



TEXAS LEADERSHIP CHARTER ACADEMY BOARD POLICY MANUAL  
POLICY GROUP 4 – PERSONNEL  
ELECTRONIC COMMUNICATIONS WITH STUDENTS

PG-4.29

**Sec. 4.29.1. INTRODUCTION**

In this policy, “electronic communication” means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes e-mails, text messages, instant messages, and any communications made through an Internet website, including a social media website or a social networking website.

**Sec. 4.29.2. ELECTRONIC COMMUNICATIONS WITH STUDENTS**

**Sec. 4.29.1. A certified or licensed educator or any other employee designated in writing by the Principal may engage in electronic communications with students who are currently enrolled in MINIMUM QUALIFICATIONS FOR PRINCIPALS AND TEACHERS**

A person employed by **TEXAS LEADERSHIP CHARTER ACADEMY** as a Principal or teacher must hold at least a baccalaureate degree. *Education Code 12.129.*

**Sec. 4.29.2. PRE-EMPLOYMENT AFFIDAVIT**

Beginning September 1, 2017, an applicant for employment as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor must submit, using a form adopted by the Texas Education Agency, a pre-employment affidavit disclosing whether the applicant has ever been charged with, adjudicated for, or convicted of having an inappropriate relationship with a minor.

An applicant who answers affirmatively concerning an inappropriate relationship with a minor must disclose in the affidavit all relevant facts pertaining to the charge, adjudication, or conviction, including whether the charge was determined to be true or false.

An applicant is not precluded from being employed based on a disclosed charge if **TEXAS LEADERSHIP CHARTER ACADEMY** determines based on the information disclosed in the affidavit that the charge was false.

A determination that an employee failed to disclose information required to be disclosed by an applicant is grounds for termination of employment.

### **Sec. 4.29.3. NOTICE TO PARENTS – QUALIFICATIONS**

The Superintendent or designee shall provide to the parent or guardian of each student enrolled in **TEXAS LEADERSHIP CHARTER ACADEMY** written notice of the qualifications of each teacher employed by **TEXAS LEADERSHIP CHARTER ACADEMY** *Education Code 12.129*.

Parents may also request, and **TEXAS LEADERSHIP CHARTER ACADEMY** will provide in a timely manner, information regarding the professional qualifications of their student's classroom teachers. Information provided in response to a parent request will include, at a minimum:

1. Whether a child's teacher(s) have met state qualification and licensing criteria for their grade levels and subject areas;
2. Whether a child's teacher(s) are serving under emergency or other provisional status through which state qualification or licensing criteria have been waived;
3. Whether the teacher is teaching in the field of discipline of the certification of the teacher; and
4. Whether a child receives services from paraprofessionals and, if so, their qualifications.

### **Sec. 4.29.4. ACCESS TO EMPLOYEE RECORDS**

Custodians of personnel records shall adhere to the requirements of the Texas Public Information Act (TPIA).

Information in a personnel file is excepted from the requirements of the TPIA if the disclosure would constitute a clearly unwarranted invasion of personal privacy.

A **TEXAS LEADERSHIP CHARTER ACADEMY** employee shall choose whether to allow public access to information in **TEXAS LEADERSHIP CHARTER ACADEMY** custody that relates to the employee's home address, home telephone number, emergency contact information, Social Security number, or that reveals whether the person has family members. *Gov't Code 552.024, 552.102(a)*. The Superintendent shall develop procedures for employees to opt-out of having the above information released.

### **Sec. 4.29.5. EMPLOYEE RIGHT OF ACCESS**

All information in the personnel file of a **TEXAS LEADERSHIP CHARTER ACADEMY** employee shall be made available to that employee or the employee's designated representative as public information is made available under the TPIA. An employee or an employee's authorized representative has a special right of access, beyond the right of the general public, to information held by **TEXAS LEADERSHIP CHARTER ACADEMY** that relates to the employee and that is protected from public disclosure by laws intended to protect the accessing employee's privacy interests. **TEXAS LEADERSHIP CHARTER ACADEMY** may assert as grounds for denial of access other provisions of the TPIA or other laws that are not intended to protect the accessing employee's privacy interests.

**Sec. 4.29.6. for academic purposes only. All other employees are prohibited from communicating electronically with a student who is enrolled in MINIMUM QUALIFICATIONS FOR PRINCIPALS AND TEACHERS**

A person employed by **TEXAS LEADERSHIP CHARTER ACADEMY** as a Principal or teacher must hold at least a baccalaureate degree. *Education Code 12.129.*

**Sec. 4.29.7. PRE-EMPLOYMENT AFFIDAVIT**

Beginning September 1, 2017, an applicant for employment as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor must submit, using a form adopted by the Texas Education Agency, a pre-employment affidavit disclosing whether the applicant has ever been charged with, adjudicated for, or convicted of having an inappropriate relationship with a minor.

An applicant who answers affirmatively concerning an inappropriate relationship with a minor must disclose in the affidavit all relevant facts pertaining to the charge, adjudication, or conviction, including whether the charge was determined to be true or false.

An applicant is not precluded from being employed based on a disclosed charge if **TEXAS LEADERSHIP CHARTER ACADEMY** determines based on the information disclosed in the affidavit that the charge was false.

A determination that an employee failed to disclose information required to be disclosed by an applicant is grounds for termination of employment.

**Sec. 4.29.8. NOTICE TO PARENTS – QUALIFICATIONS**

The Superintendent or designee shall provide to the parent or guardian of each student enrolled in **TEXAS LEADERSHIP CHARTER ACADEMY** written notice of the qualifications of each teacher employed by **TEXAS LEADERSHIP CHARTER ACADEMY** *Education Code 12.129.*

Parents may also request, and **TEXAS LEADERSHIP CHARTER ACADEMY** will provide in a timely manner, information regarding the professional qualifications of their student's classroom teachers. Information provided in response to a parent request will include, at a minimum:

5. Whether a child's teacher(s) have met state qualification and licensing criteria for their grade levels and subject areas;
6. Whether a child's teacher(s) are serving under emergency or other provisional status through which state qualification or licensing criteria have been waived;
7. Whether the teacher is teaching in the field of discipline of the certification of the teacher; and
8. Whether a child receives services from paraprofessionals and, if so, their qualifications.

#### **Sec. 4.29.9. ACCESS TO EMPLOYEE RECORDS**

Custodians of personnel records shall adhere to the requirements of the Texas Public Information Act (TPIA).

Information in a personnel file is accepted from the requirements of the TPIA if the disclosure would constitute a clearly unwarranted invasion of personal privacy.

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#### **Sec. 4.29.10. EMPLOYEE RIGHT OF ACCESS**

All information in the personnel file of a **TEXAS LEADERSHIP CHARTER ACADEMY** employee shall be made available to that employee or the employee's designated representative as public information is made available under the TPIA. An employee or an employee's authorized representative has a special right of access, beyond the right of the general public, to information held by **TEXAS LEADERSHIP CHARTER ACADEMY** that relates to the employee and that is protected from public disclosure by laws intended to protect the accessing employee's privacy interests. **TEXAS LEADERSHIP CHARTER ACADEMY** may assert as grounds for denial of access other provisions of the TPIA or other laws that are not intended to protect the accessing employee's privacy interests.

Unless express authorization is provided by the Superintendent. An employee is not subject to these provisions to the extent he or she has a social or family relationship with a student.

##### **Sec. 4.29.10.1. Inappropriate Communications**

Educators or other employees authorized to communicate electronically with students shall refrain from inappropriate communications with students and minors. 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.

**Sec. 4.29.11. EMPLOYEE’S PERSONAL TELEPHONE NUMBER OR E-MAIL ADDRESS**

**Sec. 4.29.12. A MINIMUM QUALIFICATIONS FOR PRINCIPALS AND TEACHERS**

A person employed by **TEXAS LEADERSHIP CHARTER ACADEMY** as a Principal or teacher must hold at least a baccalaureate degree. *Education Code 12.129.*

**Sec. 4.29.13. PRE-EMPLOYMENT AFFIDAVIT**

Beginning September 1, 2017, an applicant for employment as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor must submit, using a form adopted by the Texas Education Agency, a pre-employment affidavit disclosing whether the applicant has ever been charged with, adjudicated for, or convicted of having an inappropriate relationship with a minor.

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A determination that an employee failed to disclose information required to be disclosed by an applicant is grounds for termination of employment.

**Sec. 4.29.14. NOTICE TO PARENTS – QUALIFICATIONS**

The Superintendent or designee shall provide to the parent or guardian of each student enrolled in **TEXAS LEADERSHIP CHARTER ACADEMY** written notice of the qualifications of each teacher employed by **TEXAS LEADERSHIP CHARTER ACADEMY** *Education Code 12.129.*

Parents may also request, and **TEXAS LEADERSHIP CHARTER ACADEMY** will provide in a timely manner, information regarding the professional qualifications of their student’s classroom teachers. Information provided in response to a parent request will include, at a minimum:

9. Whether a child’s teacher(s) have met state qualification and licensing criteria for their grade levels and subject areas;
10. Whether a child’s teacher(s) are serving under emergency or other provisional status through which state qualification or licensing criteria have been waived;

11. Whether the teacher is teaching in the field of discipline of the certification of the teacher;  
and
12. Whether a child receives services from paraprofessionals and, if so, their qualifications.

**Sec. 4.29.15. ACCESS TO EMPLOYEE RECORDS**

Custodians of personnel records shall adhere to the requirements of the Texas Public Information Act (TPIA).

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**Sec. 4.29.16. EMPLOYEE RIGHT OF ACCESS**

All information in the personnel file of a **TEXAS LEADERSHIP CHARTER ACADEMY** employee shall be made available to that employee or the employee's designated representative as public information is made available under the TPIA. An employee or an employee's authorized representative has a special right of access, beyond the right of the general public, to information held by **TEXAS LEADERSHIP CHARTER ACADEMY** that relates to the employee and that is protected from public disclosure by laws intended to protect the accessing employee's privacy interests. **TEXAS LEADERSHIP CHARTER ACADEMY** may assert as grounds for denial of access other provisions of the TPIA or other laws that are not intended to protect the accessing employee's privacy interests.

Employee may elect to not disclose to students the employee's personal telephone number or e-mail address.

**Sec. 4.29.17. INCIDENT NOTIFICATION**

**Sec. 4.29.18. A TEXAS LEADERSHIP CHARTER ACADEMY MINIMUM QUALIFICATIONS FOR PRINCIPALS AND TEACHERS**

A person employed by **TEXAS LEADERSHIP CHARTER ACADEMY** as a Principal or teacher must hold at least a baccalaureate degree. *Education Code 12.129*.

**Sec. 4.29.19. PRE-EMPLOYMENT AFFIDAVIT**

Beginning September 1, 2017, an applicant for employment as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor must submit, using a form adopted by the Texas Education Agency, a pre-employment affidavit disclosing whether the applicant has ever been charged with, adjudicated for, or convicted of having an inappropriate relationship with a minor.

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#### **Sec. 4.29.20. NOTICE TO PARENTS – QUALIFICATIONS**

The Superintendent or designee shall provide to the parent or guardian of each student enrolled in **TEXAS LEADERSHIP CHARTER ACADEMY** written notice of the qualifications of each teacher employed by **TEXAS LEADERSHIP CHARTER ACADEMY** *Education Code 12.129*.

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13. Whether a child's teacher(s) have met state qualification and licensing criteria for their grade levels and subject areas;
14. Whether a child's teacher(s) are serving under emergency or other provisional status through which state qualification or licensing criteria have been waived;
15. Whether the teacher is teaching in the field of discipline of the certification of the teacher; and
16. Whether a child receives services from paraprofessionals and, if so, their qualifications.

#### **Sec. 4.29.21. ACCESS TO EMPLOYEE RECORDS**

Custodians of personnel records shall adhere to the requirements of the Texas Public Information Act (TPIA).

Information in a personnel file is accepted from the requirements of the TPIA if the disclosure would constitute a clearly unwarranted invasion of personal privacy.

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relates to the employee's home address, home telephone number, emergency contact information, Social Security number, or that reveals whether the person has family members. *Gov't Code 552.024, 552.102(a)*. The Superintendent shall develop procedures for employees to opt-out of having the above information released.

**Sec. 4.29.22. EMPLOYEE RIGHT OF ACCESS**

All information in the personnel file of a **TEXAS LEADERSHIP CHARTER ACADEMY** employee shall be made available to that employee or the employee's designated representative as public information is made available under the TPIA. An employee or an employee's authorized representative has a special right of access, beyond the right of the general public, to information held by **TEXAS LEADERSHIP CHARTER ACADEMY** that relates to the employee and that is protected from public disclosure by laws intended to protect the accessing employee's privacy interests. **TEXAS LEADERSHIP CHARTER ACADEMY** may assert as grounds for denial of access other provisions of the TPIA or other laws that are not intended to protect the accessing employee's privacy interests.

Employee shall report to the Principal of any incident in which a student engages in improper communications with the employee. Such reports should include a summary of the student's communication, as well as the time, date, and method of communication.