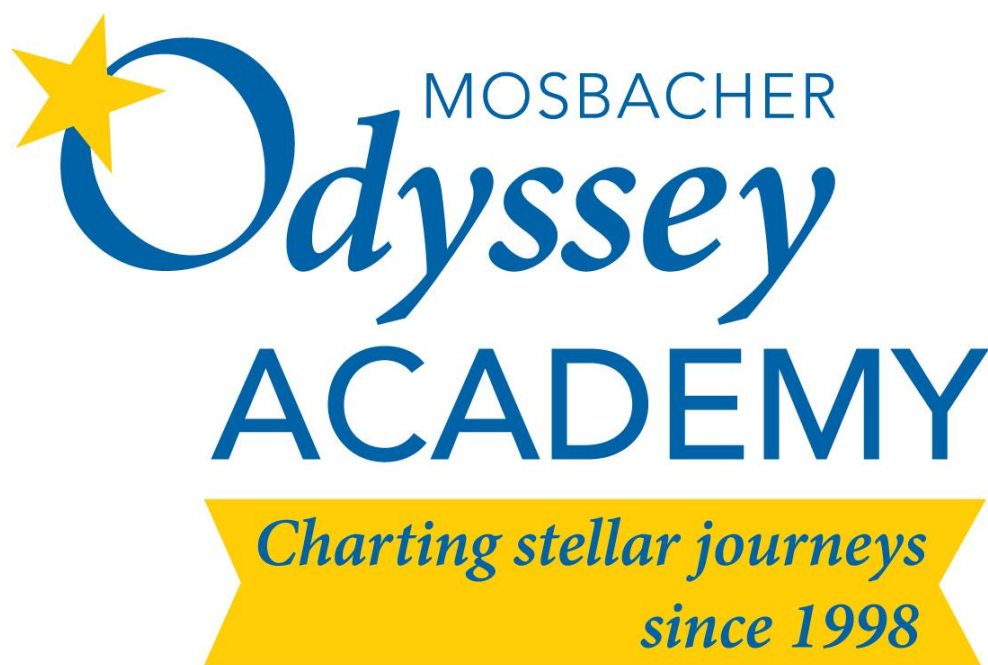


Odyssey Academy Charter School

2022 – 2023 Employee Handbook



THE ROBERT A. MOSBACHER, SR. ODYSSEY ACADEMY

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Disclaimer

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

Odyssey Academy reserves the right to amend or withdraw any or all provisions of the personnel handbook at any time with or without notice.

Introduction

Welcome to Odyssey Academy

Welcome to Odyssey Academy and to what we hope will be a long, productive, and satisfying career at one of Texas' finest public charter schools. OA strives to create an exciting, challenging, and rewarding work environment. We want you to build a successful relationship with OA and be a happy and productive member of our school community.

This employee manual was prepared to help you become familiar with OA and its personnel standards and procedures. Please read it carefully and if you have questions or concerns, speak with your supervisor. If you need further information or assistance, please contact OA's Human Resources Department.

On behalf of our OA extended family, thank you for joining us. We look forward to working with you.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Goodman". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Jennifer Goodman
Superintendent

About this Personnel Handbook

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

Odyssey Academy has, and reserves, the right to adopt new procedures and policies, or modify, alter, change or cancel existing policies and procedures at any time. Violation of any 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.

About Odyssey Academy

In 1995 the Texas Education Code was revised to create a new type of public school, known as a charter school. Charter schools are subject to fewer state laws than other public schools with the idea of ensuring fiscal and academic accountability without undue regulation of instructional methods or pedagogical innovation. Like school districts, charter schools are monitored and accredited under the statewide testing and accountability system.

Charter schools were created because law makers felt that schools that had less laws and restrictions imposed on them may have an advantage over traditional public schools. A charter school's purpose is to improve student learning, increase the choice of learning opportunities within the public school system, create professional opportunities that will attract new teachers to the public school system, establish a new form of accountability for public schools, and encourage different and innovative learning methods.

Odyssey Academy, established in 1999, is a multi-campus, open enrollment public charter school that serves students aged Prekindergarten through High School in the Galveston/Houston area.

Odyssey Academy exists to inspire and develop the highest potential in every one of our students. OA employees behave by building **relationships** with those around us through caring for the whole person and supporting each other, setting **high expectations** for ourselves and those around us, and showing **passion** by being fanatical about our craft.

Odyssey Academy will succeed by providing diverse academic and life experiences for students, being involved in community groups and activities, and providing resources to ensure staff effectiveness.

About the Odyssey Academy Board of Trustees

Odyssey Academy's board of trustees meets at least four times each year. All meetings are open to the public and employees are encouraged to attend if they have an interest in the topics of a particular meeting. Agendas are posted at the school and on the website no later than 72-hours prior to the meeting date and time. Odyssey Academy's Board of Trustees is made up of the following members:

- Mr. Robert Mosbacher, Sr. (1927-2010) – *Founder and President Emeritus of the Board*
- Dr. Judy Wern-Kiester – *Board Member Emeritus*
- Mr. George W. S. Abbey – *President of the Board*
- Neil G. Matlock – *Vice President of the Board*
- Mr. Douglas W. Matthews – *Secretary of the Board*
- Dr. Michael Bodziony – *Board Member*
- Ms. Vanessa Johnson – *Board Member*
- Mr. Robert Kelso – *Board Member*
- Dr. Cissy Matthews – *Board Member*
- Mr. Robert Simpson – *Board Member*
- Ms. Lauren Suderman Millo – *Board Member*

Acknowledgement of Receipt of Personnel Handbook

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

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

I understand that Odyssey Academy 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 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 Odyssey Academy 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. I understand that I am required to sign and date this Acknowledgement of Receipt and return it to my campus administrator. I understand that a copy of this form will be retained in my personnel file.

Signature of Employee

Date

Printed Employee Name

Employment Practices

Starting Your Job

At-Will Employment

Employment with Odyssey Academy 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 Odyssey Academy 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 Odyssey Academy 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 has the authority on behalf of Odyssey Academy 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.

Employment of Relatives and Fraternization

Odyssey Academy is committed to providing equal employment opportunities to its employees. Intimate relationships have the potential to interfere with Odyssey Academy'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, Odyssey Academy 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 Odyssey Academy 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, Odyssey Academy 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.

Odyssey Academy 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 Odyssey Academy'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. Odyssey Academy will, at its discretion, attempt to identify other available positions, and allow one or both of such employees to apply for reassignment, or Odyssey Academy may reassign the employees at its discretion. If no alternate position is available, Odyssey Academy 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 Odyssey Academy.

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 |

Employment Application & Other Forms

New employees are asked to complete the following forms:

- a. Employment Application
- b. W-4 Employee’s Withholding Allowance Certificate
- c. I-9 Employment Eligibility Form
- d. Employee Election Form to Withhold Certain Information from Public Access
- e. Wage Deduction Authorization Agreement
- f. Acknowledgement of Receipt of Personnel Handbook
- g. Authorization for Direct Deposit
- h. Applicable Healthcare/Benefit Forms
- i. Employee Agreement

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 Odyssey Academy with requested documentation may be subject to discipline, up to and including discharge from employment.

Accuracy of Information

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

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.

Pre- and Post-Offer Medical Testing

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

Fair Credit Reporting Act

Odyssey Academy may utilize consumer reports – e.g., credit, criminal, employment references and Department of Public Safety reports to assist us making employment decisions. In addition, Odyssey Academy 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 Odyssey Academy. Continued employment is also expressly conditioned on satisfactory results from legally authorized or required record and background checks.

In the event Odyssey Academy 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 – Odyssey Academy 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 Odyssey Academy as to what action is taken.

Criminal History Records

Criminal history records of prospective volunteers and applicants for employment shall be obtained from a law enforcement or criminal justice agency pursuant to Chapter 22 of the Texas Education Code and reviewed prior to employment or the commencement of volunteer service. Pursuant to this legal authority, 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.

Prohibition Against Employing Individuals Convicted of Certain Offenses

Odyssey Academy 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:
 - a. A felony under Penal Code Title 5;
 - b. An offense requiring registration as a sex offender under Code of Criminal Procedure Chapter 62; or
 - c. An offense under the laws of another state or federal law that is equivalent to an offense under paragraphs (a) or (b); and
2. At the time the offense occurred, the victim of the offense was under 18 years of age or was enrolled in a public school.

However, Odyssey Academy is not required 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 a person employed by Odyssey Academy as of that date; or
 - b. The date the person's employment will begin, in the case of a person applying for employment with Odyssey Academy after June 15, 2007; and
2. The employee or applicant for employment satisfied all terms of the court order entered on conviction.

Odyssey Academy 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 Odyssey Academy or the State Board of Educator Certification ("SBEC").

Except as required by state or federal law, Odyssey Academy does not prohibit employment or refuse to consider an application for employment solely on the grounds that an applicant/employee has a prior

criminal record. Odyssey Academy does not prohibit employment or refuse to consider an application for employment based solely on the grounds that the applicant/employee has been arrested.

In accordance with Title VII, it is the policy of Odyssey Academy, prior to any exclusion of an applicant for employment or continued employment of an employee that has a criminal record, to conduct an individualized assessment of the criminal conduct at issue. In conducting such an assessment, Odyssey Academy shall carefully consider appropriate factors, including the following, in order to determine that any exclusion based on criminal conduct is job-related to the position in question and consistent with the business necessity of Odyssey Academy:

- The nature and gravity of the offense or offenses;
- The time that has passed since the conviction and/or completion of the sentence;
- The nature of the job held or sought.

Upon consideration of the above or other appropriate factors, Odyssey Academy shall inform the applicant/employee that he or she may be excluded because of prior criminal conduct and provide the individual an opportunity to demonstrate that the exclusion does not properly apply to him or her and the position in question. Odyssey Academy shall consider the additional information provided by the applicant/employee that demonstrates that the criminal conduct is not job related and is consistent with business necessity of Odyssey Academy prior to making any final determination. Such additional information may include:

- The facts or circumstances surrounding the offense or conduct;
- The number of offenses for which the individual was convicted;
- Age at the time of conviction, or release from prison;
- Evidence that the individual performed the same type of work, post conviction, with the same or a different employer, with no known incidents of criminal conduct;
- The length and consistency of employment history before and after the offense;
- Rehabilitation efforts, e.g., education/training;
- Employment or character references regarding fitness for the particular position;
- Whether the individual is bonded under a federal, state or local bonding program.

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

Arrest & Conviction Occurring after Employment Begins

An employee who is arrested for any felony or any misdemeanor offense involving moral turpitude must report the arrest to the Principal or immediate supervisor within three calendar days of the arrest. An employee who is convicted of or received deferred adjudication for such an offense must also report that event to the Principal or immediate supervisor within three calendar days of the event. An employee shall notify the Principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty pleas, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any other offenses as indicated 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, which include but are not limited to:
 - Dishonesty, fraud, deceit, theft, misrepresentation;
 - Deliberate violence;
 - Base, vile or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
 - Felony possession, transfer, sale, distribution or conspiracy to possess, transfer, sell or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
 - Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct if two or more acts are committed within any 12-month period; or
 - Acts constituting abuse under the Texas Family Code.

The requirement to report a conviction or deferred adjudication 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 Odyssey Academy vehicle or piece of mobile equipment. Failure to timely report an arrest, indictment, charge, plea, conviction or adjudication may result in disciplinary action, up to and including termination. Such report shall be made within three days of the arrest, conviction or any other adjudicatory action.

Conviction of a crime shall not be an automatic basis for termination. Odyssey Academy shall consider the following factors in determining what action, if any, should be taken against an employee who is convicted of a crime during employment with Odyssey Academy:

- 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 Odyssey Academy and its students.

Fingerprinting

In accordance with state law, Odyssey Academy requires all employees and substitutes to complete the fingerprinting process implemented by the SBEC/Texas DPS Clearinghouse prior to employment.

Verification of Employment Eligibility

Prior to the start of employment, Odyssey Academy shall confirm the employment eligibility of all new hires by examination of documents establishing identity and employment authorization and completion of the I-9 Form required by the Department of Homeland Security. Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present appropriate documentation establishing identity and employment eligibility.

Former employees who are rehired must also complete the form if they have not completed an I-9 with Odyssey Academy within a timeframe established by Human Resources (generally three years after the

date of hire or one year after employment is terminated, whichever is later), or if their previous I-9 is no longer retained or valid.

Certification and Licenses

Professional employees whose positions require SBEC certification or professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to Human Resources.

Employment may be terminated if an individual does not hold a valid certificate or fails to fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, or permit. Employment may also be terminated if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks.

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

Contact Human Resources if you have any questions regarding certification or licensure requirements.

New Hire Reporting

By the 20th day after hiring a new employee, a report containing the name, address, and the name, address and employer identification number of Odyssey Academy shall be made to the Texas Employer New Hire Reporting Operations Center.

New Hire Orientation

Each new employee experiences an orientation period during the first 90 days of employment. During this time, the Principal or the employee's immediate supervisor will provide training, guidance, feedback regarding performance, and an explanation of benefits, services, rules, safety training, and other information that is helpful to the new employee. At the end of the initial orientation period, the Principal or supervisor may conduct a performance valuation.

Reporting to Work

Official Odyssey Academy Office Hours

Standard hours of operation in the administrative office areas are from 7:15 a.m. until 4:00 p.m. on Monday through Thursday and 7:15 a.m. until 3:45 p.m. on Friday. Students are in session from 7:30 a.m. until 3:30 p.m.

Regular Work Schedules

Odyssey Academy has a standard workweek of 41-hours per week, excluding time off for lunch or other personal breaks. Scheduled hours for employees may vary from department to department.

All full-time, non-exempt employees generally work a Monday through Friday schedule of 41-hours divided into four 8.25-hour workdays and one 8-hour workday, unless a different schedule is approved in writing by the employee's supervisor.

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 Odyssey Academy's official office hours unless otherwise required or approved by the employee's supervisor.

Holidays & School Breaks

Odyssey Academy will be closed during the following recognized holidays:

- Labor Day: September 5, 2022
- Martin Luther King, Jr. Day: January 16, 2023
- Good Friday: April 7, 2023

Additionally, during the following dates, Odyssey Academy will be closed for school break:

- Thanksgiving Break: November 21, 2022 – November 25, 2022
- Winter Break: December 19, 2022 – December 30, 2022
- Spring Break: March 13, 2023 – March 17, 2023
- Independence Day: July 3, 2023 – July 7, 2023

Professional Development

Odyssey Academy is committed to the professional development of all its employees. For educators, Odyssey Academy 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, Odyssey Academy 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.

In-Service Training

There is an ongoing in-service education program for all employees. Attendance at in-service training meetings is mandatory.

First Aid, CPR, and AED Certification

Certain employees (i.e. physical education teachers and coaches) who are involved in physical activities for students must maintain and submit to the Business Office proof of current certification in first aid, cardiopulmonary resuscitation (CPR), and the use of an automated external defibrillator (AED). Certification must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification to the Business Office at the start of each school year and each time the employee is re-certified.

Personnel Records

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

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

An employee or his or her authorized representative has a special right of access, beyond the right of the general public, to information held by Odyssey Academy that relates to the employee, and that is protected from public disclosure by laws intended to protect the employee's privacy interests. Odyssey Academy 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 Public Information Act. However, Odyssey Academy may assert, as grounds for denial of access, other provisions of the Public Information Act or other laws that are not intended to protect the employee's privacy interests.

If Odyssey Academy 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. Odyssey Academy 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 the Business Office.

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 Texas Public Information Act, employees may choose to have the following personal information withheld from disclosure:

- Home Address,
- Phone number,
- Information that reveals whether they have family members, and

- Emergency contacts.

Please provide written notice to the Business Office if you wish to opt-out and have the above-identified information “exempted” from disclosure under the Texas Public Information Act. A request to deny public access to personal information is effective only for public information requests made after the date the employee submits to insert name/title the request to deny access. New or terminated employees have 14 days upon hire/termination to choose whether to have either closed or public records. If a choice is not submitted to the Business Office, employee records will remain open, at which point most personal information will be released to the public upon request. With respect to certain medical information protected by state and federal law and evaluation documents exempted from disclosure under State law, Odyssey Academy will seek to exempt and protect such documentation from disclosure to the extent permitted by law.

Name and Address Changes

Employment records must be kept up to date. Employees must notify the Business Office 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.

Assignment and Reassignment

All personnel are subject to assignment and reassignment by Odyssey Academy. School personnel may be directed to perform additional or supplemental duties from time to time. Unless specifically approved by the Board of Directors and the Superintendent, no additional financial compensation is provided for such duties. The Superintendent’s criteria for approval of campus appointments and 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. Odyssey Academy fills all job vacancies with the individual it deems most qualified for the position and reserves the right to select candidates from outside Odyssey Academy.

Transfers

Employees who are considering transferring to another campus or department must first notify their current supervisor. Employees must be in good standing for the transfer to be approved. Good standing is defined as not actively being on any type of professional growth plan and/or not receiving any formal disciplinary actions in the 90 days prior to the transfer request. The employee’s current manager is responsible for request to the department title by the designated deadline. Employees wishing to transfer to another position must first notify their current manager as a first step in this process.

Principals or hiring managers may request an interview and/or sample teaching lesson before a transfer request is approved. Employees selected for a transfer will receive notification from the Business Office.

Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Business Office and must be approved by the sending and receiving hiring manager.

Performance Evaluation

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. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

Attendance

Odyssey Academy 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 in advance as soon as possible.

Odyssey Academy recognizes there will be occasions when an illness or other personal event may result in an unscheduled absence. As such, Odyssey Academy has a leave policy.

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

Guest Teacher Folder

Each teacher must prepare a guest teacher folder to be kept in the clear safety box in each room. These folders should include detailed guest teacher lesson plans, a class roster, an attendance sheet, a class schedule, a classroom management plan, the special operations schedule (don't forget your aide's schedule), the safety drill procedures, class seating assignments, hall passes, discipline referrals, and a guest teacher debrief form. It is imperative these folders are available in order to provide guest teachers with all needed information to adequately perform their job.

Time Away from Work

Punctual and consistent attendance at work is a fundamental requirement of your employment at Odyssey Academy. It is important that employees attend work as scheduled. Dependability, attendance, punctuality, and a commitment to do the job right are essential at all times. As such, employees are expected at work on all scheduled work days and during all scheduled work hours, and to report to work on time. Moreover, an employee must notify their administrator as far in advance as possible, but not later than one hour before their scheduled starting time if they expect to be late or absent. They must also enter the absence into the absence reporting system as soon as possible so the system can begin a search for a substitute. This process must be completed every time an employee is absent or late unless they have provided the Human Resources Department with more specific long-term information from their treating health care provider. An employee who fails to contact their administrator and enter the

absence into the absence reporting system may be considered as having voluntarily resigned. A careful record of absenteeism and tardiness is kept by the Human Resources Department and becomes part of an employee's personnel record. To the extent permitted by law, absenteeism and tardiness lessens an employee's chance for advancement and may result in dismissal.

Attendance and Absences

All full-time employees receive ten days of leave each year, this is to cover personal and sick-days. Part-time employees or those who work less than a full year receive a pro-rated number of days. You can always use accumulated time for your personal illness or injury or the illness or injury of an immediate family member. Days of leave left from one school year carry over into the next school year.

As an open-enrollment charter school, Odyssey Academy does not offer traditional "state leave" earned under Chapter 22 of the Texas Education Code. This leave is generally transferrable among school districts, and may be rolled over from year to year. Odyssey Academy employees will not earn state leave days that are transferrable among Texas public schools, as the state leave program does not apply to charter schools. For this reason, any local leave earned during service with Odyssey Academy will not transfer to another charter school or school district if an employee leaves service with Odyssey Academy.

If an employee reaches a balance of less than two days during the school year, the employee will receive a Notice of Personal Leave Balance letter. If an employee is absent in excess of their accumulated personal leave balance, the employee will receive a Letter of Attendance Standard Expectations. Continued violation of attendance standards and excessive absenteeism could result in termination of employment. "Excessive" absences are any that are not in compliance with school policies and procedures for taking available leave. Three unexcused days of absence in a row leads to voluntary termination. In the event of an extended absence, employees must submit an Extended Leave Request Form to the Human Resources Department for approval.

Odyssey Academy does not have a category of leave called "leave without pay." If an employee is absent in excess of the number of days of leave available under district policy, they are simply absent and will not be paid for those days. Employees who are paid on a salary basis will have appropriate deductions made from their regular salary payment for days of absence in excess of accumulated leave. If you do not comply with school policies and procedures for absence notification or for leave requests, you will not be paid for those days of absence even if you have leave available.

Employees may not use personal leave on the first day or last day of school, the day immediately before or after a holiday, during professional development days, or during state or local testing periods. An employee will be docked the daily rate of pay for leave taken on these days. Any and all exceptions to this rule must be submitted in writing and approved by the Superintendent.

Personal leave may not last more than three consecutive workdays. Any days above three will be docked at the employee's daily rate of pay except in extenuating circumstances as determined by the superintendent.

Forfeiture of Accrued Leave

Any unused paid accrued leave is forfeited upon separation from employment.

Leave Types

Sick Leave

Sick leave is part of the ten days of leave earned each year. It can only be used in half day and full day increments. Sick leave may be used for the following reasons:

- Employee and immediate family sickness
- Employee and immediate family doctor appointments

This leave will be charged to an employee's paid time off.

Personal Leave

Days taken as "personal leave" must be requested a minimum of three days in advance. Employees may not use personal leave immediately before or after a holiday, during professional development days, or during state or local testing periods. The effect of the employee's absence on the educational program or department operations, as well as the availability of guest teachers, will be considered by the principal or supervisor. School administration will always try to honor timely requests for personal leave that comply with policy requirements, but an employee's principal or supervisor may withdraw approval if unforeseeable absences among other staff (bad weather, professional development, illness) would affect the efficient and effective operation of the campus or department.

This leave will be charged to an employee's paid time off.

Two Hour Leave

This leave type is to be used on an infrequent, exception only basis. It can only be used in two hours or less timeframes. This leave requires an employee to find a replacement for any of their duties and prior approval from their principal. Additionally, it requires an employee to enter in the Notes to Administration field in the absence reporting system a reason, and who will be covering their duties. School administration has the right to charge a half day or full day leave if an employee uses the Two Hour Leave in excess.

This leave will not be charged against employee paid time off. Receive supervisor approval prior to entering leave into the absence reporting system.

Bereavement

For an immediate family member, employees will receive up to three days of paid leave. This absence does not count against paid time off days.

Immediate family member is defined as: spouse, son, daughter, son-or daughter-in-law, stepchild, legal ward or child for whom the employee stands in loco parentis, parent, step-parent, parent-in-law, or other individual who stands in loco parentis to the employee, sibling, stepsibling, sibling-in-law, grandparent, grandchild, or any person who may be residing in the employee's household at that time.

An employee may be permitted to use a bereavement day to attend a funeral for the immediate family member of an Odyssey Academy student. This leave must be preapproved by the superintendent or principal.

This time does not count against an employee's paid time off.

Maternity

Maternity leave is for those employees that will be out for an extended time due to the birth or adoption of a child. Employees can receive up to six weeks of non-paid maternity leave, unless they opt to use any accumulated paid time off days.

This time may count against an employee's paid time off.

Staff Development

Employees requiring leave to attend training must have been approved in advance. This time does not count against an employee's paid time off.

Jury Duty

Odyssey Academy may not discharge, discipline, reduce the salary of, or otherwise penalize or discriminate against an employee because of the employee's compliance with a summons to appear as a juror. A leave of absence for jury duty will be granted to any employee who has been summoned to serve, and the employee will be compensated at his or her regular daily or hourly rate for each day of absence due to jury duty. The employee must inform the Principal immediately upon notification of jury duty and send court documentation confirming attendance to the Business Office. An employee on jury duty is expected to report to work any day he or she is excused from jury duty.

Upon return to Odyssey Academy it will be necessary to show proof of serving at jury duty. This leave will not be charged to an employee's paid time off days.

Other Court Appearances

Employees will be granted 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 the Business Office. Odyssey Academy 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.

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.

Military Leave of Absence

Odyssey Academy is committed to protecting the rights of employees absent on military leave. In accordance with federal and state law, it is Odyssey Academy's policy that no employee or prospective

employee will be subjected to any form of discrimination on the basis of that person's membership in, or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights hereunder. If any employee believes that he or she has been subjected to discrimination in violation of this provision, the employee should immediately contact the Business Office.

Temporary (Two-Week) Military Leave

In addition to the rights and benefits provided to employees taking Extended Military Leave (as described in this handbook), eligible employees who must be absent from their job for a period of not more than ten working days each year in order to participate in temporary military duty are entitled to as many as ten days unpaid military leave. All benefits will continue during an employee's temporary military leave.

All Other (Extended) Military Leave

Employees directed to participate in extended military duties in the U. S. Armed Forces that exceed ten working days will be placed on an unpaid military leave of absence status for a period of as long as five years, except as otherwise required by USERRA, and the employee will be entitled to the rights and benefits described in this Handbook and in accordance with Odyssey Academy's policies and procedures.

To request a temporary or extended military leave of absence the employee should, unless prevented from doing so by military necessity, notify the Business Office and complete and submit the appropriate form. An employee on temporary or extended military leave may elect, at his or her option, to use paid leave (vacation, sick or personal) available; the remainder of military leave will be unpaid.

Administrative

The superintendent can order any employee to be placed on administrative leave, usually with pay, if it is determined that it is in the district's best interest to do so.

Failure to Give Notice

Failure to provide notification of an absence to a supervisor for two consecutive workdays (unless prevented by circumstances beyond the employee's control) may be considered to be a voluntary resignation on the last day worked, in accordance with applicable federal and state law.

Voluntary Resignation and Job Abandonment

An employee who voluntarily resigns his or her employment without notice, or who fails to report to work without notice to or without approval from his or her supervisor, may be considered to have voluntarily terminated employment with Odyssey Academy. Failure to give notice may be considered job abandonment. An employee who has not reported to work and not given notice of absence for two days will be considered to have resigned.

In the event of a voluntary resignation, all School-owned property (e.g., keys, uniforms, etc.) must be returned immediately upon termination of employment.

Notice of Voluntary Resignation

An employee voluntarily resigning his or her position 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.

Medical Certification

School administration has the right to, and will ask for periodic information from an employee's treating doctor to verify the need for medical absences and to give an indication of when an employee will be able to return to duty. Employees may be asked for a note from their doctor for absences the day before or following a weekend and holiday. Failure to provide the necessary information can affect employee eligibility for leave and will be treated as a failure to follow district policy and procedures.

Medical Examinations

School administration has the right to, and will ask for a medical or psychological examination, paid for by the district, if we believe an employee's condition is interfering with the performance of their regular duties. Failure to cooperate will be treated as a failure to follow district policy and comply with directives.

On-the-Job Injuries

In the event of employee injury, even a slight injury, while performing job duties for Odyssey Academy, an incident report must be completed with the nurse. The incident report should immediately be delivered to the Human Resources Department to allow the school to stay in compliance with workers' compensation laws. Odyssey Academy provides workers' compensation coverage for all employees. If an injury at work causes an employee to be absent, it is their responsibility to inform school administration whether they wish to use accumulated leave in order to receive full pay during an absence, to the extent of available accumulated leave, or whether they wish to save accumulated leave and receive only the temporary income benefits that are available under the workers' compensation laws. If you do not inform school administration of your choice, absences will NOT be charged to accumulated leave and the employee will receive only temporary income benefits.

Disability

Full-time employees are eligible for disability leave due to non-occupational illness, injuries, or pregnancy. Employees requesting leave must provide written notice of the disability and an expected date of return to work to the Human Resources Department.

Family Medical Leave Act

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

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

Eligibility Requirements

To be eligible for FMLA leave, an employee must have been employed at Odyssey Academy:

- For at least 12 months (which need not be consecutive) and for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave; and
- At a worksite with 50 or employees located within 75 miles of the employee's worksite.

Please note that for purposes of an employee's entitlement to leave under the FMLA, the 12-month period within which employees shall be eligible for 12 weeks of FMLA shall be defined as a rolling 12-month period, measured backward from the last date an employee uses leave under the FMLA.

Events that may Entitle Employees to FMLA Leave

An eligible employee shall be entitled to a total of up to 12 weeks of unpaid, job-protected leave to eligible employees for one or more of 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 (as described below) related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

As discussed below, 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.

Upon eligibility for family and medical leave, and at 30-day intervals thereafter, the employee shall provide medical certification of the illness or disability. The employee's request for reinstatement shall be accompanied by medical certification of the employee's ability to perform essential job functions.

Service Member Family Leave

An employee may be eligible for up to 26 weeks of "Service Member Family Leave" if the employee's spouse, child, parent (not parents-in-law), or next of kin, is a current member of the active duty Armed Forces (including National Guard or Reserves), or a member of the Armed Forces (including National Guard or Reserves) on the Temporary Disability Retired List, who is recovering from a serious injury or illness incurred in the line of duty, while on active duty for which he or she is undergoing medical treatment, recuperation, therapy, in outpatient status, or otherwise on the Temporary Disability Retired List. (This does not include former members of the Armed Forces, former members of the National Guard and Reserves and members on the Permanent Disability Retirement List).

With respect to both Qualified Exigency and Service Member Family leave, employees may take the leave intermittently or on a reduced leave schedule. However, if an employee has accrued paid leave (vacation, sick, or personal leave), he or she must substitute any qualifying paid leave for unpaid leave first. “Qualifying paid leave” is leave that would otherwise be available to eligible employees for the purpose for which FMLA leave is taken. The remainder of the 26 workweeks of leave, if any, will be unpaid leave. Any paid leave used for an FMLA-qualifying reason will be charged against an employee’s entitlement to FLMA leave. This includes leave for disability or workers’ compensation injury/illness, provided that the leave meets FMLA requirements. The substitution of paid leave for unpaid leave does not extend the 26-workweek leave period.

Qualifying Exigency FMLA Leave

An employee may be entitled to Qualifying Exigency FMLA leave if the employee’s spouse, child, or parent is in the National Guard, is a Reservist, or is retired military and is called to active duty, or has been notified of an impending call or order to active duty in support of a contingency operation as defined by federal law. The time spent in several specific activities, defined by law as “Qualifying Exigencies,” may also be considered FMLA time. (This does not include those on the Permanent Disabled Retired List or Active Duty Military).

Certification of Leave

The first time an employee requests Qualifying Exigency leave, Odyssey Academy will require the employee to provide a copy of the covered military member’s active duty orders or other documentation issued by the military that indicates that the covered military member is on active duty, or call to active duty status in support of a contingency operation, and the dates of the covered military member’s active duty service.

In addition, each time an employee first requests leave for one of the Qualifying Exigencies, Odyssey Academy may require certification of the exigency necessitating leave. Certification supporting leave for a Qualifying Exigency includes: appropriate facts supporting the need for leave, including any available written documentation supporting the request; the date on which the Qualifying Exigency commenced or will commence, and the end date; where leave will be needed on an intermittent basis, the frequency and duration of the Qualifying Exigency; and appropriate contact information if the exigency involves meeting with a third-party.

Post-Deployment Activities

An employee may be entitled to take Qualifying Exigency leave for certain qualifying post-deployment exigencies, including reintegration activities, for a period of 90 days following the termination of the covered military member’s active duty status.

State calls to active duty are not covered unless under order of the President of the United States.

The Maximum Amount of FMLA Leave Within A 12-Month Period

Except as provided above, an employee is entitled up to 12 workweeks of unpaid leave during a 12-month period for any FMLA qualifying reason(s). The 12-month period is a rolling period measured backward

from the last date the employee used any FMLA leave. An eligible employee who is eligible for Service Member Family Leave may take a maximum of only 26 weeks during a rolling 12-month period, even if the employee also qualifies for FMLA leave for a reason other than Service Member Family leave.

Limitations on FMLA Leave

Leave to care for a newborn, or for a newly placed adopted or foster child, must conclude within 12 months after the birth or placement of the child. When both spouses are employed by Odyssey Academy, they are entitled to a combined total of twelve 12 work weeks of FMLA leave within the designated 12-month period for the birth, adoption, or foster care placement of a child, for aftercare of the newborn or newly placed child, and to care for a parent (but not in-law) with a serious health condition. Each spouse may be entitled to additional FMLA leave for other FMLA-qualifying reasons, but not more than a total of twelve 12 workweeks per person. For example, if each spouse took six weeks of leave to care for a newborn child, each could later use an additional six weeks due to his or her own serious health condition or to care for a parent or child with a serious health condition.

Intermittent or Reduced Work Schedule Leave

FMLA leave may be taken intermittently or on a reduced leave schedule under certain circumstances. “Intermittent leave” is FMLA leave taken in separate blocks of time due to a single qualifying reason. A “reduced leave schedule” is a leave schedule that reduces an employee’s usual number of working hours per workweek, or hours per workday.

For leave taken because of the employee’s own serious health condition, to care for a parent, son, or daughter with a serious health condition, or military caregiver leave, there must be a medical need for leave, and it must be that such medical need can be best accommodated through an intermittent or reduced leave schedule. Leave due to a Qualifying Exigency may also be taken on an intermittent or reduced schedule basis.

When leave is taken after the birth of a healthy child or placement of a healthy child for adoption or foster care, an eligible employee may take leave intermittently, or on a reduced leave schedule, only if the School agrees.

Transfer to an Alternative Position

If an employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment, Odyssey Academy may require the employee to transfer temporarily to an available alternative position for which the employee is qualified, and which better accommodates recurring periods of leave than does the employee’s regular position.

Calculating Leave Use

When an employee takes leave on an intermittent or reduced schedule, only the amount of leave actually taken may be counted toward the employee’s leave entitlement. Odyssey Academy must account for intermittent or reduced schedule leave using an increment no greater than the shortest period of time that it uses to account for use of other forms of leave, provided the increment is not greater than one hour.

Request for FMLA Leave

Any absence of five days or more for an illness or medical condition may be designated FMLA leave and will require appropriate documentation. Employees should request FMLA leave by notifying their appropriate supervisor, completing an Employee Change Notice ("ECN") and submitting the ECN form to the Business Office.

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When such notice is not possible, the employee must provide notice as soon as practicable, and generally must comply with the school's call-in procedures.

Employees must provide sufficient information to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider; or circumstances supporting the need for military family leave. Employees also must inform Business Office if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Required Documentation for Birth, Adoption, or Health-Related FMLA Leave

When leave is taken to care for a family member, Odyssey Academy will require employees to provide documentation or a statement of a family relationship (birth certificate or court document). The employee may be required to submit medical certification from a health care provider to support a request for FMLA leave for his or her or a family member's serious health condition. Medical certification forms are available from the main office.

If Odyssey Academy deems the medical certification to be incomplete or insufficient, the school will specify, in writing, what information is lacking, and the employee will have seven calendar days to cure the deficiency. It is the employee's responsibility to provide a complete and sufficient certification. Such failure to provide complete and sufficient certification, despite the opportunity to cure any deficiency, may lead to denial of FMLA leave. Odyssey Academy may (a) have a designated health care provider or the Business Office (but in no case the employee's direct supervisor) contact the employee's health care provider in an effort to clarify or authenticate the initial certification if the school has reason to doubt an employee's initial certification; and/or (b) require the employee to obtain a second opinion by an independent provider at Odyssey Academy's designation and expense. If the initial and second certifications differ, Odyssey Academy may, at its expense, require the employee to obtain a third, final and binding certification from a jointly selected health care provider.

During FMLA leave, Odyssey Academy may request that the employee provide recertification of a serious health condition, at intervals, in accordance with the FMLA. In addition, during FMLA leave, the employee must provide the school with periodic reports regarding his or her status and intent to return to work. If the employee's anticipated return to work date changes, and it becomes necessary for the employee to take more or less leave than originally anticipated, he or she must provide the school with reasonable notice (within two business days) of such changed circumstances and new return to work date. If the

employee gives notice of such intent not to return to work, he or she will be considered to have voluntarily resigned.

Before an employee returns to work from FMLA leave for his or her own serious health condition, the employee will be required to submit a fitness-for-duty certification from his or her health care provider with respect to the condition for which the leave was taken, stating that the employee is able to perform the essential functions of his or her job. Where a reasonable job safety concern exists, Odyssey Academy may require a fitness-for-duty certification before an employee's return to work from intermittent leave.

FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also, a failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

Use of Paid and Unpaid Leave

FMLA provides eligible employees with up to 12 workweeks of unpaid leave, except as described above. However, if an employee has accrued paid leave (vacation, sick, or personal leave), he or she must substitute any qualifying paid leave for unpaid FMLA leave first. Substituted paid leave will run concurrently with the unpaid FMLA leave. "Qualifying paid leave" is leave that would otherwise be available to an employee for the purpose for which FMLA leave is taken. The remainder of the 12 workweeks of leave, if any, will be unpaid leave. Any paid leave used for an FMLA-qualifying reason will be charged against the employee's entitlement to FMLA leave. This includes leave for disability or workers' compensation injury/illness, provided that the leave meets FMLA requirements. The substitution of paid leave for unpaid leave does not extend the 12 work week period. During the period that an employee takes a leave of absence, including FMLA, he or she is not eligible to accrue paid time off benefits. Accruals will resume upon the employee's return to work.

Designation of Leave

The Business Office will notify an employee that his or her leave has been designated as FMLA leave within five business days, absent extenuating circumstances, of Odyssey Academy's determination that leave is for an FMLA qualifying reason. If an employee has not notified the school of the reason for the leave, and desires that leave be counted as FMLA leave, he or she must notify the Business Office within two business days of returning to work that the leave was for an FMLA reason.

Special Rules for Instructional Employees

Special rules may apply to certain employees of charter schools. These special rules affect leave taken intermittently or on a reduced schedule, or taken near the end of an academic term (semester) by instructional employees.

"Instructional employees" are those whose primary is to teach and instruct students in a class, a small group, or an individual setting. This term includes not only teachers, but also athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. It does not include teacher assistants or aides who do not have as their primary job actual teaching or instructing, nor does

it include auxiliary personnel such as counselors, psychologists, or curriculum specialists. It also does not include cafeteria workers, maintenance workers, or bus drivers.

Failure to Provide Notice of Foreseeable Leave

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

Twenty Percent (20%) Rule

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

- To take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- To transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than does the employee's regular position.

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

Leave at the End of a Semester

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

The school semester, or "academic term," typically ends near the end of the calendar year and the end of spring each school year. In no case may a school have more than two academic terms or semesters each year for purposes of the FMLA.

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

More Than Five Weeks Before the End of the Semester

Odyssey Academy may require an instructional employee to continue taking leave until the end of the semester if:

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

During Last Five Weeks of the Semester

Odyssey Academy may require an instructional employee to continue taking leave until the end of the semester if:

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

During Last Three Weeks of the Semester

Odyssey Academy may require an instructional employee to continue taking leave until the end of the semester if the employee begins leave during the three-week period before the end of the semester for any reason other than the employee's own serious health condition or a Qualifying Exigency.

Maintenance of Health Benefits

During FMLA leave, employees are entitled to continue group health plan coverage under the same conditions as if they had continued to work. To the extent that FMLA leave is paid, the employee's portion of health insurance premiums will be deducted from their salary. For the portion of FMLA leave that is unpaid, an employee's portion of health insurance premiums must be paid in accordance with the School's rules for leave without pay. If payment of health insurance premiums is more than 30 days late, Odyssey Academy may discontinue health insurance coverage upon notice to the employee.

Salary Action

The length of the leave will delay any planned, but not implemented, salary increase for a period equal to an employee's leave of absence, including FMLA.

Performance Evaluation

The length of the leave will extend an employee's normal performance evaluation date by the length of the leave of absence, including FMLA.

Return from FMLA Leave

Upon return from FMLA leave, the employee will be placed in the same position he or she held before the leave, or an equivalent position with equivalent pay, benefits, and other employment terms.

Limitations on Reinstatement

An employee is entitled to reinstatement only if he or she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force or other reason, he or she would not be employed at the time job restoration is sought.

Odyssey Academy reserves the right to deny reinstatement to salaried, FMLA eligible employees who are among the highest paid 10% of school employees employed within 75 miles of the school's main office, if such denial or reinstatement is necessary to prevent substantial and grievous economic injury to the school's operations.

Failure to Return to Work Following FMLA Leave

If an employee does not return to work following the conclusion of FMLA leave, he or she will be considered to have voluntarily resigned. Odyssey Academy may recover from the employee such portion of health insurance premiums that were paid on the employee's behalf during any unpaid FMLA leave. Recovery may be made through deductions from any outstanding sums due to the employee, except where prohibited by federal or state law, or through legal action against the employee.

For further information or clarification about FMLA leave, please contact the Business Office.

For information or to file a complaint with the U. S. Department of Labor (DOL) by contacting them at 1-866-487-9243 or by visiting www.wagehour.dol.gov.

Limitations on Leaves of Absence

With the exception of leaves of absence for military duty or approved leave under the Family and Medical Leave Act, if an employee accumulates more than thirty (30) 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 Odyssey Academy may have under the Americans with Disabilities Act (ADA) or similar law. Any employee separated for unavailability for work following exhaustion of all available leave will be eligible for rehire and will be able to apply for any vacancies that may exist at any given time, depending upon qualifications and availability of job openings.

Compensation and Pay Schedules

Paychecks

Odyssey Academy pays its employees on a semimonthly basis on the 5th and 20th of each month unless adjusted for weekends or holidays. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization. Odyssey Academy follows all Texas Payday Laws.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated. Statements can be retrieved from the school's Employee Portal. Contact Payroll if you have questions about your payroll statement.

Direct Deposit

Direct deposit is Odyssey Academy's preferred method of payment for all employees paid by Odyssey Academy. Direct deposit enables Odyssey Academy to facilitate the distribution of pay to employees in a safe, secure, and timely manner. To enroll in direct deposit an employee may complete the direct deposit enrollment form and submit the form to Human Resources. A notification period of 30 days is necessary to activate this service.

Lost/Stolen Paychecks

Lost or stolen paychecks should be reported to the Quality Assurance Coordinator immediately. Odyssey Academy will issue a stop payment on the lost or stolen check. Only after the financial institution has notified Odyssey Academy that payment of the check has been stopped can a new check be issued.

Unclaimed Payroll Checks

In the event an employee does not collect their pay within 90 days, Odyssey Academy will secure such pay and the wages will still be recorded. The employee will be required to present proper identification to Odyssey Academy 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.

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.

Salaries, Wages, and Stipends

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt. They are not entitled to overtime compensation. Other employees are generally classified as non-exempt and are paid an hourly wage or salary and receive compensator time or overtime pay for each hour worked beyond 40 in a workweek.

Employees should contact Human Resources for more information about the school's pay schedules.

Fair Labor Standards Act (FLSA)

Employment Categories

It is the intent of Odyssey Academy 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. Accordingly, the right to terminate the employment relationship at-will at any time is retained by both the employee and Odyssey Academy.

Each employee is designated as either EXEMPT or NON-EXEMPT under federal and state wage and hour laws in accordance with applicable federal law. NON-EXEMPT employees are entitled to overtime pay under the specific provisions of federal law. 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 by Odyssey Academy, and in accordance with applicable federal law.

Exempt status applies to the position and not the employee. Exempt simply means the position the employee fills is exempt from the Fair Labor Standards Act ("FLSA"), and is not entitled to overtime compensation. Exempt employees are paid on a salaried basis, and their salary is 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.

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 during a workweek. The key phrase here 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 time card or record, and will be eligible for overtime pay in accordance with the appropriate Wage and Hour laws.

Odyssey Academy's positions are reviewed and assigned an FLSA (exempt or non-exempt) status that is maintained on a master record by the Business Office. Employees may obtain this information from Business Office upon request.

Timekeeping

Federal and state laws require Odyssey Academy 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 time card.

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 time cards to certify the accuracy of all time recorded. Supervisors generally will review and then sign the time card 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.

Minimum Wage and Overtime

Employees not exempt under the Fair Labor Standards Act shall be paid minimum wage and receive compensation for overtime under the conditions specified in the Act. Under no circumstances should an employee work “off the clock” or outside of the employee’s approved work schedule.

Depending on Odyssey Academy’s work needs, employees may be requested to work overtime. The Principal and/or the employee’s immediate supervisor must approve all overtime in advance of overtime being worked. An employee who works overtime without prior written approval may be subject to disciplinary action, up to and including termination.

Hours Worked: Exempt Employees

All exempt employees who are compensated on a salary rather than hourly basis are paid their salary for all hours worked during the work week, regardless of the actual number of hours worked.

Hours Worked: Non-Exempt Employees

Only non-exempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Overtime is never at the employee’s discretion. Non-exempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. Working overtime without prior authorization may result in disciplinary action.

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee’s regular work schedule. Non-exempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours. For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Monday and ends at 12:00 midnight Sunday.

Non-exempt employees may be compensated for overtime at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all non-exempt employees:

- Employees can accumulate up to 60 hours of comp time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee’s request with supervisor approval, as workload permits, or at the supervisor’s direction.
- An employee may be required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all non-exempt employees for the purpose of wage and salary administration.

A non-exempt employee is never permitted to work “off the clock.” While all hours will be compensated appropriately, an employee’s failure to report hours accurately whether too low or too high is cause for disciplinary action. Employees should immediately report to Human Resources any effort by a supervisor to participate, encourage, or even permit an employee to work “off the clock” in violation of this overtime provision.

Travel Expense Reimbursement

Before an employee incurs travel expenses related to Odyssey Academy business, the employee must submit a travel request form for approval to their supervisor. Employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the administration.

Travel expenses from approved travel must be itemized and detailed on the Odyssey Academy travel reimbursement form. To be reimbursed, all original receipts for travel expenses must be included with the reimbursement form and submitted to the employee’s supervisor.

Payroll Deductions

Odyssey Academy only will deduct wages from an employee’s pay under circumstances that are allowable under state and federal law. Additionally, any wages that an employee has requested and authorized in writing will be deducted. If there is a deduction that has been made that the employee believes is in error, the employee should immediately contact Payroll.

Deductions Required by Law

The following deductions are required by law and are withheld from every paycheck; no written authorization is required:

- **Social Security/Medicare:** The amounts withheld are based upon a tax rate set by law and are applied up to a certain specified amount of annual earnings. Odyssey Academy is liable for an amount equal to the amount of tax paid by the employee at the time the wages are paid.
- **Federal Withholding Income Tax:** Federal income tax will be withheld from each employee’s paycheck. The amount is shown on the paycheck stub under the heading “Federal Withholding.” The Internal Revenue Service (“IRS”) requires that deductions be made based on an employee’s gross earnings in accordance with established withholding tax tables in effect at the time of withholding. The classification used to determine the amount of tax withheld is taken from the Employee’s Withholding Allowance Certificate (Form W-4). The withheld tax is forwarded to the IRS, and the employee is given credit toward payment of their individual income tax.
- **Involuntary Assignment of Wages:** An involuntary assignment of wages – also called a garnishment – requires that Odyssey Academy deduct certain amounts from an employee’s wages in order to repay the employee’s debts, such as child support and court ordered wage garnishments. Odyssey Academy will make such deduction from an employee’s paycheck only upon receipt of official notice and/or paperwork from a court or governing body.

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

Administrative Pay Corrections

In the event of an error in payment, the employee should contact his/her supervisor as soon as possible. The supervisor will then contact the Business Office and send the necessary paperwork to correct the matter. Any questions concerning how or when corrections will be made should be directed to the appropriate supervisor and/or the Quality Assurance Coordinator.

Overpayments

Employees must inform the Business Office of known overpayments on any paychecks received. Odyssey Academy will pursue all legal means necessary to recover overpayments.

Wage and Tax Statements

All employees will receive a Wage and Tax Statement (Form W-2) showing their annual earnings and the amounts deducted for Social Security, Medicare, and federal income taxes. Additional earnings and deductions that may be included, if applicable, are social security tips, allocated tips, advance earned income credit, and dependent care benefits. W-2 forms will be prepared by Odyssey Academy and distributed on or before January 31st of each year.

Benefits

The benefits information in this handbook is only a summary of benefit plans offered by Odyssey Academy. This general explanation is not intended to and does not provide employees with all the details of these benefits. This handbook does not change or otherwise interpret the terms of the official plan documents. If there is any conflict or difference between the information in this handbook and the plan documents, the plan documents will govern. Odyssey Academy reserves the right to change or end these benefits at any time and for any reason, consistent with all laws. Additionally, benefit eligibility is dependent upon a variety of factors, including employee classification. If employees would like additional information related to any benefits offered by Odyssey Academy, please contact the Business Office.

Under the ACA, substitute employees may be eligible to enroll in a school's health plan. Under TRS Active Care, an employee may be eligible for coverage if employed for 10 hours or more each week. TRS should have additional information available on this subject. If a school fails to offer coverage to substitutes or variable hour employees, it may be subject to a penalty under the ACA.

Health Insurance

Group health insurance coverage is provided through TRS-ActiveCare, the statewide public school employee health insurance program. The district's contribution to employee insurance premiums is determined annually by the board of trustees. Employees eligible for health insurance coverage include the following:

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

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

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each fall. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet.

Cafeteria Plan Benefits (Section 125)

Employees may be eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e., disability, accidental death and dismemberment, cancer, dental, and additional term life insurance). A third-party administrator handles employee claims made on these accounts.

New employees must accept or reject this benefit during their first month of employment. All employees must accept or reject this benefit on an annual basis during the school's open enrollment period.

TRS Retirement

Employment that makes one eligible for membership in TRS is:

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

An employee of a public, state-supported educational institution in Texas meets these requirements if the member's customary employment is for 20 hours or more each week and for four and one-half months or more in one school year.

Full-time service is employment that is usually 40 clock hours per week.

If the TRS-covered employer has established a lesser requirement for full-time employment for certain positions, full-time service includes employment in those positions. In no event may full-time employment require less than 30 hours per week.

All new TRS Eligible employees are eligible for benefits on the first day of the month following the first day worked, or the date they become eligible for benefits. At no time will employees be eligible for coverage before the first day worked by the employee. If an employee does not enroll within 31 days of eligibility, that employee will be eligible to enroll during the next open enrollment opportunity.

All regular employees of the public education system in Texas (employed for four and one-half months or more, for one-half time or more of the standard full-time workload, and paid at a rate comparable to

other persons employed by that employer in similar positions) must participate in TRS, unless an exception to TRS membership applies.

The exceptions to TRS membership include but are not limited to:

- A substitute, as defined by TRS Rules (To be considered a substitute, the individual must be serving in a position currently held by another employee and paid at a rate of pay that does not exceed the rate for substitute work established by the employer.);
- A person employed on a temporary (less than four and one-half months), part-time (less than one-half time), seasonal, or on an irregular basis.

Substitutes not receiving TRS service retirement benefits that work at least 90 days a year may also be eligible for TRS membership and to purchase one year of creditable service. TRS provides members with an annual statement of their accounts showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

Odyssey Academy will make all required contributions for employees eligible for TRS benefits on a timely basis. Individuals who are planning retirement and retirees who are considering employment after retirement should contact the Business Office for the current administrative procedures regarding the Odyssey Academy 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.

Other Retirement Plans (403b)

Odyssey Academy offers a voluntary salary reduction retirement plan in which eligible employees may elect to participate in.

Workers' Compensation

Odyssey Academy may provide workers' compensation benefits to employees who suffer a work-related illness or personal injury due to accidents arising out of their employment with Odyssey Academy. Such benefits are paid for entirely by Odyssey Academy and help pay for medical treatment and make up for part of the income lost while recovering.

An employee receiving workers' compensation wage benefits may elect to receive accrued paid leave benefits, whether or not such employee is on family and medical leave. If the employee makes such an election, Odyssey Academy shall pay the difference between the weekly income benefit received under workers' compensation, and the employee's regular weekly compensation, and shall charge leave proportionately.

An employee whose accumulated leave is exhausted prior to or during an absence for a work-related injury or illness shall be placed on an unpaid leave of absence. Except while on family and medical leave, the employee shall be responsible for full payment, in advance, of all premiums for insurance benefits during such leave of absence.

Upon release from workers' compensation for regular or accommodated duty, the employee must submit a written request for reinstatement of employment. The request must be accompanied by a physician's statement certifying the employee's fitness to return to work. If the release is for an accommodated-duty position, the return to work shall be coordinated by the Business Office.

Except as required under the temporary disability law, an employee released from workers' compensation shall be considered for a position for which the employee is qualified, provided such a position is available. If no position for which the employee is qualified is available at the time the employee requests reinstatement, the employee shall be considered for a subsequent vacancy. Failure of an employee to report to Odyssey Academy upon release from workers' compensation leave within three days, or refusal to accept an offered position, shall constitute a resignation.

Mandatory Requirements

Workers' Compensation Insurance covers all employees during the time they are on the job.

- Covered injuries and illnesses may be physical or mental and specific or cumulative.
- An injury is considered job-related when it arises out of and in the course and scope of employment.
- The activity that caused the injury must also be an activity that is in the course and scope of employment.

Denial of Workers' Compensation Insurance Benefits

Except as otherwise required by state law, injuries not covered by Workers' Compensation Insurance include those where the employee:

- Was intoxicated on alcohol or drugs.
- Was in the process of committing a felony (and has been convicted).
- Was participating in a social or recreational activity off-duty that was not directly related to his or her work.
- Was commuting to or from work unless doing so under the direct control or orders of Odyssey Academy on school-related business.
- Caused the injury intentionally, or committed suicide.
- Was "horsing around" or fighting on the job.
- Violated a school safety policy or procedure.

If Odyssey Academy denies a Workers' Compensation Insurance claim:

- The employee may contest the decision in accordance with the provisions of the Workers' Compensation laws of the State of Texas.
- All costs incurred by the employee in contesting a denial of the claim shall be the sole responsibility of the employee.
- Odyssey Academy is not obligated to make any commitments or statements pertaining to its liability concerning an employee's injury or illness.

Reporting Requirements

Any employee suffering an injury or illness that is work related is responsible for immediately reporting that illness or injury – no matter how minor – to his or her supervisor. The employee should not attempt to make any medical decisions on his or her own. The supervisor will assist the individual immediately to obtain all the details of the incident and the identities and contact information of any witnesses, if necessary.

All appropriate incident forms must be completed and submitted to Odyssey Academy's insurance carrier within 24 hours of the incident. Additionally, the employee may be required to participate in a post-accident drug and alcohol test within 24 hours of the accident.

Employees desiring information about Odyssey Academy's position on the Workers' Compensation Insurance claim will be informed only that Odyssey Academy and/or its insurance carrier is conducting an investigation. All questions and claims regarding workers' compensation should be referred to the Business Office. An employee receiving workers' compensation wage benefits shall be assigned to FMLA leave, if applicable.

Request for Leave

Any employee whose job-related injury or illness will prevent him or her from reporting to work within one week following the initial incident should contact the Business Office during the first week of the absence. Workers' Compensation Insurance leave may be granted for situations in which there is a physician's written statement indicating that a leave of absence is required.

The physician's statement must provide adequate details, acceptable to Odyssey Academy, regarding the nature of the disability and the anticipated length of absence from work. Odyssey Academy may, at its discretion and expense, require another medical opinion by a physician. Odyssey Academy reserves the right to select the physician to examine and treat the injury or illness, to seek additional medical opinions, and to deny benefits where there is insufficient evidence that the illness or injury arose out of or occurred in the course of employment.

If a leave of absence is needed in the case of a legitimate Workers' Compensation Insurance injury or illness, the employee shall be paid according to the state schedule, and shall remain on leave until he or she is released by a physician's statement.

Fraudulent Claims for Workers' Compensation

Filing a false or fraudulent claim is a violation of law and Odyssey Academy policy, and may result in disciplinary employment actions, including termination of employment.

Return to Work Policy

Upon expiration of a Workers' Compensation absence, and prior to returning to work, the employee must obtain and submit a physician's release to the Business Office.

Potential employment following such Workers' Compensation absence shall be determined based on the type of leave for which the employee qualifies. All employees qualifying for leave under the Family
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Medical Leave Act (“FMLA”) or Uniformed Services Employment and Reemployment Rights Act (“USERRA”) shall be placed in a like or comparable position upon their release to return to work or as otherwise required by law. Employees returning within the Extended Leave period, defined later in this Handbook, may return to a previously-vacated position, at Odyssey Academy’s discretion subject to availability, upon release to return to work. If the position is unavailable, the employee may be assigned to a substantially similar position or another suitable position for which the employee is qualified, subject to availability. If no position is available, the employee’s name may be placed on the substitute roster, if any, and the employee may be considered for a subsequent vacancy along with other applicants. Employees exceeding the 30-day Extended Leave period will have been considered to have resigned and/or separated from employment due to unavailability to work, but will be able to reapply for any vacancies, subject to qualifications and availability of job openings.

Early Return to Work Qualifying Terms and Definitions

- The employee must have a temporary disability due to an “Employment Related Injury,” which is defined as an injury or occupational disease that arises out of the course and scope of employment and is a compensable injury or illness, as defined under the Texas Workers’ Compensation Act (the “TWCA”).
- “Physician” means a doctor of medicine, osteopathic medicine, optometry, dentistry, podiatry, or chiropractic who is licensed and authorized to practice as defined in the Texas Workers’ Compensation Rules (Texas Labor Code, Title 5, Subtitle A).
- “RTW” is a temporary Modified Duty position to which an employee is assigned when he or she is unable to return to his or her regular position following an Employment Related Injury. The RTW position temporarily addresses the restrictions placed on an individual by the employee’s treating Physician. The employee will receive their regular pay during the Early Return to Work period.
- RTW Eligibility: To be eligible for participation in the RTW Program, an employee must provide a written statement (Form TWCC-73) from his or her treating physician that the employee is: (1) temporarily unable to perform his or her essential duties, following an employment related injury or illness; and (2) capable of carrying out work of a lighter or modified nature from his or her regular duties and is expected to return to his or her regular duties within 90 calendar days.

Early Return to Work Procedure

- Once notified of an on-the-job injury or illness, the Business Office must complete a First Report of Injury (TWCC-1) for Workers’ Compensation and inform the employee in writing of the Return to Work Program.
- The employee must be seen and evaluated by his or her physician to determine if the employee is able to return to work and if so, with or without restrictions. At the time of the evaluation, the employee must inform the physician of the Return to Work Program, and provide a copy of the employee’s regular job description that identifies the essential functions of the job and its requirements.
- When the employee is able to return to work with restrictions, the employee’s physician must complete the TWCC 73 Work Status Report, indicating the specific restrictions, and the duration of those restrictions. Clarification regarding temporary restrictions may be requested of the treating physician.

- Taking into consideration the information provided by the physician, the Business Office will determine if a temporary RTW assignment may be offered. Odyssey Academy may not be able to offer an RTW assignment in all circumstances.
- A decision on RTW placement will be based on the following criteria:
 - Employees with no restrictions and a valid medical release/TWCC-73 will be returned to regular duty status.
 - Employees with a valid medical release/TWCC-73, which indicates physical limitations, may be placed on regular duty status if those limitations do not impede the employee's ability to perform their regular work.
 - Employees with a valid medical release/TWCC-73, which indicates physical limitations that would prevent the employee from performing their regular duties, may be placed in other work assignments, if accommodations can be made.
- Once the Business Office has approved participation in the RTW Program, the Human Resources Specialist will present the employee with an RTW (Modified Duty) job offer letter. This letter shall include:
 - The position offered.
 - The location and duties of the position offered.
 - The schedule of the position offered.
 - The duration of the temporary work assignment.
 - A statement that Odyssey Academy will only assign a position or duties consistent with the employee's knowledge and skills, and will provide training if necessary.
 - A statement acknowledging that the employer is knowledgeable about and will abide by the limitations under which the treating physician has authorized the return to work.

Refusal of Return to Work Offer

An employee may choose to accept or refuse the RTW (Modified Duty) job offer. However, an employee who refuses a Modified Duty job offer or bona fide offer of employment is subject to termination. Rejection of such a job offer might also result in cancellation of income benefits under Workers' Compensation Insurance.

Duration of Early Return to Work Assignment

RTW assignments are temporary in nature. All job accommodations will cease when an employee receives a valid release for regular duties from his or her physician. An RTW with Modified Duty offer will be extended for an initial period not to exceed 90 calendar days. The duration of approved time will be based upon the information provided by the employee's physician. If the employee is unable to return to work at full duty after the initial approved time, he or she may request a continuation of RTW Modified Duty not to exceed a total of 90 calendar days in a Modified Duty capacity.

An employee requesting an extension of Modified Duty, beyond the originally approved amount of time in the RTW with Modified Duty offer letter, must submit documentation to the Business Office from his or her Physician. This document should include what limitations continue to exist, and the probable duration of those limitations.

If an employee is unable to return to work at full duty after 90 calendar days, he or she may request a continuation of Modified Duty not to exceed a total of 180 calendar days in a Modified Duty capacity.

Approval beyond 90 calendar days will be based upon the assessment of the employee's ability to return to full duty within the immediate future. An employee requesting an extension beyond 90 calendar days must submit updated information from his or her physician.

An employee who is unable to return to his or her regularly assigned duties at the end of the RTW Modified Duty agreement may elect to terminate his or her employment with Odyssey Academy. Provided that employee has exhausted any entitlements under the FMLA, an employee who is unable to return to work at the end of the RTW Modified Duty agreement may be terminated in accordance with the Limitations on Leaves of Absence section of this Handbook.

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.

Unemployment Compensation Insurance

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service.

Benefits Continuation – COBRA

Odyssey Academy will notify employees of their potential rights under COBRA upon separation from employment with the School.

Other Benefits

From time to time, Odyssey Academy may offer its employees the option to additionally purchase and/or participate in various other benefits and insurance programs, subject to the terms and conditions of the various programs.

Employment Standards

General

The successful operation and reputation of Odyssey Academy 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.

Odyssey Academy 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 nor any Odyssey Academy 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, the Business Office.

Every employee is responsible for complying with the school'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.

Standards of Conduct

All employees are expected to work together in a cooperative spirit to serve the best interests of Odyssey Academy and its schools and to be courteous to students, one another, and the public. Employees are expected to observe the following standards of conduct:

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers, as required by applicable law.
- Meet established expectations of job performance.
- Comply with attendance policies.
- Be responsible in the performance of job duties.
- Be efficient.
- Respect the personal and property rights of all individuals one comes in contact with during the course of Odyssey Academy business.
- Follow job instructions.
- Maintain a courteous and professional demeanor.

Code of Ethics

All certified educators employed at Odyssey Academy shall comply with the following Code of Ethics:

Texas Educator Preamble

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

Professional Ethical Conduct, Practices and Performance:

- Standard 1.1: The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the charter school, an educator preparation program, the Texas Education Agency, or the State Board of Educator Certification (SBEC) and its certification process.
- Standard 1.2: The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.
- Standard 1.3: The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.
- Standard 1.4: The educator shall not use institutional or professional privileges for personal or partisan advantage.
- Standard 1.5: The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.
- Standard 1.6: The educator shall not falsify records, or direct or coerce others to do so.
- Standard 1.7: The educator shall comply with state regulations, written local school board policies, and other state and federal laws.
- Standard 1.8: The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.
- Standard 1.9: The educator shall not make threats of violence against school employees, members of the Board of Directors, students, or parents of students.
- Standard 1.10: The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.
- Standard 1.11: The educator shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.
- Standard 1.12: The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.
- Standard 1.13: The educator shall not consume alcoholic beverages on school property or during school activities when students are present.
- Standard 1.14: The educator shall not assist another educator, school employee, contractor, or agent in obtaining a new job as an educator or in a school, apart from the routine transmission of administrative and personnel files, if the educator knows or has probable cause to believe that such person engaged in sexual misconduct regarding a minor or student in violation of the law.

Ethical Conduct Toward Professional Colleagues

- Standard 2.1: The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
- Standard 2.2: The educator shall not harm others by knowingly making false statements about a colleague or the school system.
- Standard 2.3: The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.
- Standard 2.4: The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.

- Standard 2.5: The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.
- Standard 2.6: The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
- Standard 2.7: The educator shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation in accordance with applicable laws or regulations.

Ethical Conduct Toward Students

- Standard 3.1: The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.
- Standard 3.2: The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.
- Standard 3.3: The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.
- Standard 3.4: The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.
- Standard 3.5: The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.
- Standard 3.6: The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.
- Standard 3.7: The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.
- Standard 3.8: The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.
- Standard 3.9: The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:
 - The nature, purpose, timing, and amount of the communication;
 - The subject matter of the communication;
 - Whether the communication was made openly or the educator 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 educator or the student.

Adapted from the Professional Code of Ethics and Standard Practices for Texas Educators

Financial Ethics

Odyssey Academy prohibits fraud and financial impropriety in the actions of its directors, employees, vendors, contractors, consultants, volunteers, and others seeking or maintaining a business relationship with Odyssey Academy.

Fraud and financial impropriety shall include but not be limited to:

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

Any person who suspects fraud or financial impropriety shall report the suspicions immediately to any supervisor, the Superintendent or designee, the Board President, or local law enforcement.

Reports of suspected fraud or financial impropriety will be treated as confidential to the extent permitted by law. Limited disclosure may be necessary to complete a full investigation or to comply with law. All employees involved in an investigation shall be advised to keep information about the investigation confidential.

Neither the Board of Directors nor any Odyssey Academy employee shall unlawfully retaliate against a person who in good faith reports perceived fraud or financial impropriety.

If an employee is found to have committed fraud or financial impropriety, the Superintendent or designee or the Board of Directors shall take or recommend appropriate disciplinary action, which may include termination of employment and, when circumstances warrant, referral to appropriate law enforcement or regulatory authorities.

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 Odyssey Academy wishes to operate. Odyssey Academy'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 the Business Office for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of Odyssey Academy's business dealings and operations.

No "presumption of guilt" is created by the mere existence of a relationship with an employee, contractor or vendor that may be a potential conflict of interest. However, if employees have any influence on transactions involving purchases, contracts or leases, it is imperative that they disclose to their immediate supervisor or the Business Office, as soon as possible, the existence of any actual or potential conflict of interest, so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which Odyssey Academy does business, but also when an employee or relative receives any benefit, including but not limited to a kick-back, bribe, substantial gift, or special consideration, as a result of any transaction or business dealings involving Odyssey Academy.

An employee with reason to believe that an actual or potential conflict of interest exists must bring that concern to the attention of that employee's immediate supervisor or to the Business Office.

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

Office Dating

Employees who are in administration/management/supervisory roles are prohibited from dating any employee over whom they have direct or indirect supervision. Also, individuals who work within the human resources department are prohibited from dating any Odyssey Academy employee.

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

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

Employee Dress Code

Employee dress should be neat and clean and appropriate for a professional appearance. Closed-toe 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. Jeans should only be worn with an Odyssey Academy shirt. 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 tattoos and/or remove facial jewelry. Additionally, because it is difficult to establish a specific dress standard, an Odyssey Academy administrator may require an employee to change their dress if in their best judgment the dress is inappropriate.

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

Outside Employment

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

Non-Disclosure

The protection of confidential business information and trade secrets is vital to the interests and the success of Odyssey Academy. 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 Odyssey Academy 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 Texas Public Information Act, Chapter 552 of the Texas Government Code, or other applicable federal or state law.

Textbook and Materials Acquisition

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

Any Odyssey Academy officer, administrator, or teacher who accepts a gift, favor, or service given to the person, or to the School, 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.

Copyrighted Material

All Odyssey Academy employees are required to abide by and comply with all state and federal laws governing copyright, trademarks and other intellectual property. Federal copyright law protects “original works of authorship fixed in any tangible medium of expression.” Protected works include, but are not limited to:

- Literary works;
- Musical works, including any lyrics;
- Dramatic works, including any musical accompaniment;
- Sound recording;
- Pictorial, graphic and sculptural works.

If employees use a protected work in an inappropriate manner, the action may constitute an “infringement” of federal copyright law. Infringement is similar to theft, and there are both civil and criminal penalties for such action. The use of copyrighted material may require the permission of the copyright owner. The absence of a copyright notice or symbol on a work does not mean it is not copyrighted. Under what is called the Fair Use Doctrine, school employees may use portions of copyrighted works without the owner’s permission if the use “serves a public purpose.”

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 Odyssey Academy shall be considered the property of Odyssey Academy. 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 Odyssey Academy, including any copyright, patent or trademark or application thereof. Employees hereby assign and transfer to Odyssey Academy 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 Odyssey Academy’s opinion may be necessary or desirable

to secure the school's full enjoyment of all right, title interest and properties herein assigned. Employees agree to not charge the school for use of their copyrighted, trademarked and patented material.

Proprietary Information

Proprietary information includes all information relating in any manner to the business of Odyssey Academy and its schools, students, parents, consultants, customers, clients, and business associates obtained by Odyssey Academy employees during the course of their work. Occasionally, in the service of Odyssey Academy's mission, the school 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 school documents, that employee should direct the request to Headquarters or seek approval from Odyssey Academy's Business Office before disseminating documents.

Social Media

Employees have a right to participate in social networking sites, blogs, forums, etc. as individuals in the community. However, employees should not post anything that would violate student confidentiality or the professionalism and ethical conduct of Odyssey Academy employees. Employees are encouraged to adhere to the following guidelines when engaging in activity on social media:

1. Do not create a link from your blog, website, or other social networking site to an Odyssey Academy website without identifying yourself as a school employee.
2. Maintain the confidentiality of Odyssey Academy trade secrets and private or confidential information concerning school employees, students, and/or agents that is obtained from Odyssey Academy's files or records in the course of employment. Do not post internal reports or other business-related confidential communications.
3. Respect all copyright and other intellectual property laws. For Odyssey Academy'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 Odyssey Academy's own copyrights, trademarks, and brands.
4. Do not infringe on Odyssey Academy's logos, taglines, slogans, trademarks, or other symbols.
5. Be respectful of the privacy and dignity of your co-workers, and do not post student photographs without appropriate authority.
6. Harassing, obscene, defamatory, threatening, or other offensive content must be avoided.
7. If an employee's use of social media violates state or federal law or Odyssey Academy policy, or 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.
8. Do not "friend" students on your personal social media page 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.

Electronic Communications with Students

"Electronic Communication" includes any communication facilitated by the use of any electronic device, including a cellular telephone, computer, computer network, personal data assistant, or pager, and

includes e-mail, text message, instant message, and any communication made through an internet website, including a social media website or social networking website.

Employees shall not engage in inappropriate electronic communications with students. Employees should not “friend” students on their personal social media pages unless they 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. Employees may elect to not disclose to a student the employee’s personal telephone number or e-mail address.

Employees shall immediately notify the Principal or designee concerning an incident in which a student engages in improper communications with an employee. A report should include a summary of the student’s communication, as well as the time, date, and method of communication.

Audio & Video Recordings

An employee is prohibited from making any audio or video recording while acting in the course and scope of their employment or while on school property without the written consent of all parties subject to the recording. School functions such as athletic activities or performances are exempt from this prohibition.

Unacceptable Employee Conduct

Employees are expected to follow all laws, policies, regulations, terms and conditions of employment and directives of Odyssey Academy. Odyssey Academy expects its employees to act in a mature, professional and responsible manner. The following is a non-exclusive list of prohibited employee conduct. Employees who engage in any conduct listed below are subject to disciplinary action up to and including termination. This is not intended to be a complete list, and it does not alter the contractual or at-will employment relationship between employees and Odyssey Academy.

- Dishonesty, falsification or misrepresentation on an application for employment or other work records; falsifying reasons for leave of absence or other data requested by Odyssey Academy and/or alteration of Odyssey Academy’s records or documents.
- Engaging in an act of sabotage; willful or with negligence causing the destruction or damage of Odyssey Academy property, or the property of fellow employees, volunteers, contractors, or visitors, in any manner.
- Engaging in malicious gossip, spreading rumors, or otherwise engaging in behavior designed to create discord and lack of harmony or otherwise interfere with the job performance of fellow employees or service providers.
- Engaging in rudeness, disrespectful, or unprofessional behavior toward parents and school contractors or vendors.
- Fighting or threatening violence toward anyone on [School] property or when representing Odyssey Academy, including “horseplay” or provoking a fight between others.
- Giving to other schools, organizations, or persons information made confidential by law and/or proprietary Odyssey Academy information that is obtained from the school’s files or records in the course of employment.
- Information relating to Odyssey Academy employees and/or students that is obtained from the school’s files or records in the course of employment.

- Insubordination or other disrespectful conduct (including refusal to follow the lawful directives of a supervisor or the Superintendent).
- Intoxication or being under the influence of controlled substances while at work or representing Odyssey Academy.
- Negligence or any careless action that endangers the life or safety of another person, or damages or destroys property of Odyssey Academy.
- Possession of firearms, weapons or explosives on school property, while on duty or while representing Odyssey Academy.
- Smoking in prohibited areas.
- The use, possession or sale of a controlled substance.
- Theft of school-owned property or the property of fellow employees, students, contractors or visitors.
- Threatening, intimidating or coercing fellow employees on or off school property, at any time, for any reason.
- Unauthorized possession or removal of any school property, including documents, from the premises without prior permission from a supervisor;
- Unauthorized use of school equipment or property, including using such equipment for personal use or profit.
- Unsatisfactory performance or conduct.
- Violation of the rules affecting the health and safety of students and the efforts of Odyssey Academy to operate efficiently and effectively.

Prohibition of Discrimination, Harassment, and Retaliation

Odyssey Academy prohibits discrimination, including harassment, of a co-worker or student based upon race, color, national origin, religion, sex, disability, veteran status, age, genetic information, or any other basis prohibited by law.

Prohibited harassment of an employee is defined as physical, verbal, or non-verbal conduct based on an individual's protected characteristic(s), or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the individual's work;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the individual's performance, environment, or employment opportunities.

Employees shall not tolerate discrimination or harassment of others, and are encouraged to report claims as soon as possible.

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

Upon notice of alleged harassment, discrimination, or retaliation, Odyssey Academy will immediately undertake or direct an effective, thorough, and objective investigation. The investigation will be

completed and a written determination regarding the reported harassment will be made and communicated to the employee who complained and to the accused harasser(s).

If Odyssey Academy determines that prohibited harassment or other conduct that violates an Odyssey Academy policy has occurred, the School will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of prohibited conduct is substantiated, appropriate disciplinary action, up to and including immediate termination, will be taken.

Sexual Harassment

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual's employment.

Employees shall not engage in conduct constituting sexual harassment. Odyssey Academy officials or their agents shall investigate all allegations of sexual harassment and officials shall take prompt and appropriate disciplinary action against employees found to engage in conduct constituting sexual harassment.

An employee who believes that he or she has been or is being subjected to any form of sexual harassment is encouraged to make a report as soon as possible.

Retaliation

Odyssey Academy 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, 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 a school investigation regarding harassment or discrimination is subject to appropriate discipline, up to and including termination.

Reporting Procedures

An employee who believes that he or she has experienced prohibited discrimination or harassment, retaliation, or believes that another employee has experienced such prohibited conduct, should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or Principal.

The employee may also report the alleged acts to one of the Odyssey Academy officials below.

Odyssey Academy has designated the following person as the Title VII/Title IX Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of race, color, national origin, religion, gender, or sexual harassment:

Kendra Persohn
600 Gulf Freeway, Suite 123, Texas City, Texas 77591
409-750-9289

Odyssey Academy 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:

Jennifer Maier
600 Gulf Freeway, Suite 123, Texas City, Texas 77591
409-750-9289

Odyssey Academy has designated the following person as the ADEA Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of age:

Matthew Sherman
600 Gulf Freeway, Suite 123, Texas City, Texas 77591
409-750-9289

All other complaints regarding discrimination, harassment, or retaliation may be directed to Matthew Sherman, Business & Operations Officer, 600 Gulf Freeway, Suite 123, Texas City, Texas 77591, 409-750-9289.

Reports of prohibited discrimination or harassment shall be made as soon as possible after the alleged act or knowledge of the alleged act. Failure to promptly report may impair Odyssey Academy's ability to investigate and address the prohibited conduct.

Any Odyssey Academy supervisor who receives a report of prohibited discrimination or harassment shall immediately notify the appropriate Compliance Coordinator listed above, and take any other steps required by school policy.

Conducting the Investigation

Odyssey Academy recognizes all official complaints as a serious matter and will follow through with an appropriate and timely investigation of the allegations. All complaints will be investigated. At no time will employees who file a complaint be required or allowed to handle the problem themselves.

All investigations into discrimination and harassment will follow these guidelines:

- The complainant will be asked for specifics about what happened: where it happened, when it happened, and why.

- Co-workers may be questioned to determine if there are other victims or witnesses to the alleged conduct.
- The accused harasser will be questioned and will be informed of who is complaining and be asked for their statement/explanation. The accused harasser will be warned not to retaliate or to discuss the matter with the complainant or any other Odyssey Academy employees or affiliated persons without permission from the investigator/school administration. Failure of the accused harasser to abide by this will be grounds for disciplinary action, up to and including, termination.

Both the complaining individual and the alleged harasser have equal privacy rights under the law. Due to the nature of the investigative requirements and process, it may not be possible to ensure absolute confidentiality, but Odyssey Academy will protect the privacy and confidentiality of both the accuser and accused to the extent possible.

Corrective Action

Odyssey Academy will take prompt, effective action to end any harassment and to deter future harassment. After all the circumstances of the complaint, including responses of the alleged perpetrator and witnesses, have been documented, a determination will be made as to whether or not discrimination or harassment has occurred. Prompt corrective action, if warranted, will follow immediately. This may include discipline or termination of the perpetrator or the complainant in the case that a falsified and malicious complaint was discovered and substantiated. The complainant and other persons directly involved will be provided notice of Odyssey Academy's disposition in the matter.

Either the complaining employee or the alleged harasser has the right to appeal the determination of the investigation to the Board of Directors if he or she indicates so in writing, and delivers the appeal to the Superintendent within ten calendar days of the determination.

Odyssey Academy accepts no liability for harassment of one employee by another employee. The individual who makes unwelcome advances, threatens or in any other way harasses another employee is personally liable for such actions and their consequences. Odyssey Academy will not provide legal, financial, or other assistance to an individual accused of harassment if a legal complaint is filed.

Student Discrimination/Harassment

Odyssey Academy prohibits discrimination, including harassment, against any student on the basis of race, color, religion, gender, national origin, disability, age, sexual orientation, military service or any other basis prohibited by law. Discrimination against a student is defined as conduct directed at a student on the previous bases that adversely affects the student.

Odyssey Academy employees shall not engage in discrimination or harassment of students, nor shall they tolerate student-to-student discrimination or harassment. Suspected discrimination or harassment of students shall be reported in a timely manner.

Odyssey Academy shall investigate all allegations of discrimination or harassment against students, and shall take appropriate disciplinary action against employees or students who have engaged in such acts, up to and including termination of employment.

Retaliation against anyone involved in the complaint process is a violation of Odyssey Academy 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, 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, request 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 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.

Odyssey Academy 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.

Fraud, Dishonesty and False Statements

No employee or applicant may ever falsify any application, medical history record, student paperwork, employee paperwork, time sheet, time card, 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.

Insubordination

All employees have duties to perform. It is against Odyssey Academy policy for an employee to refuse to follow the directions of a supervisor or other school official. Employees must cooperate fully with investigations into potential misconduct. Refusal to disclose information during 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.

Workplace Investigations

There are instances when Odyssey Academy may wish to investigate personnel matters. Employees are required to cooperate in any investigation. Refusal to participate, or actions taken to compromise the

effectiveness of any investigation, may result in termination. If the employee is instructed not to discuss the matter being investigated, failure to abide by this instruction may also result in termination. This restriction excludes the employee's privileged communications with his or her own private legal counsel.

Reporting an Educator's Misconduct

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

1. That an educator, applicant for, or holder of an educator's certificate has a reported criminal history, and Odyssey Academy learned of the criminal record by means other than the criminal history clearinghouse established by the Texas Department of Public Safety.
2. That an educator or certificate holder was terminated and there is evidence that the educator:
 - a. Abused or otherwise committed an unlawful act with a student or minor;
 - b. Was involved in a romantic relationship or solicited or engaged in sexual conduct with a student or minor;
 - c. Possessed, transferred, sold, or distributed a controlled substance;
 - d. Illegally transferred, appropriated, or expended school property or funds;
 - e. Attempted by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to be employed in a position requiring such a certificate or permit or to receive additional compensation associated with a position; or
 - f. Committed a crime or any part of a crime while on school property or at a school-sponsored event.
3. That a certificate holder resigned and reasonable evidence supported a recommendation to terminate the individual because he or she committed one of the acts specified in paragraph 2 above.
4. That an educator engaged in conduct that violated the assessment instrument security procedures established by Education Code 39.0301.

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

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

Odyssey Academy shall provide notice to the parent or guardian of a student with whom an educator is alleged to have engaged in misconduct in accordance with state law.

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

Disciplinary Action

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

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

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

Student Issues

Non-Discrimination Statement

Odyssey Academy does not discriminate on the basis of race, religion, color, national origin, sex, disability academic, artistic, or athletic ability, sexual orientation, pregnancy, marital status or the district the child would otherwise attend under state law or in providing educational services, activities, and programs, including vocational and career technology programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

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, Odyssey Academy 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.

Psychotropic Drugs and Psychiatric Evaluations Or Examinations

No Odyssey Academy 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.

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 has adopted orderly processes for handling parent and student complaints. Parents or students may obtain information on this process from the main office or the Principal.

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 Odyssey Academy. Non-instructional employees with concerns about a particular student's conduct should contact the student's classroom teacher or the Principal.

Student Welfare: Child Abuse and Neglect Reporting

Any Odyssey Academy officer, employee, agent or volunteer who has cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect or other maltreatment by any person shall immediately make a report as required by law.

If a professional (*i.e.*, teachers, nurses, doctors, day-care employees, or other mandatory reporters) has cause to believe that a child has been or may be abused, maltreated or neglected, that person shall make a report within 48 hours after the person first suspects the abuse or neglect. The person may not delegate to or rely on another individual to make the report.

If the suspected abuse or neglect involves a person responsible for the custody, care or welfare of the child, the report must generally be made to the Texas Department of Family and Protective Services ("DFPS"). All other reports should be made to any local or state law enforcement agency, the DFPS, the Texas Education Agency (if the abuse or neglect occurred at school), another state agency near where the abuse occurred, or any agency designated by a court as responsible for the protection of children.

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

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

All reports of abuse shall be reported to the Principal or designee contemporaneous to the report mandated by law.

Any person who makes such a report, or assists in the investigation of a report of child abuse or neglect in good faith, is immune from any criminal or civil liability that might otherwise be incurred or imposed. Authorized officials from the above agencies shall be permitted to conduct the required interview with the child at the school with or without the consent of the parent or guardian. Odyssey Academy will fully cooperate with all official investigations of abuse or neglect.

Odyssey Academy or its agents may not suspend or terminate the employment of, or otherwise discriminate against, a professional employee who, in good faith:

- Reports child abuse or neglect to:
 - The employee's supervisor,
 - An administrator of the facility where the employee works,
 - A state regulatory agency, or
 - A law enforcement agency; or
- Initiates or cooperates with a governmental investigation or proceeding relating to an allegation of child abuse or neglect.

A person who reports his or her own abuse or neglect of a child or who acts in bad faith or with malicious purpose in reporting alleged child abuse or neglect may be subject to criminal prosecution.

The toll free number for the Texas Child Abuse Hotline is 1-800-252-5400.

In addition to the duty to report described above, a person or professional shall make a report if he or she has cause to believe that an adult was a victim of abuse or neglect as a child and the person or professional determines in good faith that disclosure of the information is necessary to protect the health and safety of another child. Such a report must be made within 48 hours, and the duty to make a report cannot be delegated.

Employee Training

Odyssey Academy shall provide training for all new and existing employees on awareness of issues regarding sexual abuse and other maltreatment of children, including prevention techniques for and recognition of sexual abuse and all other maltreatment of children.

Bullying

All employees are required to report student complaints of bullying to the Principal or other appropriate administrator. 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 school, or (4) infringes on the rights of the victim at school. The definition of bullying includes "cyberbullying." Cyberbullying 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.

Employees who observe students engaged in bullying, or who suspect that a student has engaged in or is the victim of bullying, must report the fact or suspicion to the Principal or other appropriate administrator. The Principal, or other appropriate administrator, shall conduct an investigation into the allegations.

The Principal, or the Principal's designee, may make a report to the local police department (or if the school is not in a municipality to the county sheriff), if after an investigation is completed, the Principal has reasonable grounds to believe that a student engaged in conduct that constitutes the offense of Assault, as defined in Section 22.01 of the Texas Penal Code, or Harassment, as defined in Section 42.07 of the Texas Penal Code.

Student Attendance

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

Student Transportation

Except in limited emergency situations, Odyssey Academy 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 Odyssey Academy who, in the course and scope of employment or business with Odyssey Academy, 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.

Except in a case of willful or wanton misconduct, a computer technician may not be civilly liable for reporting or failing to report the discovery of an image. A computer technician who intentionally fails to report an image may be subject to criminal prosecution.

Employee Health and Safety

Workplace Safety and OSHA Compliance

To assist in providing a safe and healthy work environment for employees, students, parents, and visitors, Odyssey Academy has established a workplace safety program. This program is a top priority of Odyssey Academy, and its success depends on the alertness and personal commitment of all.

Odyssey Academy provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the Business Office. Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the Business Office. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

Hazard Communication Act

Odyssey Academy is concerned about the safety of all employees, and therefore will perform the following duties in compliance with the Texas Hazard Communication Act:

- Post and maintain the notice promulgated by the Texas Department of State Health Services (“TDSHS”) in the workplace.
- Provide an education and training program for employees using or handling hazardous chemicals under normal operating conditions or foreseeable emergencies.
- Maintain the written hazard communication program and a record of each training session to employees, including the date, a roster of the employees who attend, the subjects covered in the training session, and the names of the instructors. Records will be maintained for at least five years.
- Compile and maintain a workplace chemical list that includes required information for each hazardous chemical normally present in the workplace or temporary workplace in excess of 55 gallons or 500 pounds, or as determined by the TDSHS for certain highly toxic or dangerous hazardous chemicals. The list will be readily available to employees and their representatives.
- Update the list as necessary, but at least by December 31 each year, and maintain the list as required by law. Each workplace chemical list shall be dated and signed by the person responsible for compiling the information.
- As required by law, label new or existing stocks of hazardous chemicals with the identity of the chemical and appropriate hazard warnings, if such stocks are not already appropriately labeled.
- Maintain a legible copy of the most current manufacturer’s material safety data sheets (“MSDS”) for each hazardous chemical; request such sheets from the manufacturer if not already provided or otherwise obtain a current MSDS; make such sheets readily available to employees or their representatives on request.
- Provide employees with appropriate personal protective equipment.

The Superintendent shall notify employees of any planned pest control treatment by both of the following methods:

- Posting the sign provided by the certified applicator or technician in an area of common access the employees are likely to check on a regular basis at least 48 hours before each planned treatment.
- Providing the official Structural Pest Control Service Consumer Information Sheet to any individual working in the building, on request.

Occupational Safety and Health Administration (“OSHA”) Statement

Odyssey Academy strives to reduce dangers to health and safety by creating and maintaining improved working conditions, free from recognized hazards that might cause serious physical injury. In accordance with the Occupational Safety and Health Act (“OSHA”), Odyssey Academy maintains a log of all occupational injuries and illnesses, and asks that employees report such injuries and illnesses within 48 hours so that Odyssey Academy may report these occurrences within a lawful period of time to the nearest OSHA office.

As employees of Odyssey Academy:

- You have the right to notify Odyssey Academy or OSHA about workplace hazards. You may ask OSHA to keep your name confidential.
- You have the right to request an OSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in that inspection.
- You can file a complaint with OSHA within 30 days of retaliation or discrimination by Odyssey Academy for making safety and health complaints, or for exercising your rights under the OSHA Act.
- You have a right to see OSHA citations issued to Odyssey Academy. Odyssey Academy must post the citations at or near the place of the alleged violation.
- Odyssey Academy must correct workplace hazards by the date indicated on the citation, and must certify that these hazards have been reduced or eliminated.
- You have the right to copies of your medical records and records of your exposures to toxic and harmful substances or conditions.
- Odyssey Academy must post this notice in your workplace.
- You must comply with all occupational safety and health standards issued under the OSHA Act that apply to your own actions and conduct on the job.

As your employer:

- Odyssey Academy must furnish all employees a place of employment free from recognized hazards.
- Odyssey Academy must comply with the occupational safety and health standards issued under OSHA.

If you would like more information regarding your OSHA rights or additional information, visit www.osha.gov or call 1-800-321-OSHA.

Asbestos Management Plan

The Asbestos Hazardous Emergency Response Act created by the Environmental Protection Agency requires Odyssey Academy to develop and maintain an Asbestos Management Plan. A copy of the complete management plan is located in the Business Office. If you have any questions regarding Odyssey Academy's Asbestos Management Plan, please contact the Business & Operations Officer.

Communicable Diseases

The following information will provide simple and effective precautions against the transmission of a communicable disease for all students and school personnel who are potentially exposed to the bodily fluids of any person. No distinction is made between bodily fluids from persons with a known disease or those from persons without symptoms or with an undiagnosed disease.

The term “bodily fluids” includes: blood, semen, drainage from scrapes and cuts, feces, urine, vomitus, respiratory secretions and saliva. Contact with bodily fluids presents a risk of infection with a variety of germs. In general, however, the risk is very low and dependent on a variety of factors including the type of fluid with which contact is made and the type of contact made with it.

Transmission of communicable disease is more likely to occur from contact with infected bodily fluids of unrecognized carriers than from contact with fluids from diagnosed individuals, because simple precautions are not always carried out.

To avoid contact with bodily fluids, the following precautions should be observed:

- Avoid direct skin contact with bodily fluids. This also includes the mucous membranes (e.g. eyes, nose, and mouth);
- Wear disposable gloves when contact with bodily fluids is anticipated (e.g. when treating bloody noses; open cuts, abrasions and other lesions; handling contaminated clothing; and cleaning up body fluid spills);
- Always practice good personal hygiene through proper hand washing techniques;
- Request assistance from a custodian for proper cleaning of all bodily fluid spills.

Accident Reporting

Employees shall report any on-the-job injury or accident immediately to their supervisor. Supervisors must notify the Business Office within 24 hours of notification of an occurrence. If an employee fails to report the accident within 30 days of the incident, the claim may be denied by the Texas Department of Insurance – Division of Workers’ Compensation. The employee’s supervisor and/or the appropriate management personnel shall conduct a thorough investigation, involving the employee and any witnesses that observed the injury or accident. The employee’s supervisor and/or appropriate management personnel will ensure corrective action is taken to avoid a recurrence of the accident.

Reporting Serious Injuries

Within eight hours after the death of any employee from a work-related incident or the in-patient hospitalization of three or more employees as a result of a work-related accident, Odyssey Academy will orally report the fatality/multiple hospitalization by telephone or in person to the Area Office of the Occupational Safety and Health Administration (“OSHA”), Department of Labor, that is nearest to the site of the incident. If the Area Office is not reachable, the school may use the OSHA toll-free central telephone number, 1-800-321-6742.

Reporting Procedures

Odyssey Academy will utilize the required OSHA forms to document and log each recordable injury or illness. This information will be kept current, maintained accurately, and retained for a period of five years.

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.

Searches

Odyssey Academy 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 the school's premises, Odyssey Academy may search employees, their work areas, 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. In requesting a search, Odyssey Academy 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 the school workplace, either on school or elsewhere 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, Odyssey Academy 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 the school 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 or she would not be prepared to show and possibly turn over to school officials and/or law enforcement authorities.

All School 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. Odyssey Academy 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 of employment.

Violence in the Workplace

Odyssey Academy is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, Odyssey Academy has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on School property.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, “horseplay,” or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are at all times prohibited without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, student, or member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, students, vendors, solicitors, or other members of the public. When reporting a threat of violence, please be specific and as detailed as possible.

All suspicious individuals or activities should be reported as soon as possible to a supervisor. Do not attempt to interfere in a disturbance unless it is reasonably safe to do so.

Odyssey Academy will promptly and thoroughly investigate all reports or threats of violence and suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety, and the integrity of its investigation, Odyssey Academy may suspend employees, either with or without pay, pending investigation. Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Drug-Free Workplace

Odyssey Academy intends to provide a safe and drug-free work environment for our students and employees. With this goal in mind, we have established the following policy for existing and future employees of Odyssey Academy.

Odyssey Academy explicitly prohibits:

- The unlawful manufacture, distribution, dispensation, possession, or use of narcotics or other illegal drugs, alcohol, or prescription medication without a prescription on the school premises or while attending a school-sponsored or school-related activity.
- 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 Odyssey Academy’s reputation.

- Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from school 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 Odyssey Academy's reputation.
- The presence of any detectable amount of prohibited substances in the employee's system while at work, on Odyssey Academy 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 the employee.

Employees who violate this policy may be referred to drug counseling programs, drug rehabilitation programs, employee assistance programs, or may be terminated from employment.

As a condition of employment with Odyssey Academy, each employee shall abide by the terms of the requirements and prohibitions set out in this statement and shall notify Odyssey Academy 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, Odyssey Academy shall either (1) take appropriate personnel action against the employee, up to and including termination; or (2) require the employee to participate satisfactorily in 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.

In addition, Odyssey Academy will conduct drug and/or alcohol testing under any of the following circumstances:

- *For-Cause Testing:* Odyssey Academy may ask an employee to submit to a drug and/or alcohol test at any time it has reason to suspect that the employee may be under the influence of drugs or alcohol, 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 conduct on the employee's part that suggests impairment or influence of drugs or alcohol; negative performance patterns; or excessive and unexplained absenteeism or tardiness.
- *Post-Accident Testing:* Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test. 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.
- *Pre-Employment Testing:* Odyssey Academy may perform pre-employment drug or alcohol testing after an offer of employment is made and accepted.

All reports by Odyssey Academy 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 Business Office.

Alcohol and Tobacco Use and Possession

Odyssey Academy maintains an alcohol-free and smoke- and tobacco-free work environment. It is a violation of state law to ingest or possess alcohol or smoke or use tobacco products (including, but not limited to, cigarettes, pipes, cigars, snuff, or chewing tobacco) on school property, in school vehicles, or during school-related or school-sanctioned activities, on or off campus. Any violation of this policy may result in immediate termination.

Odyssey Academy prohibits the use of any "e-cigarette," meaning 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, at all times on school property, at any school events or activities (whether or not on school property), or in school vehicles. This prohibition 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 school property.

Video Surveillance

Odyssey Academy is charged with the responsibility of caring for students. Maintaining safe and efficient schools is critical to fulfilling this responsibility. Odyssey Academy 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 Odyssey Academy. 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.

Weapon & Firearms Possession

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 Odyssey Academy 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.

Employee Complaint Process

Purpose

The purpose of this policy is to provide employees an orderly process for the prompt and equitable resolution of complaints. Odyssey Academy intends that, whenever feasible, complaints be resolved at the lowest possible administrative level.

Informal Process

Odyssey Academy encourages employees to discuss their concerns and complaints through informal conferences with their immediate supervisor, Campus Dean, or other appropriate administrator. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Formal Process

An employee may initiate a formal process by timely filing a written complaint form. Complaint forms can be obtained from the Office of Human Resources. Even after initiating a formal complaint, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.

Freedom from Retaliation

Neither Odyssey Academy nor any Odyssey Academy employee shall unlawfully retaliate against an employee for bringing a concern or complaint.

Process for Filing General Employee Complaints and Grievances

The purpose of this grievance procedure is to entertain employee views and to resolve employee complaints and workplace conflicts in an efficient and expeditious manner at the lowest possible administrative level. In using and applying the policy, all participants are expected to remain courteous and to adhere to the Code of Ethics and Standard Practices for Texas Educators.

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;
3. Specific allegations of unlawful discrimination or retaliation based on the employee’s exercise of constitutional rights; or
4. Specific allegations of adverse personnel action in retaliation for reporting to an appropriate law enforcement authority of a violation of a law by an Odyssey Academy employee, director, or officer.

The term “day” shall be defined as a school business day. In calculating timelines under these procedures, the day a document is filed is “day zero,” and all deadlines shall be determined by counting the following school business day as “day one.”

Complaint Rules

1. Neither the Board nor any Odyssey Academy employee shall unlawfully retaliate against an employee for bringing a concern or complaint informally or formally.
2. Employees filing a formal grievance must utilize Odyssey Academy’s Grievance Forms for the corresponding grievance level. The forms are available from Human Resources.
3. A grievant must specify the harm alleged by each individual named, as well as the remedy for that harm the grievant seeks. For purposes of efficiency and expediency, Odyssey Academy’s grievance forms must be completed in all parts. Any grievance form that is incomplete in a material way may be dismissed, but may be re-filed with all the required information if the re-filing is within the designated time for filing a complaint.
4. An employee may not bring separate or serial grievances regarding the same event or action. Employee grievances addressing similar matters may be consolidated at Odyssey Academy’s discretion.
5. A grieving employee may be represented by an attorney or advocate at any level of the grievance process.
6. The complaining employee must comply with all time limits applicable to the grievance process, unless such time limits are modified by mutual consent.
7. 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 complainant in writing of the necessity to extend the response time and a specific date by when the response will be issued.
8. School grievance officials who fail to meet a time requirement, without providing written notice of an extended deadline, shall be considered to have denied the grievance as effective the date of the missed deadline.

9. The complaining employee shall present all reasonably available documents supporting their grievance at Level One.
10. Grievance officials shall have the discretion to hold conferences, conduct interviews, conduct fact investigations, review relevant records and employ other means that will aid in their decision.
11. Costs of a grievance shall be borne by the party incurring them.

Employee Complaint Process

Informal Process: An employee may request an informal conference through his or her supervisor or Campus Dean. If the employee is not satisfied with the results of the informal conference, the employee may (1) request a second informal conference with the Superintendent, or (2) submit a written grievance form. Employees should make their concerns known as soon as possible, and attempt to reach an informal resolution prior to the expiration of five business days from the time the employee knew of or should have known of the event(s) giving rise to a complaint.

Formal Process: The formal complaint process provides all employees with an opportunity to be heard up to the highest level of management. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the Board, as outlined below.

Level One – Campus Principal Review

Formal complaints must be filed within the later of (1) ten days of the date the employee first knew, or with reasonable diligence should have known, of the decisions or action-giving rise to the complaint or grievance, or (2) within ten days after the date a letter is mailed or e-mailed to the employee after completion of the informal grievance process and notifying the employee of the formal grievance process. Complaints must be submitted to the employee's immediate supervisor. The complaint must be specific, referencing any law or policy alleged to have been violated, and/or the dissatisfaction raised by the employee. The complaint must also specify a remedy or remedies requested. Odyssey Academy may, upon review of the grievance, require the employee to begin the grievance process at Level Two. A decision by Odyssey Academy to require the employee to file at Level Two suspends the timelines under this procedure, so that the number of days between the filing of the Level One Grievance and the decision of Odyssey Academy to require the employee to start at Level Two shall not be considered in determining the timeliness of a grievance.

The Campus Principal or designee shall serve as the Level One Grievance Officer. Within ten days of receipt of the written complaint, the Level One Grievance Officer will investigate the complaint and meet with the complaining employee and/or representative to consider the complaint. The Level One Grievance Officer will thereafter decide the grievance and, within ten days following the conference, provide a written Level One Grievance Decision to the employee.

Note: Employees alleging adverse employment action in retaliation for reporting a violation of law by an Odyssey Academy employee, director, or officer may appeal directly from Level One to Level Three, bypassing Level Two.

Level Two – Executive Director Review

If the complaint is not resolved to the employee's satisfaction at Level One, or if no written decision is received from the Level One Grievance Officer within the time allotted, or if the employee is directed to do so by Odyssey Academy, the employee may submit a written appeal to the Executive Director by completing and submitting the Odyssey Academy Level Two Grievance Form. Unless otherwise provided by applicable policy or procedure, the Level Two Grievance shall explain the employee's objection to the Level One Decision, if any, and shall be filed within ten days after receipt of a Level One Decision or, if no response was received, within ten days of the response deadline at Level One. The Level Two record shall consist of the Level One Form and the Level One Decision, if available.

The Executive Director or designee shall serve as the Level Two Grievance Officer. The Level Two Grievance Officer shall hold a conference with the grievant within ten days after the appeal notice is filed. At the conference, the Level Two Grievance Officer shall consider only the issues and documents presented at Level One and identified in the Level Two appeal notice. The Level Two Grievance Officer shall issue a written decision on or before ten days following the conference.

Level Three – Board of Directors Review

A grieving employee who is dissatisfied with the Level Two Decision, or is otherwise authorized to appeal to Level Three, may submit a written appeal to the Board of Directors using the Odyssey Academy Level Three Grievance Form. The Level Three Grievance shall explain the employee's objections to the decision from the level below, and shall be filed within ten days of the employee's written response of the prior Grievance Officer or, if no response was received, within ten days of the deadline for receipt of a Grievance Decision. The Level Three grievance record shall consist of all previously submitted Grievance Forms and, if available, the Level One and Level Two Decisions.

The Board shall then consider the grievance and may, at its discretion, require the appearance of the employee and administration. The Board may subsequently take action or no action. No action by the Board supports the Decision at the level below. If the Board takes action, it may make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting.

Grievances involving the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the employee bringing the grievance, may be heard by the Board in closed meeting. Grievances involving a complaint or charge against another Odyssey Academy employee, director, or officer shall be heard in closed meeting unless an open meeting is requested in writing by the employee, director, or officer against whom the complaint or charge is brought.

The Board of Director's decision, if any, is final and may not be appealed.

Process for Employee Complaints and Grievances Regarding Harassment and Discrimination

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

- In the event you feel you are a victim of harassment, you should contact your immediate supervisor and/or the designated Compliance Coordinator immediately. In the event your immediate supervisor is the alleged harasser, you should contact the next level of management immediately. Complaints against the designated compliance coordinator may be submitted to the Superintendent.
- Any employees who are uncomfortable with face-to-face interaction may write down their complaints in a memo, and submit the memo to their immediate supervisor and/or the designated Compliance Coordinator.
- Any Odyssey Academy employee who receives a report of suspected harassment or discrimination is expected to immediately contact the designated Compliance Coordinator.
- All complaints will be handled in a timely manner. Due to the need to investigate, absolute confidentiality may not always be possible. However, the complaint will be handled in as confidential a manner as possible. Except as required by law, under no circumstances will information concerning any employee's complaint be released by Odyssey Academy to any third person or to anyone within Odyssey Academy who is not involved in the investigation.

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 Odyssey Academy must respond accordingly.

Retaliation against any person who in good faith reports or complains about harassment or discrimination is unlawful and will not be tolerated. Employees who take part in any retaliatory action will be subject to disciplinary action up to and including immediate termination from employment. Unlawful retaliation may include, but is not limited to, any of the following actions as a result of an employee's complaint or involvement in an investigation of harassment or discrimination:

- Demotion;
- Poor performance appraisals;
- Transfers;
- Assignment of demeaning tasks; or
- Taking any kind of adverse action against a person who complains or is involved in an investigation of sexual harassment or discrimination.

In addition to using Odyssey Academy'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>.

After receiving a complaint of prohibited discrimination or harassment, the Compliance Coordinator may, but need not, require the complaining employee to prepare a written report. Oral complaints will be reduced to written form. Upon receipt of a complaint, the Compliance Coordinator or designee shall promptly undertake an investigation. Following completion of the investigation, the Compliance Coordinator or designee shall prepare a written decision regarding the complaint.

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.

Separation from Employment

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 the Business Office 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 School, 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 Odyssey Academy. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time.

Resignation

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

Odyssey Academy reserves the right to require the employee to resign immediately rather than work during the notice period.

Discharge

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

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

An exiting employee who has been discharged is not to return to the premises of Odyssey Academy without prior written approval from Human Resources or the dean of the school campus.

Reports Concerning Court-Ordered Withholding

Odyssey Academy 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
Name and address of new employer, if known.

Miscellaneous Provisions

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.

School Closures

Odyssey Academy 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 the School's emergency broadcast system.

FERPA

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 Federal Educational Rights and Privacy Act ("FERPA").

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.

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. Odyssey Academy may not reveal this information without the employee's knowledge and written consent, except as provided by law. Those with access to confidential information must maintain strict confidentiality and privacy, separating this information from employees' personnel records. Individuals who fail to protect these rights 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 the Nurse 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 the Nurse.

External Inquiries

Employees should contact the Business Office 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 Equal Employment Opportunity Commission, Texas Human Rights Commission, or other agencies;
- Any notice or indication of an audit by the U.S. Department of Labor or notification from the Texas Workforce Commission;
- 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 Business Office. The Business Office 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 Superintendent as soon as possible.

Key/Access Device Security

Key and access device security is important because of the nature and value of property on campus. Each employee is responsible for keys issued and losses must be reported immediately. Keys or access devices may not be loaned or duplicated without approval from the [title]. Employees are required to take all reasonable precautions with the keys issued, and all keys must be accounted for at all times.

Personal Property

Odyssey Academy recognizes that employees may desire to display mementos pertaining to their families or bring other personal items to work. Odyssey Academy takes no responsibility for the safekeeping of these items. However, should any such personal property be stolen, employees should report the incident to the [title]. The following guidelines should be observed:

- Safety comes first. No object can interfere with job safety as determined by the Principal.
- Nothing can be displayed that is derogatory (in the opinion of the Principal) to any person or system of beliefs, or that is considered sexually offensive under the reasonable person standard.
- Objects that are inappropriate (in the opinion of the Principal) or that hinder work efforts will not be allowed and must be removed upon request.

School Property

All employees are responsible for taking proper care of school-owned property, including vehicles, buildings, furnishings, equipment, tools and supplies. School 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.

School employees shall not use school public property for any purpose not described in the Odyssey Academy 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 business days for any direct cost incurred;
- 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 Odyssey Academy administration may remove or rescind such privilege from time to time on a case-by-

case basis for any employee, or all employees.

Use of Personal Vehicles

Employees conducting school-related business in their personal vehicles are expected to be in compliance 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.

Traffic Violations

If an employee, during the course of Odyssey Academy 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 an employee receives a traffic violation, that employee is subject to disciplinary action, up to and including discharge.

Visitors In The Workplace

Odyssey Academy requires all persons who enter upon its premises to display his or her driver's license or another form of identification containing a photograph of the person issued by a governmental entity. This applies to family members of employees, friends, parents, social service workers, volunteers, Board members, guest speakers and other guests, maintenance and repair persons not employed by Odyssey Academy, vendors, representatives of news media, former students, and any other visitors.

Odyssey Academy 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. Odyssey Academy 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 Odyssey Academy.

Former Employees

Former employees may not enter areas that are not open to the public after they are no longer employed by Odyssey Academy.

Non-Discrimination & Anti-Harassment

Odyssey Academy is an equal opportunity employer and makes employment decisions based on merit and in accordance with applicable state and federal law. Odyssey Academy policy prohibits unlawful discrimination on the basis of race, color, national origin, religion, sex or gender, disability, military or veteran status, genetic information, or age in its employment practices 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, Odyssey Academy

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.

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 Odyssey Academy administrator, or Title VII/Title IX, ADA, or ADEA Coordinator.

Odyssey Academy has designated the following person as the Title VII/Title IX Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of race, color, national origin, religion, gender, or sexual harassment:

Kendra Persohn
600 Gulf Freeway, Suite 123, Texas City, Texas 77591
409-750-9289

Odyssey Academy 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:

Jennifer Maier
600 Gulf Freeway, Suite 123, Texas City, Texas 77591
409-750-9289

Odyssey Academy has designated the following person as the ADEA Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of age:

Matthew Sherman
600 Gulf Freeway, Suite 123, Texas City, Texas 77591
409-750-9289

All other complaints regarding equal employment opportunity may be directed to Matthew Sherman, Business & Operations Officer, 600 Gulf Freeway, Suite 123, Texas City, Texas 77591, 409-750-9289.

Federal and State Worksite Postings

Required state and federal postings are found at each LPS 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; Unemployment & Payday Law; Notice to Employees Concerning Workers' Compensation in Texas; and the Texas Hazard Communication Act Notice to Employees. Postings are in both English and Spanish for all employees to read.

Immigration Law Compliance

Odyssey Academy 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.

Employees with questions or seeking more information on immigration law issues are encouraged to contact Matthew Sherman, Business & Operations Officer, 600 Gulf Freeway, Suite 123, Texas City, Texas 77591, 409-750-9289. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

Nondiscrimination Based on Religion

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

Nondiscrimination Based on Military Service

Odyssey Academy 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.

Odyssey Academy 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").

Americans with Disabilities Act (ADA)

Odyssey Academy 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.

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

Nondiscrimination Based on Genetic Information (GINA)

Odyssey Academy will not deny initial employment, reemployment, retention in employment promotion, or any benefits of employment on the basis of genetic information including information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about the manifestation of a disease or disorder in an individual's family members.

Reasonable Accommodation

In the event an employee needs to request a reasonable accommodation or a variance in Odyssey Academy's stated policies and/or procedures due to the employee's disability, as defined by the Americans with Disabilities Act, or the employee's sincerely held religious belief, the employee should notify his or her supervisor and/or Human Resources.