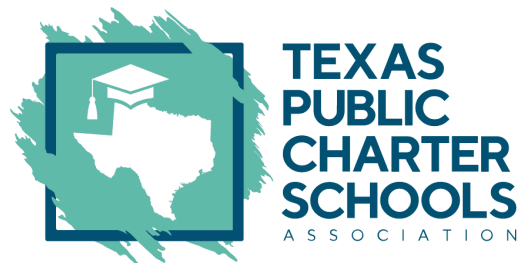




Personnel Handbook

2025-2026

Richard Milburn Academy
6785 Camp Bowie Blvd Suite 200
Forth Worth, Texas 76116
830-557-6181
www.rmaschools.org



Approved by the Board of Directors
08/28/2025

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DISCLAIMER: Employee At-Will Status

Employment with RMA shall be at-will unless a term of employment is expressly stated in a written contract. **At-will employment means that an employee may be terminated with or without cause, with or without prior notice, at any time, for any reason or for no reason. Similarly, employment with RMA is voluntarily entered into, and employees are free to resign at any time, with or without cause or notice.**

Status as an at-will employee may not be changed except in writing signed and approved by the Board of Directors. Employment at-will is the sole and entire agreement between RMA and you concerning the duration of your employment, and the circumstances under which your employment may be terminated.

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

1. INTRODUCTION

1.1. Welcome to RMA

Dear RMA Colleague,

Welcome to RMA and to what we hope will be a long, productive, and satisfying career at one of Texas' finest public charter schools. RMA strives to create an exciting, challenging, and rewarding work environment. We look forward to building a long lasting and successful relationship with you. It is the goal of our organization to ensure that you are a happy and productive member of our school community.

Whether you are new to our organization or returning, this Personnel Handbook has been prepared to help you become familiar with RMA and the personnel expectations and procedures of our organization. Please read it carefully and if you have questions or concerns, speak with your supervisor. If you need further information or assistance, please contact the Human Resources Department by phone at (830) 557-6181 or by email at hr@rma-tx.org.

On behalf of the entire RMA team and the many students across Texas that we serve, thank you for joining us. We look forward to an exciting school year as we continue to help students reimagine high school.

Sincerely,
Dr. Armard Anderson, Ed.D.
Superintendent of Schools

1.2. About this Personnel Handbook

The purpose of this personnel handbook is to provide employees with a source of information about RMA's procedures and policies. The policies and procedures in this handbook are to serve as guidelines and address the minimum requirements established by applicable or relevant legal requirements and best practice. Although RMA 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.

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

Questions regarding this handbook or any of the policies/procedures should be directed to your supervisor or to the Human Resources Department by phone at 830-557-6181 or email hr@rma-tx.org.

1.3. About RMA

RMA Philosophy

- Mission: Empowering students to graduate, prepared to exceed all expectations
- Vision: Every student will be empowered to make CHOICES for lifelong success.
- Core Values: CHOICES
 - C: Commitment
 - H: Honor
 - O: Opportunity
 - I: Innovation
 - C: Community
 - E: Empathy
 - S: Safety

Founded in 1998, RMA Public Schools operates on the premise that all students, regardless of previous setbacks, race, or socio-economic status, can benefit from a second chance to achieve academic success and graduate. With Nine campuses in operation, serving approximately 2,000 students throughout Texas, RMA seeks to provide divergent, inclusive, and engaging experiences for students. In alignment with our core values, RMA is committed to providing each student with the highest enrichment opportunities, individualized instruction, and innovative curriculum. RMA continues to provide second opportunities to students throughout Texas, while focusing on dropout prevention, credit recovery, accelerated learning, and a growing selection of CTE Pathways (Career and Technology Education). We recognize that relationships are critical, one size does not fit all, and accountability that inspires only comes from commitment and meaning.

1.4. Acknowledgement of Receipt of Personnel Handbook

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

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

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

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

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

Print Employees Name

Date

Electronic Signature on File

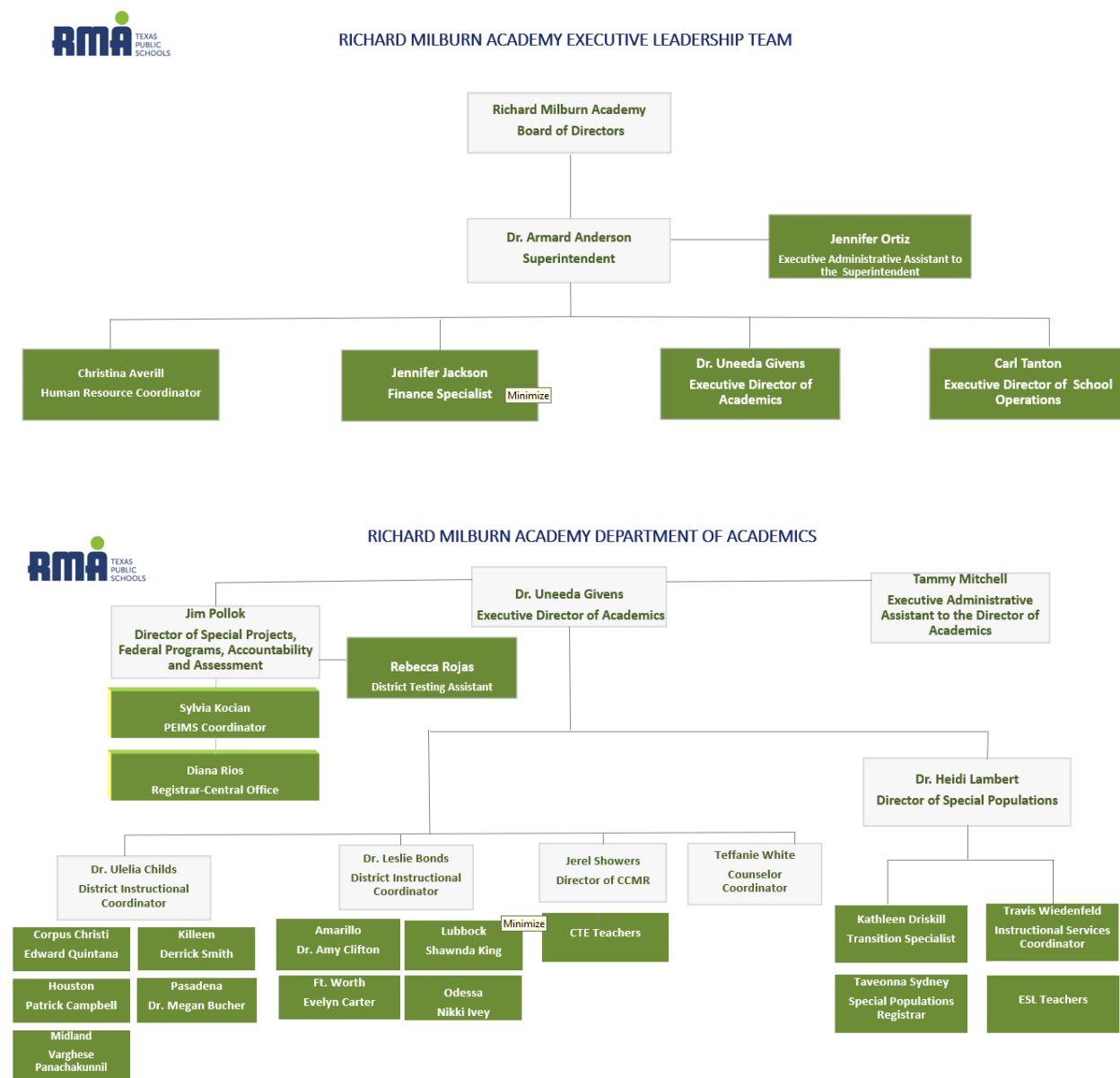
Employees Signature

1.5 Open Door Policy

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

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

1.6 District Organizational Chart





For a more detailed organization chart, please go to rmaschools.org > Required Resources > Organizational Chart or you may click on the following link: [RMA DISTRICT ORGANIZATIONAL CHART](#)

2. STARTING YOUR JOB

2.1. Accuracy of Information

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

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

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

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

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

2.3. Employment Application & Other Forms

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

Employment Application

- I-9 Employment Eligibility Form (“EEVF”) required by the Department of Homeland Security
 - Must be completed prior to the start of employment
- W-4 Employee’s Withholding Allowance Certificate
- Signed Hire Letter
- Employee Election Form to Withhold Certain Information from Public Access
- Acknowledgement of Receipt of Personnel Handbook
- Authorization for Automatic Deposit
- Applicable Healthcare/Benefit Forms
- Notice Regarding Workers Compensation Benefits
- Pre-Employment Affidavits
- Employment Application

- Background Authorization
- Equal Employment Opportunity (EEO)
- Wage Deduction Agreement
- Confidentiality
- Conflict of Interest
- Teacher Retirement System of Texas
- Any and all other applicable forms

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

2.4. Criminal History Background Checks

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

Criminal history records must also be obtained and reviewed prior to the employment of any driver for student transportation (bus drivers, bus monitors, and bus aides) either directly or through a commercial service. The Board of Directors shall be informed of a criminal record of a felony or misdemeanor involving moral turpitude and must affirmatively vote to employ such driver, monitor, or aide

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

All employees and applicants must complete the Authorization for Criminal History Background Check form accompanying this Handbook.

2.5. Prohibition Against Employing Individuals Convicted of Certain Offenses

RMA may not hire an individual who is prohibited from serving as an officer or employee of an open-enrollment charter school under Texas Education Code § 12.120(a). Additionally, RMA shall discharge or refuse to hire an employee or applicant for employment if it obtains information through a criminal history review that:

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

However, while RMA may not be required by law to discharge or refuse to hire an employee or applicant if the person committed an offense under Title 5, Penal Code, and:

1. The date of the offense is more than 30 years before:
 - a) June 15, 2007 in the case of an employee's employment by RMA as of that date; or
 - b) The date the applicant's employment will begin, in the case of a person applying for

employment with RMA after June 15, 2007; and

2. The employee or applicant for employment satisfied all terms of the court order entered on conviction.

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

As allowed by Commissioner of Education rule, a person may not serve as an RMA officer or employee if the person has been convicted of:

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

Additionally, RMA shall discharge or refuse to hire a person listed on the registry of persons not eligible for employment in Texas schools, as maintained and made available by the Texas Education Agency ("TEA").

RMA may discharge an employee if it obtains information of the employee's conviction of a felony or misdemeanor involving moral turpitude that the employee did not disclose to RMA or the State Board of Educator Certification ("SBEC").

Except as required by state or federal law or as determined by RMA to be in the best interest of student and employee safety (and in accordance with applicable law), RMA does not automatically prohibit employment or refuse to consider an application for employment solely on the grounds that an applicant/employee has a prior criminal record. RMA does not prohibit employment or refuse to consider an application for employment based solely on the grounds that the applicant/employee has been arrested. Instead, RMA reviews these circumstances on a case-by-case basis.

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

2.6. Fair Credit Reporting Act

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

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

In the event RMA relies on a "consumer report" for an "adverse action" as defined by the Fair Credit Reporting Act and regulation – i.e., denying a job application, reassigning or terminating an employee, or denying a promotion – RMA will take the following action(s):

Step 1: Before taking adverse action, the employee will be provided a pre-adverse action disclosure that

includes a copy of the individual's consumer report and a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act" – a document prescribed by the Federal Trade Commission.

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

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

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

2.7. Certifications and Licenses

Employees whose positions require certification through the State Board for Educator Certification ("SBEC") or another professional license are responsible for taking actions to ensure their credentials do not lapse. It is solely the employee's responsibility to maintain a valid certification or license. An employee's employment may be terminated if he or she falsely represents holding a valid certificate or license, or fails to fulfill the requirements necessary to renew or extend a certificate or license. Employment may also be terminated if SBEC suspends, sanctions or revokes an employee's certification

2.8. New Hire Reporting

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

2.9. Pre and Post Offer Medical Testing

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

2.10. New Employee Orientation

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

- A review of this personnel manual;
- A tour of the campus;
- Receipt of credentials necessary for parking, access to the school building and computers, and other materials as appropriate for the employee's employment position;
- Prevention techniques for, and recognition, of sexual abuse and other maltreatment of children.
- Various computer/system log in information as required, etc.
- Any and all other applicable training resources.
- Other orientations as required/designated by supervisors.

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

Employees of RMA 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 RMA 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 no later than the 14th day after the date the employee begins employment with RMA to keep certain information about them confidential under the Texas Public Information Act. Human Resources shall provide the employee with the Public Access Option Form upon employment with RMA.

2.12. Arrest & Conviction Occurring After Employment Begins

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

- Crimes involving school property or funds;
- Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;
- Crimes that occur wholly or in part on school property or at a school-sponsored activity; or
- Crimes involving moral turpitude.

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

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

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

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

2.13. Personnel Records

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

All information in an employee's personnel file will be made available to the employee or his or her representative in the same manner that public information is made available under the public information laws found in Texas Government Code Chapter 552.

An employee or his or her authorized representative has a special right of access, beyond the right of the

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

If RMA determines that information in an employee's records is exempt from disclosure under an exception of Texas Government Code Chapter 552, Subchapter C, other than an exception intended to protect the privacy interest of the employee or his or her authorized representative, it will, when required, submit a written request for a decision to the Attorney General of Texas before disclosing the information. RMA will release the information to the employee requesting the information in accordance with applicable law.

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

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

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

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

2.14. Name and Address Changes

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

2.15. Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This section of the Handbook establishes only the framework within which RMA wishes to operate. RMA's framework is also guided by applicable state and federal law governing conflicts of interest and nepotism applicable to Texas open-enrollment charter schools and nonprofit tax-exempt entities. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact Human Resources for more information or questions about conflicts of interest.

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All RMA employees shall avoid employment, financial, business, social, or other relationships that might be opposed to the interests of RMA or might create the appearance of impropriety, or might cause a conflict with the performance of their duties. Employees shall at all times conduct themselves in a manner that avoids even the appearance of conflict between their personal interests and those of RMA.

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

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

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

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

Employment of Relatives and Fraternization

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

While relatives of employees or the Board of Directors may be employed by RMA in accordance with applicable law, a familial relationship among employees can also create an actual, or at least a potential conflict of interest in the employment setting, especially where one relative has professional supervisory responsibility over another relative. Additionally, RMA may not employ relatives of the Superintendent if the Superintendent has final hiring authority over the position sought, unless the relative of the Superintendent was hired prior to September 1, 2013.

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

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

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

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

<u>First Degree</u>	Parent, Child
<u>Second Degree</u>	Grandparent, Grandchild, Sibling
<u>Third Degree</u>	Great-Grandparent, Great-Grandchild, Aunt/Uncle, Niece/Nephew

Non-Disclosure

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

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

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

2.16. Special Rules for Social Studies Courses

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

2.17. Assignment and Reassignment

All personnel are subject to assignment and reassignment by the Superintendent or designee, and may also be directed to perform additional or supplemental duties from time to time. Unless specifically required by

applicable law or approved by the Board of Directors and/or the Superintendent, no additional financial compensation is provided for additional or supplemental duties. RMA's criteria for approval of reassignments will be consistent with school policy regarding equal opportunity employment.

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

2.18. Professional Development

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

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

3. REPORTING TO WORK

3.1. Official RMA Office Hours

Standard hours of operation in the administrative office areas are from 8 a.m. until 5 p.m. Monday – Friday. Students are in session from approximately 8 a.m. until 5 p.m. In some cases, supervisors may structure or schedule staff arrival/departure times in order to maintain student supervision and/or support certain programming needs.

3.2. Regular Work Schedules

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

All full-time, non-exempt employees generally work a Monday through Friday schedule of forty (40) hours divided into (5) eight-hour workdays unless a different schedule is approved in writing by the employee's supervisor. Non-exempt employees must have prior written approval before working overtime. How to request overtime can be found in Section 6.2 under Minimum Wage and Overtime.

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

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

3.3. Attendance

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

RMA expects all employees to conduct themselves in a professional manner during their employment. This includes:

- practicing good attendance habits,
- coming to work on time and staying at work throughout the work day,
- working their shift as scheduled, and
- arriving and leaving at the scheduled time

RMA has established the following policies for employee attendance:

- Employees should arrive to work and be at their assigned duty station no later than their scheduled start time.
- Employees should remain at their duty station unless the needs of the job require being elsewhere or as authorized by their supervisor, except during authorized breaks.
- Employees should take only the time normally allowed for breaks as authorized by their supervisor.
- Non-salaried/non-exempt employees should leave promptly at the end of their scheduled workday, unless given permission by their supervisor to work past that time.
- Employees should call in and personally notify a supervisor if they will be absent or tardy, unless a verifiable emergency makes it impossible to do so.
- In addition to any time clock or time-recording system RMA may implement, time keeping for non-exempt employees must be done weekly and manually using RMA's approved time sheets.

Absence or tardiness may be excused under exceptional circumstances, but generally only if an employee provides prior written notice of the need to be absent or tardy. Such advance notice is necessary so that other arrangements can be made to cover the employee's responsibilities, if necessary.

An employee who is absent without notice for three (3) or more consecutive days shall be considered as having abandoned his or her job; RMA shall process the employee's work separation as a voluntary resignation without good cause related to the work.

RMA recognizes there will be occasions when an illness or other personal event may result in an unscheduled absence. As such, RMA has a leave policy (see Section 4.2 – 4.4). It is the charter school's expectation that each employee attends work every day unless approved paid or unpaid leave is granted pursuant to the charter school's leave policy.

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

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

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

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

Notice of Resignation

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

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

3.4. Duty-Free Lunch Breaks

Employees are provided at least a thirty-minute duty-free lunch period. If necessary, because of a personnel shortage or an unavoidable or unforeseen circumstance, the campus principal may direct a classroom teacher entitled to a duty-free lunch period to supervise students. A classroom teacher may not be directed to supervise students under this subsection more than one (1) day in any school week.

3.5. Staff Meetings

Employees are expected to attend faculty/staff meetings on a regular basis. The purpose of the meeting will be to disseminate district and campus expectations. The Campus Principal will designate the day and time of the week for the meeting to be held. All non-exempt employees who are required to attend a faculty/staff meeting will be paid for the time in attendance.

3.6. Textbook and Materials Acquisition

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

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

3.7. Copyrighted Material

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

Employees acknowledge and understand that the entire right, title and interest of any and all writings, works and other creations that they may prepare, create, write, initiate or otherwise develop as part of their efforts while employed by RMA shall be considered the property of RMA. This includes, but is not limited to, the development of a curriculum. These works will be “works for hire” and shall be the sole and exclusive property of RMA, including any copyright, patent or trademark or application thereof. Employees hereby assign and transfer to RMA all right, title and interest in such works and creations, including without limitation, all patent, trademark and copyright rights that now exist or may exist in the future. Employees further agree that at any reasonable time upon request, and without further compensation or limitation, they will execute and deliver any and all papers, applications or instruments that in RMA’s opinion may be necessary or desirable to secure the RMA’s full enjoyment of all right, title interest and properties herein assigned. Employees agree not to charge the school for use of their copyrighted, trademarked and patented material.

3.8. Proprietary Information

Proprietary information includes all information relating in any manner to the business of RMA and its schools, students, parents, consultants, customers, clients, and business associates obtained by RMA employees during the course of their work. Occasionally, in the service of RMA's mission, RMA may choose to share otherwise proprietary information (e.g., best practices) with outside parties. Such documents will be prepared specifically for publication and dissemination. If an individual employee receives a request from an outside party for either paper or electronic copies of RMA documents, that employee should direct the request to the Director of Marketing, Communications & Business Development at info@rma-tx.org.

3.9. Performance Evaluations

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

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

4. TIME AWAY FROM WORK

4.1. Holidays & School Breaks

All RMA Holiday and school breaks are considered non-duty days and are unpaid. RMA has taken this time into account when preparing employee compensation files to ensure that employee pay is not affected by holidays and school breaks.

RMA will be closed during the following recognized school holidays:

- Labor Day
- Veteran's Day (RMA Killeen Campus ONLY)
- Thanksgiving Holiday (generally the third week of November)
- Winter Break Holiday (generally the third and fourth week in December)
- Martin Luther King Holiday
- Spring Break (generally the second week in March)
- Good Friday
- Memorial Day
- Summer Break (dependent on position)

Please consult your campus calendar for exact dates.

4.2. Concurrent Use of Leave

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

4.3. Local Personal Leave

Eligibility for Local Personal Leave.

Each full-time employee, whether working in an exempt or non-exempt position, will be granted **local personal leave starting in August of each school year.** Part time and temporary employees are not eligible for Local Personal Leave. Exempt (salaried) employees must take local leave in full or half day increments. Non-exempt (hourly) employees must take leave in hourly increments in agreement with the number of hours of the absence.

- An employee hired between August 1 and December 31 will receive all local leave days designated for their position.
- An employee hired between January 1 and April 30 will receive half of the local leave days designated for their position.
- An employee hired between May 1 and July 31 will receive zero (0) local leave days designated for their position.

<u>Days</u>	<u>Paid Leave Amount</u>	<u>Accrual</u>
230 - 211	12	Up to 3 Days
200 - 210	11	Up to 3 Days
185 - 199	10	Up to 3 Days

Use of Local Personal Leave.

Local Personal Leave is paid leave and may be used for an employee's illness, for the illness of a family member, family emergencies (i.e., natural disasters, or life-threatening situations), active military service in conjunction with any applicable military leave of absence, or for any other personal reason as determined by the employee. Unless previously approved by the employee's supervisor, local personal leave may not be taken on the first day of school, on the last day of school, on any testing day, on any professional development days, or on any day immediately before or after a school holiday or school break.

Approval for Local Personal Leave.

At least ten days prior to the anticipated absence, employees are required to complete an Employee Request for Leave Form and submit it to their direct supervisor for approval. For unexpected illnesses of an employee or of an employee's family member, employees are required to submit a completed Employee Request for Leave Form no later than the day that the employee returns to work.

Accumulation of Local Personal Leave.

At the end of each school year, any unused Local Personal Leave will not be paid to the employee. Local Personal Leave will not be paid to any employee who is separated from employment during the school year, either because of resignation, retirement, or termination. Employees will be able to carry over up to three Local Personal Leave from one school year to the next school year.

Executive Leadership Team Leave.

The Executive Leadership team is made up of the Superintendent, and Executive Directors. The Executive Leadership team will receive two weeks' vacation per year in addition to the Local Personal Leave days, to be taken at such time deemed appropriate. These employees are salaried employees who must be available at such times of the year when workloads are heavy in support of district missions. The vacation time may be taken in consecutive days or it may be split up.

4.4. State Leave

Under the State of Texas' minimum personal leave program, which is codified in Section 22.003 of the Texas Education Code, public school district employees receive five days per year of personal leave that has no limit on accumulation and is transferable among school districts. This program does not apply to charter schools. Accordingly, RMA does not honor state leave days. State leave days may not be transferred to or used by any former school district employee during the employee's employment tenure with RMA.

4.5. Excessive Absences

With the exception of leaves of absence for military duty or approved leave under the FMLA, if an employee accumulates more than ten days of absence after exhausting all available paid and unpaid leave, the employee shall be separated due to unavailability for work, subject to any reasonable accommodation duties RMA may have under the ADA or similar law. Any employee separated for unavailability for work

following exhaustion of all available leave will be eligible for rehire, and will be able to apply for any vacancies that may exist at any given time, depending upon qualifications and availability of job openings.

Excessive Absences. Unauthorized absences, chronic absences, tardiness, and/or failure to follow procedures for reporting absences will warrant disciplinary action unless an employee is absent on FMLA or Temporary Disability. The following absences are considered excessive:

- Any occurrence of absence after the employee's earned leave balance is depleted.
- Any occurrence of absence that is not covered by District leave and absence guidelines.
- Any occurrence of absence without pay, unless approved by the supervisor at least 24 hours in advance.

Excessive use of leave without a doctor's excuse or medical certification may be viewed as abuse of the leave system and may be considered as job abandonment described in section 3.3.

A supervisor reserves the right to request a doctor's excuse at any time an employee has excessive absenteeism.

4.6. Family and Medical Leave Act (FMLA)

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

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

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

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

Leave Entitlements

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

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

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

Qualifying Exigency FMLA Leave

An eligible employee may take FMLA leave for one or more of the following qualifying exigencies:

- Short-notice deployment.
- Military events and related activities.
- Childcare and school activities.
- Financial and legal arrangements.
- Counseling.
- Rest and recuperation.
- Post-deployment activities.
- Parental care.
- Additional activities, provided that RMA and the employee agree that the leave shall qualify as an exigency and agree to both the timing and duration.

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

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

Benefits and Protections

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

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

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

Eligibility Requirements

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

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; and
- Work at a location where the employee has at least 50 employees within 75 miles of the employee's worksite.

Requesting Leave

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

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

Employers can require a certification or periodic recertification supporting the need for leave. If the

employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

Employer Responsibilities

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

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

Enforcement

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

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information or to file a complaint:

1-866-4-USWAGE (1-866-497-9243) TTY: 1-877-889-5627 www.dol.gov/whd

Local FMLA Guidelines

Calculating FMLA Leave Year

RMA uses the following method to establish the 12-month period in which FMLA leave may be used:

- A fixed 12-month period measured forward from the first date an employee takes FMLA leave. The next 12-month period would begin the first time FMLA leave is taken after completion of the prior 12-month period.

Use of Paid Leave

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

Combined Leave for Spouses

Spouses who are employed by RMA are limited to a combined total of 12 weeks of FMLA leave to care for a parent with a serious health condition, or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

Intermittent Leave

When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. RMA does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

Fitness for Duty

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

Reinstatement

An employee returning to work at the end of FMLA leave will be returned to the same position held when the leave began or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FMLA entitlement, and RMA will maintain the employees group health insurance and reinstate the employee at the end of the leave according to school policy and procedure.

Failure to Return

If, at the expiration of FMLA leave, an employee is able to return to work but chooses not to do so, RMA may require the employee to reimburse RMA's share of insurance premiums paid during any portion of FMLA leave when the employee was on unpaid leave. If the employee fails to return to work for a reason beyond the employee's control, such as a continuing personal or family serious health condition or a spouse being unexpectedly transferred more than 75 miles from RMA, the school may not require the employee to reimburse RMA's share of premiums paid.

Contact

Employees that require FMLA leave or have questions should contact Christina Averill, HR Coordinator, at 830-557-6181 or hr@rma-tx.org for details on eligibility, requirements, and limitations.

4.7. Bereavement Leave

In the event that full time and part time employees experience the death of an immediate family member, RMA will provide up to 5 days of paid bereavement leave. An employee may request to use additional vacation or personal paid leave time if the employee has such leave available. An immediate family member is defined as a spouse, child or step-child, parent/step-parent, grandchild/step-grandchild, grandparent/step-grandparent, sibling/step-sibling, father-in-law, and mother-in-law, spouse's grandparent, daughter-in-law/son-in-law, any other family member residing in the employee's home.

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

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

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

No more than five (5) paid bereavement days will be used for this purpose in any one school year unless otherwise approved by the superintendent or designee. RMA reserves the right to request proof of death of the employee's relative, and failure to provide such proof may result in the denial of bereavement leave.

4.8. Military Leave of Absence

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

should immediately contact Human Resources.

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

Eligibility

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

Procedures for Military Leaves of Absence

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

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

Benefits

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

- Absences of 31 or more days: The employee may elect to continue coverage for up to 24 months or for the period of military service (including the time period allowed to reapply for reemployment), whichever is shorter. The employee may be required to contribute up to 102% of the overall (both employer and employee) premium. Upon reinstatement, the employee must be reinstated immediately into the health plan without any waiting periods or pre-existing condition exclusions.
- Absences of fewer than 31 days: The employee is entitled to coverage under the health benefits plan as if he or she were employed continuously. The employee must continue to pay his or her portion of the regular premium.
- Group term life insurance provided by RMA will terminate the day the employee becomes active military. Group long-term disability insurance provided by RMA will terminate the day the employee becomes active military. Voluntary supplemental insurance will terminate the day the employee becomes active military. Converting to an individual policy may continue voluntary dependent life insurance coverage.
- With respect to any retirement plan sponsored by RMA, employees who have taken military leave will be credited upon reemployment for purposes of vesting with the time spent in military service and will be treated as not having incurred a break in service. Upon reemployment, the employee may, at his or her election, make any or all employee contributions that the employee would have been eligible to make had employment not been interrupted by military service. Such contributions must be made within a period that begins with the individual's reemployment and that is not greater than three times the length of the employee's military service. Employees will also receive all RMA matches for such contributions.

Please contact Human Resources for additional information on benefit continuation during a military leave of absence.

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

leave.

Reemployment

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

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

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

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

Protection from Discharge

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

General Benefits Upon Reemployment

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

4.9. Jury Duty/Court Appearance

RMA 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 as a result of a jury summons, court order, or subpoena. A leave of absence for jury or grand jury duty will be granted to any employee and will be compensated at his or her regular daily or hourly rate for each day of absence due to jury or grand jury duty. A copy of the jury summons, court order or subpoena must be supplied to the employee's supervisor when requesting time off.

Other Court Appearances.

Employees will be granted unpaid leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Employees must submit documentation of their need for leave for

court appearances to their supervisor and Human Resources. RMA will not discharge, discipline, or otherwise penalize an employee because he or she complies with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding.

4.10. Workers' Compensation

RMA provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. RMA's workers' compensation coverage is administered by Summit Holdings.

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

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

An employee absent from duty because of a job-related illness or injury may be eligible for workers' compensation weekly income benefits if the absence exceeds 14 calendar days.

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

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

Additional information about RMA's workers' compensation benefit offerings may be obtained from Human Resources

4.11. Optional Unpaid Leave

With the express written permission of the employee's direct supervisor and the charter school superintendent, any employee may be permitted to take unpaid leave for up to twelve weeks for any professional or personal reason determined acceptable by the charter school superintendent. Unless otherwise required by law, the employee will not be entitled to any compensation or employment benefits during the period of the employee's unpaid leave. Upon return from the unpaid leave, the employee will be eligible for reemployment with RMA; however, the employee may be subject to reassignment to a different position than the position held prior to the leave of absence and a different rate of pay.

4.12. Voting Leave

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

5. BENEFITS

5.1. Health

Blue Cross Blue Shield of Texas

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

5.2. Dental

Blue Cross Blue Shield of Texas

5.3. Vision

METLIFE

5.4. Teacher Retirement System of Texas

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

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

Substitutes not receiving TRS service retirement benefits who work at least 90 days a year are also eligible for TRS membership and to purchase a year of creditable service. To earn a year of TRS membership credit, an employee must work in a TRS-eligible position or receive paid leave from a TRS-eligible position for at least 90 days during the school year. If an employee will not meet the 90-day requirement and has worked in excess of five days in a workweek, it is the employee's responsibility to ensure the additional day(s) have been reported. Members should carefully review years of service reported when TRS provides them with an annual statement of their account showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

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

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

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

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

SB7: TRS Annuity

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

- If convicted of inappropriate relationship with a student
 - No annuity payments
 - Entitled to personal contributions and interest
 - Benefits payable to alternate payee designated prior to September 1, 2017

5.5. Other Retirement Plans

403b Pre-Tax & Roth

RMA offers a supplemental retirement plan for all full-time employees. All contributions are made by the employee through regular payroll deductions.

457b Pre-Tax & Roth

RMA offers a supplemental retirement plan for all full-time employees. All contributions are made by the employee through regular payroll deductions.

RMA may offer optional additional retirement plans, which the Board of Directors approves.

5.6. Same Sex Spouses

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

5.7. Additional Benefits

Social Security

RMA participates in Social Security. Standard deductions are made from each semi-monthly paycheck. For more information, please see www.ssa.gov.

RMA may implement additional benefits as board approved.

5.8. Unemployment Compensation Insurance

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

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

6. WAGES & EXPENSES

RMA follows all Texas Payday Laws. All RMA employees are paid twice a month, on the 15th and 30th of the month, in accordance with the Texas Payday law. Pay dates are posted in the common staff areas.

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

employee's prior written authorization.

Pay due will include earnings per time clock submissions for non-exempt employees for all work performed through the end of the previous payroll period and per the exempt work agreement period for exempt employees.

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

6.1. Classification of Employees: Hours Worked

Full-Time Employees.

Full time employees are employed at least 40 hours per week. Full time employees are eligible for the employee benefits set forth in this Handbook in Section 4.

Part-Time Employees.

Part-time employees work less than 40 hours per week. Part-time employees are regularly scheduled to work during the work week at a fixed part-time schedule. Part-time employees ordinarily are not eligible for the employee benefits set forth in this Handbook in Section 4, but a part-time employee could qualify for TRS Retirement benefits depending on the employee's tenure and the number of hours worked by the employee.

Temporary Employees.

Temporary employees are hired as interim replaces to temporarily supplement the workforce, such as substitute teachers, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration.

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

RMA assigns positions, determines wages and compensates employees for overtime in accordance with state laws, local laws, and the federal Fair Labor Standards Act. The workweek for each employee is set in accordance with Section 3.1 of this Handbook.

Exempt v. Non-Exempt Designation.

Each employment position is designated as either non-exempt or exempt as required by the federal Fair Labor Standards Act (FLSA). It is the intent of RMA to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time.

The right to terminate the employment relationship at-will at any time is retained by both the employee and RMA.

Exempt Positions.

Exempt status applies to the position, not the employee. Exempt simply means the position the employee fills is exempt from the FLSA, and is not entitled to overtime compensation. Exempt employees are paid on a salaried basis, and their salaries are not reduced for absences of less than one full day. However, any full days of absence taken in excess of the employee's allotment/service record accumulation of sick or personal leave will result in an employee payroll deduction calculated on a pro-rated daily rate. Generally, teaching and administrative positions are designated as exempt positions.

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

- Administrative positions are classified as exempt positions if:
 - The position is compensated on a salary basis at a rate of \$455 or more per week; and
 - The primary duty is performance of office or non-manual work directly related to the management or general business operations of the of the employer or the employer's customers; and
 - The primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.
 - Exempt employees are excluded from specific provisions of federal and state wage and hour laws.
 - An employee's Exempt or Non-Exempt classification may be changed only upon written notification of RMA, and in accordance with applicable federal law.

Non-Exempt Positions.

Non-exempt positions are those positions that are not exempt from the FLSA. Non-exempt positions require the school to pay the employee overtime (time and a half) for all hours worked in excess of 40 hours in a workweek. The key phrase is "hours worked." An employee may work 32 hours in a week and have 16 hours of vacation time. This would reflect as 48 hours on a paycheck, but for overtime calculation, the employee actually worked 32 hours – so overtime would not be paid. All employees in positions that are classified as non-exempt will be required to maintain a timecard or record, and will be eligible for overtime pay in accordance with the appropriate federal and state wage and hour laws.

RMA'S positions are reviewed and assigned an FLSA (exempt or non-exempt) status that is maintained on a master record by Human Resources. Employees may obtain this information from Human Resources upon request.

Timekeeping.

Federal and state laws require RMA to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. Employees are not to estimate future hours and include them on their timecard.

- Non-exempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. This work log should be recorded as it takes place – not several hours or days later. Overtime work must always be approved before it is performed.
- Non-exempt employees should report to work no more than 15 minutes prior to their scheduled starting time nor stay more than 15 minutes after their scheduled stop time without expressed, prior authorization from their immediate supervisor and/or the Principal.
 - Exempt employees should use a timecard to document days worked. Sick or personal leave must be clearly marked, as should days off without pay.
- Employees sign their timecards to certify the accuracy of all time recorded. Supervisors generally will review and then sign the timecard before submitting it for payroll.
- Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.
- Non-exempt employees are never permitted to work "off the clock." This includes sending text messages or emails before or after the employee's scheduled work hours unless in response to a directive of a supervisor 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, may lead to disciplinary action up to and including discharge from employment. Employees should immediately report to Human Resources and Support Services any effort by a supervisor to participate, encourage, or even permit an employee to work "off the clock" in violation of this overtime provision.

Daily Clock-in/Clock-out.

It is required that ALL employees “clock in” upon arrival to work in the morning and all non-exempt employees “clock out” during breaks, lunch, and at the end of the workday.

- Employees must use RMA technology at an RMA location to clock in and out
- No employee may clock in or out for any other employee.

If this policy is violated, both employees are subject to disciplinary action, up to and including possible termination.

Docked Pay.

If full-time employees who are paid on an annualized basis are absent and have used all available local personal leave, their pay shall be docked for the time missed, based on their daily pay rate.

Minimum Wage and Overtime

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

6.3. Payday

RMA shall take all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled paydays and in accordance with Federal and State Wage and Hour Laws including the Fair Labor Standards Act (FLSA) and the Texas Payday Act.

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

- Full Time Employees: Paydays will take place twice per month on the 15th and 30th. All RMA full time-employees will receive annualized pay in their monthly paychecks, whether central office administrators who work 12 months per calendar year, campus administrators who work 11 months per calendar year, or teachers and other instructional staff who work 10 months per calendar year. For purposes of this handbook, annualized pay means the payment of wages is equalized payments over the course of 12 calendar months.
- Temporary employees: Paydays will take place twice per month on the 15th and the 30th of each month. The amount of the paycheck will depend on the number of hours worked by the employee during the designated pay period.

Final Paycheck.

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

6.4. Supplemental Duties and Related Stipends

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

Supplemental Duty Pay for Exempt Employees.

Exempt employees assigned supplemental duties shall be compensated for these assignments according to the compensation plan set by RMA.

Supplemental Duty Pay for Non-Exempt Employees.

Non-exempt employees assigned supplemental duties shall be compensated for the supplemental duties on an hourly rate. The hourly rate set for the employee's supplemental duty may differ from the hourly rate set for the employee's core employment position. Overtime wages will be paid if the employee works over 40 hours per work week, whether the work is performed in the employee's core duties, supplemental duties, or a combination of both duties.

No Contractual Obligation Committed.

Paid supplemental duties do not create any contractual obligation by the charter school to continue the assignment of the supplemental duty. An employee shall hold no expectation of continuing assignment to any paid supplemental duty.

6.5. Automatic Deposit

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

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

The replacement check will be issued after the funds have been returned. A replacement check with be mailed to the employee and the employee should provide the Payroll Department with a valid replacement direct deposit form.

Direct deposit is RMA's preferred method of payroll distribution. Direct deposit enables RMA to facilitate the distribution of pay to employees in a safe, secure, and timely manner. Employees are encouraged to enroll in direct deposit during the onboarding process.

6.6. Mistake in Payroll or Expense Reimbursement

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

6.7. Lost/Stolen Paychecks

Lost or stolen paychecks should be reported to the Chief Financial Officer immediately. RMA will issue a stop payment on the lost or stolen check. Only after the financial institution has notified RMA that payment of the check has been stopped can a new check be issued.

6.8. Unclaimed Payroll Checks

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

Comptroller's Office for instructions on retrieving deposited wages.

6.9. Authorized Check Pick Up

RMA will release a paycheck to a third party, including a spouse, who is authorized in writing by the employee to receive the paycheck. Written authorization must be provided to the Finance Specialist prior to any paycheck being released.

6.10. Attendance Records

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

6.11. Travel Expense and Other Reimbursements

Travel Expense Reimbursements.

Before an employee incurs travel expenses related to RMA business, the employee must receive written approval from the employee's direct supervisor. For approved travel, employees will be reimbursed for mileage and travel expenditures according to the current rate schedule authorized by the Board of Directors. Employees must submit receipts to be reimbursed for travel expenses other than mileage. Employees will not be reimbursed for travel to and from the workplace.

Other Reimbursements.

Unless specifically pre-approved in writing by the employee's supervisor or designee, no employee will be reimbursed for any personal expense incurred for any work-related expenses such as professional development courses or for classroom supplies.

RMA shall reimburse employees for business expenses incurred while performing duties relating to their jobs, as long as such expenditures are pre-approved by the employee's direct supervisor. All expenditures must meet with IRS requirements. Refer to RMA Finance Procedures for further explanation.

Travel Expense Reimbursements.

Before an employee incurs travel expenses related to RMA business, the employee must receive written approval from the employee's direct supervisor. Employees must always find the least expensive way to travel, coordinated to reserve resources. Normal commuting costs (mileage to and from work) are not reimbursable by the district. All expenditures must meet with IRS requirements, in that:

- Must have a business connection – reasonable and necessary
- Must have proper substantiation – date, time, place, amount, and business purpose

Travel Related Meals.

Only reasonable meal costs will be reimbursed and meals must be tax-exempt. The maximum meal allotments are determined by the U.S. General Services Administration (GSA) website, <https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup>.

Other Reimbursements.

Unless specifically pre-approved in writing by the employee's supervisor or designee, no employee will be reimbursed for any personal expense incurred for any work-related expenses such as professional development courses or for classroom supplies.

6.12. Deductions in Pay

RMA is required to make the following automatic payroll deductions.

- Teacher Retirement System of Texas or Social Security employee contributions.
- Federal income tax.

- Medicare tax.
- Child support and spousal maintenance, if applicable.
- Delinquent federal education loan payments, if applicable.

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

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

6.13. Payroll Advances and Financial Loans

RMA does not issue payroll advances to any employee under any circumstance. Additionally, RMA does not extend financial loans to its employees.

6.14. Final Pay

Texas Payday Law regulates the timing of the final paycheck in Texas Labor Code Section 61.014. If an employee is laid off, discharged, fired or otherwise involuntarily separated from employment, the employee's final pay is due within six (6) calendar days of discharge. If the employee quits, resigns, retires or otherwise leaves employment voluntarily, the employee's final pay is due on the next regularly scheduled payday following the effective date of resignation.

7. NON-DISCRIMINATION & ANTI-HARASSMENT

7.1. Non-Discrimination

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

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

As required by Title IX, RMA does not (and is required not to) discriminate on the basis of sex in its educational programs or activities. This non-discrimination requirement applies to admission to and employment with RMA. Inquiries into issues related to Title IX may be referred to RMA's Title IX Coordinator (identified below), to the Assistant Secretary for Civil Rights of the Department of Education, or both.

RMA has designated the following person as the Title IX Coordinator, who is responsible for receiving and overseeing investigations of alleged discrimination on the basis of sex, including sexual harassment: For Personnel: HR Coordinator, 401 E. Sonterra Blvd Suite 375, San Antonio, Texas 78258, 830-557-6181, hr@rma-tx.org. For Students: Director of Special Populations, 802 North 8th Street, Killeen, TX 76541, 346-522-8685, TitleIXStudentCoord@rma-tx.org.

RMA has designated the following person as the ADA Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of disability: Director of Special Populations, 802 North 8th Street, Killeen, TX 76541, 346-522-8685, TitleIXStudentCoord@rma-tx.org.

RMA has designated the following person as the Title VII/ADEA Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of age: HR Coordinator, 401 E. Sonterra Blvd Suite 375, San Antonio, Texas 78258, 830-557-6181, hr@rma-tx.org.

All other complaints regarding equal employment opportunity may be directed to: HR Coordinator, 401 E. Sonterra Blvd Suite 375, San Antonio, Texas 78258, 830-557-6181 ext. hr@rma-tx.org.

Federal and State Worksite Postings

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

7.2. Immigration Law Compliance

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

7.3. Nondiscrimination Based on Religion

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

7.4. Nondiscrimination Based on Military Service

RMA will not deny initial employment, reemployment, retention in employment promotion, or any benefits of employment on the basis of membership in a uniformed service, performance in a uniformed service, application for uniformed service, or obligation to a uniformed service.

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

7.5. Americans with Disabilities Act (ADA)

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

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

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

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

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

7.6. Prohibition of Harassment

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

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

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

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

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

Retaliation

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

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

7.7. Reporting Discrimination and/or Harassment

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

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

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

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

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

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

RMA’s investigation may be conducted by the Compliance Coordinator or designee, or by a third party designated by RMA such as an attorney. When appropriate, the Principal or supervisor shall be involved in or informed of the investigation.

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

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

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

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

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

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

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

7.8. Sexual Harassment Prohibited

RMA prohibits discrimination on the basis of sex, including sexual harassment, by an employee, volunteer, or student.

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

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

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

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

General Definitions

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

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

A “formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that RMA investigate the allegation of sexual harassment.

“Supportive measures” means non-disciplinary, non-punitive individualized services offered appropriate and without fee or charge to the complainant or the respondent before or after the filing of a formal

complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to RMA's educational program or activity without unreasonably burdening either party, including measures designed to protect the safety of all parties or RMA's educational environment, or deter sexual harassment. Examples of supportive measures include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of class schedules, mutual restrictions on contact between the parties, and other similar measures.

Reporting Sexual Harassment

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by email, using the contact information listed for the Title IX Coordinator in Section 7.1 of this Handbook, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time, including during non-business hours, by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator.

RMA's response to a report of sexual harassment must treat complainants and respondents equitably by offering supportive measures and by following a grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

After a report of sexual harassment has been made, the Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

Notice of Allegations

Upon receipt of a formal complaint, RMA must provide the following written notice to the parties who are known:

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

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

Grievance Process

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of RMA.

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

- RMA will require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and credibility determinations may not be based on a person’s status as a complainant, respondent, or witness.
- Any individual designated by RMA as a Title IX Coordinator, investigator, decision-maker, or to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. RMA will ensure that Title IX Coordinators, investigators, decision-makers, and anyone who facilitates an informal resolution process receive appropriate training related to the requirements of Title IX and RMA’s sexual harassment policy.
- RMA recognizes a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process.
- RMA shall attempt to complete an investigation of reported sexual harassment within 15 calendar days of receiving a complaint. However, the investigation process may be delayed or extended for a limited time for good cause with written notice to the complainant and the respondent of the delay or extension. Good cause may include considerations such as absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- Students found to have engaged in sexual harassment are subject to disciplinary action as outlined in the Student Code of Conduct.
- RMA shall employ the preponderance of the evidence to determine responsibility when reviewing formal complaints.
- RMA may not require, allow, rely upon, or otherwise use questions of evidence that constitute, or seek disclosure, of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Consolidating Formal Complaints

RMA may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Dismissal of Formal Complaints

RMA must investigate the allegations in a formal complaint.

RMA must dismiss a formal complaint if the conduct alleged in the formal complaint:

- Would not constitute sexual harassment, even if proved;
- Did not occur in RMA’s education program or activity; or
- Did not occur against a person in the United States.

RMA may dismiss a formal complaint or any allegations therein if, at any time during the investigation:

- A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled or employed by RMA; or
- Specific circumstances prevent RMA from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, RMA must promptly send simultaneous written notice to the parties of the dismissal and the reason(s) for the dismissal. Dismissal of a formal complaint does not preclude RMA from taking appropriate action under the Student Code of Conduct or any other school policy that may apply to the alleged conduct.

Investigating Formal Complaints

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

process.

- RMA will ensure the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on RMA and not on the parties.
- RMA cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless RMA receives that party's voluntary, written consent to do so.
- RMA will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- RMA will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- RMA will provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisory of their choice, and not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding. RMA may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- RMA will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.
- RMA will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- Prior to completing an investigative report, RMA must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 calendar days to submit a written response, which the investigator will consider prior to completing the investigative report.
- RMA must create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to a determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for review and written response.
- After sending the investigative report to the parties and before reaching a determination of responsibility, the decision-maker(s) must afford each party the opportunity to submit written relevant questions that a party wants asked of any witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Determination Regarding Responsibility

The decision-maker(s) making a determination regarding responsibility cannot be the same person(s) as the Title IX Coordinator or the investigator(s). The decision-maker(s) must review the investigation report and make a written determination, based on the preponderance of the evidence standard, regarding responsibility. The written determination must include:

- Identification of the allegations potentially constituting sexual harassment;
- A description of the procedural steps taken from receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, or methods used to gather other evidence;
- Findings of fact supporting the determination;
- Conclusions regarding application of RMA's Code of Conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to RMA's education program or activities will be provided to the complainant; and
- RMA's procedures and permissible bases for the complainant and respondent to appeal.

RMA must provide the written determination to the parties simultaneously. The determination becomes final either on the date RMA provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals

RMA will offer both parties an appeal from a determination regarding responsibility, and from RMA's dismissal of a formal complaint or any allegations therein, on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

As to appeals, RMA will ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, or the investigator(s), or the Title IX Coordinator. RMA will provide both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome.

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

A party who is dissatisfied with the appeal decision may file an appeal to the Board of Directors through the process outlined in RMA's grievance procedures.

Emergency Removals

RMA is able to remove a respondent from RMA's education program on an emergency basis, provided that RMA undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. RMA's ability to do so may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504, or the Americans with Disabilities Act.

Informal Resolution

At any time prior to reaching a determination regarding responsibility, RMA may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. However,

RMA may not require as a condition of enrollment or continuing enrollment, or employment or continued employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints. Additionally, RMA may not require the parties to participate in an informal process and may not offer an informal resolution process unless a formal complaint is filed.

Prior to facilitating an informal resolution process, RMA must:

- Provide to the parties a written notice disclosing the allegations and the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations. The notice must also inform that, at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, as well as of any consequence resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- Obtain the parties' voluntary, written consent to the informal resolution process.

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

Retaliation Prohibited

No RMA employee may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this policy.

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

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

Confidentiality

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

Non-Sexual Harassment Sex Discrimination

The formal complaint investigation and resolution process outlined above in this Section 7.8 applies only to formal complaints alleging sexual harassment as defined by Title IX, but not to complaints alleging sex discrimination that do not constitute sexual harassment. Complaints of non-sexual harassment sex discrimination may be filed with the Title IX Coordinator and will be handled under the process described in Section 7.7 of this Handbook.

7.9. Student Discrimination/Harassment

Discrimination and harassment of students by employees are forms of discrimination and are prohibited by law. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the Principal or other appropriate RMA official. All allegations of prohibited harassment of a student by an employee or adult will be promptly investigated. An employee who knows of or suspects child abuse or neglect must also report his or her knowledge or suspicion to the appropriate authorities, as required by law.

RMA shall take appropriate disciplinary action against employees who have engaged in discrimination or harassment of students, up to and including termination of employment.

Retaliation against anyone involved in the complaint process is a violation of RMA policy and acts of retaliation may result in disciplinary action, up to and including termination.

Sexual Harassment of Students

Sexual harassment of students includes any unwelcome verbal or physical sexual advances, including but not limited to engaging in sexually oriented conversations; making comments about a student's potential sexual performance; requesting details of a student's sexual history; requesting a date, sexual contact, or any activity intended for the sexual gratification of the employee; engaging in conversations regarding the sexual problems, preferences, or fantasies of either party; inappropriate hugging, kissing, or excessive touching; suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage; telephoning or texting students at home or elsewhere to solicit unwelcome social relationships; physical contact that would reasonably be construed as sexual in nature; threatening or enticing students to engage in sexual behavior in exchange for grades or other school-related benefit; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct when the conduct affects the student's ability to participate in or benefit from a program or activity; or conduct of a sexual nature that creates an intimidating, threatening, hostile or offensive educational environment.

Sexual harassment of students by employees is always a violation of law and will result in appropriate disciplinary action up to and including termination from employment and referral to appropriate law enforcement authorities.

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

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

7.10. Fraud, Dishonesty, and False Statements

No employee or applicant may ever falsify any application, medical history record, student paperwork, employee paperwork, time sheet, timecard, investigative questionnaires or any other document. Any employee found to have engaged in résumé fraud, or who made material misrepresentations or omissions on their employment application, will be subject to immediate termination of employment. Violations of this policy should be immediately reported to the appropriate supervisor.

7.11. Insubordination

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

In the event a supervisor directs an employee to perform an illegal or immoral act/task, the employee should immediately notify the Principal or designee.

7.12. Growth Plan/Disciplinary Action

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

Disciplinary action may include, but is not limited to, any of the following:

1. Verbal warning.
2. Conference with a supervisor and/or the Principal.
3. Written warning.
4. Imposition of an employee growth plan / performance improvement plan.
5. Suspension with or without pay.
6. Termination of employment.

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

8. EMPLOYMENT STANDARDS

The successful operation and reputation of RMA is built upon the principles of ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of all applicable laws and regulations, as well as scrupulous regard for the highest standards of conduct and personal integrity.

RMA will comply with all applicable laws and regulations, including its charter agreement with the State of Texas, and expects all employees to conduct their work in accordance with relevant law and to refrain from any illegal, dishonest or unethical conduct. Neither the Board of Directors nor any RMA employee shall retaliate against a person who in good faith reports perceived illegal, dishonest or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, discuss the matter with your immediate supervisor and, if necessary, Human Resources.

Every employee is responsible for complying with RMA's policy of proper business ethics and personal conduct. Disregarding or failing to comply with these standards may lead to disciplinary action, up to and including termination of employment.

8.1. Expected Employee Conduct

All employees are expected to, including but not limited to the following:

- Meet established expectations of job performance;
- Comply with attendance policies;
- Be responsible in the performance of job duties;
- Be efficient;
- Be present and on time for work;
- Respect the personal and property rights of all individuals one comes in contact with during the course of RMA business;
- Follow job instructions;
- Maintain a courteous and professional demeanor;
- Provide good customer service;
- Adhere to the Educator' Code of Ethics and Standard Practices for Texas Educators as defined in the Texas Administrative Code Title 19, Part 7, Chapter 247, Rule 247.2, https://tea.texas.gov/Texas_Educators/Investigations/Educators_Code_of_Ethics/.

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

8.2. Alcohol and Drug-Abuse Prevention

RMA is committed to maintaining an alcohol-and drug free environment and will not tolerate the use of

alcohol or illegal drugs in the workplace or at school-related or school-sanctioned activities on or off school property. Employees who possess, distribute, use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours or while representing RMA may be dismissed. RMA's policy regarding employee alcohol and/or drug use is as follows:

Drug-Free Workplace Notice

RMA 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 narcotics or other illegal drugs, alcohol, or prescription medications without a prescription on RMA premises or while attending a school-sponsored or school-related activity is strictly prohibited.

RMA strictly prohibits:

- Being impaired or under the influence of legal or illegal drugs or alcohol away from school property, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk RMA's reputation.
- Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from RMA property, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk RMA's reputation.

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

Additionally, an employee must notify RMA of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Within 30 days of receiving such notice, RMA shall either (1) take appropriate personnel action against the employee, up to and including termination; or (2) require the employee to participate satisfactorily on drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency or other appropriate agency.

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

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

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

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

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

Employees with Commercial Driver's License:

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

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

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

8.3. Violence in the Workplace

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

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

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

8.4. Suspicious Behavior

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

8.5. Former Employees

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

8.6. Employee Dress Code

Employee dress should be neat, clean, and appropriate for a professional appearance. While shoes must be

worn at all times, house shoes (e.g. slippers) and flip-flops are not allowed. Denim jeans are allowed on Fridays so long as the jeans are free from holes and frays). If an employee is unsure of the appropriateness of a particular item of clothing, the employee should choose not to wear it.

An administrator may require an employee to cover his or her tattoos and/or remove facial jewelry. Additionally, because it is difficult to establish a specific dress standard, an RMA administrator may require an employee to change clothing into attire more appropriate for the school environment.

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

8.7. Outside Employment

Employees are required to disclose in writing to the Superintendent any outside employment that may create a potential conflict of interest with their assigned duties and responsibilities or the best interest of the district. Approval for outside employment will be determined by the Superintendent on a case by case by case basis, based on whether outside employment interferes with the duties of the regular assignment, or cause a potential conflict of interest. Teachers are not allowed to privately tutor their students for pay during the school year; however, tutoring during the summer months is acceptable.

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

8.8. Employee Searches

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

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

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

All RMA employees are subject to this policy. However, any given search may be restricted to one or more specific individuals, depending upon the situation. Searches may be done on a random basis or based upon reasonable suspicion. "Reasonable suspicion" means circumstances suggesting to a reasonable person that there is a possibility that one or more individuals may be in possession of a prohibited item as defined above. Any search under this policy will be done in a manner protecting employee privacy, confidentiality,

and personal dignity to the greatest extent possible. RMA will respond severely to any unauthorized release of information concerning individual employees.

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

8.9. Tobacco Products and E-Cigarettes

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

For purposes of this policy, “e-cigarette” means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. This also includes any and all vapors, inhalants, electronic cigarette devices or other devices or paraphernalia used with vapors, other inhalants or chemicals.

All personnel shall enforce this policy on RMA property

8.10. Audio & Video Recordings

RMA is charged with the responsibility of caring for students. Maintaining a safe and efficient school is critical to fulfilling this responsibility. RMA reserves the right to conduct surveillance in its facilities and offices when such surveillance is in the best interest of the school, its students, or its employees, such as for possible problems with student abuse, theft, drugs, alcohol or other serious misconduct. Therefore, employees are on notice that they should have no expectation of personal privacy while at work and all schools and school facilities are subject to surveillance, including parking lots. Surveillance may be by electronic means or direct human involvement. Surveillance methods may be visible or may be concealed. Periods of surveillance may or may not be announced at the option of RMA. No employee shall initiate surveillance of any kind without express approval of the Superintendent. Technical assistance with surveillance may be sought from local law enforcement agencies in conducting surveillance and surveillance results may be shared with local law enforcement agencies when possible criminal action is indicated.

8.11. Office Dating

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

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

Conduct that occurs during a disagreement or following a termination of the relationship must not violate RMA’s harassment policy.

8.12. Workplace Investigations

When RMA investigates a complaint of misconduct, including but not limited to complaints of student

abuse or any type of discrimination or harassment, it expects and requires the cooperation of all employees including the complainant, witnesses, and the accused. During an investigation, RMA may interview employees privately and take oral and/or written statements from them. Any employee who fails to cooperate with such an investigation or to provide complete and truthful information may be subject to disciplinary action, up to and including termination from employment.

8.13. Reporting an Educator's Misconduct

PART I: Definitions

In this policy:

1. "Abuse" has the meaning assigned by Family Code 261.001 and includes any sexual conduct involving a student or minor.
2. "SBEC" means the State Board for Educator Certification.
3. "Registry" means the registry of persons who are not eligible to be employed by or act as a service provider for an educational entity maintained under Education Code 22A.151.
4. "Service provider" means a person who provides services to Richard Milburn Academy. The term includes:
 - a. A contractor or subcontractor for Richard Milburn Academy;
 - b. A provider of tutoring services for Richard Milburn Academy;
 - c. An entity that has entered into a contract to operate a school district campus under Education Code 11.174;
 - d. A staffing provider for Richard Milburn Academy; and
 - e. A person employed by or under the control of a person described in item (a), (b), (c), or (d) above.

Education Code 22A.001.

PART II: Reporting Educator Misconduct

SEC. 1. REPORTING OBLIGATIONS

a) Matters to Report

In addition to the reporting requirements under Family Code 261.101, the Superintendent shall notify the State Board for Educator Certification (the "SBEC") if:

1. An educator employed by or seeking employment with RMA has a reported criminal history and RMA obtained information about the educator's criminal record by a means other than the criminal history clearinghouse established by the Texas Department of Public Safety;
2. An educator's employment with RMA was terminated and there is evidence that the educator:
 - a. Abused or otherwise committed an unlawful act with a student or minor, including by engaging in conduct that involves physical mistreatment or constitutes a threat of violence to a student or minor and that is not justified under Chapter 9, Penal Code, regardless of whether the conduct resulted in bodily injury;
 - b. Was involved in a romantic relationship or solicited or engaged in sexual conduct with a student or minor;

- c. Engaged in inappropriate communications with a student or minor, as defined by SBEC rule;
 - d. Failed to maintain appropriate boundaries with a student or minor, as defined by SBOE rules;
 - e. Possessed, transferred, sold, or distributed a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. § 801 et seq.;
 - f. Illegally transferred, appropriated, or expended RMA property or funds;
 - g. Attempted by fraudulent or unauthorized means to obtain or alter a professional certificate or license for purposes of promotion or additional compensation; or
 - h. Committed a crime or any part of a crime while on RMA property or at a school-sponsored event.
3. The educator resigned and reasonable evidence supported a recommendation to terminate the individual because he or she engaged in misconduct described in paragraph 2 above.
 4. The Superintendent becomes aware of evidence that an educator employed by RMA engaged in the following misconduct:
 - a. Abused or otherwise committed an unlawful act with a student or minor, including by engaging in conduct that involves physical mistreatment or constitutes a threat of violence to a student or minor and that is not justified under Chapter 9, Penal Code, regardless of whether the conduct resulted in bodily injury;
 - b. Was involved in or solicited a romantic relationship with or solicited or engaged in sexual conduct with a student or minor;
 - c. Engaged in inappropriate communications with a student or minor, as defined by SBEC rule; or
 - d. Failed to maintain appropriate boundaries with a student or minor, as defined by SBOE rules.
 5. The educator engaged in conduct that violated the assessment instrument security procedures established by Education Code section 39.0301.

Education Code 22A.051(a); 19 TAC 249.14(d)

b) Report by Principal

The Principal of a RMA campus must notify the Superintendent:

1. Except as provided by subsection 2, not later than the seventh business day after the date:
 - a. Of an educator's termination of employment or resignation following an alleged incident of misconduct described in Part II(1)(a) above; or
 - b. The Principal knew about an educator's criminal record under Part II(1)(a)(1) above; or;
2. Not later than 48 hours after the Principal becomes aware of evidence of misconduct described in Part II(1)(a)(2)(a), (b), (c), or (d) above.

Education Code 22A.051(c).

c) Timeline for Superintendent Report to SBEC

The Superintendent must notify SBEC by filing a report:

1. Except as provided by subsection 2, not later than the seventh business day after the Superintendent :
 - a. Receives notice from a Principal under Part II(1)(b) above; or
 - b. Knew about an educators termination of employment or resignation following an alleged incident of misconduct described in Part II(1)(a) above or an educator's criminal record under Part II(1)(a)(1) above;
2. Not later than 48 hours after the Superintendent:
 - a. Receives notice from a Principal under Part II(1)(b); or
 - b. Becomes aware of evidence of misconduct described in Part II(1)(a)(2)(a), (b), (c), or (d) above.

Education Code 22A.051(d).

d) Contents of Report

The Superintendent's report to SBEC must be:

1. In writing;
2. In a form prescribed by the SBEC; and
3. Filed through the Internet portal developed and maintained by the Texas Education Agency.
4. Education Code 22A.051(e).

The Superintendent's report must include the following information:

1. The name or names of any student or minor who is the victim of abuse or unlawful conduct by an educator; and
2. The factual circumstances requiring the report and the subject of the report by providing the following available information:
 - a. Name and any aliases, certificate number (if any), or social security number;
 - b. Last known mailing address and home and daytime phone numbers;
 - c. All available contact information for any alleged victim or victims;
 - d. Name or names and any available contact information of any relevant witnesses to the circumstances requiring the report;
 - e. Current employment status of the subject, including any information about proposed termination, notice of resignation, or pending employment actions; and
 - f. Involvement by a law enforcement or other agency, including the Texas Education Agency.

19 TAC 249.14(f).

The Superintendent shall include the name of a student or minor who is the victim of abuse or unlawful conduct by an educator, but the name of the student or minor is not public information under Government Code Chapter 552. *Education Code 21.006(h).*

Sec. 2. Requirement to Complete Investigation

The Superintendent shall complete an investigation of an educator that involves evidence that the educator may have engaged in misconduct items 2(a) or (b) in Part I, Section 1 (Matters to Report) above, despite the educator's resignation from employment before completion of the investigation:

1. An educator abused or otherwise committed an unlawful act with a student or minor, including by engaging in conduct that involves physical mistreatment or constitutes a threat of violence to a student or minor and that is not justified under Chapter 9, Penal Code, regardless of whether the conduct resulted in bodily injury;
2. An educator was involved in or solicited a romantic relationship with or solicited or engaged in sexual conduct with a student or minor;
3. An educator engaged in inappropriate communications with a student or minor, as defined by SBEC rule; or
4. An educator failed to maintain appropriate boundaries with a student or minor, as defined by SBOE rules.

Education Code 22A.051(b).

Sec.3 Notice of Report

a) Notice to the Board and Educator

The Superintendent shall notify the Board and the educator of the filing of a report to the SBEC. Education Code 22A.051(f).

b) Notice Prior to Accepting Educator's Resignation

Before accepting an employee's resignation that requires filing a report, the Superintendent shall inform the educator in writing that a report will be filed and that sanctions against his or her certificate may result as a consequence. The Superintendent shall also notify the Board before filing the report with SBEC. 19 TAC 249.14(d)(3)(A)-(B).

Sec. 4. Immunity

The Superintendent, a director, or principal who, in good faith and while acting in an official capacity, files a report with the SBEC under this policy or communicates with another superintendent, director, or principal concerning an educator's criminal record or alleged incident of misconduct is immune from civil or criminal liability that might otherwise be incurred or imposed. Education Code 22A.051(g).

PART III: Reporting Employee or Service Provider Misconduct

Sec. 1. Applicability

Part III of this policy applies to a person who is employed by RMA and who does not hold a certification or permit issued under Subchapter B, Chapter 21 of the Texas Education Code; or a service provider for RMA who has or will have direct contact with students. Education Code 22A.052(a).

Sec. 2. Reporting Obligations

a) Matters to Report

In addition to the reporting requirement under Family Code 261.101, the Superintendent shall notify the Commissioner of Education (the "Commissioner") if the Superintendent:

1. Becomes aware of evidence that a person described in Part III(1) engaged in the following misconduct:
 - a. Abused or otherwise committed an unlawful act with a student or minor, including by engaging in conduct that involves physical mistreatment or constitutes a threat of violence to a student or minor and that is not justified under Chapter 9, Penal Code, regardless of whether the conduct resulted in bodily injury;
 - b. Was involved in or solicited a romantic relationship with or solicited or engaged in sexual conduct with a student or minor;
 - c. Engaged in inappropriate communications with a student or minor, as defined by SBEC rule;
 - d. Failed to maintain appropriate boundaries with a student or minor, as defined by SBOE rules; or
2. Obtains criminal history record information relating to misconduct described above for a person described in Part III(1).

Education Code 22A.052(b).

b) Report by Principal

The Principal of a RMA campus must notify the Superintendent not later than 48 hours after the Principal becomes aware of evidence of an alleged incident of misconduct described by Part III(2)(a)(1)(a)-(d) above. Education Code 22A.052(d).

c) Report by Superintendent

The Superintendent must notify the Commissioner by filing a report not later than 48 hours after the date the Superintendent:

1. Receives notice from a Principal under Part III(2)(b);
2. Knew about the termination or resignation from employment or cessation of services of a person described by Part III(a) following an alleged incident of misconduct described by Part III(2)(a)(1)(a)-(d); or
3. Becomes aware of evidence of misconduct described by Part III(2)(a)(1)(a)-(d).

Education Code 22A.052(e).

The Superintendent's report to the Commissioner must be:

1. In writing;
2. In a form prescribed by the Commissioner; and
3. Filed through the Internet portal developed and maintained by the Texas Education Agency.

Education Code 22A.052(f).

The name of a student or minor who is the victim of abuse or unlawful conduct must be included in the report, but the name of the student or minor is not public information under Chapter 552, Government Code. Education Code 22A.052(j).

Sec. 3. Requirement to Complete Investigation

The Superintendent shall complete an investigation of a person described by Part III(1) that involves evidence that the employee may have engaged in misconduct described in Part II, despite the person's termination of or resignation from employment or cessation of services for RMA before completion of the investigation. Education Code 22A.052(c).

Sec. 4. Notice of Report

The Superintendent shall notify the Board and the person who is the subject of the report of the filing of the report required by Part III of this policy. Education Code 22A.052(g).

Sec. 5. Immunity

The Superintendent, director, or Principal who in good faith and while acting in an official capacity files a report under Part III is immune from civil or criminal liability that might otherwise be incurred or imposed. Education Code 22A.052(h).

Part IV: Notice to Parents or Guardian about Misconduct

The Superintendent shall provide notice to the parent or guardian of a student with whom a person employed by or acting as a service provider for RMA is alleged to have engaged in the following misconduct:

Abused or otherwise committed an unlawful act with a student or minor, including by engaging in conduct that involves physical mistreatment or constitutes a threat of violence to a student or minor and that is not justified under Chapter 9, Penal Code, regardless of whether the conduct resulted in bodily injury;

1. Was involved in or solicited a romantic relationship with or solicited or engaged in sexual conduct with a student or minor;
2. Engaged in inappropriate communications with a student or minor, as defined by SBEC rule; or
3. Failed to maintain appropriate boundaries with a student or minor, as defined by SBOE rules.

The notice must inform the parent or guardian:

That the alleged misconduct occurred;

1. Whether the person was terminated following an investigation of the alleged misconduct or resigned before completion of the investigation; and
2. Whether a report was submitted to SBEC or the Texas Education Agency concerning the alleged misconduct.
3. The notice must be provided as soon as feasible after RMA becomes aware that alleged misconduct may have occurred.

Education Code 22A.053.

8.14. Updated/Current Employee Information

Employees are required to regularly update:

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

Updates should be made by using the TalentEd system.

8.15. Allowable Uses of School Property

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

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

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

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

8.16. Computer & Internet Use

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

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

8.17. Personal Boundaries

All employees must uphold appropriate boundaries when dealing with students. While it is necessary to build relationships and make connections with students, maintaining these relationships as teacher-student is mandatory.

- Employees will only use RMA authorized means to communicate with students, such as RMA email, or other RMA electronic systems email or chat options, and campus telephones.
- Employees will not "friend" or connect with students on any social media or other internet

platforms. (Employees are highly encouraged to keep their personal social media profile settings private.)

- Employees will not give students their personal contact information, including phone numbers and address.
- Employees will not give students gifts, food, or other items outside of school-sanctioned events.
- Employees will not allow students to use their RMA provided or personal computers.
- Employees will not transport students in their personal vehicles.
- Employees may not be compelled to discuss a widely debated and currently controversial issue of public policy or social affairs. An employee who chooses to discuss such a topic shall explore that topic objectively and, in a manner, free from political bias.

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

8.18. Administration of Medication to Students

Administration of Medication

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

- Nonprescription medication brought to school must be submitted by a parent along with a written request. The medication must also be in the original and properly labeled container.
- Prescription medications administered during school hours must be prescribed by a physician or advanced nurse practitioner (“ANP”) and filled by a pharmacist licensed in the State of Texas. Prescriptions ordered or filled in Mexico will not be accepted.
- Prescription medications must be submitted in a labeled container showing the student’s name, name of the medication, reason the medication is being given, proper dosage amounts, the time the medication must be taken, and the method used to administer the medication. Medications sent in plastic bags or unlabeled containers will NOT be administered.
- If the substance is herbal or a dietary supplement, it must be provided by the parent and will be administered only if required by the student’s Individualized Education Program (“IEP”) or Section 504 plan for a student with disabilities.
- Only the amount of medication needed should be delivered to the school, i.e., enough medication to last one day, one week, etc. In cases of prolonged need, send in the amount for a clearly specified period. Extra medication will not be sent home with the student.
- In certain emergency situations, RMA may administer a nonprescription medication to a student, but only in accordance with the guidelines developed by the school’s medical advisor and when the parent has previously provided written consent for emergency treatment.

8.19. Psychotropic Drugs and Psychiatric Evaluations or Examinations

No employee may:

- Recommend that a student use a psychotropic drug;
- Suggest any particular diagnosis; or
- Preclude a student from attending class or participating in a school-related activity if the parent refuses to consent to the administration of a psychotropic drug to a student or to a psychiatric evaluation or examination of a student.

“Psychotropic drug” means a substance that is used in the diagnosis, treatment, or prevention of a disease or as a component of a medication and intended to have an altering effect on perception, emotion, or behavior.

8.20. Parent and Student Complaints

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the Board of Directors has adopted orderly processes for handling such complaints. Parents or students may obtain information on this process from the main office or the Principal.

8.21. Student Conduct and Discipline

Students are expected to follow all classroom and campus rules, and the rules listed in the Student Code of Conduct. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management strategies that have been adopted by RMA. Non-instructional employees with concerns about a particular student's conduct should contact the student's classroom teacher or the Principal.

Bullying

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

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

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

RMA's anti-bullying policy applies to:

1. bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. bullying that occurs on a publicly or privately-owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying:
 - a) interferes with a student's educational opportunities; or
 - b) substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Any employee or student who believes that he or she may have experienced or witnessed bullying should immediately report the alleged acts to the Principal or designee.

The Principal or designee will notify the victim, the student alleged to have engaged in bullying, and any student witnesses of available counseling options.

The Principal or designee will also provide notice of the incident of alleged bullying to:

- A parent or guardian of the alleged victim on or before the third business day after the date the incident is reported; and
- A parent or guardian of the alleged bully within a reasonable amount of time after the incident.

The Principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited discrimination or harassment, and if so, proceed with an investigation under RMA's anti-discrimination and harassment policy instead. The Principal or designee shall conduct an appropriate investigation based on the allegations in the report, and shall take prompt interim action calculated to prevent bullying during the course of an investigation, if appropriate.

The Principal or designee shall prepare a written report of the investigation, including a determination of whether prohibited bullying occurred. If the results of an investigation indicated that bullying occurred, the school shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the Student Code of Conduct. RMA. may act based on the results of an investigation, even if the school concludes that the conduct did not rise to the level of bullying under this policy.

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

Student Attendance

Teachers and staff should be familiar with RMA's policies and procedures for attendance accounting. Contact the Principal for additional information.

Student Transportation

Except in limited emergency situations, RMA. employees are not authorized to transport students in the employee's personal automobile.

Student Welfare: Computer Technician Reports of Child Pornography

Any computer technician employed by RMA. who, in the course and scope of employment or business with RMA. views an image on a computer that is or appears to be child pornography must immediately report the discovery to a local or state law enforcement agency or the Cyber Tipline at the National Center for Missing and Exploited Children. The report must include the name and address of the owner or person claiming a right to possession of the computer, if known, and as permitted by federal law.

8.22. Reporting Child Abuse/Child Neglect

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

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

Reports to CPS can be made to local offices, online at <https://www.txabusehotline.org/Login/Default.aspx> or to the Texas Abuse Hotline at (800) 252-5400. State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, RMA is prohibited from taking an adverse employment action against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

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

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

Reporting the concern to the Principal or another administrator does not relieve the employee of the requirement to report it to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

Sexual Abuse and Maltreatment of Children

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

Notification to Parents Regarding Qualifications

In schools receiving Title I funds, RMA is required by the Every Student Succeeds Act ("ESSA") to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. ESSA also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements

State law requires that RMA provide to the parent or guardian of each enrolled student written notice of the professional qualifications of the student's classroom teachers. RMA will also provide this information upon request from a parent.

Employee Training

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

8.23. Use of Personal Vehicles and Traffic Violations

Employees conducting school-related business in their personal vehicles are expected to comply with all

state laws related to vehicle insurance coverage requirements. If involved in an accident while on school-related business, personal vehicle insurance takes precedence.

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

8.24. Weapons and Firearms Prohibited

Texas Penal Code section 46.03, prohibits firearms, location-restricted knives, clubs or any prohibited weapon on the physical premises of a school, any grounds or building on which an activity sponsored by a school is being conducted, or school transportation vehicle. Any violation of this policy by an RMA employee may result in immediate termination. To ensure the safety of all persons, employees who observe or suspect a violation of this prohibition should report it immediately to their supervisor.

8.25. Social Media Usage

Personal Accounts.

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

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

When using personal social media sites, if you identify yourself as an employee of the RMA, you must remember that you have associated yourself with the school, your colleagues and your school community; therefore, your online behavior must reflect the same standards of professionalism, respect and integrity as your face-to-face communications. You must ensure that any associated content is consistent with the mission and work of the school. You must also respect all copyright and other intellectual property laws. For RMA's protection, as well as your own, it is critical that you show proper respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks, and other intellectual property, including RMA's own copyrights, trademarks, and brands.

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

Professional Accounts.

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

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

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

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

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

8.26. Staff/ Student Romantic Relationships

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

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

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

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

8.27. Authority to Bind Contracts

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

8.28. Fraud and Financial Impropriety

All employees should act with integrity and diligence in duties involving RMA’s financial resources. RMA

prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety include, but is not limited to, the following:

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

8.29. Expressing Breastmilk in the Workplace

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

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

8.30. Visitors in the Workplace

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

RMA may establish an electronic database for the purpose of storing information concerning school visitors. Such database may only be used for purposes of school security, and may not be sold or otherwise disseminated to a third party for any purpose. RMA may also verify whether any visitor to a campus is a sex offender registered with the computerized central database maintained by the Department of Public Safety, or any other database accessible by RMA

9. GRIEVANCE PROCEDURES

Informal Process

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

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

Guidelines for General Employee Complaint Process

Definitions

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

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

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

“Business Day”

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

Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication (including e-mail and fax), or by U.S. Mail. Hand-delivered filing shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filing shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline

Scheduling Conferences

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

Response

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

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

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

Representative

“Representative” means a person designated to represent him or her in the complaint process. An employee may designate a representative through written notice to RMA at any level of the grievance process. The representative may participate in person or by telephone / video conference. If the employee designates a representative with fewer than three days’ notice to RMA before a scheduled conference or hearing, RMA

may reschedule the conference or hearing to a later date, if desired, in order to include the school's counsel. RMA may be represented by counsel at any level of the process.

Consolidating Complaints

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

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

Untimely Filings

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

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and Appeal Forms

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

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

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

Formal Process

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

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

9.1. Campus Principal Review of Complaint

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

9.2. Superintendent Review of Complaint

If the complainant is not satisfied with the final decision of the campus principal/supervisor, then the individual may file a written appeal to the Superintendent. This written appeal shall be filed with the Superintendent office within ten business days of the individual's receipt of the final decision from the campus principal/supervisor. The complaint shall include a copy of the prior written complaint, along with a copy of the final decision of the campus principal/ supervisor.

A copy of the appeal shall also be delivered to the campus principal/supervisor.

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

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

9.3. Board of Directors Review of Complaint

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

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

9.4. Whistleblower Complaints

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

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

Following receipt of a whistleblower complaint, the Superintendent or designee will conduct an investigation and issue a written response to the complaint. An employee who is dissatisfied with the outcome of the investigation may file an appeal to the Board of Directors through the General Employee Complaints and Grievances Process described in Section 9.3 of this Handbook, beginning at Level Three.

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

1. Exhaust the RMA complaint procedure, in which case the employee must sue not later than the 30th day after the date those procedures are exhausted to obtain relief under the TWA; or
2. Terminate the school's complaint procedures and sue within the timelines established by the TWA.

10. SEPARATION FROM EMPLOYMENT

10.1. Termination or Resignation

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

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

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

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

Reports Concerning Court-Ordered Withholding

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

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

Termination Grievances (General Complaints)

A terminated employee may request a review of the dismissal decision. Termination grievances (other than whistleblower complaints) must be submitted in writing to Human Resources within five calendar days of notice of termination. A Human Resources representative will schedule and hold a conference within five business days of the request and shall issue a written decision within five business days after the conference. A former employee wishing to appeal this decision may appeal through the General Employee Complaints and Grievances process described in Section 9 of this Handbook, beginning at Level 3 Board of Directors Review of Complaint. Termination decisions will not be deferred pending the outcome of an appeal.

10.2. COBRA Notice

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

11. Miscellaneous Provisions

11.1. Emergencies

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

11.2. External Inquiries

Employees should contact the Human Resources Department regarding all employee related legal matters and external inquiries. This includes all inquiries, notices or other communication from attorneys, prospective employers or others regarding employees or former employees, whether verbal or written. It also includes, but is not limited to:

- Any charges of discrimination that may come from the EEOC, Texas Human Rights Commission, or other agencies;
- Any notice or indication of an audit by the DOL or notification from the TWC; and

- Any OSHA complaints or site visits by OSHA staff members.

No response should be given to external inquiries or notifications except how to contact the Human Resources Department. The Human Resources Department should be notified as soon as possible. No employee other than the Superintendent may be served with legal papers. Employees who become aware of the attempt to serve legal papers should advise the server of the appropriate agent of record for service of process and notify his or her supervisor and/or the Human Resources Department as soon as possible.

11.3. Family Educational Rights and Privacy Act

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

11.4. HIPAA

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

11.5. HIV-AIDS and Other Life -Threatening Illnesses

Individuals infected with HIV and individuals with life-threatening illnesses have the same rights and opportunities as other individuals.

Employees are not required to reveal their HIV status to employers. All medical information that an HIV-infected employee provides to medical or management personnel is confidential and private. RMA may not reveal this information without the employee’s knowledge and written consent, except as provided by law. Those with access to protected health information (“PHI”) must maintain strict confidentiality and privacy, separating the PHI from employees’ personnel records. Individuals who fail to protect PHI commit a serious offense, which may be cause for litigation resulting in both civil and criminal penalties and may result in disciplinary action, up to and including termination.

Employees who have concerns of a co-worker or student infected with HIV or a life-threatening illness should contact Human Resources for appropriate information and reference materials. Employees do not have the right to refuse to work with someone who has HIV or AIDS or any disability. An employee who refuses to work with co-workers or students who have a disability shall be subject to disciplinary or corrective action, up to and including termination.

Employees who desire assistance concerning a disability or a life-threatening illness should contact Human Resources.

11.6. Limitations on Employee Training

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

Sec. 1. Instructional Requirements and Prohibitions

a) Prohibited Discussions or Activities

For any course or subject, including an innovative course, for a grade level from kindergarten through grade 12:

1. A teacher may not be compelled to discuss a widely debated and currently controversial issue of public policy or social affairs;
2. A teacher who chooses to discuss a topic described in subparagraph (1) shall explore that topic objectively and in a manner free from political bias;
3. Neither RMA nor a teacher may require, make part of a course, or award a grade or course credit, including extra credit, for a student's:
 - a. Work for, affiliation with, or service learning in association with any organization engaged in:
 - i. Lobbying for legislation at the federal, state, or local level, if the student's duties involve directly or indirectly attempting to influence social or public policy or the outcome of legislation; or
 - ii. Social policy advocacy or public policy advocacy;
 - b. Political activism, lobbying, or efforts to persuade members of the legislative or executive branch at the federal, state, or local level to take specific actions by direct communication; or
 - c. Participation in any internship, practicum, or similar activity involving social policy advocacy or public policy advocacy; and
4. A teacher, administrator, or other employee of RMA may not:
 - a. Require or make part of a course inculcation in the concept that:
 - i. One race or sex is inherently superior to another race or sex;
 - ii. An individual, by virtue of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;
 - iii. An individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race or sex;
 - iv. An individual's moral character, standing, or worth is necessarily determined by the individual's race or sex;
 - v. An individual, by virtue of the individual's race or sex, bears responsibility, blame, or guilt for actions committed by other members of the same race or sex;
 - vi. Meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race;
 - vii. The advent of slavery in the territory that is now the United States constituted the true founding of the United States; or
 - viii. With respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to the authentic founding principles of the United States, which include liberty and equality;
 - b. Teach, instruct, or train any administrator, teacher, or staff member to adopt a concept listed under subparagraph (4)(a); or
 - c. Require an understanding of the 1619 Project.

Education Code 28.0022(a).

This Policy does not limit the teaching of or instruction in the Texas Essential Knowledge and Skills. Education Code 28.0022(e).

Nothing in this Policy prohibits a teacher employed RMA from directing a classroom activity that involves students communicating with an elected official so long as RMA does not influence the content of a student's communication. Education Code 28.0022(g).

RMA may not accept private funding for the purpose of developing a curriculum, purchasing or selecting curriculum materials, or providing teacher training or professional development related to a concept listed in subparagraph (4)(a). Education Code 28.0022(c).

b) Exception

The prohibition against student courses, awards or grades, and extra credit described in Sec. 1(a)(3) above do not apply to a student's participation in:

1. Community charitable projects, such as building community gardens, volunteering at local food banks, or other service projects;
2. An internship or practicum:
 - a. For which the student receives course credit under a career and technology education program or under the P-TECH program established under Education Code 29.553; and
 - b. That does not involve the student directly engaging in lobbying, social policy advocacy, or public policy advocacy; or
3. A program that prepares a student for participation and leadership in this country's democratic process at the federal, state, or local level through the simulation of a governmental process, including the development of public policy.

Education Code 28.0022(b).

Sec. 2. Penalties to Students

RMA may not implement, interpret, or enforce any rule in a manner that would result in the punishment of a student for reasonably discussing the concepts described by Sec. 1(a)(4) in school or during a school-sponsored activity or have a chilling effect on reasonable student discussions involving those concepts in school or during a school-sponsored activity. Education Code 28.0022(d).

Sec. 3 Employment Action

A RMA employee or contractor who intentionally or knowingly engages in or assigns to another person an act prohibited by this Policy is subject to disciplinary consequences in accordance with RMA's Employee Handbook, up to and including termination. Education Code 22.0022(h).

Sec. 4. Distribution

RMA shall provide a physical and electronic copy of this Policy and any procedures related to this Policy to each employee or contractor. Education Code 22.0022.(h).

11.8. Records Retention

Current and former employees are considered temporary custodians of RMA records. Records include any document, including emails and text messages, created, sent, or received by a current or former employee. Employees do not have a personal or property right to public information created or received while acting in their official work capacity or in the transaction of official school business. This means any public information, even if located on a personal device, must be retained and preserved in accordance with the mandatory retention laws of the State of Texas.

Employees are reminded that the destruction of school records is the sole responsibility of RMA. If a request for records is received, the employee with possession, custody, or control of public information is required to surrender the information to the school's designated representative no later than the 10th business day after the information is requested. The failure to surrender or return requested documents is grounds for disciplinary action or any other applicable penalties provided by the Texas Public Information Act or other law.

Employees who maintain public information on their personal devices are required to (1) forward the information to their school-issued email account or the school District's server; or (2) preserve and retain the information, in its original form, on the personal device for the legally mandated retention period.

11.9. School Closures

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

When an emergency such as these examples occurs, the school may experience required closure.

Inclement weather;

- Electricity or other outage;
- A governmental entity declares an emergency or issues notice that asks schools to consider closure.

Notification

In an emergency, RMA will make every effort to notify employees.

Pay for Employees

If the closure day will be made up at a later date:

- During the time when the school is closed in which it normally would have been open, exempt time employees will receive their full salary for their normal hours worked for one day. Per the school calendar, the employee will be required to work on a future scheduled make-up date with no additional pay.
- Non-exempt (hourly) employees will not receive pay for the work hours that were missed. However, per the school calendar, the employee will be required to work on a future scheduled make-up date and at that, time will receive hourly pay earned on the makeup day.
- In the event it was thought the day would be made up, but later determined there would not be a makeup date, the nonexempt employee would be paid the wages from the missed day, for up to one day, at the time of this determination.

*If the closure day will **not** be made up at a later date:*

- During the time when the school is closed in which it normally would have been open, all full-time employees will receive their full salary for their normal hours worked for one day.

Partial Day Closure

- If an emergency event such as inclement weather or a power outage occurs, the Superintendent may determine that the school will close mid-day. When the school closes mid-day, employees are encouraged to leave immediately so that the conditions do not further deteriorate and affect their ability to safely travel.
- Exempt employees already at work at the time of closure will be paid their normal salary. Non-exempt employees already at work at the time of closure will be paid for their scheduled hours of work. No overtime will be paid.
- Employees who had taken the day off will have the day subtracted from their allotted local personal leave as would have occurred if the school did not close.

If the closure day will not be made up at a later date:

- During the time when the school is closed in which it normally would have been open, all full-time employees will receive their full salary for their normal hours worked for one day.

11.10. School Property

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

The following applies to the usage of any school-owned vehicle: (1) all doors must be locked when the vehicle is unattended, (2) no unauthorized passengers or merchandise are allowed to be transported, (3) no unauthorized merchandise, and (4) no unauthorized stops may be made.

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

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

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

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

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

Computer & Internet Use

RMA's computers, computer networks, electronic mail, and the Internet is only for educational and administrative purposes. The access of material that is obscene, child pornography, or harmful to minors is prohibited.

Failure to comply with this section may lead to disciplinary action up to and including discharge from employment

Possession and Use of Personal Telecommunications Devices, Including Cell Phones, and Other Electronic Devices

Campus principals can develop individual campus procedures that best suit their campus. Therefore, every campus may differ from the other. However, the use of cellular telephones or any device capable of capturing images is strictly prohibited in any area that may invade the privacy of other individuals, including, but not limited to, locker rooms or restroom areas while at school, in a school related or school-sponsored event.

A student must also have written approval to possess other personal telecommunications devices at school, such as netbooks, laptops, tablets, or other portable computers.

Should a student using an electronic device or technology resource disrupt the learning environment during the school day, the device may be confiscated by appropriate school staff. The student/parent may pick up the confiscated telecommunications device from the Principal's office for a fee not to exceed of \$15. Confiscated telecommunications devices that are not retrieved by the student or the student's parents may be disposed of after the notice required by law.

In limited circumstances and in accordance with the law, a student's cell phone or other personal telecommunications device may be searched by authorized personnel. Any disciplinary action will be in accordance with the Student Code of Conduct. RMA is not responsible for damaged, lost, or stolen telecommunications devices.

Possession and Use of Other Personal Electronic Devices

Except as described below, students are not permitted to possess or use personal electronic devices such as MP3 players, video or audio recorders, DVD players, cameras, game, e-readers, or other electronic devices at school, unless prior written permission has been obtained by campus principal. Without such permission, teachers may collect the items and turn them in to the principal's office. The principal will return items to the student's parents at the end of the day or contact parents to pick up items. In limited circumstances and in accordance with law, a student's personal electronic device may be searched by authorized personnel. Any disciplinary action will be in accordance with the Student Code of Conduct. RMA is not responsible for any damaged, lost, or stolen electronic device.

Instructional Use of Personal Telecommunications and Other Electronic Devices

In some cases, students may find it beneficial or might be encouraged to use personal telecommunications or other personal electronic devices for instructional purposes while on campus. Students must obtain prior approval before using personal telecommunications or other personal electronic devices for instructional use. Students must also sign a user agreement that contains applicable rules for use (separate from this handbook). When students are not using the devices for approved instructional purposes, all devices must be turned off during the instructional day. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

RMA makes a variety of communications and information technologies available to students and employees. These technologies, when properly used, promote educational excellence in RMA by facilitating resource sharing, innovation, and communication. Illegal, unethical, or inappropriate use of these technologies can have dramatic consequences, harming RMA, its students, and its employees.

These acceptable use guidelines are intended to minimize the likelihood of such harm by educating students and employees and setting standards which will serve to protect students and staff. Any attempt to violate the provisions of these guidelines may result in revocation of the user's access to the Network/Internet, regardless of the success or failure of the attempt. In addition, disciplinary action consistent with RMA's

employment policy and/or appropriate legal action, which may include restitution, may be taken. School administrators will make the final determination as to what constitutes inappropriate use. The System Administrator or other administrator may deny, revoke, or suspend Network/Internet/resource access as necessary, pending the outcome of an investigation. The expectations of RMA are that all network and technology resource users will comply with all policies, procedures, and guidelines outlined below.

Technology Resources

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

Limited personal use is permitted if the use:

- Imposes no tangible cost to RMA;
- Does not unduly burden RMA's technology resources;
- Has no adverse effect on job performance or on a student's academic performance; and
- Is not used for commercial or political reasons.
- Has up-to-date anti-virus software installed, if applicable.
- Connects only to the "guest" WIFI at all RMA locations.

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

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

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

Acceptable Use of Technology Resources

To prepare students for an increasingly technological society, RMA has made an investment in the use of district-owned technology resources for instructional purposes; specific resources may be issued individually to students. Use of these technological resources, which include RMA's network systems and use of district equipment, is restricted to approved purposes only. Students and parents will be asked to sign a user agreement (separate from this handbook) regarding use of these district resources. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

Internet Filter

RMA uses a web filter to manage access to various inappropriate locations. However, even with a filter, there may still be sites accessible via the Internet that contain material that is illegal, defamatory, inaccurate, or controversial. Although RMA will attempt to limit access to objectionable material by using software, controlling all materials on the Internet is impossible. Employees are expected to monitor student Internet use and to report inappropriate Internet sites not filtered to administration.

Email

Email is a service provided by public funds. Email is for instructional and administrative use. Sending jokes, chain letters, etc. via email is considered an inappropriate use of RMA equipment. Electronic mail transmissions and other use of the electronic communications system by employees shall not be considered

private. Email may be monitored at any time by designated school staff to ensure appropriate use. This monitoring may include activity logging, virus scanning, and content scanning.

Any memo or correspondence sent via email must follow the same RMA guidelines as is used for other correspondence distribution.

Records retention guidelines apply to email correspondence and must be followed. Email is viewed as a public document. Care should be given to the tone of the email. Also, grammar and spelling should be checked before an email is sent. Be mindful of the unique forwarding properties associated with email.

Electronic Storage

RMA has provided technology users with access to network storage locations for files. The storage area provides a place where school-related items can be stored from year to year.

To enforce acceptable use guidelines and to maintain the integrity of RMA's technology resources, shared network space and any RMA storage space will be monitored by school staff. Inappropriate files such as games, music, inappropriate images, movies, videos, and files that consume storage space will be deleted. External electronic storage devices are subject to monitoring if used or purchased with RMA resources.

Network Behavior

Network/Internet users are responsible for their actions in accessing available resources. The following standards will apply to all users of the Network/Internet:

- The user in whose name a system account is issued will be responsible at all times for its proper use. Users may not use another person's account.
- The system may not be used for illegal purposes, in support of illegal activities, or for any other activity prohibited by RMA policy.
- Users may not redistribute copyrighted programs or data without the written permission of the copyright holder or designee. Such permission must be specified in the document or must be obtained directly from the copyright holder or designee in accordance with applicable copyright laws, RMA policy, and administrative regulations.
- Computers are joined to either a student or employee domain for management and inventory. Computers should not be removed from these domains.

General Unacceptable Behavior

While utilizing any portion of RMA's Network/Internet access, unacceptable behaviors include, but are not limited to:

- Abusing network resources, such as sending chain letters or "spamming." Emails sent to "all staff" are reserved for the Technology Department and administration. The use of the "all staff" group for other purposes must be approved by the Technology Department prior to sending.
- Attempting to access non-instructional systems, such as student information systems or business systems, without authorization.
- Attempting to circumvent web filtering through proxies or other means.
- Connecting any networkable device (either wired or wireless) to RMA's network without authorization. The use of a computer or device brought from home accessing the network in any way not designated as "guest access."
- Displaying, accessing, or sending offensive messages or pictures.
- Engaging in activity that may be considered "cyberbullying," including but not limited to threats of violence, extortion, obscene or harassing messages, harassment, stalking, child pornography, and sexual exploitation.
- Engaging in personal attacks, including prejudicial or discriminatory attacks.
- Gaining unlawful access to information or computer and communication resources.
- Generation, storage, transmission or other use of data or other matter, which is abusive, profane, pornographic, or offensive to a reasonable person.

- Illegal, fraudulent, or malicious activity or activity on behalf of organizations or individuals having no affiliation with RMA.
- Installation of any programs or software not approved by RMA.
- Intentional introduction of or experimentation with malicious code including but not limited to computer worms or viruses.
- Knowingly or recklessly posting false information about a person or organization.
- Personal use not related to the conduct of work on behalf of RMA.
- Posting information that could cause damage or danger of disruption.
- The intentional sending of messages that is likely to harm the recipient's work or system and any other types of use which could cause congestion of RMA's network or otherwise interfere with the work of others. Prohibited uses include, but are not limited to, peer-to-peer applications such as LimeWire, Bit Torrent, or any other file sharing applications, as well as large (>5MB) file transfers from Internet sites without prior permission.
- Transmission of material in violation of applicable copyright laws.
- Unauthorized disclosure, use, or dissemination of personal information regarding minors.
- Using criminal speech or speech in the course of committing a crime such as threats against others, instructions on breaking into computer networks, child pornography, drug dealing, purchase of alcohol, gang activities, etc.
- Using obscene, profane, lewd, inflammatory, threatening, or disrespectful language in emails distributed through RMA email.
- Using RMA equipment, network, or credential to threaten other users, or cause a disruption to the educational program.
- Using RMA equipment, network, or credentials to send or post electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- Using RMA's electronic network for commercial purposes, or offering, providing, or purchasing products or services through the network.
- Using RMA's electronic network for political lobbying.
- Using speech that is inappropriate in an educational setting or that violates RMA's standards for employee conduct.

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

Children's Internet Protection Act (CIPA) District Policy

RMA has the following provisions in place for the protection of students and staff in the use of district-provided technology and services:

- All RMA students and their parent or guardian will sign a Technology User Agreement for Student prior to using a school-operated computer. New students will be required to sign this agreement during the enrollment process prior to using any school-operated computers.
- All RMA staff members will sign a Technology User Agreement for Employees prior to the first day of school.
- Filtering will be provided for all Internet-enabled computers used by students, patrons, and staff for bona fide research or other lawful purposes only.
- Students will be educated with regard to safe and appropriate online activities.
- Safe and secure use by minors of direct electronic communications will be assured and monitored.
- Personal email and chat accounts for students are unauthorized and will be blocked.
- Unauthorized online access, including "hacking" and other unlawful activities, is strictly prohibited.
- Unauthorized disclosure, use, and dissemination of personal identification information regarding minors is prohibited.

No Expectation of Privacy

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

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

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

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

System Security

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

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

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

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

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

Software and Files

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

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

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

Technology Hardware

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

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

Vandalism

Vandalism and mischief are prohibited. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Network/Internet, or any networks that are connected to the Network/Internet. This includes, but is not limited to, the creation or propagation of computer viruses, spyware, and malware. Any interference with the work of other users, with or without malicious intent, is construed as mischief and is strictly prohibited.

Deleting, examining, copying, or modifying files and/or data belonging to other users, without their permission, is prohibited.

Forgery of electronic mail messages is prohibited. Reading, deleting, copying, or modifying the electronic mail of other users without their permission is prohibited, unless permitted by RMA policy or authorized by the Superintendent or designee.

Deliberate attempts to exceed, evade, or change resource quotas are prohibited. The deliberate causing of network congestion through mass consumption of system resources is prohibited. Unauthorized disclosure, use, and dissemination of personal information regarding students and employees are prohibited.

Transmitting/Storing/Accessing Confidential Information

Teachers, staff, and students may not redistribute or forward confidential information (i.e., educational records, directory information, personnel records, etc.) without proper authorization. Confidential information should never be accessed, transmitted, redistributed, or forwarded to outside individuals who are not expressly authorized to receive the information. Revealing such personal information as home addresses or phone numbers of users or others is prohibited. In order to reduce the loss of confidential information due to theft or misplacement, student/staff confidential information should not be stored on portable devices such as memory sticks or on hard drives or home machines. This information should be stored on the District's drive. Extreme caution should be used if data is stored on cloud storage (Google docs, drop box, etc.). Cloud based storage should not be used for any data that is considered confidential. This storage is not provided by the District and is subject to the acceptable use guidelines of the particular site being used.

Personal Use of Electronic Communications

Employees in a public-school system are responsible for modeling and teaching high standards of decency

and civic values. Employees must model the character they are expected to teach, both on and off the worksite. This applies to electronic communications.

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

As role models for RMA's students, employees are responsible for their public conduct even when they are not acting as school employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

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

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

Use of Electronic Media and Electronic Communications with Students

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

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

- *Electronic media* includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.
- *Communicate* means to convey information and includes a one-way communication as well as a

dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a communication; however, the employee may be subject to regulations on personal electronic communications. Unsolicited contact from a student through electronic means is not a communication.

An employee uses electronic media to communicate with students must comply with the following provisions:

- Designated employees may use electronic communication with enrolled students only about matters within the scope of the employee's professional responsibilities. All other employees are prohibited from using electronic communication directly with students.
- All communication via electronic media by staff with parents and students will be professional and of the appropriate nature, purpose, timing, and amount.
- An employee shall have no expectation of privacy in electronic communications with students.
- An employee shall not use a personal electronic communication platform, application, or account to communicate with enrolled students.
- Employees are prohibited from using electronic communications in a manner that constitutes prohibited harassment or abuse of a student; adversely affects the student's learning, mental health, or safety; includes threats of violence against the student; reveals confidential information about the student; or constitutes an inappropriate communication with a student.
- Personal online social media may not be associated with professional online social media.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative guidelines, and the Code of Ethics and Standard Practices for Texas Educators, including compliance with Family Educational Rights and Privacy Act, copyright laws, open records requests, etc.
- The employee does not have a right to privacy with respect to communication with students and parents.
- Employees should avoid sending text messages to students. Exceptions may apply for a teacher or other employee who has an extracurricular duty, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging should attempt to include at least one of the student's parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message. Additionally, for each text message addressed to one or more students, the employee must send a copy of the text message to the employee's RMA email address.
- Employees shall not communicate directly with any student between the hours of 10:00pm and 6:00am, except when necessary to notify students about urgent scheduling or transportation issues. Employees may, however, make public posts to a school-related social network site, blog, or similar application at any time.
- Employees shall refrain from inappropriate communications with students. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:
 - The nature, purpose, timing, and amount of the communication;
 - The subject matter of the communication;
 - Whether the communication was made openly or the employee attempted to conceal the communication;
 - Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
 - Whether the communication was sexually explicit; and
 - Whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the employee or the student.

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

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

Upon request from RMA's administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more current-enrolled student.

Employees are not required to disclose their personal email address or personal phone number to students or parents.

Consequences

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

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

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

APPENDIX – FORMS

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Disclosure and Authorization for Consumer Reporting Agency Reports

RMA may obtain a consumer report and/or investigative consumer report (commonly known as a background report) from a consumer reporting agency for employment purposes. The consumer report may include information concerning your employment history, education, qualifications, character, general reputation, personal characteristics, criminal record, motor vehicle record, mode of living and/or credit standing, and indebtedness. This information may be obtained from public and/or private sources.

A consumer report and/or an investigative consumer report may be obtained in processing your application for employment, or at any time during your employment period with RMA, as authorized by state law and/or the Fair Credit Reporting Act ("FCRA"). Should an investigative consumer report (a consumer report in which the above types of information are obtained through personal interviews) be requested, you will have the right to obtain a complete and accurate disclosure of the nature and scope of the investigation requested and a written summary of your rights under the FCRA.

In the event that information from a consumer report obtained about you from a consumer reporting agency is used in whole or in part in making an adverse decision with regard to employment, you will be provided with a copy of the consumer report and a description in writing of your rights under the law.

A summary of your rights under the FCRA is also included with this notice. Individuals may request more information about the nature and scope of any investigative consumer reports by contacting: Christina Averill/HR Coordinator, hr@rma-tx.org.

AUTHORIZATION

I have carefully read and understand this Disclosure and Authorization Form and the attached Summary of Rights under the FCRA. I hereby authorize RMA and/or its agent(s) to obtain and furnish to RMA information related to my background to be used for employment purposes. I hereby authorize any law enforcement agency, institution (including learning institution), information service bureau, credit bureau, record/data repository, court, motor vehicle record agency, employer, military, and other individuals and sources contacted by RMA and/or its agent(s) to furnish the information requested by the consumer reporting agency for employment purposes.

I understand and agree that a facsimile or photographic copy of this authorization will be as valid as the original.

I hereby release RMA, all its agents and employees, and all other persons, agencies, and entities furnishing information or reports about me from all liability arising out of the request for or release of any of the above-mentioned information or reports.

Applicant/Employee Signature: _____ Date: _____

Printed Name: _____ Date: _____

Summary of Your Rights under the Fair Credit Reporting Act on Next Page Para información en español, visite www.consumerfinance.gov/learnmore o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under FCRA. **For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
 - a person has taken adverse action against you because of information in your credit report;
 - you are the victim of identity theft and place a fraud alert in your file;
 - your file contains inaccurate information as a result of fraud;
 - you are on public assistance;
 - you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.consumerfinance.gov/learnmore for additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.consumerfinance.gov/learnmore for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete, or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer

your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.consumerfinance.gov/learnmore.

- **You may limit “prescreened” offers of credit and insurance you get based on information in your credit report.** Unsolicited “prescreened” offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).
- The following FCRA right applies with respect to nationwide consumer reporting agencies:

Consumers Have the Right to Obtain a Security Freeze. You have a right to place a “security freeze” on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.

As an alternative to a security freeze, you have the right to place an initial or extended fraud alert on your credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert display on a consumer’s credit file, a business is required to take steps to verify the consumer’s identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account that requests information in your credit report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit www.consumerfinance.gov/learnmore.

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:

TYPE OF BUSINESS:	CONTACT:
1.a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates	a. Consumer Financial Protection Bureau 1700 G Street, N.W. Washington, DC 20552

b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:	b. Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue, N.W. Washington, DC 20580 (877) 382-4357
2. To the extent not included in item 1 above: a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and Insured State Branches of Foreign Banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act. c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations d. Federal Credit Unions	a. Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050 b. Federal Reserve Consumer Help Center P.O. Box 1200 Minneapolis, MN 55480 c. FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106 d. National Credit Union Administration Office of Consumer Financial Protection (OCFP) Division of Consumer Compliance Policy and Outreach 1775 Duke Street Alexandria, VA 22314
3. Air carriers	Asst. General Counsel for Aviation Enforcement & Proceedings Aviation Consumer Protection Division Department of Transportation 1200 New Jersey Avenue, S.E. Washington, DC 20590
4. Creditors Subject to the Surface Transportation Board	Office of Proceedings, Surface Transportation Board Department of Transportation 395 E Street, S.W. Washington, DC 20423
5. Creditors Subject to the Packers and Stockyards Act, 1921	Nearest Packers and Stockyards Administration area supervisor
6. Small Business Investment Companies	Associate Deputy Administrator for Capital Access United States Small Business Administration 409 Third Street, S.W., Suite 8200 Washington, DC 20416

7. Brokers and Dealers	Securities and Exchange Commission 100 F Street, N.E. Washington, DC 20549
8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations	Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090
9. Retailers, Finance Companies, and All Other Creditors Not Listed Above	Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue, N.W. Washington, DC 20580 (877) 382-4357

Authorization for Prior Employer to Release Information

(Please read the following statements, sign below and return to Human Resources)

I, _____, hereby authorize my prior employer, _____, to release any and all information relating to my employment with them to RMA. I further release and hold harmless both RMA and my prior employer, _____ from any and all liability that may potentially result from the release and/or use of such information. I understand that any information released by my prior employer will be held in strictest confidence, that it will be viewed only by those involved in the hiring decision, and that neither I nor anyone else not so involved will have the right to see the information.

Print Employees Name

Date

Electronic Signature on File

Employees Signature

Drug and/or Alcohol Testing Consent Form and Policy Acknowledgment Form

I hereby agree, upon a request made under the drug/alcohol testing policy of RMA, to submit to a drug or alcohol test and to furnish a sample of my urine, breath, and/or blood for analysis. I understand and agree that if I at any time refuse to submit to a drug or alcohol test under any RMA policy, or if I otherwise fail to cooperate with the testing procedures, I will be subject to immediate termination. I further authorize and give full permission to have RMA and/or its physician send the specimen or specimens so collected to a laboratory for a screening test for the presence of any prohibited substances under the policy, and for the laboratory or other testing facility to release any and all documentation relating to such test to RMA and/or to any governmental entity involved in a legal proceeding or investigation connected with the test. Finally, I authorize RMA to disclose any documentation relating to such test to any governmental entity involved in a legal proceeding or investigation connected with the test.

I understand that only duly-authorized RMA officers, employees, and agents will have access to information furnished or obtained in connection with the test; that they will maintain and protect the confidentiality of such information to the greatest extent possible; and that they will share such information only to the extent necessary to make employment decisions and to respond to inquiries or notices from government entities.

I will hold harmless RMA, its physician, and any testing laboratory that it might use, meaning that I will not sue or hold responsible such parties for any alleged harm to me that might result from such testing, including loss of employment or any other kind of adverse job action that might arise as a result of the drug or alcohol test, even if a RMA or laboratory representative makes an error in the administration or analysis of the test or the reporting of the results. I will further hold harmless RMA, its company physician, and any testing laboratory that it might use for any alleged harm to me that might result from the release or use of information or documentation relating to the drug or alcohol test, as long as the release or use of the information is within the scope of this policy and the procedures as explained in the paragraph above.

I have had an opportunity to read the Drug-Free Workplace Policy included in the Employee Handbook, and I understand that I may ask my supervisor or Human Resource Department any questions I might have concerning the policy. I accept the terms of the Drug-Free Workplace Policy. I also understand that it is my responsibility to comply with the Drug-Free Workplace Policy, and any revisions made to it. I further agree that if I remain with RMA following any modifications to the Drug-Free Workplace Policy, I thereby accept and agree to such changes.

The Drug-Free Workplace Policy and this consent have been explained to me in a language I understand, and I have been told that if I have any questions about the drug/alcohol test or the Drug-Free Workplace Policy, they will be answered.

I UNDERSTAND THAT RMA WILL REQUIRE A DRUG SCREEN TEST UNDER THIS POLICY WHENEVER I AM INVOLVED IN AN ON-THE-JOB ACCIDENT OR INJURY UNDER CIRCUMSTANCES THAT SUGGEST POSSIBLE INVOLVEMENT OR INFLUENCE OF DRUGS OR ALCOHOL.

Print Employees Name

Date

Searches

RMA reserves the right to conduct searches to monitor compliance with rules concerning safety of employees, security of company and individual property, drugs and alcohol, and possession of other prohibited items. "Prohibited items" include illegal drugs, alcoholic beverages, prescription drugs or medications not used or possessed in compliance with a current valid prescription, weapons, any items of an obscene, harassing, demeaning, or violent nature, and any property in the possession or control of an employee who does not have authorization from the owner of such property to possess or control the property. "Control" means knowing where a particular item is, having placed an item where it is currently located, or having any influence over its continued placement. In addition to RMA's premises, RMA may search employees, their work areas, lockers, and personal vehicles if driven or parked on company property, and other personal items such as bags, purses, briefcases, backpacks, lunch boxes, and other containers. In requesting a search, RMA is by no means accusing anyone of theft, some other crime, or any other variety of improper conduct.

There is no general or specific expectation of privacy in RMA's workplace, either on school premises, or while on duty. In general, employees should assume that what they do while on duty or on school premises is not private. All employees and all of the areas listed above are subject to search at any time; if an employee uses a locker or other storage area at work, including a locking desk drawer or locking cabinet, RMA will either furnish the lock and keep a copy of the key or combination, or else allow the employee to furnish a personal lock, but the employee must give RMA a copy of the key or combination. The areas in question may be searched at any time, with or without the employee being present. As a general rule, with the exception of items relating to personal hygiene or health, no employee should ever bring anything to work or store anything at work that he/she would not be prepared to show and possibly turn over to RMA officials and/or law enforcement authorities.

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

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

IN ACCORDANCE WITH RMA POLICY REGARDING SEARCHES, I UNDERSTAND THAT ALL DESKS, STORAGE AREAS, LOCKERS, AND ALL VEHICLES OWNED, FINANCED, OR LEASED BY RMA, OR USED BY IT TO TRANSPORT EMPLOYEES, GOODS, AND/OR PRODUCTS ARE SUBJECT TO SEARCH AT ANY TIME WITHOUT MY KNOWLEDGE, PRESENCE, OR PERMISSION. WITH THE EXCEPTION OF MY PERSONAL VEHICLE, I UNDERSTAND I AM PROHIBITED FROM LOCKING OR OTHERWISE SECURING ANY SUCH DESK, STORAGE AREA, LOCKER, OR VEHICLE WITH ANY LOCK OR LOCKING DEVICE NOT SUPPLIED OR APPROVED BY RMA. IF I USE MY OWN LOCK ON ANY SUCH ITEM, I AGREE TO G

VEHICLE BECOMES NECESSARY, I AGREE TO ALLOW PERSONNEL DESIGNATED BY RMA TO CONDUCT SUCH A SEARCH AT ANY TIME RMA MAY DIRECT DURING MY DUTY SHIFT.

I FURTHER UNDERSTAND THAT IN ORDER TO PROMOTE THE SAFETY OF EMPLOYEES AND VISITORS OF RMA, AS WELL AS THE SECURITY OF THE FACILITIES AND RESIDENTS OF THE FACILITIES WHERE RMA IS LOCATED, RMA MAY CONDUCT VIDEO SURVEILLANCE OF ANY PORTION OF ITS PREMISES AND OPERATIONS AT ANY TIME, THE ONLY EXCEPTION BEING PRIVATE AREAS OF RESTROOMS, SHOWERS, AND DRESSING ROOMS, AND THAT VIDEO CAMERAS WILL BE POSITIONED IN APPROPRIATE PLACES WITHIN AND AROUND THE FACILITIES AND USED IN ORDER TO HELP PROMOTE THE SAFETY AND SECURITY OF PEOPLE AND PROPERTY. I HEREBY GIVE MY CONSENT TO SUCH VIDEO SURVEILLANCE AT ANY TIME RMA MAY CHOOSE.

I HEREBY RELEASE RMA FROM ALL LIABILITY, INCLUDING LIABILITY FOR NEGLIGENCE, ASSOCIATED WITH THE ENFORCEMENT OF THESE POLICIES AND/OR ANY SEARCHES OR SURVEILLANCE UNDERTAKEN PURSUANT TO THESE POLICIES.

Print Employees Name

Date

Electronic Signature on File

Employees Signature

Electronic Signature on File

RMA Representative

Wage Deduction Authorization Agreement

I understand and agree that my employer, RMA, may deduct money from my pay from time to time for reasons that fall into the following categories:

1. My share of the premiums for RMA's group medical/dental plan; Any contributions I may make into a retirement or pension plan sponsored, controlled, or managed by RMA;
2. Installment payments on loans or wage advances given to me by RMA, and if there is a balance remaining when I leave RMA, the balance of such loans or advances;
3. Installment payments on loans based upon store credit that I use for my own personal purchases, including the value of merchandise or services that I purchase or have purchased for personal, non-business reasons using my employee charge account or credit card, an account or credit card assigned to another employee, or a general company account or credit card, regardless of whether such purchase was authorized, and if there is a balance remaining when I leave RMA, the balance of such store credit or charges;
4. If I receive an overpayment of wages for any reason, repayment to RMA of such overpayments (the deduction for such a repayment will equal the entire amount of the overpayment, unless RMA and I agree in writing to a series of smaller deductions in specified amounts);
5. The cost of personal long-distance calls I may make on RMA-owned phones or on its accounts, of personal faxes sent by me using RMA-owned equipment or its accounts, or of non-work related access to the Internet or other computer networks by me using RMA-owned equipment or its accounts;
6. The cost of repairing or replacing any of RMA's supplies, materials, equipment, money, or other property that I may damage (other than normal wear and tear), lose, fail to return, or take without appropriate authorization from RMA during my employment (except in the case of misappropriation of money by me, I understand that no such deduction will take my pay below minimum wage, or if I am a salaried exempt employee, reduce my salary below the federal FLSA minimum salary-basis amount);
7. The cost of any uniforms required in my employment with RMA, and of cleaning such uniforms;
8. The reasonable cost or fair value, whichever is less, of meals, lodging, and other facilities furnished to me by RMA in connection with my employment;
9. Administrative fees in connection with court-ordered garnishments or legally-required wage attachments of my pay, limited in extent to the amount or amounts allowed under applicable laws;
10. If I take paid vacation or sick leave in advance of the date I would normally be entitled to it and I separate from RMA before accruing time to cover such advance leave, the value of such leave taken in advance that is not so covered;
11. The value of any time off for absences to which paid leave is not applied (non-exempt salaried employees will have all such unpaid leave deducted from their salary, while exempt salaried employees will experience salary reductions only in units of a full day or week at a time, depending upon the exact nature of the absence, unless partial-day deductions are specifically allowed under federal law); and
12. If RMA pays any insurance premiums or retirement system contributions ("payments") on my behalf that I would normally make under any applicable benefit plan offered by RMA during my

Electronic Signature on File

Employees Signature

Electronic Signature on File

RMA Representative

Wage Overpayment/Underpayment Policy

RMA takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck, and that employees are paid promptly on the scheduled paydays.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Finance Specialist so that corrections can be made as quickly as possible. If the employee has been underpaid, RMA will pay the employee the difference as soon as possible. If the employee has been paid in excess of what he/she has earned, the employee will need to return the overpayment to RMA as soon as possible. No employee is entitled to retain any pay in excess of the amount he/she has earned according to the agreed-upon rate of pay. If a wage overpayment occurs, the overpayment will be regarded as an advance of future wages payable and will be deducted in whole or in part from the next available paycheck(s) until the overpaid amount has been fully repaid. Each employee will be expected to sign a wage deduction authorization agreement authorizing such a deduction.

I understand this policy and agree to its terms.

Print Employees Name

Date

Electronic Signature on File

Employees Signature

Texas Government Code § 552.024:

Public Access Option Form

The Public Information Act allows employees, public officials and former employees and officials to elect whether to keep certain information about them confidential. Unless you choose to keep it confidential, the following information about you may be subject to public release if requested under the Texas Public Information Act. Therefore, please indicate whether you wish to allow public release of the following information.

PUBLIC ACCESS?		
NO	YES	
Home Address		
Home Telephone Number		
Social Security Number		
Emergency Contact Information		
Information that reveals whether you have family members		

Print Employees Name

Date

Electronic Signature on File

Employees Signature