

# Personnel Handbook

*Human Resources  
Code of Business Ethics  
and Conduct*

**2023 - 2024**

**"A COMMITMENT TO OUR CORE VALUES"**

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## DISCLAIMER

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The purpose of this personnel handbook is to provide employees with a source of information about A. W. Brown Leadership Academy's procedures and policies. The policies and procedures in this handbook are to serve as guidelines. Although A. W. Brown Leadership Academy 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.

A. W. Brown Leadership Academy 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 or procedures should be directed to your supervisor or to the Human Resources Department.

## THE PURPOSE

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The purpose of this personnel handbook is to provide employees with a source of information about A. W. Brown Leadership Academy procedures and policies. The policies and procedures in this handbook are to serve as guidelines. Although A. W. Brown Leadership Academy 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.

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Questions regarding this handbook or any of the policies/procedures should be directed to your supervisor or to the Human Resource Department either directly by phone (682) 324-2500 or via email: [awbrownhr@jgdickson.com](mailto:awbrownhr@jgdickson.com).

## THE VISION

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***The Vision of A. W. Brown Leadership Academy is to provide a learning environment in which scholars are trained, prepared, and equipped for life leadership and academic excellence.***

The vision is one of a drug-free, violence-free, loving, encouraging, mutually respectful atmosphere in which teachers will feel safe to teach, scholars will feel safe and motivated to learn and parents will feel comfortable leaving their children.

A vision of a place where scholars can discover, examine, experiment with and experience time-honored values of quintessential human living by observing and interacting with mature teachers and administrators who exemplify those values in their daily walk.

A vision of equipping every scholar with the academic skills, moral powers, social tools, psychological awareness, spiritual vision, and physical readiness to succeed in any school that serves levels at or beyond the grades served by A. W. Brown Leadership Academy.

A vision of helping every scholar to assess the critical needs and condition of his/her world, discover tenable solutions, and develop a comprehensive plan for using his/her areas of strength to improve the world during his/her lifetime.

A vision of providing high school equivalency and post high school vocational training for the parents of scholars who are either unemployed or under-employed.

A vision of offering certified parenting classes, seminars and retreats that will better enable the parents of our school to participate in the teaching/learning process actively and effectively.

A vision of at least fifty acres of land on which will be constructed a training village with simple yet symbolically powerful facilities --- including classrooms to accommodate 2,000 scholars, a full size double-sided gymnasium with locker rooms and showers, bleachers and offices, an auditorium/theatre to accommodate the entire scholar body, an outdoor athletic complex to accommodate football, track, soccer, lacrosse, baseball and tennis, with bleachers, scoreboard, and offices for medical and dental services.

A vision of serving as the national paradigm for existing charter schools in America, and as a resource, guide, and facilitator for the establishment of new charters.

A vision of becoming a feeder program for prestigious private educational entities that serve grade levels beyond levels we are currently chartered to serve.

## THE MISSION STATEMENT

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***The Mission of A. W. Brown Leadership Academy is to produce smart, effective, efficient, disciplined scholars by creating an environment in which teachers feel safe and free to teach and scholars feel safe and motivated to learn.***

***Academic Education*** ~ The Brown scholar experiences a curriculum designed to open scholars to the richness of their own intellect, as well as content area mastery. The academic rigor characteristic of a Brown education requires that the scholar attain a considerable level of proficiency in these disciplines. All the academic structures of Brown assist the scholar in discovering himself/herself as an individual of reason, education, and culture.

***Character Education*** ~ **Every** subject area, **every** teaching method, **every** attitude, **every** action of scholar or teacher is a means of training character. Character training takes place throughout the day, no matter what else is being taught. Teachers maintain orderly, structured classrooms and expect the scholars to work hard to learn content, and in the process, teach them to: love wisdom, respect authority, pay attention, and obey willingly and immediately. In addition, they are taught to be diligent workers, honest always, and be orderly and organized.

***Social Education*** ~ The development of the scholar's academic, character and social maturity is a task shared jointly by the family and Brown. The school provides both individual and collective opportunities where a scholar can grow as an individual and work as part of a group. Brown strives to promote an increase in acceptance of people of diverse cultures culminating in respectful attitudes toward all people. Personal responsibility and responsibilities toward the wider community is taught through unselfish public service and dedication to honoring one's commitments.

### **School Motto**

*"Soaring to Success"*

### **School Mascot**

*Golden Eagle*

### **School Colors**

*Red, Gold and White*

### **School Pledge**

*"As a proud member of the A.W. Brown Leadership family, I promise to respect my teachers and fellow scholars at all times; to obey all the rules, to protect the physical beauty of the building and to strive daily to improve myself in attitude, intellect, character, and body."*

## THE HISTORY

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The A. W. Brown Leadership Academy is a third-generation elementary school presently serving scholars from pre-kindergarten three through eighth grade. Founded in 1999 by Reverend Armond W. Brown, this charter represents the most contemporary and aggressive trend of thought in public pro-choice education today.

Although the school is technically classified “public”, what makes it unique is the rare fusion of the tuition-free aspect of traditional public-school education and the rigorous academic requirements, discipline, and learning climate historically associated with private school education.

A. W. Brown Leadership Academy is in the urban southern sector of Dallas, Texas, commonly known as Oak Cliff and serves a racially diverse body of scholars (98% African American, 1% Hispanic, and .01% Anglo). Our scholar population is predominantly comprised of moderate to low-income families, with over 86% of the scholar population considered at-risk or economically disadvantaged. We have a proven commitment to providing high quality educational opportunities to the next generation of children in this community.

### **HISTORICAL HIGHLIGHTS:**

- **1999** The school opened with 109 PreK through 3rd Grade scholars at the Fellowship Baptist Church of Oak Cliff (sponsoring entity)
- **2004** A. W. Brown North Campus Opened
- **2009** Pre-Kindergarten Satellite Campus Opened at Concord Missionary Baptist Church
- **2010** Name changed to A. W. Brown - Fellowship Leadership Academy
- **2016** Dr. Laura Mimms was named the 2nd Superintendent of AWB-FLA
- **2017** Name changed to A. W. Brown Leadership Academy
- **2019** Intermediate Campus renamed to Quest 6 thru 8

## PURPOSE OF PERSONNEL HANDBOOK

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The purpose of this personnel handbook is to provide employees with a source of information about A. W. Brown Leadership Academy procedures and policies. The policies and procedures in this handbook are to serve as guidelines. Although A. W. Brown Leadership Academy 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.

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Questions regarding this handbook or any of the policies/procedures should be directed to your supervisor or to the Human Resource Department either directly by phone (682) 324-2500 or via email: [awbrownhr@jgdickson.com](mailto:awbrownhr@jgdickson.com).



# *Code of Business Conduct and Ethics*

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## CODE OF BUSINESS CONDUCT AND ETHICS

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A. W. Brown Leadership Academy maintains certain policies to guide their employees with respect to standards of conduct expected in areas where improper activities could damage the school's reputation and otherwise result in serious adverse consequences to A. W. Brown Leadership Academy employees involved. The purpose of this Policy is to affirm, in a comprehensive statement, the required standards of conduct and practices.

An employee's actions under this Policy are significant indications of the individual's judgment and competence. Accordingly, those actions constitute an important element in the evaluation of the employee for position assignments and promotion. Correspondingly, insensitivity to or disregard of the principles of this Policy will be grounds for appropriate management disciplinary action.

The Code is applicable to immediate family, which is defined to be a person's spouse, parents, children, siblings, mothers and fathers-in-law, sons and daughters-in-law, brothers and sisters-in-law and anyone who shares such a person's home. The Guidelines provide additional information to assist employees in compliance with the Code. To the extent there is any conflict between the Guidelines and the Code, the Code provisions control.

- **Will my actions be ethical and fully comply with the law?**
- **Will my behavior be questioned by faculty, administration, or staff?**
- **Am I fulfilling my responsibilities and complying within the State of Texas law?**
- **Will my choice create an appearance of impropriety or compromising just to save time?**

A. W. Brown Leadership Academy expectations are for our professionals to act responsibly, and ethically, always. The guidelines set forth in this Code of Ethics and Business Conduct Handbook serve to govern the actions and working relationships within our district, off campus activities, our State Representatives, the public, other school districts and anyone else you may have contact.

The Code is not intended to replace other District manuals or directives, which contain specific requirements for handling specific situations. Moral behavior and ethical business conduct is an essential element of our continued success. Our conduct, our morals and our personal values is simply "good business practice". Additionally, the Human Resources Department is available for consultation however, we would direct employees to review the following cross-references as well as other manuals, directives or guidelines issued by individual departments:

- ➔ Personnel Policies
- ➔ Agreement of Confidentiality
- ➔ Executive Orders

## CONFLICTS OF INTEREST

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### THE FOLLOWING TOPICS BRIEFLY DESCRIBE SPECIFIC SITUATIONS THAT MUST BE AVOIDED:

**INTEREST IN SUPPLIERS AND COMPETITORS:** Every employee shall avoid ownership, directly or indirectly, of any interest in a privately held entity, which is a supplier or competitor of AWBLA. In the case of a publicly held entity, the employee should not own, directly or indirectly, any interest more than three percent (3%) of any class of the outstanding stock of any supplier or competitor. It is recognized that strict adherence to the foregoing may not always be in the best interest of A. W. Brown Leadership Academy and may deprive the District of the best product, price or service. In other cases, the transaction may be insignificant in the amount of money involved or in the case of situations that involve transactions with relatives the circumstances may be such that there is no conflict involved. Consequently, such dealings with related parties would be acceptable after full disclosure and approval by the Superintendent/CEO of A. W. Brown Leadership Academy for employees.

**OTHER TRANSACTIONS WITH AWBLA:** Conflicts of interest may arise from association (as an employee, agent, independent contractor or otherwise) or from a directorship of an entity which is a supplier or competitor of AWBLA, or with which the District otherwise does business. While employees are expected to devote as much time and attention to the business affairs of A. W. Brown Leadership Academy as may be required to diligently perform their respective duties, a person is not precluded from engaging in other business activities so long as such other business activity (i) is not detrimental to the business activities and business affairs of A. W. Brown Leadership Academy, (ii) does not interfere with the performance of duties for AWBLA, and (iii) is not in conflict with the best interest of A. W. Brown Leadership Academy. The employee is required to make full disclosure in writing to the Superintendent/CEO and shall refrain from taking any action that would be detrimental to the District.

**GIFTS AND GRATUITIES:** It is recognized that personnel may be offered gifts, gratuities or similar favors from persons or entities transacting business with (or desiring to transact business with) A. W. Brown Leadership Academy and common courtesy may require the acceptance thereof. However, in no event shall an employee accept (i) cash payments, or (ii) gifts, gratuities or similar favors that have a monetary value, more than, One Hundred Dollars (\$100) (unless otherwise approved by the Superintendent/CEO). Entertainment and travel for an employee at the expense of a supplier or other person transacting business with AWBLA shall not be considered to violate the spirit of this Policy (even though the total of all such expenses may exceed \$50 if the Superintendent/CEO determines prior to the event that such entertainment and related travel does not impose upon the recipient any obligation to give special consideration to the payer of any such expense in respect to its business transactions with A. W. Brown Leadership Academy.

**GIFTS AND ENTERTAINMENT OF OTHERS:** Reasonable entertainments of others in furtherance of the business objectives of A. W. Brown Leadership Academy are proper. Such entertainment or gifts are not to exceed what is reasonable and customary for a charitable organization. All expenses for such entertainment or gifts, including but not limited to travel and goods and supplies, shall be reported on the individual's expense account (including purchasing card transactions) and shall not be funded through the purchase order system by invoice. The Superintendent/CEO approves expense reports and purchasing card transactions for senior staff. The Chairman of the Board approves expense reports and purchasing card transactions for the Superintendent/CEO.

**PURCHASE AND SALE OF PROPERTY OR SERVICES:** No money or other item of value may be accepted or paid directly or indirectly for negotiating, procuring, recommending, or aiding in the purchase, sale or leasing of any real or personal property, goods, materials, or services purchased or sold by A. W. Brown Leadership Academy. Each person involved in purchasing functions for A. W. Brown Leadership Academy is expected to procure materials and services on the most favorable terms available and must not be placed in a position where such a person becomes subject to (or appears to be subject to) influence or other pressures. No kickbacks, bribes or other improper payments may be made, solicited, offered, promised, received, or paid directly or indirectly by an employee, close relative, or associate.

**OUTSIDE EMPLOYMENT/ACTIVITIES:** Employment is a two-way relationship involving a fair exchange. As part of this relationship, you are expected to give full attention to A. W. Brown Leadership Academy responsibilities. Employment with an outside business or trade organization may interfere with these responsibilities or affect your performance of AWBLA's duties. Generally, you should not accept such employment or pursue other regular activities outside A. W. Brown Leadership Academy that will interfere with your responsibilities or adversely affect your performance or A. W. Brown Leadership Academy interests. This prohibition also extends to the unauthorized use of any supplies, tools or equipment and the unauthorized use or application of any confidential trade information or techniques. In addition, employees are not to solicit or conduct any outside business during paid working times. Employees who have accepted outside employment are not eligible for salary continuation or personal absence when the absence is used to work on the outside job or is a result of an injury sustained on that job. Fraudulent use of vacation/sick leave or personal absences will be cause for disciplinary action which may include termination of employment. If you have or if you are contemplating any outside work or other business activity, you should notify your supervisor and Human Resources Administrator of your plans in writing. However, so long as your work-related obligations and AWBLA's interest remain unaffected, AWBLA disclaims any interest in your outside employment or activities.

**HOLDING PUBLIC OR POLITICAL OFFICE:** No employee is permitted to hold public or political office (unless non-elective) or serve as a member of a political party committee. It is necessary that no situation exist that might be interpreted as associating AWBLA with any political party or political activity. Special permission must be obtained in advance to hold even non-elective public offices.

**BREACH OF TRUST:** It is each employee's responsibility to acquaint himself or herself with these rules and to understand fully the standards of ethical conduct he or she is expected to maintain. Noncompliance will not be excused on the grounds that the employee does not know about them. It is the duty of each employee to "expose corruption wherever discovered". Instances of corruption or breach of trust may be reported in confidence to one's supervisor, the Superintendent/CEO, the Director of Operations, or the Human Resources Administrator.

## *Employee Information*

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## EMPLOYEE INFORMATION

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### ACCURACY OF INFORMATION

A. W Brown Leadership Academy 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 be provided with truthful and accurate information in connection with their employment at A. W. Brown Leadership Academy. Any falsification or misrepresentation in connection with application materials, or during employment, is a serious offense and may lead to discharge from employment or non-selection of an applicant.

- Background Check
- Criminal History and FBI Fingerprint Information
- W-4 Employee's Withholding Allowance Certificate
- I-9 Employment Eligibility Verification
- Statement Concerning Your Employment in a Job Not Covered by Social Security
- Conflict of Interest Questionnaire
- Wage Deduction Authorization Agreement
- Applicable Healthcare/Benefit Forms (online or hardcopy)
- Direct Deposit Enrollment
- Teacher Retirement System of Texas (TRS) Beneficiary
- Teacher Retirement System of Texas (TRS) Questionnaire
- 403(b) Designation of Beneficiary
- Acknowledgement of Receipt of Personnel Handbook
- Acknowledgement of Receipt of Code of Business Conduct and Ethics
- Social Media Acknowledgement

### 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. Everyone serving or expected to serve in the roles will be expected to comply and submit the necessary information for the background check. Additionally, other employees and contractors subject to criminal background checks will be required to comply and submit the necessary information for the background check.

### **CURRENT EMPLOYEE INFORMATION**

Current employees may be required to update or execute any or all the listed forms annually or upon request. Any employee who fails or refuses to complete the above forms or to provide A. W. Brown Leadership Academy with requested documentation may be subject to discipline, up to and including discharge from employment. The following is the Employee's responsibility to update within 30 days of...

- ☐ A change in home address or telephone number
- ☐ A change in marital status
- ☐ A change in insurance beneficiary
- ☐ A change in number of exemptions claimed for income tax purposes
- ☐ A legal change of name
  - ☐ A change in the driving record or status of an employee's driver license (If the employee operates a motor vehicle of A. W. Brown Leadership Academy or his /her own vehicle for work-related duties, excluding driving to and from work)
  - ☐ A change in *The Public Information Act* form indicating whether certain personal information may be released to the public.

\*The Human Resources Department should be notified of all updates.

### **EMPLOYEE ELECTION FORM TO WITHHOLD CERTAIN INFORMATION FROM PUBLIC ACCESS**

Employees of A. W. Brown Leadership Academy 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 A. W. Brown Leadership Academy may be subject to public release if requested under the Texas Public Information Act:

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

Employees must complete and submit the Public Access Option Form to the Human Resources Department no later than the 14<sup>th</sup> day after the date the employee begins employment with A. W. Brown Leadership Academy to keep certain information about them confidential under the Texas Public Information Act. HR shall provide the employee with the Public Access Option Form upon employment with A. W. Brown Leadership Academy.



### **NEW EMPLOYEE ORIENTATION**

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

- ☐ A review of this personnel handbook
- ☐ A tour of the campus
  - ☐ Receipt of credentials necessary for parking, access to the school building and computers, and other materials as appropriate for the employee's employment position
  - ☐ Prevention techniques for, and recognition, of sexual abuse and other maltreatment of children

## *Office Hours, Attendance, Tardiness*

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## OFFICE HOURS

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### STANDARD HOURS OF OPERATION

Each employee/s work hours are determined by job assignments and/or supervisor. All A. W. Brown Leadership Academy employees will be apprised of and sign off on their designated work hours each school year.

During the school year, standard hours of operation are listed below:

❖ Campus Office Staff:	7:00 am – 5:00 pm
❖ Central Office Staff:	8:00 am - 5:00 pm
❖ Instructional Staff:	7:45 am - 4:30 pm
❖ Teacher Assistants:	7:00 am - 4:00 pm
❖ Campus Support Staff:	7:00 am - 5:00 pm
❖ Cafeteria Staff:	As determined by your direct supervisor
❖ Custodial Staff:	As determined by your direct supervisor

### STANDARD WORK SCHEDULES

A. W. Brown Leadership Academy has a standard workweek of forty (40) hours per week, excluding time off for lunch or personal breaks. Scheduled hours for employees vary by department.

- **Non-exempt employees:** All full-time, non-exempt employees generally work a Monday through Friday schedule of forty (40) hours divided into (5) eight-hour workdays unless a different schedule is approved in writing by the employee's supervisor. **Non-exempt employees must have prior written approval prior to working overtime.**
- **Exempt employees** are expected to 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. Exempt employees may be required to work additional hours per workweek, if necessary, to complete their assigned work to the satisfaction of their supervisor. Exempt employees shall work additional hours 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.
- **Employees** are expected to be reliable and punctual in reporting for work each scheduled day. If an employee is late to work or is unable to work as scheduled, the employee should notify their supervisor immediately.

### LUNCH AND CONFERENCE PERIOD

All staff members should notify their immediate supervisor or office manager when leaving the campus during lunch periods with the understanding that they return to campus in a timely manner.

Staff members are expected to remain on campus during their conference period.

## OVERTIME

A. W. Brown Leadership Academy classifies employees who fall within the exemptions from the overtime provisions of the Fair Labor Standards Act (the “FLSA”) as “exempt employees,” and thus not entitled to overtime pay, and those employees who do not fall within those exemptions as “nonexempt employees,” and thus entitled to overtime pay. Employees with questions about their employment classification should contact their immediate supervisor.

- **Non-exempt and hourly employees** may be asked and required to work overtime when it is necessary. If an eligible employee considers overtime to be necessary, they must obtain approval from their immediate supervisor in advance of working overtime.
- **Exempt employees** may be asked and required to work beyond standard required hours when necessary; however, they are not entitled to overtime pay.

## ATTENDANCE POLICY

A. W. Brown Leadership Academy employees are expected to be reliable and punctual in reporting to work each scheduled workday. If an employee is late to work or is unable to work as scheduled, the employee is required to notify their supervisor before 6:00 am.

**Poor attendance and/or repeated tardiness is disruptive to the operations of A. W. Brown Leadership Academy and may lead to disciplinary action, up to and including discharge from employment.**

- Any employee who does not report to work for **two (2) consecutive days** and does not follow the outlined procedures by notifying their supervisor will receive a written reprimand.
- Any employee who does not report to work for **three (3) consecutive days** and does not follow the outlined procedures by notifying their supervisor for absences or leave will be subjected to termination due to job abandonment.

A. W. Brown Leadership Academy recognizes there will be occasions when an illness or other personal event may result in an unscheduled absence. As such, AWBLA has a ***Leave of Absence Policy*** that all employees are expected to follow. Reference the ***Leave of Absence*** section for additional information.

## TARDY POLICY

Punctuality is a statement that A.W. Brown Leadership Academy, as a school-wide learning community, values instructional time and is committed to maximizing every second of teaching and learning. Being on time every day can help establish a school culture that promotes professionalism and responsibility. Punctuality is equally important as coming to work every day. Staff members arriving at work on time help ensure that every facet of the school’s operations is efficient and effective. Poor attendance and/or repeated tardiness is disruptive to the operations of the school, and may lead to disciplinary action, up to and including discharge from employment. When staff members routinely arrive to work on time, the school’s climate changes, and an expectation of excellence is established.

More importantly, punctuality has a direct impact on increasing scholar learning. Every second counts! Bell-to-bell instruction is an important part of scholar learning because teachers can maximize their instructional time from start to finish.

## DISCIPLINARY ACTIONS

## 1<sup>ST</sup> and 2<sup>ND</sup> Tardy: Verbal Warning

### 3<sup>rd</sup> Tardy: Written Reprimand Placed in Personnel File

#### 4<sup>th</sup> Tardy or More: Probation Documented on Year-End Appraisal.



*Supervisors and administrators will check (daily) and monitor TimeClock Plus “clock-in” times and will implement consequences, as stated above, if anyone is found in violation of this policy.*

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 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.

**Failure to report to work for up to three days in a row without notice to the school will constitute job abandonment and A. W. Brown Leadership Academy shall treat such job abandonment as a voluntary resignation from employment without notice.**

TARDY POLICY COVERS, BUT IS NOT LIMITED TO, THE FOLLOWING:	
Teacher Clock-In Time	7:45 am
Scholar Pick-Up Time	7:50 am (No later than this time)
Breakfast in the Classroom	7:50 am – 8:10 am
Contingency Breakfast in Cafeteria	7:00 am – 7:40 am
BREAKFAST CONCLUDES	
Morning Announcements	8:10 am
Classroom Instruction Begins	8:15 am

## **TIMECLOCK PLUS**

TimeClock Plus is the system used to record the daily attendance, start, and end times, and accrued PTO. Employees are expected to utilize this device daily and can access this either using the on-site clocks or the TCP mobile app. *(See step-by-step details in the Operational Manual).*

<b>DEFINITION OF LEAVE CODES</b>	
<b>Code 156 Unpaid (Hourly)</b>	This code is applied when an hourly employee is “Tardy”
<b>Code 157 PTO</b>	Full time employees are allotted 10-days per Academic Year Approval from immediate Supervisor is required prior to taking PTO
<b>Code 170 Bereavement</b>	Reference Section for Bereavement - Immediate family only (Three consecutive days; Days may not be split)
<b>Code 171 Sick Leave</b>	Reference Section for guidelines pertaining to Sick Leave
<b>Code 172 Jury Duty</b>	Reference Section on Jury Duty Guidelines
<b>Code 173 Blackout Day (Unpaid)</b>	Reference Blackout Days Section and AWBLA Current Operating Calendar; Employees are not permitted to use PTO (Paid Leave)
<b>Code 174 Leave Without Pay</b>	PTO is exhausted (Zero Balance)
<b>Code 175 FMLA</b>	Reference Section for guidelines pertaining to FMLA

## *Leave of Absence*

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## LEAVE OF ABSENCE (PAID TIME OFF)

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### PAID TIME OFF (PTO)

Each **full-time employee**, whether working in an exempt or non-exempt position, will be allotted ten (10) days of PTO on the first day of the Academic Year. This allocation of ten (10) days for the Academic Year is based on an accrual of one day per month, on the first day of the month, during the ten (10)-Month Academic Year. New Hires after the first of the month will not begin accumulating until the following month.

**Be advised, employees on extended leave do NOT accrue PTO during months not worked. Also, should an employee leave A. W. Brown Leadership Academy during the Academic Year, and their PTO Balance is zero, then their allotted PTO will become pro-rated for deduction from their final paycheck.**

*Example: Employee uses their full ten (10) day PTO allotment through January, then leaves A. W. Brown Leadership Academy January 31. Their paycheck will then reflect a PTO deduction of four (4) days, as per policy if this employee took all ten (10) days of PTO, their final check would be deducted at the daily rate for the four (4) days of unearned PTO taken.*

**Part time and temporary employees are not eligible for PTO.**

**Employees on extended leave do NOT accrue PTO during months not worked. PTO will be pro-rated. Unused PTO will NOT be paid at the end of the Academic Year, nor paid should the employee elect to resign from their position.**

**PTO is NOT transferable to the new Academic Year.**

### MINIMUM INCREMENTS OF PTO

**Full-Time Employees are required to take PTO in increments of eight (8) hours equivalent to a workday or four (4) hours equivalent to a half-day.**

**PTO may NOT be applied in minutes or one-hour increments if the hourly employee is late or tardy. Clock in Time should record the specific time of arrival, and not be adjusted with PTO if employee is reporting late. Reference "Tardy" Section in Handbook**

**To assure staffing needs are met, Full Time Employees are required to provide reasonable advance notice to obtain approval from immediate supervisor prior to using PTO.**

### NOTICE AND SCHEDULING

Full-Time Employees are required to provide reasonable advance notice and obtain approval from your immediate supervisor prior to using PTO. This allows you and your supervisor to prepare for your time- off and ensure that all staffing needs are met. There may be occasions, such as sudden illness, when you cannot notify the supervisor in advance. In those situations, you must inform the supervisor of your circumstances as soon as possible. PTO will NOT be approved for "Blackout Days".



### **TIMECLOCK PLUS**

A. W. Brown Leadership Academy provides PTO days to full-time employees and observes pre-scheduled holidays and calendar school breaks.

Employees must submit time off requests through TimeClock Plus and submit an email to their **direct supervisor and office manager**.

Employees can access the *"Employee Leave Requests"* on TimeClock Plus On-site clocks, or the TCP mobile app.

### **CHECK AVAILABLE PTO**

- Employees can check their available PTO by selecting Accruals (Time Clock Plus).
- Available hours will show as "Remaining Hours."
- If PTO is exhausted (a zero balance) then employees will be on leave without pay.

**Should the number of absences exceed the number of available leave days, then the additional absences will be deducted from the employee's salary and coded as "Leave Without Pay".**

**The payroll deduction shall be in the amount of the employee's daily rate for each day absent.**

### **PART TIME EMPLOYEES**

Part-time employees are not entitled to paid leave.

### **STATE LEAVE FOR PERSONAL PAID LEAVE / SICK LEAVE**

A. W. Brown Leadership Academy does not honor state leave awarded by the State of Texas.



**Please be advised that any employee who adheres to the following will receive a probationary rating, and is ineligible for promotion, and may be ineligible for rehire.**

- Exceeds the number of approved absences.
- Frequently tardy.
- Frequently signs out early.

## PAID LEAVE DAY FOR BIRTHDAY

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Each A. W. Brown Leadership Academy full-time employee covered by this policy shall receive a *"Paid Leave Day for Birthday"*. This one-day shall be taken during the same calendar month of, or the next calendar month after, the employee's birthday on a date mutually agreed upon by the employee and their respective supervisor.

In scheduling the *"Paid Leave Day for Birthday"* please note employees are not permitted to use *"Paid Leave Day for Birthday"* the day before or the day after a holiday or a school break or on a blackout date, as specified in this section of the Leave Policy. Also, please note in accordance with the A. W. Brown Leadership Academy Leave Policy, an unused *"Paid Leave Day for Birthday"* will NOT be paid at the end of the Academic Year, nor paid should the employee elect to resign from their position nor applied toward sick leave.

*"Paid Leave Day for Birthday"* shall be specifically identified and coded accordingly per the definition of Time-Clock Plus leave codes.

*\*June and July Birthdays may be taken in August or September on a date mutually agreed upon by the employee and their respective supervisor. The Birthday paid leave may **NOT** be taken on a blackout day.*

## COVID

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The purpose of this policy is to foster a safe environment in support of our staff, faculty, and administration. The safety of our A. W. Brown Leadership Academy employees continues to be first and foremost. We will leverage federal, state, and local data to inform staff, faculty and administration of any future decisions pertaining to COVID, as we work together to help ensure a safe school year for our scholars.

Listed below are key safety recommendations in support of scholars and staff to remain healthy, and physically together in school:

1. All adults and children over age 12 are currently eligible for COVID vaccines and should consider getting fully immunized.
2. Following CDC guidelines on proper disinfecting and sanitizing classrooms and common areas, is wise. Scholars and staff should be encouraged to wash hands with soap and water or use hand sanitizer regularly.
3. Employees who return to the Campus may wear a mask, if desired. This is a simple, proven tool to protect you, when the mask fits well and is worn correctly and consistently. Face masks are effective and safe to wear for long periods of time such as during the school day.
4. Maintaining social distancing is a good practice on campus and within the classroom.

### **COVID ABSENCES**

- Employees who test positive (regardless of symptoms) should be isolated at home for 5-days from the date of the positive test.
- Absences related to COVID must present official documentation to the Human Resources Department from a healthcare professional that includes a positive COVID test result.
- If the test result is positive, employees should isolate for at least 5-days.
- The employee can end isolation after 5-full days if they are fever-free for 24-hours (without the use of fever-reducing medication) and symptoms are improving.
- The option to claim "COVID Leave of Absence" may ONLY be used once within the Academic Year by an employee. Additional COVID leave will be classified as sick leave according to AWBLA policy.

### **TESTING POSITIVE FOR COVID**

If an employee tests positive for COVID, the employee must remain in isolation for 5-days as outlined by the CDC guidelines. Employees are required to notify their immediate supervisor and A W Brown Human Resources. Positive COVID test results must be emailed to Human Resources for verification and approval to officially begin the initial 5-day COVID leave. Results from a health care physician or an official testing site are required for verification and approval for COVID Leave of Absence.

Subsequent positive tests or time off after the initial 5-day isolation will be classified as PTO sick leave as governed by the A. W. Brown Personal Time Off (PTO) policy.

The option to claim “COVID Leave of Absence” may ONLY be used once, within the Academic Year by an employee.

Additional COVID Leave, exceeding the initial 5-day period, will be classified as PTO Sick Leave according to A W Brown Leadership Policy.

If the PTO balance is exhausted, then the COVID Leave exceeding the initial 5-day period, will be coded as “Leave Without Pay”.

COVID leave, exceeding the initial 5-day period, or any leave related to COVID will be coded as PTO (Sick Leave). If the PTO balance is exhausted, then leave will be “without pay”.

At the onset of leave without pay, FMLA will go into effect, if the employee meets all the conditions for eligibility. *Please refer to the **Family and Medical Leave Act (FMLA)** policy in this handbook for type of leave coverage.*

**During COVID isolation or sick leave telecommuting is not an option.**

#### **TELECOMMUTING**

Based on current state and federal guidance, Texas schools are no longer offering telecommuting options. Therefore, in alignment with state and federal guidance and to encourage student engagement and success, telecommuting is not a viable option and requests for telecommuting will be denied.

## ***Holidays, School Breaks and Blackout Dates***

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## **HOLIDAYS, SCHOOL BREAKS, AND BLACKOUT DATES**

Employees are not permitted to use paid leave **the day before or the day after** a holiday or a school break.

**Absences the day before or the day after a holiday or school break  
will be marked as “Leave Without Pay”.**



### **HOLIDAYS AND SCHOOL BREAKS**

Labor Day

Fair Day

Fall Parent Conference

Fall Break

Thanksgiving Break

Winter Break

MLK Day

President’s Day

Spring Parent Conference

Spring Break

### **ADDITIONAL BLACKOUT DAYS**

Early Release

Professional Development

STARR Assessment

First and Last Week of School



**Employees who are absent during blackout dates will be marked as “Leave Without Pay.”**

*Leave of Absence*  
*(Other)*

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## **BEREAVEMENT LEAVE**

An **eligible** employee may take a paid leave for up to three (3) workdays in the death of an **immediate** family member:

- Spouse
- Grandparents
- Sibling or Step Sibling
- Parent or Stepparent
- Child or Stepchild
- In-laws (mother, father, children)

In the event of a death of an employee's extended family member, bereavement leave may be available **only** if approved by the Superintendent on a case-by-case basis.

Bereavement leave days are to be taken consecutively, within a reasonable time from the date of the death or day of the funeral and may not be split or postponed. If an employee experiences a death in the family, he or she should inform their direct supervisor as soon as possible. Supporting documentation is required.

**BEREAVEMENT ELIGIBILITY**

**Full-time and part-time employees are eligible for bereavement leave.**

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**The following respective employee titles are not eligible for bereavement leave:**

- ❖ **Temporary Employees.**
- ❖ **Substitutes.**
- ❖ **Employees classified on an "as needed" basis.**

## **MILITARY LEAVE**

A. W. Brown Leadership Academy is committed to protecting the employment rights of employees serving in the uniformed services who must be absent due to military leave. AWBLA will comply with applicable state and federal laws regarding an employee's absence due to uniformed services.

## **JURY DUTY / COURT APPEARANCE**

A. W. Brown Leadership Academy will grant employees time off for mandatory jury duty or for court appearances as a witness when the employee must serve or is required to appear because of a court order or subpoena. A copy of the court order or subpoena must be supplied to the employee's supervisor when requesting time off. The employee is entitled to full pay for a maximum of ten (10) days per year to serve in jury duty or a court appearance or serving as a witness in court per year. A jury duty summons is required and should be forwarded to Human Resources.

However, if the employee is court-ordered or subpoenaed for court appearances as a party to any civil or criminal litigation, it shall not be compensated, and the employee must arrange for time off without pay or use accrued PTO for such appearances.



***Family Medical Leave Act***  
***(FMLA)***

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## **FAMILY MEDICAL LEAVE ACT (FMLA)**

A. W. Brown Leadership Academy will provide Family and Medical Leave Act (FMLA) leave to its eligible employees. The LEA posts the mandatory FMLA Notice and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Leave Act in [state the specific location within the LEA where the official notice is posted].

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns, or disputes with this policy, you must contact A. W. Brown Leadership Academy Human Resource Department either directly by phone (682) 324-2500 or via email [awbrownhr@jgdickson.com](mailto:awbrownhr@jgdickson.com).

### **☐ GENERAL PROVISIONS**

Under this policy, A. W. Brown will grant up to 12 weeks of leave during a 12-month period to eligible employees (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness). The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

### **☐ EMPLOYEE ELIGIBILITY**

To qualify to take family or medical leave under this policy, the employee must meet all the following conditions:

1. The employee must have worked for the LEA for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
2. The employee must have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave. The 1,250 hours do not include time spent on paid or unpaid leave. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
3. The employee must work in a worksite where 50 or more employees are employed by the LEA within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

## ❑ TYPE OF LEAVE COVERED

To qualify as FMLA Leave under this policy, the leave must be for one of the reasons listed below:

- The birth of a child and to care for that child.
- The placement of a child for adoption or foster care; and to care for the newly placed child.
- To care for a spouse, child, or parent with a serious health condition (see below).
- The serious health condition of the employee. (See description below).

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of his or her position.

Under the FMLA, a **spouse** means a husband or wife. Husband or wife refers to the other person with whom an individual entered marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into or, in the case of a marriage entered outside of any state, if the marriage is valid in the place were entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage that either:

- was entered into in a state that recognizes such marriages; or
- if entered outside of any state, is valid in the place were entered into and could have been entered into in at least one state.

A **serious health condition** is defined as a condition that requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy or under the LEA's sick leave policy are encouraged to consult with the Human Resource Manager.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the LEA may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

#### ❑ **QUALIFYING EXIGENCY LEAVE**

Qualifying exigencies leave for families of members of the National Guard or Reserve or of a regular component of the Armed Forces when the covered military member is on “covered active duty” or called “covered active duty”.

An employee whose spouse, son, daughter, or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following:

- short-notice deployment
- military events and activities
- childcare and school activities
- financial and legal arrangements
- counseling
- rest and recuperation
- post-deployment activities
- additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Eligible employees are entitled to FMLA leave to care for a current member of the Armed Forces, including a member of the National Guard or Reserve, or a member of the Armed Forces, the National Guard or Reserve who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserve, or members on the permanent disability retired list.

To care for a covered service member with a serious injury or illness if the employee is either the spouse, son, daughter, parent, or next of kin of the covered service member. (See description below).

- *A son or daughter of a covered servicemember* means the covered servicemember's biological, adopted, or foster child, stepchild or legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.
- *A parent of a covered servicemember* means a covered servicemember's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents in law.

- The *next of kin of a covered servicemember* is the nearest blood relative, other than the covered servicemember's spouse, parent, son or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA.

When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered a covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service member's only next of kin. For example, if a covered servicemember has three siblings and has not designated a blood relative to provide care, all three siblings would be considered a covered servicemember's next of kin. Alternatively, where a covered servicemember has siblings and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered servicemember's next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered servicemember pursuant to § 825.122(k).

"Covered active duty" descriptions:

- *Covered active duty* for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.
- *Covered active duty or call to covered active-duty status* in the case of a member of the Reserve components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a federal call or order to active duty in support of a contingency operation, in accordance with 29 CR 825.102.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for children for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

"Military caregiver leave" (also known as covered servicemember leave) to care for an injured or ill servicemember or veteran.

An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks of leave in a single 12-month period to care for that service-member.

"Next of kin" is defined as the closest blood relative of an injured or recovering service member.

The term "covered servicemember" means:

- a member of the Armed Forces (including a member of the National Guard or Reserve) who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserve) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term "serious injury or illness" means:

- In the case of a member of the Armed Forces (including a member of the National Guard or Reserve), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating;
- In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserve) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.

Outpatient status, with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

#### ☐ **AMOUNT OF LEAVE**

An eligible employee can take up to 12 weeks for the FMLA circumstances (No. 1) through (No. 5) above under this policy during any 12-month period. The LEA will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the LEA will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA circumstance (No. 6) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, the LEA will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for the LEA and each wish to take leave for the birth of a child, adoption, or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the LEA and each wish to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

#### ☐ **EMPLOYEE STATUS AND BENEFITS DURING LEAVE**

While an employee is on leave, the LEA will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the LEA will require the employee to reimburse the LEA the amount it paid for the on the employee's behalf to maintain benefits other than group health plan benefits.

Under current LEA policy, the employee pays a portion of the health care premium. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail.

The payment must be received in the **Accounting Department by the 10<sup>th</sup> day of each month**. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. The employer will provide 15 days' notification prior to the employee's loss of coverage.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether the employee returns to work or not.

#### ☐ **EMPLOYEE STATUS AFTER LEAVE**

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from a health care provider. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one that is virtually identical in terms of pay, benefits and working conditions. The LEA may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee.

#### ☐ **USE OF PAID AND UNPAID LEAVE**

An employee who is taking FMLA leave because of the employee's own serious health condition, or the serious health condition of a family member must use all paid vacation, personal or sick leave prior to being eligible for unpaid leave. Sick leave may be run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

Disability leaves for the birth of a child and for an employee's serious health condition, including workers compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. For example, if an employer provides six weeks of pregnancy disability leave, the six weeks will be designated as FMLA leave and counted toward the employee's 12-week entitlement. The employee may then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the 12-week entitlement. An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal or family leave prior to being eligible for unpaid leave.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation, personal leave, or sick leave (if the reason for the absence is covered by the LEA's sick leave policy) prior to being eligible for unpaid leave.

#### ☐ **INTERMITTENT LEAVE OR A REDUCED WORK SCHEDULE**

The employee may take FMLA leave in twelve (12) consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of twelve (12) workweeks (or 26 workweeks to care for an injured or ill servicemember over a 12-month period).

The LEA may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth or placement for adoption or foster care.



For the birth, adoption or foster care of a child, the LEA and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the LEA before taking intermittent leave or working a reduced-hour schedule. If this is not possible, then the employee must that the use of the leave is medically necessary.

#### ☐ **CERTIFICATION FOR THE EMPLOYEE'S SERIOUS HEALTH CONDITION**

The LEA will require certification for the employee's serious health condition. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition.

The LEA may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The LEA will not use the employee's direct supervisor. Before the LEA makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the LEA will obtain the employee's permission for clarification of individually identifiable health information.

The LEA has the right to ask for a second opinion if it has reason to doubt the certification. The LEA will pay for the employee to get a certification from a second doctor, which the LEA will select. The LEA may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the LEA will require the opinion of a third doctor. The LEA and the employee will mutually select the third doctor, and the LEA will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

#### ☐ **CERTIFICATION FOR THE FAMILY MEMBER'S SERIOUS HEALTH CONDITION**

The LEA will require certification for the family member's serious health condition. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition.

The LEA may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The LEA will not use the employee's direct supervisor. Before the LEA makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the LEA will obtain the employee's family member's permission for clarification of individually identifiable health information.

The LEA has the right to ask for a second opinion if it has reason to doubt the certification. The LEA will pay for the employee's family member to get a certification from a second doctor, which the LEA will select. The LEA may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary, to resolve a conflict between the original certification and the second opinion, the LEA will require the opinion of a third doctor. The LEA and the employee will mutually select the third doctor, and the LEA will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

#### ☐ **CERTIFICATION OF QUALIFYING EXIGENCY FOR MILITARY FAMILY LEAVE**

The LEA will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

#### ☐ **CERTIFICATION FOR SERIOUS INJURY OR ILLNESS OF COVERED SERVICEMEMBER FOR MILITARY FAMILY LEAVE**

The LEA will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Servicemember.

#### ☐ **RECERTIFICATION**

The LEA may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every thirty (30) days unless circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for absence, or if the employee seeks an extension of his or her leave. Otherwise, the LEA may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. The LEA may provide the employee's health care provider with the employee's attendance records and ask whether the need for leave is consistent with the employee's serious health condition.

☐ **PROCEDURE FOR REQUESTING FMLA LEAVE**

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the Human Resource Department either directly by phone (682) 324-2500 or via email [awbrownhr@jgdickson.com](mailto:awbrownhr@jgdickson.com). Within five (5) business days after the employee has provided this notice, the HR manager will complete and provide the employee with the DOL Notice of Eligibility and Rights.

☐ **LEAVE THAT IS FORESEEABLE**

In general, the employee must give the employer at least 30 days advance notice of the need to take FMLA leave when he or she knows about the need for the leave in advance and it is possible and practical to do so. For example, if the employee is scheduled for surgery in two months, the need for leave is foreseeable and at least thirty (30) days advance notice is required. If 30 days advance notice is not possible because the situation has changed or the employee does not know exactly when leave will be required, the employee must provide notice of the need for leave as soon as possible and practical. When the employee has no reasonable excuse for not providing at least thirty (30) days advance notice, the employer may delay the FMLA leave until thirty (30) days after the date notice is provided. When the employee could not have provided thirty (30) days advance notice but has no reasonable excuse for not providing a shorter period of advance notice, the employer may delay the FMLA leave by whatever amount of time that the employee delayed in notifying the employer.

Please contact the benefits coordinator in advance of any possible FMLA leave to ensure all paperwork and details are handled accordingly.

☐ **DESIGNATION OF FMLA LEAVE**

Within five (5) business days after the employee has submitted the appropriate certification form, the HR manager will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice.

☐ **INTENT TO RETURN TO WORK FROM FMLA LEAVE**

On a basis that does not discriminate against employees on FMLA leave, the LEA may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

## *Social Media and Electronic Devices*

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## SOCIAL MEDIA IN THE WORKPLACE

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The term “social media” includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board, or a chat room, whether associated or affiliated with the LEA, as well as any other form of electronic communication. The same principles and guidelines found in the LEA rules, policies and procedures apply to an employee’s social media activities online.

Any conduct that adversely affects an employee’s job performance or the performance of fellow employees, or otherwise adversely affects the LEA’s legitimate business interests, may result in disciplinary action, up to and including termination. Similarly, inappropriate postings, including but not limited to discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may result in disciplinary action, up to and including termination. However, this restriction will not apply to any postings made in the exercise of any rights granted to an employee by federal law.

**All social media postings MUST be pre-approved by  
Campus Principal or Supervisor  
PRIOR TO POSTING  
\*No Exceptions\***

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## ❑ PERSONAL ACCOUNTS

A. W. Brown Leadership Academy does not take a position on an employee's decision to participate in blogs, wikis, social media pages, etc. for personal use on personal time. If, however, staff members choose to do so, staff members should not communicate with scholars and families regarding topics pertaining to their work with AWBLA.

A. W. Brown Leadership Academy prohibits employees from being friends or connecting with scholars on any social media platform such as Facebook, Twitter, Snapchat, Instagram, and others. Staff must avoid posting scholar information, pictures, work product exemplars on personal social media sites, blogs, etc. **Parental consents apply only to school-sanctioned sites.** Be aware that even with the most stringent privacy settings, photo tagging and other tools may make personal information regarding scholars and their families publicly available.

When using personal social media sites, if you identify yourself as an employee of AWBLA, you must remember that you have associated yourself with the school, your colleagues, and your school community; therefore, your online behavior must reflect the same standards of professionalism, respect, and integrity as your face-to-face communications. You must ensure that any associated content is consistent with the mission and work of the school.

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

## ❑ PROFESSIONAL ACCOUNTS

When using social media sites/products for school related purposes, employees must use AWBLA district-sanctioned platforms (e.g., Facebook and Instagram). Employees should not communicate with parents and scholars with a personal email account. Professional communications between employees, scholars, and parents should be through a school approved program or device (e.g., Dojo, Schoology, PowerSchool).

## ❑ AUDIO AND VIDEO RECORDINGS AND SOCIAL MEDIA POSTINGS

An employee is prohibited from making any audio or video recording of school staff or scholars. An employee is also prohibited from making social media postings including school staff or scholars while acting in the course and scope of their employment or while on school property without the written consent of all parties subject to the recording. An employee must not post anything regarding a scholar without first ensuring parental consent is on file with the school. School functions such as athletic activities or performances are exempt from this prohibition.

## **SECURITY OF SCHOOL PROPERTY AND ELECTRONIC DEVICES**

Employees may use A. W. Brown Leadership Academy property only for a purpose that is consistent with applicable law and to implement a program that is described in A. W. Brown Leadership Academy charter. Failure to comply with this section may result in disciplinary action, up to and including termination.

### **☐ COMPUTER AND INTERNET USE**

The use of A. W. Brown Leadership Academy computers, computer networks, electronic mail, and the Internet is only for educational and administrative purposes. The access of material that is obscene, child/adult pornography, or harmful to minors is prohibited.

### **☐ EMAIL**

Electronic mail is like any other form of A. W. Brown Leadership Academy communication and may not be used for harassment or other unlawful purposes. Your email account is AWBLA-provided privilege and the property of A. W. Brown Leadership Academy. Remember that when you send an email from the AWBLA domain, you represent A. W. Brown Leadership Academy whether your message is business-related or personal.

As noted above, electronic mail is always subject to monitoring, and the release of specific information is subject to applicable laws and AWBLA rules, policies, and procedures on confidentiality. Existing rules, policies and procedures governing the sharing of confidential information also apply to the sharing of information via commercial software.

### **☐ INTERNET ACCESS**

Access to the Internet is given principally for work-related activities or approved educational/training activities. Incidental and occasional personal use and study use is permitted. This privilege should not be abused and must not affect the employee's performance of employment-related activities.

The email and internet system is at all times the property of A. W. Brown Leadership Academy. By accessing the Internet, Intranet and electronic mail services through facilities provided by AWBLA, you acknowledge that A. W. Brown Leadership Academy (by itself or through its Internet Service Provider) may from time-to-time monitor, log and gather statistics on employee Internet activity and may examine all individual connections and communications. Please note that AWBLA uses email filters to block spam and computer viruses. These filters may from time-to-time block legitimate email messages.

Employees may not access, download, or distribute material that is illegal, or which others may find offensive or objectionable, such as material that is pornographic, discriminatory, harassing, or an incitement to violence. You must respect and comply with copyright, trademark, and similar laws, and use such protected information in compliance with applicable legal standards. When using web-based sources, you must provide appropriate attribution and citation of information to the websites. Software must not be downloaded from the Internet without the prior approval of qualified people within A. W. Brown Leadership Academy.

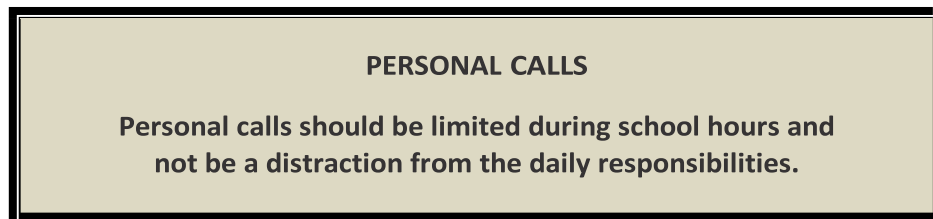
In all circumstances, the use of Internet access and email systems must be consistent with the law and A. W. Brown Leadership Academy policies. Violation of this policy is a serious offense and subject to the requirements of the law, may result in a range of sanctions, from restriction of access to electronic communication facilities to disciplinary action, up to and including termination.

#### ❑ **MOBILE DEVICES**

scholars, Administration, Faculty, Parents and Guests expect our full attention and service. Personal calls should be limited while in the office or on a campus location. Use of mobile devices for business must comply with all policies of A. W. Brown Leadership Academy.

During A. W. Brown Leadership Academy office hours for both campus sites, focus should be toward the ongoing responsibilities and duties for each professional and staff member. A mobile device can be a distraction and should not affect the employee's performance during AWBLA hours. Personal calls should be limited during the day and should not be a distraction from the daily responsibilities in the classroom or office or campus.

Employees who receive an issued cell phone are expected to monitor phone calls during business hours. Phone calls received on an A. W. Brown Leadership Academy issued phones are to be answered and conducted in the same professional manner as an office or a business-related phone.



Employees of A. W. Brown Leadership Academy 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 A. W. Brown Leadership Academy must reimburse A. W. Brown Leadership Academy.
- Such incidental personal use must not impede the functions of A. W. Brown Leadership Academy.
- The use of A. W. Brown Leadership Academy property for private commercial purposes is strictly prohibited.
- Only incidental amounts of an employee's time for personal matters.

An employee may be required to compensate A. W. Brown Leadership Academy for any damage and/or destruction the employee causes to A. W. Brown Leadership Academy property. A violation(s) of this section may result in disciplinary action, up to and including discharge.



## ❑ ELECTRONIC COMMUNICATIONS

E-mail, voice mail and other electronic communications transmitted on A. W. Brown Leadership Academy equipment, systems or networks may not contain any content that would reasonably be considered offensive, harassing, or disruptive to another individual. Offensive content would include sexual comments or images, racial slurs, gender-specific comments, or any comments that might be construed as offensive by a reasonable person based on race, age, sex, sexual orientation, religious or political beliefs, national origin, or disability.

Regarding Internet and e-mail access and use, employees should be advised that the LEA expressly prohibits use of A. W. Brown Leadership Academy provided Internet and e-mail for the following activities:

- Dissemination or printing of copyrighted materials, including articles and software, in violation of copyright laws.
- Sending, receiving, printing or otherwise disseminating proprietary data, trade secrets or other confidential information of A. W. Brown Leadership Academy or its school counterparts in violation of AWBLA policy or proprietary agreements.
- Using offensive or harassing statements or language, including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs.
- Sending or soliciting sexually oriented messages or images.
- Operating a business, usurping business opportunities, soliciting money for personal gain, or searching for jobs outside A. W. Brown Leadership Academy.
- Sending chain letters or emails.
- Gambling or engaging in any other activity in violation of local, state, or federal law.
- Circulating jokes, comics, or non-related computer graphics.

## ❑ VIOLATIONS OF ELECTRONIC COMMUNICATIONS POLICY

Disciplinary action for violation of this policy may include termination or suspension of the offending employee. In cases involving less serious violations, disciplinary action may consist of a warning or reprimand. Remedial action may also include counseling, changes in work assignments or other measures designed to prevent future misconduct. The measure of discipline will correspond to the gravity of the offense as weighed by its potential effect on A. W. Brown Leadership Academy and fellow employees. Nothing in this policy should be construed to prohibit conduct that is expressly permitted or protected under applicable federal, state, or local laws.

**Disciplinary action for violation of this policy  
may include termination or suspension,  
of the offending employee.**

## *Employment Standards*

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# EMPLOYMENT STANDARDS

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## **PROFESSIONAL GUIDELINES/EXPECTATIONS**

As members of an educational institution, A. W. Brown Leadership Academy employees are expected to model the following professional guidelines:

- **JOB PERFORMANCE/DUTIES**
  - Meet established expectations of job performance.
  - Responsibly in the performance of job duties.
  - Carry out duties as assigned or requested for required school events.
  - Meet all deadlines.
  - Responsibly care for school property, supplies, and equipment.
  - Properly maintain bulletin boards according to district schedule.
  - Refrain from non-work-related telephone and computer use during instruction and duty period.
  - Monitor daily district mailboxes, emails, and voicemails; respond appropriately in a timely manner.
  - Review all written district communiques.
  - Abstain from all headphones/earbuds during school hours without authorization.
  - Respect the personal and privacy rights of all during AWBLA business.
- **COMMUNICATION**
  - Represent a positive image in both speech and behavior.
  - Communicate with others (staff, scholars, parents, etc.) in a positive tone.
  - Address fellow staff members by appropriate title (Mr. or Ms.).
  - Model correct grammar.
- **WORK ENVIRONMENT**
  - Maintain a clean, orderly work area.
  - Promote positive school culture.
  - Foster a work environment that is conducive to collegiality.
  - Model a professional appearance and demeanor conducive to the workplace.

## **TELECOMMUTING**

Based on current state and federal guidance, Texas schools are no longer offering telecommuting options. Therefore, in alignment with state and federal guidance and to encourage student engagement and success, telecommuting is not a viable option and requests for telecommuting will be denied.

## WORKPLACE POLICIES

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### EMPLOYEE DRESS CODE

The professional appearance policy of A. W. Brown Leadership Academy professional appearance policy follows the **business professional** expectations. Please keep in mind that the “School” is where educators, colleagues, professionals, guests, and others often visit. As always, please use common sense in your choice of business attire.

In general terms, dress codes range from business professional to business casual. However, “business professional” is the expected dress code unless otherwise directed by your supervisor. All actions, including appearance and dress, are expected to align with high professional standards. As professionals, you are expected to exercise good judgment and dress professionally.

Because it is difficult to establish a specific dress standard, A. W. Brown Leadership Academy administrators may require an employee to change their attire in their best judgment of the district’s dress code and violations. Additionally, administrators may require an employee to cover tattoos and/or remove facial jewelry.

Exceptions to the dress code may be considered to make reasonable accommodations for an employee’s disability, as defined by the Americans with Disabilities Act of 1990, or an employee with sincerely held religious beliefs.

### MEN PROFESSIONAL DRESS STANDARDS (ATTIRE AND GROOMING)

- Dress pants or slacks (creases in pants help improve the image of the apparel).
- Collared, polo, and button-down shirts.
- Sweaters, turtlenecks, and Henley shirts.
- Ties and dress coats are recommended but not required.
- Cologne or aftershave to be unobtrusive.
- Dress shoes: Tennis shoes are **not** allowed except for dress-down days.
- Facial hair must be neat and well groomed.

### INAPPROPRIATE ATTIRE AND GROOMING FOR MEN

- T-Shirts and jeans (except during special days determined by the principal); in no case should Graphic tees be worn.
- Tattered cuffs, tears in clothing, and heavy wear marks.
- Sweatpants and jogging suits; *P.E. teachers are exempt.*
- Hats, head coverings/wraps (not permitted in the building).
- House shoes, slippers, flip-flops, nor slides (at any time).
- Visible body tattoos that are sexual or profane in nature (i.e., depiction of drugs, drug paraphernalia, sex symbols, profane language).
- Piercings (i.e., earrings, nose, and tongue rings).

### **WOMEN PROFESSIONAL DRESS STANDARDS (ATTIRE AND GROOMING)**

- Dress pants, slacks, capris, dresses, or skirts.
- Blouses and shirts (collared, polo, button-down).
- Sweaters, turtlenecks, Henley shirts and other blouses (with or without collars) that would be considered professional in nature. NOTE: Blouses should be cut in such a way as to exceed the expectations of scholar dress.
- Dresses (knee length; no low plunging necklines or backlines).
- Blazers, coats, and vests (add to professional image but are not required).
- Makeup, perfume, or cologne to be unobtrusive.
- Shoes (back strap required).

### **INAPPROPRIATE ATTIRE AND GROOMING FOR WOMEN**

- T-Shirts and jeans (except during special days determined by the principal); in no case should Graphic tees be worn.
- Sheer and form fitting garments.
- Leggings, jeggings, yoga pants, sweatpants, and jogging suits; PE teachers are exempt.
- Tattered cuffs, tears in clothing, and heavy wear marks.
- House shoes, slippers, flip-flops, nor slides (at any time).
- Hats, head coverings/wraps (not permitted in the building).
- Visible body tattoos that are sexual or profane in nature (i.e., depiction of drugs, drug paraphernalia, sex symbols, profane language).
- Nose and tongue piercings.

### **PHYSICAL EDUCATION (PE) PROFESSIONAL STANDARDS**

Physical Education instructors should wear shirts with collars and shorts/pants that exhibit professional athletic attire. Employees' attire should be neat and clean and appropriate for a professional appearance. While shoes must always be worn, house shoes (e.g., slippers) and flip-flops are not allowed.

### **DATING IN THE WORKPLACE**

Employees who are in administration/management/supervisory roles are prohibited from dating any employee over whom they have direct or indirect supervision. Also, individuals who work within the Human Resources Department are prohibited from dating any A. W. Brown Leadership Academy employee.

If two employees are involved in a dating relationship it will be presumed by A. W. Brown Leadership Academy that the relationship is welcomed by both parties unless one or the other notifies A. W. Brown Leadership Academy to the contrary. Public displays of affection and favoritism in the course of employment are prohibited.

Conduct that occurs during a disagreement or following a termination of the relationship must not violate A. W. Brown Leadership Academy harassment policy.

### **EMPLOYEE AND SCHOLAR ROMANTIC RELATIONSHIPS**

All AWBLA employees will recognize and respect the rights of scholars, as established by local, state, and federal law. Employees shall always maintain a professional relationship and exhibit a professional demeanor in their interactions with scholars. Employees shall not form personally intimate or romantic relationships with scholars, regardless of whether the scholar is 18 years old. Intimate physical contact and improper electronic communications between an employee and a scholar is strictly prohibited. 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.

### **EMPLOYEE MONITORING**

Employees do not have an expectation of privacy in any work areas (e.g., offices, desks, file cabinets, etc.) or in any A. W. Brown Leadership Academy property, either owned or leased. Work areas and AWBLA property are subject to search at any time. Any of the following may be monitored if they occur during business hours and/or on school property:

- Phone calls
- Voicemail
- Email (work and personal)
- Internet activity

### **OUTSIDE EMPLOYMENT**

Employees of A. W. Brown Leadership Academy are expected to work solely for the district during their work schedule. Outside employment is not prohibited, but outside employment **must not** interfere with AWBLA obligations.

Any outside employment, whether self-employment or working for another employer, should be immediately disclosed to an approved by the supervisor. In certain circumstances, such outside employment may be permitted by A. W. Brown Leadership Academy, however the school retains the right to review and evaluate each situation on an individual basis.

### **FORMER EMPLOYEES**

Former employees may not enter areas that are not open to the public after they are no longer employed by A. W. Brown Leadership Academy. Former employees shall not have access to email, school records, or any other information available only to school employees.

### **SAFETY IN THE WORKPLACE**

A. W. Brown Leadership Academy is committed to providing individuals with a safe and healthy workplace. Staff and Personnel can help keep our campuses, offices, administrative areas, classrooms, and common areas a safe place to work by practicing workplace safety techniques including, but not limited to:

- Securely store items that are unused.
- Close all file drawers.
- Keep work area clear of clutter.
- Ask for assistance before lifting heavy objects.
- Be attentive to your surroundings to avoid injuries.
- Use caution when transferring heavy, bulky items or school materials.
- Prepare work areas appropriately for daily campus routines and activities.
- Ensure contact information and emergency contacts information are updated.

**Employees are responsible for maintaining the workspace assigned to them. A clean, orderly workspace provides an environment conducive to working efficiently and for our scholars as they move about the campus areas.**

**Employees should keep in mind that their workspace is part of a professional environment that portrays A. W. Brown Leadership Academy overall dedication to providing quality service to the scholars first and foremost, their parents and A. W. Brown Leadership Academy guests. Therefore, your classrooms, office areas, and administrative areas should be clean, organized, and free of items not required to perform your job.**

### **SUPERVISION OF STAFF CHILDREN**

The listed guidelines are for the safety of staff children:

- ✓ Arrange proper childcare during professional hours that are obligated to the district.
- ✓ Ensure that children always remain under the direct supervision of the parent.
- ✓ Prohibit children from being in unauthorized areas.
- ✓ Make certain that children are not taking or abusing district property nor the personal property of others.
- ✓ Refrain from leaving children on campus while the parent is away.

## **DRUG-FREE WORKPLACE**

A. W. Brown Leadership Academy 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 A. W. Brown Leadership Academy business is prohibited.

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

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

A. W. Brown Leadership Academy 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 workplace 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.



## **SUSPICIOUS BEHAVIOR**

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

## **VIOLENCE IN THE WORKPLACE**

A. W. Brown Leadership Academy is committed to providing a safe workplace that is free from violence or threats of violence. **Any acts of violence in the workplace** are prohibited and subject to disciplinary action, up to and including discharge. Additionally, ANY 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 (parking lot) or any school-related event are encouraged to notify their supervisor or the Human Resources Department.

Any employee who receives a protective or restraining order that lists A. W. Brown Leadership Academy as a protected area is required to provide the Director of Human Resources with a copy of the order and information requested by A. W. Brown Leadership Academy to identify the individual subject to the order.

## **WEAPONS AND FIREARMS IN THE WORKPLACE**

A. W. Brown Leadership Academy 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, vehicles on school property) or any grounds or building where a school-sponsored activity takes place. This prohibition excludes district appointed marshals, security, etc. In addition, AWBLA 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.

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.

However, A. W. Brown Leadership Academy 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.

## *Separation of Employment*

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## **SEPARATION FROM EMPLOYMENT**

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### **DISTRICT DEDUCTIONS**

In the event of separation, whether voluntarily or involuntarily, the district will deduct from an employee's final paycheck and/or expense reimbursement all money owed to the district for any reason, including but not limited to, charges for personal telephone calls, personal charges on any district business cards issued to an employee, any outstanding insurance premiums, and any overpaid payments by the district. Additionally, failure to return any district equipment or supplies provided during employment, including but not limited to, uniforms, electronic devices, athletic equipment, etc., will result in a deduction from the employee's final paycheck and/or final expense reimbursement check.

### **RESIGNATION**

An employee is expected, but not required, to give as much advance notice as possible regarding their resignation from A. W. Brown Leadership Academy. Typically, two weeks (10 business days) is considered sufficient notice time. A. W. Brown Leadership Academy requests that employees submit their resignation in writing to their supervisor; the writing should include the employee's anticipated last day of the workday.

### **TERMINATION**

To reduce the risk of employee violence or vandalism, the employee may be escorted to the exit upon termination from employment.

The terminated employee is prohibited from taking any A. W. Brown Leadership Academy property or information with him/her; the employee is not to retain in hard copy or soft copy any district information. A. W. Brown Leadership Academy reserves the right to examine any boxes, briefcases, or other receptacle of an employee's separation of employment to ensure these rules are being followed.

An employee who has been terminated is not to return to the premises of A. W. Brown Leadership Academy without prior written approval from the Human Resources Department or the campus principal/ direct supervisor.

# SEPARATION FROM EMPLOYMENT

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## **PURPOSE**

It is the policy of A. W. Brown Leadership Academy to ensure that employee terminations, including voluntary and involuntary terminations and terminations due to the death of an employee, are handled in a professional manner with minimal disruption to the school.

## **AT-WILL EMPLOYMENT**

Employment with A. W. Brown Leadership Academy is voluntary and subject to termination by the employee of A. W. Brown Leadership Academy at will, with or without cause, and with or without notice, at any time. Nothing in these policies should be interpreted to conflict with or to eliminate or modify in any way the employment-at-will status of A. W. Brown Leadership Academy.

## **VOLUNTARY TERMINATION**

A voluntary termination of employment occurs when an employee submits a written or verbal notice of resignation to his or her supervisor or when an employee is absent from work for three consecutive workdays and fails to contact his or her supervisor (job abandonment).

Employees are required to either speak directly or email their immediate supervisor. Under no circumstances is the employee to notify a colleague or an office manager or any other employee.

## ***Procedures***

1. Employees are requested to provide a minimum of two weeks' notice of their intention to separate from A. W. Brown Leadership Academy to allow a reasonable amount of time to transfer ongoing workloads or make specific arrangements for their respective classroom and scholars.
2. The employee should provide a written resignation notification to his or her supervisor.
3. Upon receipt of an employee's resignation, the supervisor will notify Human Resources (HR) by sending a copy of the resignation letter and any other pertinent information such as the employee's reason for leaving, their final day at work, etc.
4. The HR department will coordinate the employees' out-processing. This process will include returning all A. W. Brown Leadership Academy property (i.e., computer, keys, specific equipment, Prox-Card, etc.)
5. Human Resources will conduct the exit interview.

## **INVOLUNTARY TERMINATION (GENERAL)**

The inability of an employee to perform the essential functions of his or her job with or without reasonable accommodation may also result in involuntary termination. An employee may also be discharged for any legal reason, including but not limited to misconduct, tardiness, absenteeism, unsatisfactory performance, or inability to perform.

## **INVOLUNTARY TERMINATION (REDUCTION IN FORCE OR LAYOFF)**

An involuntary termination of employment, including layoffs of over 30-days, is a management-initiated dismissal with or without cause. A reduction in force may be necessary due to a lack of funding in times of economic downturn, such as State or Federal grants, a lack of work to be performed, a reduction in the workforce to ensure financial stability of the school, or a decrease in student enrollment.

A layoff may also be based on organizational changes such as the elimination of certain programs or services that are no longer needed in support of the school or a reorganization to better streamline job responsibilities based on student needs within A. W. Brown Leadership Academy campus or district. Other organizational changes such as the elimination of certain programs or services may also be a consideration to better serve our scholars.

### ***Procedures***

- 1) Schedule a meeting with key leaders to discuss viable options for a Reduction in Force.
- 2) Require the highest level of confidentiality throughout the process.
- 3) Develop a timeline with the team.
- 4) The employee selection process must be objective, fair, and documented in the event it is ever questioned.
- 5) Examples of common criteria chosen when evaluating which employees to be exited:
  - a) Documented performance.
  - b) Years of service.
  - c) Critical skills.
  - d) Performance.
  - e) Attendance.
- 6) Human Resources to schedule a specific date and time to meet individually with each employee.
  - a) Meeting place should provide separate entrance and exit for privacy.
  - b) Consider a security guard to be in the building and/or outside the building.
- 7) Human Resources should reach out directly to each employee by phone, followed by an email if a brief voicemail message is left for a return call.
  - a) Design a script for consistency with each employee contact.
  - b) Schedule meeting within 3-4 days of phone call.
  - c) Call a maximum of 3-times (documenting time / date of call).
  - d) If an employee does not return a call, follow-up with an email to their AWBLA email address and personal email address.
  - e) Email is to be compiled by the HR Manager, then reviewed and approved by the Executive Director of Human Resources.

- 8) Employees' Initial meeting will be with their direct supervisor.
    - a) HR representative will be present.
    - b) Meetings should be limited to no more than 5 minutes.
  - 9) Human Resources is to provide the following packet to each employee at conclusion of meeting:
    - a) Letter to employee effectively communicating the reasons why the RIF occurred.
    - b) Provide a personal letter of recommendation to each employee.
    - c) Provide their A. W. Brown Leadership Academy Service Record.
    - d) Provide a brief list of employment opportunities within the area, in support of their respective position (job title).
- ✓ **Before any action is taken to involuntarily discharge an employee, the employees' supervisor must request a review by A. W. Brown Leadership Academy Administration and Human Resources.**
  - ✓ **The termination review (AWBLA Administration and Human Resources) will be responsible for reviewing the circumstances and determining if discharge is warranted. If the review recommends discharge, the employees' supervisor will notify the employee.**
  - ✓ **All documentation in support of the termination will be sent to Human Resources to be placed in the employee's personnel file.**

*\*Discharging an employee, for example, may include but are not limited to: performance, tardiness, poor attendance, failure to fulfill their required responsibilities, misconduct, not following through with specific requirements such as clocking in and out, drug or alcohol possession at work, falsifying records, relaying confidential information to outside parties, stealing, refusing to obey instructions, violating A. W. Brown Leadership Academy policies and procedures, unethical conduct, harassment.*

## **INVOLUNTARY TERMINATIONS (GENERAL) REPOSTING VACANCY**

Positions eliminated due to funding cannot be reposted or filled for a minimum of 90 days.

## **DEATH OF AN EMPLOYEE**

At termination due to the death of an employee will be made effective as of the date of death.

### **Procedures**

- 1) Upon receiving notification of the death of an employee, the employee's supervisor should immediately notify Human Resources.
- 2) The Benefits Administrator will immediately notify insurance carrier of the date of death.
- 3) Payroll should be notified immediately to update systems including TRS notification.

## **FINAL PAY**

An employee who resigns or is discharged will be paid through the last day of work according to the regular pay cycle. In cases of an employees' death, the final pay due to that employee will be paid to the deceased employees' estate or as otherwise required under Texas state law.

*\*The final pay for a deceased employee is the property of the deceased person's estate, and the one who is authorized to receive that property on behalf of the estate is the executor or the administrator. Thus, the final pay would go to the legal representative of the deceased employee's estate.*

## ***Non-Discrimination and Anti-Harassment***

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# NON-DISCRIMINATION AND ANTI-HARASSMENT

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## **NON-DISCRIMINATION**

A. W. Brown Leadership Academy, is an equal opportunity educational provider and employer, does not discriminate based on race, color, ethnicity, religion, national origin, gender, disability, sexual orientation, genetic information, gender identity, or gender expression or any other basis protected by law in educational programs or activities that it operates or in employment decisions. The District is required by *Title VI and Title VII of the Civil Rights Act of 1964*, *Title IX of the Education Amendments of 1972* (the “Final Rule”, May 2020), Section 504 of the *Rehabilitation Act of 1973*, the *Age Discrimination Act of 1975*, the *Americans with Disabilities Act of 1990*, as well as board policy not to discriminate in such a manner. (Not all prohibited bases apply to all programs.)

## **REASONABLE ACCOMMODATION**

In the event an employee needs to request a reasonable accommodation or a variance in A. W. Brown Leadership Academy stated policies and/or procedures due to the employee’s disability (as defined by the Americans with Disabilities Act) or the employees sincerely held religious belief, the employee should immediately notify his or her supervisor and/or the Human Resources Department.

### ☐ Reasonable Accommodation for Physical or Mental Impairment

A. W. Brown Leadership Academy 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 district. A. W. Brown Leadership Academy encourages all employees to inform their supervisor and/or Human Resources of any mental or physical impairment that substantially limits an employee’s major life activity.

### ☐ Reasonable Accommodation for Sincerely Held Religious Beliefs

A. W. Brown Leadership Academy will make reasonable accommodation for an employee’s sincerely held religious beliefs or practices unless the requested accommodation creates an undue hardship for the district.

### ☐ 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.

## **ANTI-HARASSMENT**

A. W. Brown Leadership Academy District expressly prohibits racial, national origin, ethnic, religious, disability, genetic information, gender, gender identity, gender expression, or sexual orientation harassment of its scholars, employees, and those who seek to join the campus community in any capacity or those who interface with the district, i.e., citizens, parents, vendors. District employees are expected to treat scholars with courtesy and respect. Scholars are expected to treat other scholars and district employees with courtesy and respect, to avoid behaviors known to be offensive, and to stop those behaviors when asked or told to stop.



Examples of harassment include, but are not limited to, threatening or intimidating conduct; verbal, written, electronic, or physical conduct; and any other demonstrative actions based on race, color, ethnic origin, nationality, religious preference, disability, genetic information, gender, gender identity, gender expression, or sexual orientation that has the purpose or effect of creating a hostile, intimidating, or offensive learning environment and substantially interfering with the learning environment.

### **RETALIATION**

Retaliation against a person who makes a good faith report of discrimination or harassment is prohibited. Retaliation against a person who is participating in an investigation of alleged discrimination or harassment is also prohibited. However, an individual's exercise of rights protected by the First Amendment of the United States Constitution does not constitute prohibited retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith during an investigation or grievance proceeding also does not constitute retaliation.

### **REPORTING PROCEDURES**

Any employee or scholar who believes that he or she has experienced discrimination, harassment, or retaliation should immediately adhere to the following:

- **Employees**- report the problem to their direct supervisor; however, should the complaint be against the supervisor, then it should be filed with the next level of authority (their direct supervisor).
- **Scholars**- all allegations involving a scholar shall be reported to a teacher, counselor, or campus principal. However, should the complaint be against the campus administrator, then it should be filed with the next level of authority. No procedure in district policy shall have the effect of requiring the scholar alleging harassment to bring the matter to the person who is the subject of the complaint.

The District's **Formal Complaint** guidelines and forms are in the Grievance Procedures Section of the handbook. Upon receiving any complaints, the district will determine whether the allegations would constitute an official investigation in which district officials shall promptly begin with allegations of discrimination, harassment, and retaliation. If law enforcement or other regulatory agency notifies the district that it is investigating the matter and requests that the district delay its investigation, the district will resume the investigation at the conclusion of the agency's investigation. If the allegations are proven as prohibited conduct as defined by policy, disciplinary actions as deemed appropriate pursuant to the district policy will be taken. All parties involved will be notified at the conclusion of the investigation. An employee who is dissatisfied with the outcome of the investigation may appeal in accordance with the district's Grievance Procedures.

**The wishes of the Complainant are always considered and weighed against community safety. Disclosure of private information is limited to reasonable necessity when assessing matters.**

### **FALSE CLAIMS**

Filing false allegations is strictly prohibited and may result in disciplinary action. Any person who intentionally makes a false claim or offers false statements may be subject to all available state and district penalties.

### **CONFIDENTIALITY**

To the greatest extent possible, the District keeps the identity of complainants, respondents, and witnesses confidential unless disclosure is required by law or necessary to carry out a hearing proceeding. Limited disclosures may be necessary for the District to conduct a thorough investigation and to preserve the rights of complainants, respondents, and witnesses.

**A. W. Brown Leadership Academy is committed to protecting its scholars and employees from discrimination, harassment, or retaliation for any reason and of any type. All scholars and employees are entitled to a safe, equitable, and harassment free environment. Such infractions will not be tolerated and shall be just cause for disciplinary action.**

## *Title IX*

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## TITLE IX

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### **TITLE IX REGULATIONS- SEX DISCRIMINATION AND SEXUAL HARASSMENT**

A. W. Brown Leadership Academy prohibits sex discrimination in any of its educational programs or activities. Sexual harassment, including sexual assault, constitutes as unlawful sex discrimination.

*“No person in the United States, shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance . . .”* Title IX of the Education Amendments of 1972.

Sex discrimination under **Title IX** is any conduct that is so severe, pervasive, and objectively offensive that it denies individuals equal access to a school program or activity such as:

- Denying a person admission to the school based on sex.
- Declining to hire someone because of their sex.
- Providing “better” educational resources to male scholars than to female scholars.
- Unwelcome sexual comments, advances, name calling, etc. based on sex.

The “**Final Rule**” (May 2020) defines sexual harassment as conduct based on sex that satisfies one or more of the following:

- A school employee conditions the provision of an aid, benefit, or service of the school on an individual’s participation in unwelcome sexual conduct (*quid pro quo* harassment).
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school’s education program or activity (hostile environment harassment).
- Sexual assault, dating violence, domestic violence, or stalking as those terms are defined in various federal laws (the *Clergy Act* and *Violence Against Women Act*).

The District prohibits all employees from engaging in offensive verbal, written, electronic, or physical conduct of a sexual nature directed toward another individual. This prohibition applies whether the conduct is by word, gesture, or other intimidating sexual conduct, including requests for sexual favors that a person regards as offensive or provocative. Examples of prohibited sexual harassment may include but are not limited to touching private body parts or coercing physical contact that is sexual in nature; sexual advances; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

Sexual harassment of scholars by employees of the district is strictly prohibited. Any romantic or inappropriate social relationship, including any sexual relationship, between a scholar and a district employee is prohibited, even if consensual. Sexual contact between an employee of the district and a scholar is a second-degree felony, according to the Texas Penal Code. Necessary or permissible physical contact that is not reasonably construed as sexual in nature does not constitute sexual harassment.

## **JURISDICTION UNDER TITLE IX**

AWBLA has jurisdiction over sexual harassment claims when the conduct at issue occurs in the district's *education program or activity*. This includes locations, events, or circumstances over which the school exercised substantial control over both the respondent and the context in which the sexual harassment occurred. Title IX applies to *all* the district's education programs or activities, whether they occur on- campus or off-campus. This includes athletic events, extracurricular activities, field trips, regular instructional activities, etc.

## **TITLE IX REPORTING PROCEDURES**

**Any person** may report sex discrimination, including sexual harassment, regardless of whether the person making the report is the alleged victim. This is considered an informal complaint at this given time. An informal complaint can be verbal or written; and can also be reported by mail, telephone, email, or in person.

**To any employee** of A. W. Brown Leadership Academy, including both campus and non-campus staff such as bus drivers, central, and business office staff.

**At any time**, including non-business hours, by using the telephone number or e-mail address, or by mail to the office address listed for a Title IX Coordinator.

**HUMAN RESOURCES TITLE IX COORDINATOR(S)** is the district's official designee for conducting all Title IX grievance proceedings. A formal complaint must be filed with the Title Coordinator to initiate the formal complaint process. If the alleged conduct does not fall under Title IX's jurisdiction or definition; the district can still proceed under other policies regarding non-discrimination, anti-harassment, bullying, etc.

Human Resources  
5796 E. SH 114, Box 10  
Haslet, Texas 76052  
(682) 324-2500  
[awbrownhr@jgdickson.com](mailto:awbrownhr@jgdickson.com)

*Select the desired link for access:*

[Title IX Formal Complaint Form](#) (print version or see Appendix B1)

[Title IX Formal Complaint Form](#) (online version)

[Title IX Formal Complaint Process](#) (Appendix B2)

[Title IX Training Material](#) (Appendix B2) *Completed by all District Title IX Stakeholders*

**A. W. Brown Leadership Academy strives to prevent, detect, and respond equitably and promptly to reports of sex discrimination or sexual harassment and requires a reliable adjudication process that is fair to all parties.**

## *Specific Guidelines*

### *(Sensitive Issues)*

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### **CHILD ABUSE/CHILD NEGLECT REPORTING**

An employee or volunteer of A. W. Brown Leadership Academy that believes a child has been affected by physical, sexual, or mental abuse or neglect must adhere to the following:

**Make a report within 48-hours of first suspecting of such abuse or neglect to the Department of Family and Protective Services / Child Protective Services (CPS) and/or law enforcement.**

### **TRAFFIC VIOLATIONS AND/OR ACCIDENTS**

If an employee, during A. W. Brown Leadership Academy business, receives a traffic violation, the employee will be personally liable for any expenses incurred from that violation. If during transporting a scholar(s) an employee receives a traffic violation, that employee is subject to disciplinary action, up to and including discharge. If an employee is involved in a traffic accident while driving a school vehicle, the employee could be personally liable for damages and/or repairs. All traffic violations and/or accidents must be reported to the Director of Transportation within 24 hours. All traffic violations and/or accidents are subject to District investigation. Please see the Vehicle Use Agreement.

### **WORKPLACE INVESTIGATIONS**

There are instances when A. W. Brown Leadership Academy 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 by AWBLA not to discuss the matter being investigated, then 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 pending the results of the investigation. During the suspension, the employee will not be permitted to access any AWBLA campus and office sites. Upon conclusion of the investigation, the campus administrator/supervisor will inform the suspended employee of the results of the investigation and of his or her employment status with the school.

**The wishes of the Complainant are always considered and weighed against community safety. Disclosure of private information is limited to reasonable necessity when assessing matters.**

### **ADMINISTRATION OF MEDICATION TO SCHOLARS**

A. W. Brown Leadership Academy must receive BOTH a written request from the parent, legal guardian, or person having legal control of the scholar and a signed physician order to administer any medication to a scholar. When administering prescription medication by the nurse, the medication must be administered from either a container that appears to be from the original container and properly labeled or from a properly labeled unit dosage container filled by a registered nurse.

## *Disciplinary Procedures*

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## DISCIPLINARY PROCEDURES

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To correct employee misconduct at the earliest stage possible, A. W. Brown Leadership Academy administration will implement a progressive disciplinary procedure. The procedure is as follows:

- 1. Verbal Warning**
- 2. Written Warning**
- 3. Probation, Suspension or Growth Plan**
- 4. Recommendation for Termination of Employment**

Though A. W. Brown Leadership Academy may utilize a level system for disciplinary procedures, AWBLA reserves the right to skip any level pending the circumstance and immediately terminate the employee.

This disciplinary procedure does not forfeit the “at-will” status of its employees and A. W. Brown Leadership Academy preserves the “at-will” nature of the employment relationship. Accordingly, termination may be initiated by A. W. Brown Leadership Academy at any time, with or without cause, and with or without notice.

## *Grievance Procedures*

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## GRIEVANCE PROCEDURES

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A. W. Brown Leadership Academy seeks to provide a workplace in which all employees feel that they are an important part of our mission and success, where employees feel valued, and where employees are—and feel—fairly treated. Nonetheless, we understand that there may be times when you have a dispute with a supervisor or the District which can best be resolved through a formal procedure for dispute resolution. All disputes between any employee and the District are to be resolved in accordance with the following procedure. Please note, however, that the A. W. Brown Leadership Academy Board of Directors reserves the right to modify this procedure at any time. Nothing in this procedure should be construed to constitute a contract between you and the District or to constitute any part of a contract between you and A. W. Brown Leadership Academy.

Any dispute between you and A. W. Brown Leadership Academy may be resolved using this grievance procedure, except for oral reprimands which are not recorded in your personnel file.

A grievance is a complaint by an employee concerning any matter related to the employee's employment with A. W. Brown Leadership Academy. All grievances must be in writing. Using the form provided by the District, you must state clearly and concisely all the known facts related to your grievance, including "who, what, where, when and the why." Clearly explain why you disagree with the act or omission that forms the basis for the grievance. Also explain what remedy you are requesting. You must sign and date the grievance.

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 District's Grievance Procedures. Contact Human Resources for a Complaint Form.

### **PRELIMINARY STEP**

You must first address your grievance with your immediate supervisor. This may be done orally in informal discussion. If your informal attempts to resolve the matter are not successful, you may implement the formal grievance process.

Where an employee has a "formal" complaint or concern, the individual shall first complete and submit the **Formal Complaint Form** to the appropriate campus Principal or to the employee's direct Supervisor in accordance with the First Level Review process described below. The complaint must be submitted within **15 business days** of the date that the complainant knew or reasonably should have known of the alleged harm. The complaint must be specific and suggest a resolution to the extent possible. **If the employee does not submit the grievance within the 15-business days, the employee waives their right to assert it.** The attempt to resolve the grievance informally does not toll or extend this deadline.

## **SPECIFIC COMPLAINTS**

Complaints Against the Superintendent. If the employee's grievance is against the Superintendent, the employee may file their initial grievance at the Second Level. Employees do not need to file their complaint at the First Level Review.

Complaints Alleging Illegal Discrimination. An employee alleging prohibited sex discrimination, including sexual harassment, under Title IX, prohibited disability discrimination under the Americans with Disabilities Act/Section 504 of the Rehabilitation Act, prohibited racial discrimination under the Title VI and Title VII of the Civil Rights Act of 1964, or prohibited age discrimination under the Age Discrimination Action of 1975, shall report their concerns pursuant to A.W. Brown's Non-Discrimination and Anti-Harassment policy as set forth in the School's Personnel Handbook.

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## **FIRST LEVEL REVIEW OF GRIEVANCE (SUPERVISOR OR PRINCIPAL)**

Unless otherwise provided in this policy, all grievances at the First Level must be filed with the Principal (for most employees assigned to a school campus) or the employee's immediate Supervisor (other employees) in writing using the Formal Complaint Form. The Principal/Supervisor may investigate the grievance as necessary and appropriate. The Principal/Supervisor must review the complaint, document the outcome, and issue a final decision in writing within **10 business days** of the Principal/Supervisor's receipt of the complaint.

A copy of the complaint and the Principal/Supervisor response is to be forwarded to Human Resources to place in the employee's personnel file.

If the grievance is not settled at the First Level, then the employee may proceed to the second level.

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## **SECOND LEVEL REVIEW OF COMPLAINT (HUMAN RESOURCES AND MEDIATION)**

If the employee complainant is not satisfied with the final decision of the campus Principal/Supervisor, then the individual may file a **written appeal to Human Resources** using the Form provided by the District within 5 business days of receipt of the Principal/Superintendent's written response at the First Level. If the employee does not submit the grievance within **5 business days of receipt of final summary conclusion from Supervisor/Principal**, the employee waives their right to an appeal.

The written appeal shall include the following:

- A copy of the Formal Complaint
- A copy of the final decision of the campus Principal/ Supervisor

This written appeal shall be filed within **5 business days** of the individual's receipt of the final decision from the campus Principal/Supervisor.

The appeal must be specific, and where possible suggest a resolution. The appeal shall not include any new issues or complaints unrelated in the original complaint. A copy of the appeal shall also be delivered to the Principal/Supervisor.

Human Resources shall respond to the complaint and issue a decision in writing within **10 business days of receipt of the final summary conclusion from Human Resources.**

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#### **THIRD LEVEL REVIEW OF COMPLAINT (SUPERINTENDENT OR SUPERINTENDENT'S DESIGNEE)**

If the complainant is not satisfied with the final decision of Human Resources and Mediation, then the individual may submit a written grievance to the Superintendent or Superintendent's Designee using the Form provided by the District. **If the employee does not submit the grievance within 5 business days of receipt of the Human Resources final summary and conclusion, the employee waives their right to assert it.**

The written appeal shall include the following:

- A copy of the Formal Complaint
- A copy of the final decision of Human Resources

The Superintendent or Superintendent's Designee will review the grievance and provide a written response within **15 business days** of the Third Level grievance being filed.

The appeal must be specific, and where possible suggest a resolution. The appeal shall not include any new issues or complaints unrelated in the original complaint. A copy of the written response from the Superintendent or Superintendent's Designee is to be forwarded to Human Resources for the employee's confidential personnel file.

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#### **FOURTH REVIEW OF COMPLAINT (BOARD OF DIRECTORS)**

Unless otherwise provided in this policy, a Stage/Level Four grievance **REQUIRES** a prior decision from the Supervisor/Principal, Human Resources (including mediation), and Superintendent or Superintendent Designee. The inquiry and summary conclusion from each level **MUST** be attached to the appeal. If an employee does not submit the grievance within **5 business days of the Superintendent or Superintendent's Designee final summary and conclusion, employee waives their right to assert it.** A copy of this appeal shall also be delivered to the Superintendent and Human Resources.

The Fourth Level review of complaint shall be directed to the Board President and shall include the following:

- A copy of all appeals; and
- A copy of all resulting decisions.

The Board will place the complaint on the agenda for a Board meeting within a reasonable amount of time, as determined by the Board. The Board President shall provide a copy of the complaint to all board members. A redacted copy (confidential information) of any First Level (Supervisor/Principal), Second Level (Human Resources), and Third Level (Superintendent or Superintendent's Designee) will be included with the Fourth Level complaint.

The Board may authorize a factfinder to conduct an independent investigation, including Human Resources, outside legal counsel, or another appropriate investigator selected at the Board's discretion.

The grievant bears the burden of proof as to the validity of the grievance. The Board's decision shall be decided based on a review of the records developed at the Superintendent or Superintendent's Designee level, or based on the results of the independent investigation, if applicable. Any action of the Board of Directors regarding the complaint shall be taken in compliance with the Texas Open Meeting Act, including the portions of the Open Meetings Act authorizing closed session for personnel matters, legal consult with Board counsel, and other applicable provisions.

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**CONFIDENTIALITY:**

**To the greatest extent possible, A. W. Brown Leadership Academy keeps the identity of complainants, respondents, and witnesses confidential unless disclosure is required by law or necessary to carry out a hearing proceeding.**

**Limited or Redacted disclosures may be necessary for A. W. Brown Leadership Academy to conduct a thorough investigation and to preserve the rights of complainants, respondents, witnesses, and to maintain confidentiality.**

## *Acknowledgements*

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## ACKNOWLEDGEMENT OF RECEIPT OF A. W. BROWN LEADERSHIP ACADEMY EMPLOYEE HANDBOOK

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I acknowledge that I understand the A. W. Brown Leadership Academy Employee Handbook (“Handbook”) can be reviewed in its entirety on the A. W. Brown Leadership Academy website. I understand that I am responsible for reading and abiding by all policies and procedures in the Handbook, as well as all other policies and procedures of AWBLA.

**I acknowledge** that the A. W. Brown Leadership Academy 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 an 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, is in writing, and is signed by both me and the chair of the board of directors.

**I understand** that A. W. Brown Leadership Academy may amend or withdraw any or all portions of the handbook at any time. I understand that it is my responsibility to comply with the provisions in the 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 A. W. Brown Leadership Academy following any modifications to this handbook, I hereby accept and agree to such changes.

**I acknowledge that I have read this handbook** and agree to read any amendments of the handbook. Specifically, by signing this form, I acknowledge that I have read, understood, and agree to comply with all policies in this handbook, including but not limited to, the Harassment Policy, the Overtime and Timekeeping Policy, and the Violence in the Workplace Policy.

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

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Signature

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Date

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Print Full Name

***Please sign and date one copy of this acknowledgement and return it to Human Resources. The Original Signature Page will be retained in the personnel file. Retain a second copy for your reference.***



# ACKNOWLEDGEMENT OF RECEIPT OF A. W. BROWN LEADERSHIP ACADEMY CODE OF BUSINESS CONDUCT AND ETHICS

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## EMPLOYEE RESPONSE

### AFFIRMATIVE STATEMENT REGARDING THE CODE OF BUSINESS CONDUCT AND ETHICS A. W. BROWN LEADERSHIP ACADEMY

**This certifies that I have read and understand the Code of Business Conduct and Ethics** (the “Code”) of A. W. Brown Leadership Academy (the “District”). Except as disclosed below in this Affirmative Statement, my immediate family and I have not breached the Code and I know of no violation of the Code by anyone else.

**I agree (i) to comply with the Code and conduct the business of AWBLA** in keeping with the highest ethical standards and (ii) to comply with international, federal, state, and local laws applicable to AWBLA’s business.

**As an employee, I understand that failure to comply with the Code** shall lead to disciplinary action by AWBLA, which may include reprimand, termination of my employment and/or the reduction of compensation or demotion.

I have disclosed below all financial or other relationships with suppliers, agencies, or competitors of the District that I am aware of in which I or my close relative are involved.

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Signature

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Date

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Print Full Name

*Please sign and date one copy of this acknowledgement and return it to Human Resources. The Original Signature Page will be retained in the personnel file. Retain a second copy for your reference.*