Sec. 1. MINIMUM QUALIFICATIONS FOR PRINCIPALS AND TEACHERS

A person employed by Midland Academy Charter as a Principal or teacher must hold at least a baccalaureate degree. *Education Code 12.129*.

Sec. 2. PRE-EMPLOYMENT AFFIDAVIT

An applicant for employment as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, school counselor, audiologist, occupational therapist, physical therapist, physician, nurse, school psychologist, associate school psychologist, licensed professional counselor, marriage and family therapist, social worker, or speech language pathologist 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 Midland Academy Charter 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.

Education Code 21.009.

Sec. 3. TEA REGISTRY OF PERSONS NOT ELIGIBLE FOR EMPLOYMENT IN PUBLIC SCHOOLS

Midland Academy Charter shall discharge or refuse to hire any person listed on the registry of persons who are not eligible to be employed by a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement, as such registry is maintained and published by the Texas Education Agency. *Education Code § 22.092(b)*.

Sec. 4. NOTICE TO PARENTS – QUALIFICATIONS

The Superintendent or designee shall provide to the parent or guardian of each student enrolled in Midland Academy Charter written notice of the qualifications of each teacher employed by Midland Academy Charter. *Education Code 12.129*.

© 2020 Schulman, Lopez, Hoffer & Adelstein, LLP
All rights reserved.

Parents may also request, and Midland Academy Charter 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(s) are 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. 5. 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 Midland Academy Charter employee shall choose whether to allow public access to information in Midland Academy Charter's 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.

All information in the personnel file of a Midland Academy Charter 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 Midland Academy Charter that relates to the employee and that is protected from public disclosure by laws intended to protect the accessing employee's privacy interests. Midland Academy Charter 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.

© 2020 Schulman, Lopez, Hoffer & Adelstein, LLP
All rights reserved.