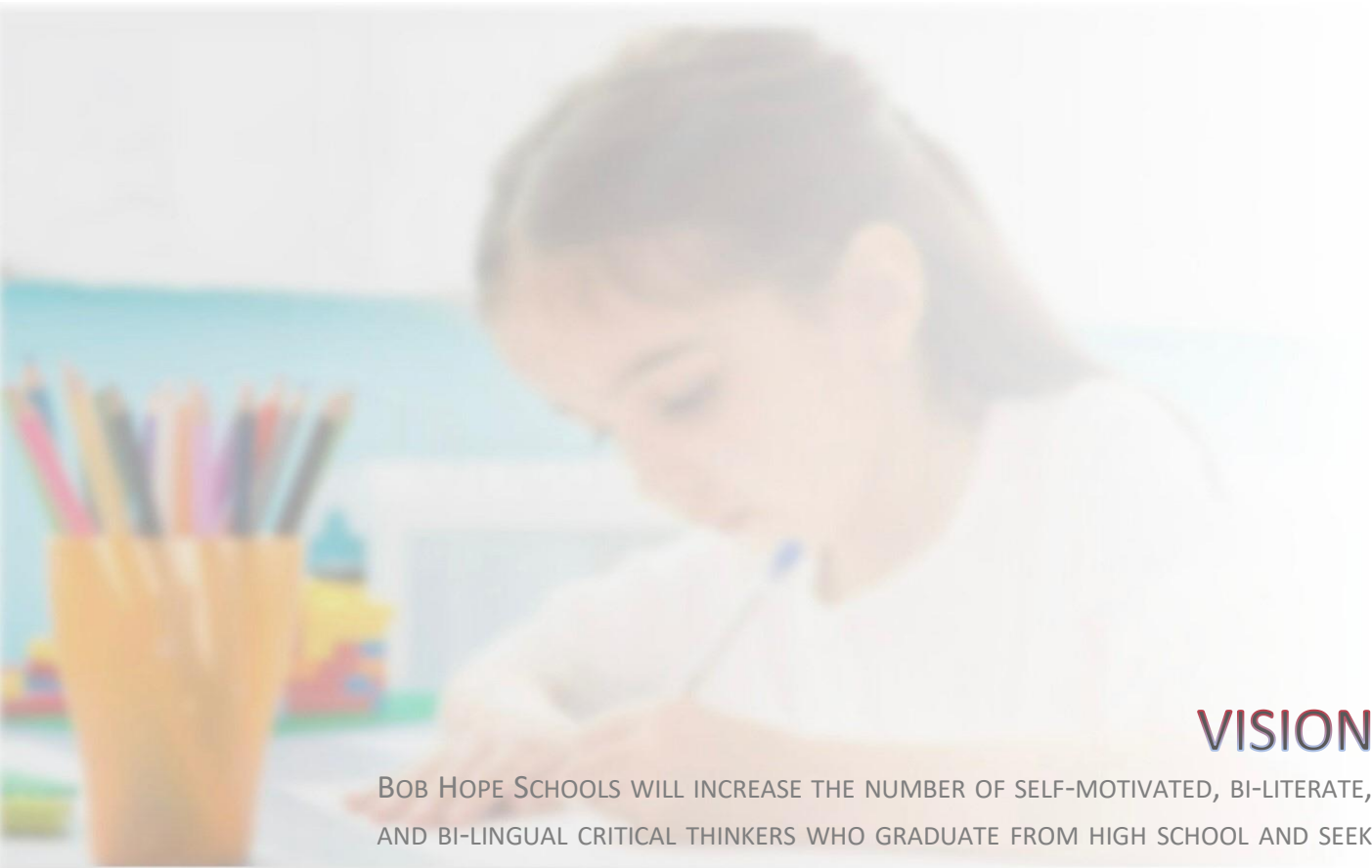




BOB HOPE SCHOOL DISTRICT

2022 - 2023

PERSONNEL HANDBOOK



VISION

BOB HOPE SCHOOLS WILL INCREASE THE NUMBER OF SELF-MOTIVATED, BI-LITERATE, AND BI-LINGUAL CRITICAL THINKERS WHO GRADUATE FROM HIGH SCHOOL AND SEEK THEIR FULL POTENTIAL IN EITHER THE WORKFORCE OR IN COLLEGE.

MOTTO

AT BOB HOPE, WE VALUE HONESTY, RESPECT, ALL STUDENTS COMPLETING HOMEWORK, NO BULLYING, INTEGRITY, AND SERVICE. PLEASE ADHERE TO THESE VALUES.

MISSION

OUR MISSION IS TO TRANSFORM A COMMUNITY THROUGH A CULTURE OF SERVICE AND LEADERSHIP. WE EXPECT THAT ALL STUDENTS WILL BE PREPARED TO COMPETE SUCCESSFULLY IN THE GLOBAL WORKFORCE. WE BELIEVE EACH PERSON HAS MERIT, HAS DIGNITY, AND CAN MAKE A VALID CONTRIBUTION TO SOCIETY. WE BELIEVE IN THE “TOTAL CHILD” INCLUDING MIND, BODY, AND SPIRIT. WE BELIEVE IN HOPE – HOPE FOR THE FUTURE OF EACH OF OUR STUDENTS. WE BELIEVE IN SUCCESS, ACADEMIC AND VOCATIONAL. WE INSTILL A LOVE OF AND COMMITMENT TO COMMUNITY SERVICE WHILE PREPARING STUDENTS TO BECOME LEADERS IN THEIR COMMUNITY. BOB HOPE SCHOOL LEARNERS WILL BECOME THE FOUNDATION UPON WHICH THE GREATER COMMUNITY IS SERVED THROUGH INTEGRATED, SELF-DISCIPLINED AND INDEPENDENT THINKERS WHO UNDERSTAND THE VALUE OF SELF-RESPECT AND SERVICE TO OTHERS. ADDITIONALLY, OUR STUDENTS BEGIN THE DAY RECITING THE BOB HOPE SCHOOL MOTTO, “AT BOB HOPE, WE VALUE HONESTY, RESPECT, ALL STUDENTS COMPLETING HOMEWORK, NO BULLYING, INTEGRITY, AND SERVICE. PLEASE ADHERE TO THESE VALUES.”

Scope of Service & Copyright Notice

The TCSA Model Personnel Handbook is designed and intended as a resource of information for charter schools and is not to be construed as legal advice. It should be used in connection with consulting and obtaining the advice of the school's legal counsel to ensure compliance with applicable legal requirements.

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DISCLAIMER: Employee At-Will Status

This handbook does not create an employment contract. Employees are terminable at-will by the school. Similarly, employees may resign their positions without penalty. No individual board member or employee has the authority to alter any employee's at-will status or guarantee an employee's employment for a specific period of time, unless it is approved by the board of directors, in writing.

BOB HOPE SCHOOL reserves the right to amend or withdraw any or all provisions of the personnel handbook at any time with or without notice.

TABLE OF CONTENTS

| | |
|---|-----------|
| PART 1. INTRODUCTION | 8 |
| 1.1 Welcome Letter..... | 8 |
| 1.2 About this Handbook | 9 |
| 1.3 About BOB HOPE SCHOOL | 10 |
| 1.4 Acknowledgement of Receipt of Personnel Handbook | 11 |
| 1.5 Open Door Policy | 12 |
| PART 2. STARTING YOUR JOB..... | 13 |
| 2.1 Accuracy of Information | 13 |
| 2.2 Employment Application and Other Forms | 13 |
| 2.3 Criminal History Background Checks..... | 13 |
| 2.4 Pre-employment Affidavit for Applicants and Applicants Offered Employment | 14 |
| 2.5 New Employee Orientation | 14 |
| 2.6 Employee Election Form to Withhold Certain Information from Public Access | 14 |
| PART 3. REPORTING TO WORK | 15 |
| 3.1 Official BOB HOPE SCHOOL Office Hours | 15 |
| 3.2 Regular Work Schedules | 15 |
| 3.3 Attendance..... | 15 |
| PART 4. TIME AWAY FROM WORK | 16 |
| 4.1 Holidays & School Breaks..... | 16 |
| 4.2 Personal State Leave | 16 |
| 4.3 Local Leave | 17 |
| 4.4 Black-out Days..... | 18 |
| 4.5 Concurrent Use of Leave | 18 |
| 4.6 Medical Certification | 18 |
| 4.7 Vacation (12-month employees)..... | 18 |
| 4.8 Family Medical Leave..... | 19 |
| 4.9 Military Leave of Absence | 21 |
| 4.10 Bereavement Leave | 22 |
| 4.11 Jury Duty/Court Appearance..... | 22 |
| 4.12 Voting Leave..... | 22 |
| 4.13 Workers' Compensation Leave | 23 |
| 4.14 Religious Observances | 23 |

| | |
|--|-----------|
| 4.15 Long Term Leave of Absence (Non-FMLA)..... | 23 |
| 4.16 LIMITATIONS ON LEAVES OF ABSENCE | 23 |
| PART 5. BENEFITS..... | 23 |
| 5.1 Health Insurance | 23 |
| 5.2 Supplemental Insurance Products | 24 |
| 5.3 Teacher Retirement System of Texas..... | 24 |
| 5.4 Other Retirement Plans | 25 |
| 5.5 Same Sex Spouses | 25 |
| 5.6 Additional Benefits..... | 25 |
| PART 6. WAGES & EXPENSES | 25 |
| 6.1 Classification of Employees: Hours Worked..... | 25 |
| 6.2 Classification of Employees: Non-Exempt Status v. Exempt Status..... | 25 |
| 6.3 Payday | 26 |
| 6.4 Supplemental Duties and Related Stipends..... | 27 |
| 6.5 Direct Deposit..... | 27 |
| 6.6 Mistake in Payroll or Expense Reimbursement | 28 |
| 6.7 Attendance Records | 28 |
| 6.8 Travel Expense and Other Reimbursements..... | 28 |
| 6.9 Deductions in Pay..... | 28 |
| 6.10 Payroll Advances and Financial Loans..... | 29 |
| 6.11 Unemployment Compensation..... | 29 |
| PART 7. NON-DISCRIMINATION & ANTI-HARASSMENT | 29 |
| 7.1 Non-Discrimination | 29 |
| 7.2 Reasonable Accommodation..... | 29 |
| 7.3 Anti-Harassment..... | 30 |
| 7.4 Reporting Discrimination and/or Harassment | 31 |
| PART 8. EMPLOYMENT STANDARDS..... | 31 |
| 8.1 Expected Employee Conduct..... | 31 |
| 8.2 Violence in the Workplace..... | 34 |
| 8.3 Drug-Free Workplace | 35 |
| 8.4 Suspicious Behavior..... | 35 |
| 8.5 Former Employees | 35 |
| 8.6 Employee Dress Code..... | 36 |
| 8.7 Definitions | 37 |

| | |
|--|-----------|
| 8.8 Whistleblower Complaints..... | 38 |
| 8.9 Whistleblower Protections..... | 38 |
| 8.10 Notice of Rights..... | 38 |
| 8.11 Outside Employment..... | 38 |
| 8.12 Employee Searches..... | 38 |
| 8.13 Audio & Video Recordings..... | 39 |
| 8.14 Office Dating/Office Socializing..... | 39 |
| 8.15 Workplace Investigations..... | 40 |
| 8.16 Updated/Current Employee Information..... | 40 |
| 8.17 Allowable Uses of School Property..... | 41 |
| 8.18 Computer & Internet Use..... | 41 |
| 8.19 Administration of Medication to Students..... | 41 |
| 8.20 Reporting Child Abuse/Child Neglect..... | 42 |
| 8.21 Traffic Violations..... | 42 |
| 8.22 Weapons and Firearms Prohibited..... | 42 |
| 8.23 Smoking and Other Tobacco Use..... | 42 |
| 8.24 Staff/ Student Romantic Relationships..... | 43 |
| 8.25 Authority to Bind Contracts..... | 43 |
| 8.26 Expressing Breastmilk in the Workplace..... | 43 |
| 8.27 Nepotism..... | 43 |
| 8.28 Employment Reference..... | 44 |
| PART 9. GRIEVANCE PROCEDURES..... | 44 |
| 9.1 Campus Review of Complaint..... | 44 |
| 9.2 Chief Executive Officer’s Review of Complaint..... | 44 |
| 9.3 Board of Directors Review of Complaint..... | 45 |
| 9.4 Definition of “Business Day”..... | 45 |
| PART 10. DISCIPLINE..... | 45 |
| PART 11. SEPARATION FROM EMPLOYMENT..... | 47 |
| 11.1 Resignation..... | 47 |
| 11.2 Termination..... | 48 |
| 11.3 Rehire..... | 48 |
| 11.4 COBRA Notice..... | 48 |
| ADDENDUM..... | 49 |
| Employee Acceptable Use Policy..... | 49 |

PART 1. INTRODUCTION

1.1 Welcome Letter

Hello and welcome to Bob Hope School. Charter schools are bold initiatives in school reform. They offer parents a choice and allow students to explore new horizons as they work toward completing their state high school requirements. Bob Hope School was designed to improve student achievement and offer an educational choice in public-funded education in the local area.

Bob Hope School is allowed to operate independently of some of the restrictions placed on traditional public schools. While we do have some increased freedom in operations and curriculum, we also have an increased level of accountability in student achievement.

Bob Hope School is a small learning community that believes all students can learn more by doing. At Bob Hope, we provide students the opportunity to be creative, develop higher level thinking skills, make decisions, and develop independent learning strategies. Our courses are rigorous, interesting and provide college preparatory education. Through our extended day, we also offer tutoring and enrichment classes which include yearbook, chess, gardening, and extra-curricular activities such as basketball, soccer, and baseball.

I feel that we have chosen the best individuals to teach our students and provided them with extensive training, equipment, and materials. Our unique culture of “Transforming a Community” is based on students working toward their goals and ultimately returning to the community to provide their skills and services for others that they accomplished in higher education.

Come and join us at the Bob Hope School.

Sincerely,

Bobby Lopez
Chief Executive Officer

1.2 About this Handbook

The purpose of this personnel handbook is to provide employees with a source of information about BOB HOPE SCHOOL's procedures and policies. The policies and procedures in this handbook are to serve as guidelines. Although BOB HOPE SCHOOL has tried to be comprehensive, the handbook does not, and cannot, include procedures and policies which address every situation that may arise. Such a list would be limitless.

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

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

1.3 About BOB HOPE SCHOOL

In 1995, revisions of the Texas Education Code established charter schools. The Huguen Center applied to the Texas Education Agency for a charter. The State Board of Education approved the request for a charter in November 2008. The inaugural opening of the BOB HOPE SCHOOL began in the 2010-2011 school year. This rejuvenated the former Bob Hope High School, named for long time Huguen Center benefactor and entertainment legend, Bob Hope. Over the years we have expanded from the initial 240 students in grades 6-12 to approximately 2,600 students grades pre-kindergarten through 12 at four separate campuses.

Vision

Bob Hope Schools will increase the number of self-motivated, bi-literate, and bi-lingual critical thinkers who graduate from high school and seek their potential in either the workforce or in college.

Mission Statement

Our mission is to transform a community through a culture of service and leadership. We expect that all students will be prepared to complete successfully in the global workforce. We believe each person has merit, has dignity, and can make a valid contribution to society. We believe in the “total child” including mind, body, and spirit. We believe in hope – hope for the future of each of our students. We believe in success, academic and vocational. We instill a love of and commitment to community service while preparing students to become leaders in their community. Bob Hope School learners will become the foundation upon which the greater community is served through integrated, self-disciplined and independent thinkers who understand the value of self-respect and service to others. Additionally, our students begin the day reciting the Bob Hope School Motto, “At Bob Hope, we value honesty, respect, all students completing homework, no bullying, integrity, and service. Please adhere to these values.”

School Motto

At Bob Hope, we value honest, respect, all students completing homework, no bullying, integrity, and service. Please adhere to these values.

1.4 Acknowledgement of Receipt of Personnel Handbook

The information contained in this personnel handbook is important and I should consult with the Chief of Human Resources if I have a question that is not answered in this handbook.

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

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

I acknowledge that I have read this handbook and agree to read any amendments of the handbook. Specifically, by signing this form, I acknowledge that I have read, understood, and agree to comply with all policies in this handbook.

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

Print Employee's Name

Date

Employee's Signature

1.5 Open Door Policy

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

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

PART 2. STARTING YOUR JOB

2.1 Accuracy of Information

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

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

2.2 Employment Application and Other Forms

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

- a. Employment Application
- b. W-4 Employee's Withholding Allowance Certificate
- c. I-9 Employment Eligibility form
- d. At-will Agreement (Teachers/Administrators)
- e. Basic Employee Information
- f. Acknowledgement of Receipt of Personnel Handbook
- g. Authorization for Direct Deposit
- h. Wage Authorization
- i. Applicable Healthcare/Benefit Forms
- j. Notice Regarding Workers Compensation Benefits
- k. Pre-employment Affidavit for Applicant; Pre-employment Affidavit for Applicant Offered Employment (NOTARIZED-certain positions)
- l. P.E.I.M.S. Ethnicity and Race Reporting
- m. Dress Code Policy
- n. Attendance Acknowledgement
- o. Compliance Record for State Conflict of Interest
- p. Social Security Form-SSA 1945 (certain positions)
- q. Reporting Abuse Flyer
- r. TRS Notice of Privacy Practices
- s. Annual Civil Rights Training Acknowledgement
- t. Public Access Option Form

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

2.3 Criminal History Background Checks

A person may not be employed or serve as a teacher, substitute teacher, librarian, educational aide, administrator, or counselor unless the person has been approved by the Texas Education Agency following a

review of the person's National Criminal History Record Information. Each individual serving or expected to serve in the aforementioned roles will be expected to comply and submit the necessary information for the background check.

Additionally, other employees and school contractors subject to criminal background checks will be required to comply and submit the necessary information for the background check.

Failure to report an arrest upon returning to work to your supervisor, CHR, COO, or CEO may result in disciplinary action and/or termination of employment.

2.4 Pre-employment Affidavit for Applicants and Applicants Offered Employment

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

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

2.5 New Employee Orientation

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

- a. A review of this personnel manual;
- b. A tour of the campus;
- c. Receipt of credentials necessary for parking, access to the school building and computers, and other materials as appropriate for the employee's employment position.

2.6 Employee Election Form to Withhold Certain Information from Public Access

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

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

Employees must complete and submit the Public Access Option Form to the Chief of Human Resources no later than the 14th day after the date the employee begins employment with BOB HOPE SCHOOL to keep certain

information about them confidential under the Texas Public Information Act. Chief of Human Resources shall provide the employee with the Public Access Option Form upon employment with Bob Hope School.

PART 3. REPORTING TO WORK

3.1 Official BOB HOPE SCHOOL Office Hours

During the school year, standard hours of operation in the office areas are from 8:00 a.m. until 5:00 p.m. Students are in session from 8:15 a.m. until 4:30 p.m. at the Middle School/High School Campuses and 8:00 a.m. until 4:00 p.m. at the Beaumont and Port Arthur Elementary Campuses.

The CEO will determine the summer hours each year for the office areas for the central and individual campuses.

3.2 Regular Work Schedules

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

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

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

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

3.3 Attendance

BOB HOPE SCHOOL employees are expected to be reliable and punctual in reporting for work each scheduled day. If an employee will be late to work or is unable to work as scheduled, the employee should notify their supervisor immediately. Employees with symptoms of COVID-19 should remain off campus, notify their supervisor and test to confirm. Follow Bob Hope School's current COVID-19 protocols.

BOB HOPE SCHOOL recognizes there will be occasions when an illness or other personal event may result in an unscheduled absence. As such, BOB HOPE SCHOOL has a leave policy. It is the charter school's expectation that each employee attends work every scheduled day unless approved paid or unpaid leave is granted pursuant to the charter school's leave policy. Staff is expected to attend assigned trainings, (e.g., staff development) and be present for scheduled workdays.

Poor attendance and/or repeated tardiness from work or assigned work area are disruptive to the operations of BOB HOPE SCHOOL and may lead to disciplinary action, up to and including discharge from employment. This includes leaving premises or job during working hours without following proper departmental procedure,

special rules, or instructions. Failure to attend work for up to three days in a row without notice to the charter school will constitute job abandonment and BOB HOPE SCHOOL shall treat such job abandonment as a voluntary resignation from employment without notice.

PART 4. TIME AWAY FROM WORK

4.1 Holidays & School Breaks

BOB HOPE SCHOOL will be closed during the following recognized school holidays:

- a. Labor Day (Monday, September 5, 2022)
- b. Thanksgiving Day (Thursday, November 24, 2022)
- c. Friday after Thanksgiving (Friday, November 25, 2022)
- d. Christmas Eve (Saturday, December 24, 2022)
- e. Christmas Day **observed** (Monday, December 26, 2022)
- f. New Years' Eve Saturday, December 31, 2022)
- g. New Years' Day **observed** (Monday, January 2, 2023)
- h. Martin Luther King Day (January 16, 2023)
- i. Good Friday (Friday, April 7, 2023)
- j. Memorial Day (Monday, May 29, 2023)
- k. Independence Day (Tuesday, July 4, 2023)

All full-time non-exempt employees will be paid for the holidays/observed holidays listed above. For the 2022-2023 school year, Custodians are expected to work the following days during the Christmas break: December 19, 20, 21, 27, 28, 29, 2022 and Spring break: March 13-17, 2023.

Additionally, during the following dates, BOB HOPE SCHOOL will be closed for school break:

- a. Thanksgiving Break (November 21-25, 2022)
- b. Christmas Break (December 19-30, 2022)
- c. Spring Break (March 13-17, 2023)

4.2 Personal State Leave

Under the State of Texas' minimum personal leave program, which is codified in Section 22.003 of the Texas Education Code, public school district employees accrue five (5) days per year of personal leave that has no limit on accumulation and is transferable among school districts. Although this program does not apply to charter schools, BOB HOPE SCHOOL honors a maximum transfer of 10 state leave days and the accrual of five (5) days per year of personal state leave.

- Eligibility for Personal State Leave. Each full-time employee, whether working in an exempt or non-exempt position, will accrue five (5) days per school year for state personal leave. Part time and temporary employees are not eligible for State Personal Leave.
- Use of Personal State Leave. Personal State Leave is paid leave and may be used for illness, illness of an employee's family member, personal and family medical appointments, and other personal reasons as determined by the employee. Unless previously approved by the employee's supervisor,

personal state leave may not be taken on the first day of school, on the last day of school, on any testing day, on any professional development days, or on any day immediately before or after a school holiday or school break. Additionally, greater than three (3) days of consecutive state personal leave requires written approval of the CEO.

- No leave will be approved for instructional staff during blackout days. Anyone taking leave during that time will be docked.
- Accumulation of State Personal Leave. At the end of each school year, any unused State Personal Leave will not be paid to the employee. State Personal Leave will not be paid to any employee who is separated from employment for any reason during the school year. State Personal Leave will accumulate or roll forward from one school year to the next school year.

4.3 Local Leave

Each full-time employee, whether working in an exempt or non-exempt position, will accrue five (5) days per school year for local leave.

- Eligibility for Local Leave. Each full-time employee, whether working in an exempt or non-exempt position, will accrue five (5) days per school year for local leave. Part time and temporary employees are not eligible for local leave.
- Use of Local Leave. Local leave is paid leave and may be used for an employee's illness, for the illness of a family member or for any other personal reason as determined by the employee. Unless previously approved by the employee's supervisor, local leave may not be taken on the first day of school, on the last day of school, on any testing day, on any professional development days, or on any day immediately before or after a school holiday or school break. Additionally, greater than three (3) days of consecutive leave requires written approval of the C.E.O.
- No leave will be approved for instructional staff during blackout days. Anyone taking leave during that time will be docked.
- Approval for Local Leave. **At least three (3) days** prior to the anticipated absence, employees are required to submit a leave request in the Ascender system that will be forwarded to their direct supervisor for approval. For unexpected illnesses of an employee or of an employee's family member, employees are required to submit a leave request in the Ascender system no later than the day that the employee returns to work.
- Accumulation of Local Leave. At the end of each school year, any unused local leave will not be paid to the employee. Local leave will not be paid to any employee who is separated from employment during the school year, either because of resignation, retirement, non-renewal, or termination. Local leave will not accumulate from one school year to the next school year.

4.4 Black-out Days

Black-out Days for 2022-2023 (subject to change)

| | |
|--|---|
| August 3–8 | Staff Professional Development (no school for students) |
| August 9 | Teacher Workday/Parent Conferences |
| August 10 | First Day of School |
| September 2 and 6 | Days Before and After Labor Day |
| November 18 and 28 | Days Before and After Thanksgiving break |
| December 16 | Day Before Winter break |
| January 4-5 | Day After Winter Break and Staff Development Days |
| January 6 | Teacher Workday/Parent Conferences |
| January 13 and 17 | Days Before and After MLK Day |
| February 20-21 | Staff Professional Development (no school for students) |
| March 10 and 20 | Days Before and After Spring break |
| March 31 | New Staff Professional Development (no school for students) |
| April 6 and 10 | Days Before and After Good Friday |
| May 24 | Last Day of School |
| May 25 | Teacher Workday / Parent Conferences |
| All testing days (refer to district testing calendar) | |

4.5 Concurrent Use of Leave

If an employee is simultaneously eligible for paid leave and unpaid leave, to the extent permitted by law, the employee's paid leave shall run concurrently with the employee's unpaid leave.

4.6 Medical Certification

Any employee who is absent more than three days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and – in the case of personal illness – the employee's fitness to return to work.

4.7 Vacation (12-month employees)

- Full time employees that work on a 12-month basis are eligible to earn vacation after working a minimum of six (6) months during the school year (Sept 1st – Aug 31st). Employees must schedule their vacations during the months of June and July. The CEO has the option change the months for scheduling vacations.
- Employees who work six (6) months during the school year will earn one (1) week of vacation. Additional days will be prorated based upon the number of months worked during the school year with a maximum of two weeks' vacation.
- Employees who are terminated or have abandoned their job, forfeit any earned vacation leave whether it was pre-approved in advance. Employees who are resigning, retiring, out for extended leave, or whose employment is non-renewed, must work a minimum of one (1) full work week, prior to separation of employment, to be eligible for vacation leave.

4.8 Family Medical Leave

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees of covered employers with unpaid, job-protected leave for specified family and medical reasons.

- Covered Employer. BOB HOPE SCHOOL is a private employer covered under the FMLA because it is a public elementary or secondary school. Eligible Employees. An employee is eligible for FMLA leave if the employee (a) has worked for the charter school for at least 12 months, (b) has worked for the charter school for at least 1,250 hours in the 12 months before leave is taken, and (c) works at a location where the charter school has at least 50 employees within 75 miles of their worksite.
- Authorized FMLA Leave. An eligible employee may take up to 12 weeks of unpaid, job-protected FMLA leave in any 12-month period for the following reasons:
 - Birth of a child or to care for the newborn child
 - Placement of a child with the employee for adoption or foster care
 - Employee is needed to care for the employee's spouse, son, daughter, or parent with a serious health condition
 - The employee's own serious health condition makes the employee unable to perform the functions of the employee's job
 - Any qualifying exigency arising from the foreign deployment of the employee's spouse, son, daughter, or parent with the Armed Forces, or
 - To care for a covered service member with a serious injury or illness if the employee is the service member's spouse, child, parent, or next of kin.
- Twelve Month Period. For purposes of an employee's entitlement to FMLA leave, BOB HOPE SCHOOL establishes the "rolling" 12-month period measured backward from the date an employee uses any FMLA leave. It is the policy of BOB HOPE SCHOOL for an employee's paid leave, and/or workers' compensation leave to run concurrently with FMLA leave.
- Authorized FMLA Leave for Spouses. Spouses who are employed by the charter school may be limited to a combined total of 12 weeks of FMLA leave during any 12-month period if leave is taken for the birth of a son or daughter, the placement of a child for adoption or foster care, or to care for a parent with a serious health condition.
- Requesting FMLA Leave. To take FMLA leave, employees must provide BOB HOPE SCHOOL with appropriate notice. If employees know in advance that they will need FMLA leave, they must give at least 30 days advanced notice. If employees learn of the need for FMLA leave less than 30 days in advance, they must give notice as soon as possible.
- Medical Certification. Upon receipt of the employee's request for FMLA leave, the BOB HOPE SCHOOL may request medical certification from the health care provider of the employee or of the employee's health provider, as applicable. If medical certification is requested, the employee has 15 calendar days to provide it. The employee is responsible for the cost of securing the certification from a health care provider and for timely returning the signed certification to the Chief of Human Resources. Similarly, the charter school also may require, in order for the employee to return to work, medical certification that the employee is fit for duty.

- Qualifying Exigency. An eligible employee may take FMLA leave for one or more of the following qualifying exigencies arising from the foreign deployment of the employee’s spouse, son, daughter, or parent:
 1. Short-notice deployment.
 2. Military events and related activities.
 3. Childcare and school activities.
 4. Financial and legal arrangements.
 5. Counseling.
 6. Rest and recuperation.
 7. Post-deployment activities.
 8. Parental care.
 9. Additional activities, provided that the district and employee agree that the leave shall qualify as an exigency and agree to both the timing and duration.

The charter school may require that leave for a qualifying exigency be supported by a certification.

- Intermittent Leave. Employees are entitled to take FMLA leave on an intermittent or reduced scheduled basis.
 - If an employee needs intermittent or reduced schedule leave that is foreseeable based on planned medical treatment, the employee may be temporarily transferred to an alternative position that better accommodates recurring periods of leave.
 - When leave is taken after the birth of a healthy child or placement of a healthy child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only if the charter school agrees.
- FMLA Leave Through the End of the Academic Semester. The charter school may require an employee to take FMLA leave until the end of an academic semester. If the charter school requires an employee to extend the employee’s leave in accordance with this provision, then 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 the charter school to the end of the academic semester is not counted as FMLA leave.
- Maintenance of Health Benefits. During an employee’s FMLA leave, BOB HOPE SCHOOL will maintain the employee’s coverage under any group health plan on the same basis as coverage would have been provided if the employee had been continuously employed during the entire leave period.
- Returning to Work. On return from FMLA leave, an employee is entitled to be returned to the same position the employee held when leave began, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.
 - An employee is entitled to reinstatement even if the employee has been replaced or the employee’s position has been restructured to accommodate the employee’s absence. However, an employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

- An employee is entitled to any unconditional pay increases that may have occurred during the FMLA leave period, such as cost of living increases.
 - The charter school may deny job restoration to a key employee if such denial is necessary to prevent substantial and grievous economic injury to the operations of the district.
 - When reinstating an employee to the same or equivalent position, BOB HOPE SCHOOL shall consider the title, job description, duties, supervisory responsibilities, required degrees, required certifications, experience, salary, typical hours, professional capacity, and other factors related to the terms and conditions of employment for that role.
 - Reinstated 10- or 11-month employees, whose earnings were paid in full after leave began, may have their pay recalculated and annualized based on the remaining workdays in the school year.
- Failure to Return to Work. If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the District shall require reimbursement of the premiums paid by the District during the leave.
 - Retaliation. BOB HOPE SCHOOL is prohibited from retaliating against any employee for requesting or taking FMLA leave.
 - Applicable Forms. For the purpose of providing notice and certifications required by this policy, the employee and the charter school shall use the charter school's "Employee Request for Leave Form" and the FMLA forms promulgated by or substantially similar to the forms promulgated by the Wage and Hour Division of the U.S. Department of Labor.

4.9 Military Leave of Absence

BOB HOPE SCHOOL is committed to protecting the employment rights of employees serving in the uniformed services who must be absent due to military leave. BOB HOPE SCHOOL will comply with applicable state and federal laws regarding an employee's absence due to service in the uniformed services.

- Eligible Employees. An employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue team is entitled to paid leave for authorized training or duty orders. Paid military leave is limited to 15 days each fiscal year. In addition, an employee is entitled to use any other available paid leave during a time of active military service.
- Reemployment after Military Leave. Employees who leave the charter school to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. An employee wishing to return to the charter school will be eligible for reemployment if the person is qualified to perform the required employment duties. Additionally, returning employees must have previously provided notice of their obligation or intent to perform military service, must provide evidence of honorable discharge or release, and must submit timely application for reemployment. Timely applications are:

1. In the case of a person whose period of service in the uniformed services was for more than 30 days but less than 181 days, by submitting an application for reemployment with the employer not later than 14 days after the completion of the period of service or if submitting such application within such period is impossible or unreasonable through no fault of the person, the next first full calendar day when submission of such application becomes possible.
2. In the case of a person whose period of service in the uniformed services was for more than 180 days, by submitting an application for reemployment with the employer not later than 90 days after the completion of the period of service.

4.10 Bereavement Leave

If a full-time employee experiences the death of an immediate family member, BOB HOPE SCHOOL will provide up to three (3) days of paid time off before or after the funeral. An employee may request to use additional vacation or personal paid leave time if the employee has such leave available. An immediate family member is defined as a spouse, child or stepchild, parent, grandchild, grandparent, sibling, father-in-law, and mother-in-law.

4.11 Jury Duty/Court Appearance

BOB HOPE SCHOOL will grant employees time off for mandatory jury duty or for court appearance as a witness when the employee must serve or is required to appear as a result of a jury summons, court order, or subpoena. Upon notification by a court to report for jury duty, the employee shall immediately request jury duty **during non-school months**. In the event this request is not granted, time off with no loss of salary at your regular comparable rate will be provided for jury duty that is required to be served during the school year.

A copy of the court order or subpoena must be supplied to the employee's supervisor when requesting time off. The school office must be notified in writing as soon as possible, no later than forty-eight (48) hours of receipt of the jury summons or subpoena. Once service is cancelled or released after leave begins, employee must return to work. If cancellation or release occurs after 2:30 pm, no return is required.

The employee is entitled to full pay for each day of jury duty or service as a witness up to a maximum of ten (10) days per year, in addition to any other paid leave. Employees are required to submit court documentation confirming their service and shall be allowed to keep any compensation for this service. However, if the employee is court-ordered or subpoenaed for court appearances as a party to any civil or criminal litigation, then the employee's court attendance shall not be compensated, and the employee must arrange for time off without pay or use other paid leave for such appearances.

Bob Hope School shall not discharge, threaten to discharge, intimidate, or coerce any permanent employee because the employee serves as a juror or grand juror, or for the employee's attendance or scheduled attendance in connection with the service, in any court in the United States.

4.12 Voting Leave

Any employee who does not have two consecutive non-work hours while the polls are open on election day will be given up to two hours off with pay in order to vote unless more time is required by state law. The

employee should notify the appropriate supervisor before Election Day if time off is needed, so that the timing of the employee's absence can be pre-arranged.

4.13 Workers' Compensation Leave

BOB HOPE SCHOOL has workers' compensation insurance through Texas Mutual Insurance Company. Employees should immediately notify their supervisor of any injuries sustained during the course of their employment. If required, any workers' compensation leave will be provided in accordance with state law.

4.14 Religious Observances

An employee requesting to attend a religious observance on a regularly scheduled school day may use Personal Leave. In the event that all Personal Leave has been used, deductions from the employee's salary shall be made on the basis of the employee's daily rate of pay.

4.15 Long Term Leave of Absence (Non-FMLA)

A long-term leave of absence for full time employees who do not qualify for family and medical leave, shall be designated as unpaid and unprotected leave. The school may require certification from a qualified medical professional to document the reason for the leave and/or to verify the employee's ability to return to work. Whenever possible, such leave must be pre-approved in writing by the CEO and at least 30 days advance notice shall be given by the employee.

The employee on long term leave is responsible for making payment arrangements through the Business Office for their insurance premiums (health and voluntary) with Bob Hope School. If timely payments are not made according to the arrangements, the employee's insurance may be canceled.

Upon return from a long-term leave of absence (non-FMLA), the employee may be eligible for job restoration with Bob Hope School; however, the employee may be subject to reassignment to a different position other than the position held prior to the leave of absence and a different rate of pay.

4.16 LIMITATIONS ON LEAVES OF ABSENCE

With the exception of leaves of absence for military duty or approved leave under the Family and Medical Leave Act, or approved leave in writing by the CEO, if an employee accumulates more three (3) days of absence after exhausting all available paid and unpaid leave, the employee shall be separated due to unavailability for work, subject to any reasonable accommodation duties Bob Hope School may have under the Americans with Disabilities Act (ADA) or similar law. Any employee separated for unavailability for work following exhaustion of all available leave will be eligible for rehire and will be able to apply for any vacancies that may exist at any given time, depending upon qualifications and availability of job openings.

PART 5. BENEFITS

5.1 Health Insurance

BOB HOPE SCHOOL provides health benefits through TRS-ActiveCare, the statewide public-school employee health insurance program. All health claims and coverage decisions are final as determined by the school's selected carrier. The district's contribution to employee insurance premiums is determined annually by the Bob

Hope School Board. Employees eligible for health insurance coverage include the following:

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are regularly scheduled to work at least 10 hours per week

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) and employees who are not contributing TRS members, who are regularly scheduled to work less than 10 hours per week, are not eligible to participate in TRS-ActiveCare.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees directly on the benefits website. Employees should contact the provider's Customer Service for more information.

5.2 Supplemental Insurance Products

Employees who are regularly scheduled to work 20 or more hours per week are eligible to participate. At their own expense, employees may voluntarily enroll in supplemental insurance programs (e.g., dental, vision, supplemental life.) Premiums for these programs are by payroll deduction.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees directly on the benefits website. Employees should contact the provider's Customer Service for more information.

5.3 Teacher Retirement System of Texas

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

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

An employee of a public, state-supported educational institution in Texas is considered to meet these requirements if the employee's customary employment is for 20 hours or more each week at a single employer and for 4 ½ months or more in one school year.

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

5.4 Other Retirement Plans

Not Applicable.

5.5 Same Sex Spouses

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

5.6 Additional Benefits

The charter school provides up to \$10,000 life insurance in addition to short- or long-term disability insurance at no cost to all eligible staff who are regularly scheduled to work 20 or more hours per week.

PART 6. WAGES & EXPENSES

6.1 Classification of Employees: Hours Worked

- Probationary Period. All new employees will be held to a 90-day probationary period of continuous service.
- Full-Time Employees. Full time employees are employed at least 30 hours per week. Full time employees are eligible for the employee benefits set forth in this Handbook in Sections 4 and 5.
- Part-Time Employees. Part-time employees work less than 30 hours per week. Part-time employees are regularly scheduled to work during the work week at a fixed part-time schedule. Part-time employees ordinarily are not eligible for the employee benefits set forth in this Handbook in Sections 4 and 5, but a part-time employee could qualify for TRS Retirement benefits depending on the employee's tenure and the number of hours worked by the employee.
- Temporary Employees. Temporary employees are hired as interim replacements to temporarily supplement the workforce, such as substitute teachers, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Long-term assignments of BOB HOPE SCHOOL or contracted substitute teachers (greater than three consecutive workweeks) must have written approval of the CEO.

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

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

- Exempt v. Non-Exempt Designation. Each employment position is designated as either non-exempt or exempt as required by the federal Fair Labor Standards Act.
- Exempt Positions. Exempt employees are expected to work the hours necessary to complete their assigned work to the satisfaction of their supervisor without regard to

scheduled hours and without expectation of additional compensation. Exempt employees are not entitled to overtime compensation. Generally, teaching and administrative positions are designated as exempt positions.

- 1) Teaching positions are classified as exempt positions if:
 - a) The primary duty is teaching, tutoring, instructing, or lecturing in the activity of imparting knowledge; and
 - b) They are employed and engaged in this activity as a teacher in an educational establishment.

- 2) Administrative positions are classified as exempt positions if:
 - a) The position is compensated on a salary basis at a rate of \$455 or more per week; and
 - b) The primary duty is performance of office or non-manual work directly related to the management or general business operations of the of the employer or the employer's customers; and
 - c) The primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

- Non-Exempt Positions. Non-exempt employees are entitled to minimum wages and overtime pay. Overtime payment is pay at a rate of at least one and one-half times an employee's "regular rate of pay" for any hours worked over 40 hours in a workweek. Generally, paraprofessionals are classified as non-exempt employees. All non-exempt employees must review and approve their timesheets at the end of every pay period. Direct supervisors must review and approve their employees' timesheets at the end of every pay period.

A non-exempt employee is never permitted to work "off the clock." This includes sending text messages or emails after the employee's scheduled work hours unless in response to a supervisor's directive or supervisor's designee. While all hours worked will be compensated appropriately, an employee's failure to report hours accurately whether too low or too high is cause for disciplinary action. Employees should immediately report to the Chief of Human Resources any effort by a supervisor to participate, encourage, or even permit an employee to work "off the clock" in violation of this overtime provision.

6.3 Payday

BOB HOPE SCHOOL pays its employees on a monthly or bi-weekly basis depending on job classification. The payday cycles are as follows:

- Exempt Employees. Paydays will take place semi-monthly on the 15th and the last day of the month. If these days occur on a weekend, then the payday will be the previous Friday. All exempt employees will receive annualized pay in their monthly paychecks, whether central office administrators who work 12 months per calendar year, campus administrators who work 11 months per calendar year, or teachers and other instructional staff who work 10 months per calendar year. For purposes of this handbook, annualized pay means the payment of wages is equalized payments over the course of 12 calendar months.

- Non-Exempt Employees. Paydays will take place twice per month on the 15th and the last day of

each month. Non-exempt employees that work on a 12-month basis will be paid based upon the number of hours worked by the employee during the designated pay period. Non-exempt employees that work on a 10 or 11-month basis may have their pay annualized. For purposes of this handbook, annualized pay means the payment of wages is equalized payments over the course of 12 calendar months.

- Final Paycheck. If employee is laid off, discharged, fired, or otherwise involuntarily separated from employment, and the final payday will be within six (6) calendar days of discharge. If the employee quits, retires, resigns, or otherwise leaves employment voluntarily, the final payday will be on the next regularly scheduled payday following the effective date of resignation. Any school employee who receives annualized pay and who has been overpaid wages as of their last day of employment either must reimburse the school for the amount of overpaid wages or must provide written consent for the amount of the overpaid wages to be deducted from the employee's final paycheck.

6.4 Supplemental Duties and Related Stipends

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

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

6.5 Direct Deposit

Direct deposit is BOB HOPE SCHOOL's preferred method of payment for all employees paid by BOB HOPE SCHOOL. Direct deposit enables BOB HOPE SCHOOL to facilitate the distribution of pay to employees in a safe, secure, and timely manner. To enroll in direct deposit an employee will complete the necessary form during the employment process. Any changes after this time should be communicated to the Human Resources Department.

An employee who prefers to receive a paper check instead of direct deposit must notify his/her supervisor or the Chief Operations Officer in the Business Office.

6.6 Mistake in Payroll or Expense Reimbursement

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

6.7 Attendance Records

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

6.8 Travel Expense and Other Reimbursements

- Travel Expense Reimbursements. Before an employee incurs travel, expenses related to BOB HOPE SCHOOL business, the employee must receive written approval from the employee's direct supervisor. Mileage for the use of an employee's personal car will be reimbursed at the then published IRS mileage reimbursement rate. Employees should select moderately priced lodging convenient to their destination to minimize time and expense. All expenses must be incurred within the specific guidelines or rules pertaining to grant funded travel expenses. Travel expenses from approved travel must be itemized and detailed on the BOB HOPE SCHOOL travel reimbursement form. To be reimbursed, all original receipts for travel expenses must be included with the reimbursement form and submitted to the employee's supervisor.
- Other Reimbursements. Unless specifically pre-approved in writing by the employee's supervisor or designee, no employee will be reimbursed for any personal expense incurred for any work-related expenses such as professional development courses or for classroom supplies.

6.9 Deductions in Pay

BOB HOPE SCHOOL will only deduct wages from an employee's paycheck under circumstances that are allowable under state and federal law. Additionally, any wages that an employee has requested and authorized in writing will be deducted.

- Errors in Deductions. If there is a deduction made that the employee believes is in error, the employee should immediately contact the Payroll Processing Specialist the Business Office or the COO. Retaliation against an employee who has questioned what he/she believes may be an incorrect deduction in pay is prohibited.
- Administrative Fees. Texas law authorizes an employer to make certain deductions from pay for costs incurred in servicing a garnishment or wage attachment order. Accordingly, BOB HOPE SCHOOL may charge the following administrative fees:
 1. Court-ordered child support- an employer may make a deduction for an administrative fee of up to \$10.00 per month.
 2. Court-ordered spousal maintenance- an employer may make a deduction for an administrative fee of up to \$5.00 per month
 3. Guaranteed student loan wage attachments- an employer may make a deduction for an administrative fee of the actual cost, or \$10.00, whichever is less per month.

6.10 Payroll Advances and Financial Loans

BOB HOPE SCHOOL does not issue payroll advances to any employee under any circumstance. Additionally, the charter school does not extend financial loans to its employees.

6.11 Unemployment Compensation

Returning employees of the charter school are not eligible for unemployment compensation during scheduled school breaks such as during the summer months, Winter Break, Fall Break, and Spring Break. In this regard, the charter school may issue notices of reasonable assurance of continued employment to its employees. The notice of reasonable assurance is contingent on continued school operations and will not apply in the event of any disruption that is beyond the control of the charter school such as the lack of school funding, natural disaster court orders, public insurrections, and war. The letter of reasonable assurance is not an employment contract and does not create a right of continued employment for the employee.

PART 7. NON-DISCRIMINATION & ANTI-HARASSMENT

7.1 Non-Discrimination

BOB HOPE SCHOOL is committed to honor the laws that prohibits a person from being excluded from participation in, denied the benefits of, or subjected to discrimination, harassment, or retaliation on the basis of race, color, religion, sex (including pregnancy), national origin, age, disability, genetic information (including gender or gender identity), sexual orientation or marital status. Employees are prohibited from discriminating against other employees, against applicants, or against students based upon the aforementioned protected classes. This policy applies to all terms, conditions, and privileges of employment including, but not limited to, recruitment, hiring, placement, compensation, promotion, discipline, and termination.

7.2 Reasonable Accommodation

In the event an employee needs to request a reasonable accommodation in the employee's work conditions or in the charter school's stated policies or procedures due to the employee's disability, as defined in the Americans with Disabilities Act Amendments Act of 2008, or due to the employee's sincerely held religious belief, then the employee should notify his or her direct supervisor and/or the Chief of Human Resources.

- Reasonable Accommodation for Physical or Mental Impairment. BOB HOPE SCHOOL will make a reasonable accommodation for the physical or mental impairment of an employee that substantially limits the employee's major life activities unless the requested accommodation creates an undue hardship for the charter school. BOB HOPE SCHOOL encourages all employees to inform their supervisor and/or Chief of Human Resources of any mental or physical impairment that substantially limits an employee's major life activity.
- Reasonable Accommodation for Sincerely Held Religious Beliefs. BOB HOPE SCHOOL will make a reasonable accommodation for an employee's sincerely held religious beliefs or practices unless the requested accommodation creates an undue hardship for the charter school.

- Undue Hardship. For purposes of this policy, an undue hardship is defined as a significant difficulty or expense. Undue hardship is determined on a case-by-case basis.

7.3 Anti-Harassment

BOB HOPE SCHOOL is committed to creating and maintaining a work environment free of all forms of unlawful harassment. Employees are prohibited from engaging in all forms of unlawful harassment, including harassment based on race, sex, religion, national origin, disability, age, genetic information, veteran status, sexual harassment, and any other protected class status. Harassment based on any of the aforementioned protected classes may include, but is not limited to, many different types of actions: verbal (e.g., derogatory comment), physical (e.g., assault), or visual (e.g., internet materials).

- Workplace Harassment. Workplace harassment is defined as unwelcome verbal or nonverbal conduct, based upon a person's protected status, which shows hostility or aversion because of that status, and which affects the person's term or conditions of employment or has the purpose of creating an intimidating or hostile work environment. Examples of workplace harassment may include:
 1. Epithets, slurs, or negative stereotyping
 2. Threatening, intimidating or hostile acts
 3. Denigrating jokes
 4. Display of circulation of emails, text messages, tweets or other graphic materials that denigrates a person based on their protected status.
- Sexual Harassment. Sexual harassment does not have to be of a sexual nature and can include offensive remarks about a person's sex. Both victim and harasser can be either a woman or a man, and the victim and harasser can be the same sex. Sexual harassment is a form of sex discrimination defined as: (1) submission to or rejection of harassing conduct used as the basis of employment decisions, (2) harassing conduct that has the effect of creating an intimidating, hostile, or offensive working environment, or (3) submission to harassing conduct is made either explicitly or implicitly a term or condition of employment. Examples of sexual harassment include:
 1. Unwelcome or unsolicited sexual advances
 2. Displaying sexually suggestive material
 3. Unwelcome text messages, IM's, or emails of a sexual nature
 4. Sexually oriented or obscene jokes
 5. Verbal abuse of a sexual nature
 6. Unwelcome physical contact or touching.
- Retaliation. The BOB HOPE SCHOOL prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation. Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluation, unjustified negative references, or increased surveillance.
- False Claims, False Statements, Refusal to Cooperate. An employee who intentionally makes a false

claim, offers false statements, or refuses to cooperate with BOB HOPE SCHOOL'S investigation regarding harassment or discrimination is subject to appropriate discipline.

7.4 Reporting Discrimination and/or Harassment

This section applies to both incidents of harassment and discrimination.

Employees should promptly report an incident of discrimination or harassment to their direct supervisor, CHR, COO or CEO. The employee should not assume that witnesses to the incident will know the conduct is unwelcomed; an employee should not rely on a witness to report the conduct for the employee. Informing the harasser that the conduct is unwelcomed is not a report of harassment since the harasser may not self-report the violation to management or the Chief of Human Resources.

If the alleged harasser is the employee's supervisor, a manager, or even one of the individuals designated to receive harassment reports, the employee does not have to directly report the incident to that individual, but instead must notify the CHR, COO or CEO in order to ensure that the matter is promptly and appropriately addressed.

Any supervisor/manager who receives information indicating a concern about harassment or discrimination must report it to the CHR, COO or CEO even if the information comes from someone other than the target of the harassment or discrimination, or even if the person expressing the concern indicates that they do not wish to have the harassment or discrimination reported.

BOB HOPE SCHOOL will promptly investigate any report and take appropriate remedial action. If the harassment or discrimination continues, the employee must immediately report the incident so that the matter can be reopened and addressed.

Retaliation for reporting what an employee believes to be harassing or discriminatory conduct or for participating in an investigation of alleged harassment or discrimination is prohibited. Any retaliation should be reported according to the same procedures as reporting discrimination or harassment.

Any employee engaging in any type of discrimination, harassment, and/or retaliation will be subject to disciplinary action, up to and including discharge. Any supervisor who has knowledge of such behavior yet takes no action to report it is subject to disciplinary action, up to and including discharge.

PART 8. EMPLOYMENT STANDARDS

8.1 Expected Employee Conduct

All employees are expected to:

- Meet established expectations of job performance;
- Comply with attendance policies;
- Be responsible in the performance of job duties;
- Be efficient;
- Respect the personal and property rights of all individuals one comes in contact with during BOB

- HOPE SCHOOL business;
- Follow job instructions;
- Maintain a courteous and professional demeanor;
- Comply with the school dress code.

Educators' Code of Ethics

All employees, as public servants, must follow the Educators' Code of Ethics, which is reprinted below:

Purpose and Scope

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 and good moral character. 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. This chapter shall apply to educators and candidates for certification. (19TAC 247.1 (b)).

Enforceable Standards

1. Professional Ethical Conduct, Practices and Performance

Standard 1.1. The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

Standard 1.2. The educator shall not 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 of students, 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 state and federal laws.

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

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

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

Standard 1.11. The educator shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.

Standard 1.12. The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.

Standard 1.13. The educator shall not consume alcoholic beverages on school property or during school activities when students are present.

2. Ethical Conduct toward Professional Colleagues

Standard 2.1. The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.

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

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

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

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

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 or who provides information for a disciplinary investigation or proceeding under this chapter.

3. Ethical Conduct toward Students

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

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

Standard 3.3. The educator shall not intentionally, knowingly, or recklessly 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, gender, disability, national origin, religion, family status, or sexual orientation.

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

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

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

Source Note: The provisions of this §247.1 adopted to be effective March 1, 1998, 23 TexReg 1022; amended to be effective December 26, 2010, 35 TexReg 11242; amended to be effective December 19, 2011, 36 TexReg 8530

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

8.2 Violence in the Workplace

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

Employees concerned about family violence being brought into the workplace or onto the workplace parking lot are encouraged to notify their direct supervisor, COO or CEO.

Any employee who receives a protective or restraining order that lists BOB HOPE SCHOOL as a protected area is required to provide COO or CEO with a copy of the order and any information requested by BOB HOPE SCHOOL to identify the individual subject to the order.

8.3 Drug-Free Workplace

BOB HOPE SCHOOL is committed to maintaining a drug-free work environment and each employee is responsible for the maintenance of such an environment. The unlawful manufacture, distribution, possession, or use of a controlled substance (i.e., drugs) and/or the use of alcohol or tobacco in the workplace, or while conducting BOB HOPE SCHOOL business, are strictly prohibited.

Additionally, an employee must notify BOB HOPE SCHOOL of any criminal drug statute conviction for a violation occurring in the workplace, or while conducting BOB HOPE SCHOOL business, no later than five days after such conviction. A report of a conviction must be made to the Chief of Human Resources.

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

BOB HOPE SCHOOL may ask an employee to submit to a drug or alcohol test whenever it reasonably believes that the employee may be under the influence of drugs or alcohol at the work place in violation of this Drug-Free Workplace policy, including, but not limited to the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity; unusual, bizarre or erratic conduct that suggests the employee is impaired by, or under the influence of, drugs or alcohol; or an on-the-job accident or injury under circumstances that suggest the possible use or influence of drugs or alcohol in the injury.

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

8.4 Suspicious Behavior

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

8.5 Former Employees

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

8.6 Employee Dress Code

As representatives of Bob Hope School, employees are expected to always dress professionally and exhibit a neat, well-groomed appearance in a manner that is appropriate for their occupation. Educators serve as role models for students; therefore, staff dress shall exceed student dress standards.

The dress code for all employees is business casual unless working in a special job assignment/activity*. If an employee is unsure of the appropriateness of a particular item of clothing, the employee should choose not to wear it.

Outlined below are dress code guidelines for employees to follow:

- Sweats, gym suits, jogging suits, shorts, mini-skirts, short dresses, skirts and skorts, T-shirts of any kind, tank tops, see-through clothing, bare midriffs, low-cut tops (front, back, sides), untucked shirts for men with visible tails (meant for tucking in) and sleepwear will not be permitted.
- Other garments such as strapless, spaghetti straps, halter, tank tops, and camisoles should not be worn as outerwear. Bra straps should not be visible.
- Dresses, skirts, slacks, skorts, or mid-calf dress capris may be worn. The hemline for all dresses and skirts must be no higher than two (2) inches from the bend of the knee.
- Solid colored, opaque or sheer stockings, tights, and leggings, (except for patterned and fishnet), may be worn as hosiery under slacks or under dresses, skirts or skorts of defined length. Example of acceptable dress: Black tights worn as hosiery under an appropriate knee-length top.
- Excessively tight or revealing attire (exposing cleavage, chest, midriffs, torso, private parts, undergarments, or otherwise “sexually provocative”) is forbidden.
- Hair should be clean, combed/brushed, neatly groomed and non-distracting (e.g., multi-colored.)
- No greater than three earrings per ear is allowed for women; no earrings for men allowed.
- No body or mouth jewelry/ornaments allowed.
- Shoes must be worn at all times. Footwear not permitted: House shoes, shower shoes, slippers, flip-flops, beach footwear, croc-type shoes (fully closed dress crocs are permitted), backless shoes without a strap, or shoes/boots with a heel size greater than three (3) inches, as it may hinder the ability to act quickly in case of an emergency.
- Jewelry or similar artifacts that are obscene, distracting, or may cause disruptions to the educational environment shall not be worn.
- No untrimmed facial hair allowed.
- Tattoos must be completely covered while at school and at school-related activities.
- Radical departure from conventional dress or personal grooming is not permitted, including but not limited to, excessively long hair or fingernails, overuse of perfume, cologne, or other scents.
- Instructional staff (e.g., teachers and aides) are permitted to wear polo shirts with or without a Bob Hope School logo. Bottoms must follow our standard dress code. Bob Hope School T-shirts or denim jeans are not permitted unless it is a designated Bob Hope School Spirit Day.

Because it is difficult to establish a specific dress standard, the departmental supervisor will be responsible for enforcing the specific dress code of their department. If the supervisor decides that a staffer is in violation of the dress code, the staffer will be asked to go home and change. The time required to do this will be unpaid. A Bob Hope School Administrator, in their best judgement, may also require an employee to change their dress.

Bob Hope School Spirit Days

Fridays are generally designated as Bob Hope School Spirit Days. Staff may wear jeans on Fridays or on designated spirit days with Bob Hope School shirts. Jeans must be free from holes and frays. Other spirit days will be determined at the discretion of the CEO.

*Special Job Assignments / Campus Activities

Special job assignments (e.g., athletic, cafeteria, custodial, life skills or certain campus activities like leadership day) can deviate from the dress code. Appropriate attire should be worn to meet the requirements of the job responsibilities. For athletic staff, sweats, gym suits, jogging or warm-up suits are allowed during physical education classes and coaching. Otherwise, the general dress code will apply.

Other

Failure to comply with the Employee Dress Code will result in disciplinary action and may include termination. The school will not be held liable for damage to clothing or accessories while you are on duty.

This dress code applies to all Bob Hope School employees, at all locations. Exceptions to the dress code may be considered to make reasonable accommodations for an employee's disability, as defined by the Americans with Disabilities Amendments Act of 2008, or for an employee's sincerely held religious belief.

8.7 Definitions

"Employee" means an employee or appointed officer who is paid to perform services for Bob Hope School. This definition does not include independent contractors.

"Administrator" is identified as the following staff members who hold these positions: Chief Executive Officer, Chief Operations Officer, Chief of Human Resources, Chief Academic Officer, Executive Director, Campus Director, Assistant Campus Director, Counselor, District Nurse, District Testing Coordinator, Instructional Technology Manager, Bilingual/ESL Coordinator, Special Populations Specialist, or others who hold a supervisory position.

"Law" means a state or federal statute, an ordinance of a local governmental entity, or a rule adopted under a statute or ordinance.

"Personnel action" means an action that affects an employee's compensation, promotion, demotion, transfer, work assignment, or performance evaluation.

A "good faith" belief that a violation of law occurred means that:

1. An employee believed the conduct reported was a violation of law; and
2. The employee's belief was reasonable in light of the employee's experience and training.

A "good faith" belief that a law enforcement authority is an appropriate one means:

1. The employee believed the governmental entity was authorized to
 - a. Regulate under or enforce the law alleged to be violated in the report; or
 - b. Investigate or prosecute a violation of criminal law; and
2. The employee's belief was reasonable in light of the employee's experience and training.

8.8 Whistleblower Complaints

An employee who alleges a violation of whistleblower protection may take legal action against Bob Hope School as described in Chapter 554 of the Texas Government Code. Before taking such action, an employee must initiate a grievance under PG-4.24 (Employee Complaints and Grievances - General).

The employee must invoke the grievance process under PG- 4.24 no later than the 90th day after the date on which the alleged suspension, termination, or other adverse employment action occurred or was discovered by the employee through reasonable diligence. Bob Hope School may shorten the timelines outlined in PG-4.24 (Employee Complaints and Grievances - General) in order to allow the Board to make a final decision concerning the grievance within 60 days of initiation of the grievance.

If the Board does not render a final decision before the 61st day after grievance procedures are initiated, the employee may elect to:

1. Exhaust the grievance process under PG-4.24 (Employee Complaints and Grievances - General), in which case the employee must file legal action not later than the 30th day after the date those procedures are exhausted to obtain relief under Chapter 554 of the Texas Government Code; or
2. Terminate the grievance process under PG-4.24 (Employee Complaints and Grievances - General) and file legal action within the timelines set by sections 554.005 and 554.006 of the Texas Government Code. Gov't Code 554.005, .006.

8.9 Whistleblower Protections

Neither the Board nor its agents shall suspend or terminate the employment of, or take other adverse personnel action against, an employee who in good faith reports a violation of law by Bob Hope School or another Bob Hope School employee to an appropriate law enforcement authority. Gov't Code 554.002.

8.10 Notice of Rights

Bob Hope School shall inform employees of their rights regarding whistleblower protection by posting a sign in a prominent location in the workplace. Gov't Code 554.009.

8.11 Outside Employment

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

8.12 Employee Searches

Employees do not have an expectation of privacy in any work areas such as, but not limited to, classrooms, offices, desks, file cabinets, computers or cell phones owned or leased by the BOB HOPE SCHOOL. Work areas and BOB HOPE SCHOOL property are subject to search at any time. Any of the following may be monitored if they occur during business hours, at school activities, and/or on school property: phone calls, voicemail, e-mail (work and personal), cameras, computers, and internet activity. Furthermore, employees do not have an expectation of privacy in school issued phones or private phones used for work purposes.

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

8.13 Audio & Video Recordings

An employee is prohibited from making any audio or video recording while acting in the course and scope of their employment or while on school property without the written consent of each person subject to the recording. School functions such as athletic activities or performances are exempt from this prohibition. Furthermore, an employee is prohibited from using his or her personal cell phone or school issued cell phone to photograph students or to post student photographs unless the employee has received expressed written consent from the student's parent or legal guardian, or the employee has confirmed with the Campus Director or Administrator that the charter school has received expressed written consent from the student's parent or legal guardian.

8.14 Office Dating/Office Socializing

Employees who are in administrative, management, or supervisory roles are prohibited from dating any employee over whom they have direct or indirect supervision or engage in any form of relationship with a subordinate employee that could potentially have the appearance of creating or promoting favoritism or special treatment for the subordinate employee. Also, individuals who work within the Human Resources Department are prohibited from dating any BOB HOPE SCHOOL employee.

In the event of such a relationship, the employees involved will be given the opportunity to choose which of them will be reassigned to an alternative position where favoritism or special treatment will not be an issue, or one or both employees may be subject to dismissal, depending upon the nature of the situation. All employees, especially managers, are reminded that the qualities of good judgment, discretion, and compliance with guidelines are all taken into account when considering future advancement opportunities and salary increases.

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

If two employees are involved in a dating relationship, it will be presumed by BOB HOPE SCHOOL that the relationship is welcomed by both parties unless one or the other notifies BOB HOPE SCHOOL to the contrary.

Public displays of affection and favoritism during work hours and school activities are prohibited.

1. If a relationship, social activity or office loafing between two or more employees:
 - a. has the potential or effect of involving the employees, their coworkers, or the school district in any kind of dispute or conflict with other employees or third parties;
 - b. interferes with the work of any employee;
 - c. creates a harassing, demeaning, or hostile working environment for any employee;
 - d. disrupts the smooth and orderly flow of work within the office, or the delivery of services to the school's students, employees, parents, school contractors, or volunteers or is against school policies;
 - e. harms the goodwill and reputation of the school district among its customers or in the community at large; or

f. tends to place in doubt the reliability, trustworthiness, or sound judgment of the persons involved in the relationship,
the employee(s) responsible for such problems will be subject to counseling and/or disciplinary action, up to and potentially including termination of employment, depending upon the circumstances. **Employees with knowledge of public displays of affection or favoritism during work hours must report it to the C.E.O.**

No employee may use school equipment or facilities for furtherance of non-work-related activities or relationships without the express advance permission of C.E.O.

Employees who conduct themselves in such a way that their actions and relationships with each other become the object of gossip among others in the office, or cause unfavorable publicity in the community, should be concerned that their conduct may be inconsistent with one or more of the above guidelines. In such a situation, the employees involved should request guidance from the C.E.O. to discuss the possibility of a resolution that would avoid such problems. Depending upon the circumstances, failure to seek such guidance may be considered evidence of intent to conceal a violation of the policy and to hinder an investigation into the matter.

Friendships and social contacts between employees are not a matter of concern as long as they are consistent with the above guidelines. Employees may address any questions on this policy to C.E.O.

8.15 Workplace Investigations

There are instances when BOB HOPE SCHOOL may wish to investigate personnel matters. Employees are required to cooperate in any investigation. Refusal to participate, or actions taken to compromise the effectiveness of any investigation, may result in termination. If the employee is instructed not to discuss the matter being investigated, failure to abide by this instruction may also result in termination. This restriction excludes the employee's privileged communications with his or her own private legal counsel.

Employees who are the subject of a workplace investigation may be suspended with or without pay by the CEO or designee pending the results of the investigation. During the suspension, the employee will not be permitted to access Bob Hope School campus. Upon conclusion of the investigation, CEO or designee will inform the suspended employee the results of the investigation and of his or her employment status with the school.

8.16 Updated/Current Employee Information

Employees are required to regularly update:

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

the public.

Updates should be made by notifying the Human Resources Department.

8.17 Allowable Uses of School Property

Employees may use BOB HOPE SCHOOL property only for a purpose that is consistent with applicable law and to implement a program that is described in BOB HOPE SCHOOL's charter. Without written permission from Chief Operations Officer, employees are prohibited from using school property for non-instructional purposes. Also, using charter school property for political purposes is prohibited. Approval from COO or CEO must be obtained before distributing third-party materials on school property (owned or leased) or at school related events.

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

- Such incidental personal use must not result in any direct cost paid with state funds. If this does happen, the employee who caused the direct cost to be incurred by BOB HOPE SCHOOL must reimburse BOB HOPE SCHOOL;
- Such incidental personal use must not impede the functions of BOB HOPE SCHOOL; and is strictly prohibited during instructional time or while on duty, (e.g., teacher's placing or answering calls in the classroom or hallway, instant messaging, emailing, texting, and/or web browsing via cellular phone or electronic device during instructional periods);
- Personal phone usage should be reserved during personal time, (e.g., lunch breaks);
- The use of BOB HOPE SCHOOL property for private commercial purposes is strictly prohibited; and
- Only incidental amounts of an employee's time for personal matters, comparable to reasonable coffee breaks during the day, are authorized under this section.

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

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

8.18 Computer & Internet Use

Except for the incidental personal use described in Section 8.17, access and use of BOB HOPE SCHOOL's computers, computer networks, electronic mail, and the Internet is only for educational and administrative purposes. The access of material that is obscene, child pornography, or harmful to minors is prohibited.

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

8.19 Administration of Medication to Students

The administration of medication to students must be done in accordance with BOB HOPE SCHOOL BOARD policy. All employees, agents, and volunteers are prohibited from administering any medication to a student unless expressly authorized by BOB HOPE SCHOOL.

8.20 Reporting Child Abuse/Child Neglect

An employee, volunteer, or agent that believes a child has been adversely affected by physical, sexual, or mental abuse or neglect must make a report within 48 hours of first suspecting such abuse or neglect. The report must be made to law enforcement or the Department of Family and Protective Services, Child Protective Services.

8.21 Traffic Violations

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

8.22 Weapons and Firearms Prohibited

Weapons. The BOB HOPE SCHOOL prohibits the use, possession, or display of any illegal knife, club or prohibited weapon on school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. This prohibition includes weapons in vehicles on school property.

Firearms. The BOB HOPE SCHOOL prohibits the use, possession, or display of any illegal firearm on school premises (i.e., building or portion of a building) or any grounds or building where school-sponsored activity takes place. This can include grounds otherwise excluded from the definition of “premises” such as public or private driveways, streets, sidewalks or walkways, parking lots, parking garages, or parking areas.

Pursuant to Texas Penal Code Section 46.03, an employee commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, illegal knife, club, or prohibited weapon listed in Texas Penal Code Section 46.05(a), on the physical premises of a school or educational institution. It is not a defense to prosecution under this section that the employee possessed a handgun and is licensed to carry a concealed handgun under the Texas Government Code Chapter 411.

Firearms Exception. The BOB HOPE SCHOOL may not prohibit a person, including a school employee, who holds a license to carry a handgun under Government Code Chapter 411, from transporting or storing a handgun or other firearm or ammunition in a locked, privately owned, or leased motor vehicle in a parking lot, parking garage, or other parking area provided by a charter school, provided that the handgun, firearm, or ammunition is not in plain view.

8.23 Smoking and Other Tobacco Use

BOB HOPE SCHOOL staff members, volunteers and students are NOT allowed to use any tobacco product while on any Hughen Center or Bob Hope School property, both owned and leased or in their vehicle while on the Hughen Center or Bob Hope School property, both owned and leased. No employee will use tobacco products while attending company-sponsored events when students are present.

BOB HOPE SCHOOL employees are not to provide students with tobacco products or the opportunity to purchase these products.

Staff members who fail to abide by this policy will be subject to disciplinary action that may include documented verbal warnings, written warnings, and/or termination.

8.24 Staff/ Student Romantic Relationships

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

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

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

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

8.25 Authority to Bind Contracts

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

8.26 Expressing Breastmilk in the Workplace

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

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

8.27 Nepotism

It is the BOB HOPE SCHOOL’s policy to avoid bringing family relationships into the workplace whenever possible. However, on occasion more than one family member may work for the school. The following guideline will

govern these situations: Related persons will not be involved in evaluating each other's job performance or in making recommendations for salary adjustments, promotions, or other budget decisions.

8.28 Employment Reference

It is prohibited for any of our employees to give written or verbal employment references, comments, or information about any of our employees, ex-employees, or for pre-employment requests.

The sole exception to this rule is that when an outside source contacts the BOB HOPE SCHOOL about current or prior employees, only three (3) persons are authorized to respond: School Board President, Chief Executive Officer, and the Chief of Human Resources. No one else may reply. Only the following information will be given for an employee reference:

1. Verification that the employee worked for the BOB HOPE SCHOOL.
2. Dates of hire and departure.
3. Positions held with related timeframes.

PART 9. GRIEVANCE PROCEDURES

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

Excluding a complaint against the Chief Executive Officer, each complaint must initially be brought at the lowest level of review, at the Campus Director or Supervisor review level. If the complaint is against the Campus Director or Supervisor, then the complaint may be initially brought to the Chief Executive Officer.

9.1 Campus Review of Complaint

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

9.2 Chief Executive Officer's Review of Complaint

If the complainant is not satisfied with the final decision of the Campus Director or Supervisor, then the individual may file a written appeal to the Chief Executive Officer. This written appeal shall be filed with the Chief Executive Officer's office within 10 business days of the individual's receipt of the final decision from the Campus Director or Supervisor. The complaint shall include a copy of the prior written complaint, along with a copy of the final decision of the campus director or supervisor. A copy of the appeal shall also be

delivered to the campus director or supervisor.

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

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

9.3 Board of Directors Review of Complaint

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

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

9.4 Definition of "Business Day"

For purposes of this grievance policy, "business day" means any calendar day that the school's central administrative office is open without regard to whether students are attending school.

PART 10. DISCIPLINE

In order to correct employee misconduct at the earliest stage possible, BOB HOPE SCHOOL administration may implement a stair-step disciplinary procedure. Such procedure may begin first with a verbal warning. The next offense would proceed to a written warning; the next step is suspension; followed by termination of employment.

Though BOB HOPE SCHOOL may utilize such stair-step disciplinary procedures, BOB HOPE SCHOOL reserves the right to skip any or all steps and immediately discharge the employee.

The stair-step disciplinary procedure does not forfeit the at-will status of its employees and BOB HOPE SCHOOL preserves the at-will nature of the employment relationship. Accordingly, discharge may be initiated by BOB HOPE SCHOOL at any time, with or without cause, and with or without notice.

BOB HOPE SCHOOL expects self-discipline within the employee group which will promote compliance with all policies, practices, and rules that lead to the effective operation of the school. The conduct and actions referenced below are prohibited and will constitute grounds for discipline. Such examples do not include all grounds for discipline. Discipline may include termination of employment without prior notice or disciplinary action.

1. Failure to comply with the duties, responsibilities, and performance standards of the job. (Unsatisfactory job performance)
2. Violation of those rules and policies stated in this handbook, or the internal controls, regulations, and procedures of the school, including departmental instructions, or any other established rule.
3. Insubordination or refusal to follow supervisory instruction.
4. Failure to keep the affairs of students and employees confidential.
5. Violation of the Drug-free Workplace Policy set forth in this handbook.
6. Using, possessing, or distributing alcohol while in any BOB HOPE SCHOOL facility or on school property, while on the job, while operating a BOB HOPE SCHOOL vehicle or while operating a personal vehicle for BOB HOPE SCHOOL business.
7. Engaging in off-duty use of alcohol which significantly impairs the employee's ability to perform job responsibilities in a safe, efficient, or accurate manner.
8. Participating in any form of racial, sexual, ethnic, color, religious, age or disability discrimination or harassment.
9. Causing damage or injury to BOB HOPE SCHOOL property.
10. Engaging in conduct or activity, either personal or business, on or off the job (e.g., social media) that would tend to reflect unfavorably on BOB HOPE SCHOOL in the eyes of the general public.
11. Engaging in malicious, detrimental, disruptive, inappropriate, insubordinate conversation, behavior, or action, directly toward another BOB HOPE SCHOOL student, employee, parent, school contractor, volunteer (e.g., disrespectful attitude or gestures.)
12. Fighting, provoking a fight, horseplay, or other form of disorderly conduct while on school property.
13. The use of obscene, vulgar, or abusive language on school property in any form. This includes playing music or use of other auditable media that contains such language.
14. Sleeping while on duty.
15. Reading unauthorized material, the use of headsets or inappropriate use of the internet.
16. Dishonesty. This includes dishonesty of any form, and dishonesty to any degree (whether or not constituting fraud or other crimes or violation of state or federal law or regulation). Any reprehensible conduct is prohibited whether similar or dissimilar to these examples: Falsification of job application; furnishing false information (written or oral) for personnel or any other records including sick leave, maternity leave or other types of leave; failure to correct known false information; theft or misuse of funds or property of the BOB HOPE SCHOOL or its students or of co-employees; falsification of records; falsifying time records; clocking in/out for another or

allowing someone to clock in/out for you; accepting kick-backs; concealing or failure to disclose information sought by or that should be made known to the CEO; manipulation of documents, computer records; irregularity in regards to claim for salary, overtime or expense reimbursement.

17. Action that endangers the health and well-being of a child, others, school property, or disrupts work.

18. Harassing, threatening, intimidating, or coercing any school employee, student, parent, school contractor or volunteer.

19. Unauthorized expenditure of funds or failure to follow established financial controls and procedures.

20. Reckless or careless driving of school vehicles.

21. Failure to report an accident, student or employee-related incident in addition to any behavior or activity that is directly observed or discovered on school property or at any school-related event that might violate school policies. If the report is against the Campus Director or Supervisor, then the report should be made to the CEO.

22. Bringing dangerous devices on campus without authorization.

The actions numbered above are not necessarily listed in order of importance. All are important. These examples are not the only actions for which an employee may be discharged or otherwise disciplined for but are given to illustrate conduct that is subject to discipline. Employees must also observe any departmental or special rules or instructions. Moreover, actions which are generally unacceptable elsewhere, cannot be accepted on the part of BOB HOPE SCHOOL employees.

The CEO may terminate or suspend the employment of any employee if he/she determines that the employee has failed to fulfill the duties and responsibilities and/or demonstrate the qualities outlined in the job description, or if other good cause exists. All employees will be hired on the basis of at-will. In the event the school finds it necessary or desirable to terminate an employee's employment before the end of the school year, the school will attempt to give the employee written notice at least 10 calendar days before termination, unless the CEO determines that the employee poses a threat to the health, safety, or welfare of the school, students and staff or it is in the overall best interest of students or school operations.

PART 11. SEPARATION FROM EMPLOYMENT

11.1 Resignation

An employee is expected, but not required, to give as much advanced notice as possible regarding their resignation from BOB HOPE SCHOOL. Typically, two weeks (10 business days) is considered sufficient notice time. BOB HOPE SCHOOL requests that employees submit their resignation in writing to their supervisor; the writing should include the employee's anticipated last workday. Failure of the employee to give such written notice will be noted on the employee's personnel record and may result in denial of future employment with BOB HOPE SCHOOL.

BOB HOPE SCHOOL reserves the right to require the employee to resign immediately rather than work during the notice period. Upon separation of employment, all district keys, computers, books, parking tag, ID badge, other property, including intellectual property and equipment must be returned to the campus secretary. If an employee is located in the Administration Building, these items must be return to the COO's administrative assistant.

11.2 Termination

In order to reduce the risk of employee violence or vandalism, upon an employee's discharge from employment, BOB HOPE SCHOOL administration may request that an employee leave the facility immediately upon separation from employment. If accompanied by an BOB HOPE SCHOOL administrator, the employee will be permitted to gather his/her personal belongings before being escorted to the exit.

The exiting employee is prohibited from taking any BOB HOPE SCHOOL property or information with him/her; the employee is not to retain a hard copy or soft copy of any BOB HOPE SCHOOL information. BOB HOPE SCHOOL reserves the right to examine any boxes, briefcases, or other receptacle of an employee to ensure these rules are being followed, prior to the employee exiting the premises.

An employee who has been discharged is not permitted to return to the premises of BOB HOPE SCHOOL without prior written approval from the CEO or COO.

11.3 Rehire

Eligibility for rehire shall be reviewed on a case-by-case basis.

11.4 COBRA Notice

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

ADDENDUM

Employee Acceptable Use Policy

Technology Resources

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

Limited personal use is permitted if the use:

- Imposes no tangible cost to Bob Hope School;
- Does not unduly burden Bob Hope School's technology resources; and
- Has no adverse effect on job performance or on a student's academic performance.

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

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

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

Network Acceptable Use

Bob Hope School provides students, staff, volunteers, and Board members access to Bob Hope School's electronic network. This network includes Internet access, email accounts, computer services, videoconferencing, computer equipment, and related equipment for educational and school-related purposes. This policy contains the rules and procedures for acceptable use of Bob Hope School's electronic network. Where the term "user" appears, the policy applies to any network user.

- Bob Hope School's electronic network has been established for a limited educational purpose and to allow the transaction of school-related business and has not been established as a public access service or a public forum. Bob Hope School has the right to place reasonable restrictions on material that is accessed or posted throughout the network.
- Access is a privilege – not a right.
- It is presumed that users will honor this policy. Bob Hope School is not responsible for the actions of users who violate this policy.
- Bob Hope School reserves the right to monitor all activity on its electronic network. Users will indemnify the school for damage caused by users' inappropriate use of the network.
- Users are expected to follow the same rules, good manners, and common-sense guidelines that are used with other daily school activities, as well as applicable law, in the use of Bob Hope School's electronic network.

General Unacceptable Behavior

While utilizing any portion of Bob Hope School's electronic network, unacceptable behaviors include, but are not limited to:

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

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

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

No Expectation of Privacy

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

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

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

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

System Security

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

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

Users will not attempt to gain unauthorized access to any portion of Bob Hope School's electronic network. This includes attempting to log in through another person's account or accessing another person's folders, work, or files.

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

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

Software and Files

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

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

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

Technology Hardware

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

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

Vandalism

Any malicious attempt to harm or destroy data, the network, other network components connected to the network, hardware, or software will result in cancellation of network privileges. Disciplinary measures in compliance with Bob Hope School policy will be enforced.

Personal Use of Electronic Media

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

As role models for Bob Hope School's students, employees are responsible for their public conduct even when they are not acting as school employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social

network site or similar media for personal purposes, the employee is responsible for the content on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

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

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

Use of Electronic Media and Electronic Communications with Students

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

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

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

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

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

- Employees should avoid sending text messages to students. Exceptions may apply for a teacher or other employee who has an extracurricular duty, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging should attempt to include at least one of the student's parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message. Additionally, for each text message addressed to one or more students, the employee must send a copy of the text message to the employee's Bob Hope School email address.
- Employees shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with extracurricular duties, matters relating to the extracurricular activity).
- Employees are prohibited from knowingly communicating with students through personal social network pages.
- Employees shall not communicate directly with any student between the hours of 10:00pm and 6:00am, except when necessary to notify students about urgent scheduling or transportation issues. Employees may, however, make public posts to a social network site, blog, or similar application at any time.
- Employees do not have an absolute right to privacy with respect to communications with students and parents.
- Employees continue to be subject to applicable state and federal laws, local policies, administrative regulations, and the Professional Code of Ethics and Standard Practices for Professional Educators including:
 - Compliance with FERPA, including retention and confidentiality of student records;
 - Copyright law; and
 - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student.
- Upon request from Bob Hope School's administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more current-enrolled student.
- Upon written request from a parent or student, an employee shall discontinue communicating with a student through email, text messaging, instant messaging, or any other form of one-to-one electronic communication.
- **Employees shall refrain from inappropriate communications with students. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:**
 - The nature, purpose, timing, and amount of the communication;
 - The subject matter of the communication;
 - Whether the communication was made openly or the employee attempted to conceal the communication;
 - Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
 - Whether the communication was sexually explicit; and
 - Whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the employee or the student.

Consequences

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

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

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