

Employee Handbook



2017-2018

**Elmore County Public Schools
P.O. Box 817 • Wetumpka, Alabama 36092
(334) 567-1200**

*The purpose of this handbook is to provide information.
It does not constitute any part of an employment contract,
nor does it supersede any law, board policy, or procedure.
It should be used only as a guide.*

 Every Student Empowered  Every Student Succeeds 

Procedural Guide Policy Statement

The provisions and information set forth in this handbook are intended to be informational and not contractual in nature. Thus, this handbook is not intended, and shall not be construed, to constitute a contract between the School System and any employee; prospective employee; agency of the local, state, or federal government; or any other person or legal entity of any and every nature whatsoever. The School System hereby reserves and retains the right to amend, alter, change, delete, or modify any of the provisions of this handbook at any time, and from time to time, without notice, in any manner that the Administration of the School System deems to be in the best interest of the School System. The contents of this handbook apply to all regular employees (certified and classified) and to all part time, temporary, and seasonal personnel in the School System and do not amend, abridge, or replace Board policies, administrative regulations, rules, procedures or employment contract conditions established by the School System.

Non-Discrimination Statement

The Elmore County Board of Education (ECBOE) does not discriminate on the basis of race, religion, color, national origin, sex, age, or disability in employment or educational services, activities, and programs. This district complies with all federal and state laws and regulations regarding discrimination. Employment related inquiries and/or grievances and student/parent grievances should be directed to the Human Resources Director, Susanne Goodin at P.O. Box 817, Wetumpka, Alabama, 36092 or call (334) 567-1210.

Dear Colleagues,

This handbook is a compilation of pertinent information for employees of the Elmore County Board of Education. The policies and procedures represented in this handbook and the complete Board Policy Manual found online are products of collaborative efforts.

It is our desire that you be informed about the rules, regulations and procedures that govern our daily operations. This handbook is designed to assist you in carrying out your assigned duties in the most effective manner possible. Employees are encouraged to review Section 5 of the Elmore County Policy Manual for all the policies related to employment. This handbook primarily covers procedures while most of the policies are covered in the Policy Manual.

Sincerely,

Richard Dennis
Superintendent

Alabama Educator Code of Ethics

Introduction

The primary goal of every educator in the state of Alabama must, at all times, be to provide an environment in which all students can learn. In order to accomplish that goal, educators must value the worth and dignity of every person, must have a devotion to excellence in all matters, must actively support the pursuit of knowledge, and must fully participate in the nurturance of a democratic citizenry. To do so requires an adherence to a high ethical standard.

The Alabama Educator Code of Ethics defines the professional behavior of educators in Alabama and serves as a guide to ethical conduct. The code protects the health, safety and general welfare of students and educators; outlines objective standards of conduct for professional educators; and clearly defines actions of an unethical nature for which disciplinary sanctions are justified.

Code of Ethics Standards

Standard 1: Professional Conduct

An educator should demonstrate conduct that follows generally recognized professional standards.

Ethical conduct includes, but is not limited to, the following:

- Encouraging and supporting colleagues in the development and maintenance of high standards.
- Respecting fellow educators and participating in the development of a professional and supportive teaching environment.
- Engaging in a variety of individual and collaborative learning experiences essential to developing professionally in order to promote student learning.

Unethical conduct is any conduct that impairs the certificate holder's ability to function in his or her employment position or a pattern of behavior that is detrimental to the health, welfare, discipline, or morals of students. Unethical conduct includes, but is not limited to, the following:

- Harassment of colleagues or students.
- Misuse or mismanagement of tests or test materials.
- Inappropriate language or behavior on school grounds.
- Physical altercations.
- Failure to provide appropriate supervision of students.

Standard 2: Trustworthiness

An educator should exemplify honesty and integrity in the course of professional practice.

Ethical conduct includes, but is not limited to, the following:

- Properly representing facts concerning an educational matter in direct or indirect

public expression.

- Advocating for fair and equitable opportunities for all children.
- Embodying for students the characteristics of intellectual honesty, diplomacy, tact, and fairness.

Unethical conduct includes, but is not limited to, the following:

- Falsifying, misrepresenting, omitting, or erroneously reporting professional qualifications, criminal record, or employment history when applying for employment or certification.
- Falsifying, misrepresenting, omitting, or erroneously reporting information submitted to federal, state and/or other governmental agencies.
- Falsifying, misrepresenting, omitting, or erroneously reporting information regarding the evaluation of students and/or personnel.
- Falsifying, misrepresenting, omitting, or erroneously reporting reasons for absences or leaves.
- Falsifying, misrepresenting, omitting, or erroneously reporting information submitted in the course of an official inquiry or investigation.

Standard 3: Unlawful Acts

An educator should abide by federal, state and local laws and statutes.

Unethical conduct includes, but is not limited to, the commission or conviction of a felony or of any crime involving moral turpitude. As used herein, conviction includes a finding or verdict of guilty, or a plea of nolo contendere, regardless of whether an appeal of the conviction has been sought or a situation where first offender treatment without adjudication of guilty pursuant to the charge was granted.

Standard 4: Teacher/Student Relationship

An educator should always maintain a professional relationship with all students, both in and outside the classroom.

Ethical conduct includes, but is not limited to, the following:

- Fulfilling the roles of trusted confidante, mentor, and advocate for students' growth.
- Nurturing the intellectual, physical, emotional, social, and civic potential of all students.
- Providing an environment that does not needlessly expose students to unnecessary embarrassment or disparagement.
- Creating, supporting, and maintaining a challenging learning environment for all students.

Unethical conduct includes, but is not limited to, the following:

- Committing any act of child abuse, including physical or verbal abuse.
- Committing any act of cruelty to children or any act of child endangerment.
- Committing or soliciting any unlawful sexual act
- Engaging in harassing behavior on the basis of race, gender, national origin, sexual orientation, religion, or disability.

- Soliciting, encouraging, or consummating an inappropriate written, verbal, or physical relationship with a student.
- Furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student or allowing a student to consume alcohol or illegal/unauthorized drugs.

Standard 5: Alcohol, Drug and Tobacco Use or Possession

An educator should refrain from the use of alcohol and/or tobacco during the course of professional practice and should never use illegal or unauthorized drugs.

Ethical conduct includes, but is not limited to, the following:

- Factually representing the dangers of alcohol, tobacco and illegal drug use and abuse to students during the course of professional practice.

Unethical conduct includes, but is not limited to, the following:

- Being under the influence of, possessing, using, or consuming illegal or unauthorized drugs.
- Being on school premises or at a school related activity involving students while documented as being under the influence of, possessing, or consuming alcoholic beverages or using tobacco. A school related activity includes, but is not limited to, any activity that is sponsored by a school or a school system or any activity designed to enhance the school curriculum such as club trips, etc., where students are involved.

Standard 6: Public Funds and Property

An educator entrusted with public funds and property should honor that trust with a high level of honesty, accuracy, and responsibility.

Ethical conduct includes, but is not limited to, the following:

- Maximizing the positive effect of school funds through judicious use of said funds.
- Modeling for students and colleagues the responsible use of public property.

Unethical conduct includes, but is not limited to, the following:

- Misusing public or school--related funds.
- Failing to account for funds collected from students or parents.
- Submitting fraudulent requests for reimbursement of expenses or for pay.
- Co-mingling public or school-related funds with personal funds or checking accounts.
- Using school property without the approval of the local board of education/governing body.

Standard 7: Remunerative Conduct

An educator should maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation.

Ethical conduct includes, but is not limited to, the following:

- Insuring that institutional privileges are not used for personal gain.

- Insuring that school policies or procedures are not impacted by gifts or gratuities from any person or organization.

Unethical conduct includes, but is not limited to, the following:

- Soliciting students or parents of students to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator or his/her family members unless approved by the local governing body.
- Accepting gifts from vendors or potential vendors for personal use or gain where there appears to be a conflict of interest.
- Tutoring students assigned to the educator for remuneration unless approved by the local board of education.

Standard 8: Maintenance of Confidentiality

An educator should comply with state and federal laws and local school board policies relating to confidentiality of student and personnel records, standardized test material, and other information covered by confidentiality agreements.

Ethical conduct includes, but is not limited to, the following:

- Keeping in confidence information about students that has been obtained in the course of professional services unless disclosure serves professional purposes or is required by law.
- Maintaining diligently the security of standardized test content, supplies and resources.

Unethical conduct includes, but is not limited to, the following:

- Sharing confidential information concerning student academic and disciplinary records, health and medical information, family status/income, and assessment/testing content or results unless disclosure is required or permitted by law.
- Violating confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or distributing test items or answers, discussing test items, and violating local school system or state directions for the use of tests or test items.
- Violating other confidentiality agreements required by state or local policy.

Standard 9: Abandonment of Contract

An educator should fulfill all of the terms and obligations detailed in the contract with the local board of education or educational agency for the duration of the contract.

Unethical conduct includes, but is not limited to, the following:

- Abandoning the contract for professional services without prior release from the contract by the employer.
- Refusing to perform services required by the contract.

Reporting

Educators are required to report a breach of one or more of the Standards in the Alabama Educator Code of Ethics as soon as possible, but no later than sixty (60) days from the date the educator became aware of the alleged breach, unless the law or local procedures require reporting sooner. Educators should be aware of their local school board policies and procedures and/or chain of command for reporting unethical conduct. Complaints filed with the local or state school boards or with the State Department of Education Teacher Certification Section, must be filed in writing and must include the original signature of the complainant.

Alabama Administrative Code 290-3-2-.05(1)-5-c Each Superintendent shall submit to the State Superintendent of Education within ten calendar days of the decision, the name and social security number of each employee holding an Alabama certificate or license who is terminated, or non-renewed, resigns, or is placed on administrative leave for cause, and shall indicate the reason for such action.

Disciplinary Action

Disciplinary action shall be defined as the issuance of a reprimand or warning, or the suspension, revocation, or denial of certificate. "Certificate" refers to any teaching, service, or leadership certificate issued by the authority of the Alabama State Department of Education.

Alabama Administrative Code 290---3---2---.05

(1) Authority of the State Superintendent of Education

(a) The Superintendent shall have the authority under existing legal standards to:

1. Revoke any certificate held by a person who has been proven guilty of immoral conduct or unbecoming or indecent behavior in Alabama or any other state or nation in accordance with Ala. Code §16-23-5-(1975).
2. Refuse to issue a certificate to an applicant whose certificate has been subject to adverse action by another state until after the adverse action has been resolved by that state.
3. Suspend or revoke an individual's certificate issued by the Superintendent when a certificate or license issued by another state is subject to adverse action.
4. Refuse to issue, suspend, or recall a certificate for just cause.

Any of the following grounds shall also be considered cause for disciplinary action:

- Unethical conduct as outlined in the Alabama Educator Code of Ethics, Standards 1-9.
- Order from a court of competent jurisdiction.
- Violation of any other laws or rules applicable to the profession.
- Any other good and sufficient cause.

An individual whose certificate has been revoked, denied, or suspended may not be employed as an educator, paraprofessional, aide, or substitute teacher during the period of his or her revocation, suspension, or denial.

General Information

Staff Rights and Responsibilities

The Board recognizes that each employee has the same civil and constitutional rights as any other citizen. Such rights will be respected at all times, but shall be restricted if their exercise materially interferes with the educational process. No other rights and responsibilities shall be accorded staff members unless specifically incorporated in the contracts of employment entered into between the Board and the employee. For a complete overview of staff rights and responsibilities, please refer to *Policy 5.1*.

Personal Appearance

All personnel are expected to dress in a manner becoming their status as Elmore County Public School System employees. It shall be the responsibility of the principal or immediate supervisor to discuss appropriate dress with employees. (*Policy Reference – 5.1.i*)

Below are areas to consider as employees of the Board:

- Personal appearance must be clean and well maintained.
- Personal apparel must reflect generally accepted, "conventional dress" for the work assignment.
- No article of clothing may display any obscene language and/or anything that could be considered offensive by students, parents, or coworkers.
- Good personal hygiene is required at all times.

Identification Badges

All employees will be issued a photo identification badge. They are required to be worn in a visible location whenever employees are on the work site or any Board property. This requirement enhances security and allows visitors to identify employees. The badge is the property of the Board and must be surrendered upon termination of employment.

School Board Equipment

Board equipment is defined as anything that is not personally owned by the employee. Abuse or misuse of this equipment is not acceptable. No employee shall operate any equipment without appropriate training and authorization. The use of school-owned equipment at home must be approved by the principal/assistant superintendent.

Local School Fundraising

- All fund raising activities sponsored by the school must be approved in advance by the Principal. A Fundraiser Sheet should be properly completed including estimates of activity sales, costs, and profits.
- Teachers who serve as faculty sponsors of clubs or subsidiary accounts shall keep an LA-7 (records of receipts and disbursements) for each account. The LA-7 shall be kept

extemporaneously by each involved faculty member and reconciled monthly with the General Ledger. To do the reconciliation each faculty member shall present their LA-7's to the local school bookkeeper and the bookkeeper will then turn over all applicable activity reports for the faculty member to reconcile. Any differences should be corrected before the next month.

- Monies collected shall be turned over to the Local School Bookkeeper each day. Monies shall not be left overnight in classrooms.
- Items sold should never be turned over to a purchaser prior to the items being paid for in full.
- The Principal shall be responsible for the proper handling of all business affairs of the school. The Principal, as trustee, is responsible for replacement of student activity money improperly spent.

School Calendar

The current Elmore County School Year Calendar can be found at www.elmoreco.com.

Cash in Building

In the interest of building security, no cash or other valuable articles should be left in classrooms or other locations in the school. School funds should be receipted in the office before school is dismissed for the day. Personal articles of value should be secured in a locked cabinet or removed from the building by the owner.

Policy Manual

It is the responsibility of every person working within the School System to be knowledgeable of and adhere to all applicable Board policies. The policy manual is available on the school system web site at www.elmoreco.com and in the local school offices.

Lesson Plans

The Board requires a general plan of work, including daily schedules and brief lesson plans to be prepared by each teacher and submitted to the principal. Specific (detailed) lesson plans shall be prepared by the teacher in his/her absence for use by the substitute teacher. Such plans shall be in sufficient detail to permit the substitute teacher to conduct instructional activities that will benefit students educationally. Additional information and/or resource documents regarding lesson plans and instruction can be found on the Curriculum and Instruction Section of the school system web site. (*Policy Reference – 5.1*)

Substitute Teachers

To qualify as a substitute teacher, interested individuals must pick up a substitute packet from the school system's Human Resources Department. After meeting all requirements, a substitute card will be issued, allowing the substitute to visit any of the schools in the school system and place their name on that school's substitute list. Each local school principal is responsible for developing an effective plan for contacting substitute teachers from the approved list.

It shall be the responsibility of the principal to ensure that the regular teacher provides the substitute teacher with the necessary instructions and materials to teach effectively, including textbooks, lesson plans, class rolls, and schedules. The substitute teacher shall provide the regular teacher with a brief report of the day's activities. (*Policy Reference – 5.1.2*)

Long-Term Substitutes

A person holding a valid Alabama professional teaching certificate may be employed as a long-term substitute to replace a certified teacher. Long-term is defined as an absence of more than 20 consecutive school days. (*Policy Reference – 5.1.2*)

Use of Physical Force

See information related to student physical restraint in Board policy (*Policy Reference 6.25.4*)

Confidentiality Issues in Special Education

Since the very beginning of federally mandated special education, one of the major provisions has included safeguards that protect the confidentiality of individual students with special needs and their families. All staff members having access to records or knowledge of students with disabilities have an occupational, legal, and ethical responsibility to protect this right. Personally identifiable data, information, and records collected or maintained must be stored, retrieved, and utilized for the benefit of children with disabilities in a manner that will ensure confidentiality and privacy rights.

Please strive to ensure the following safeguards:

1. Discuss individual students only with those who have a need to know.
2. Protect written information and records of students from the intentional and incidental view or possession by unauthorized students, staff members, and others. Only those who have a need to know or see such records shall have access to the records.
3. Protect pictorial and recorded records of students, including photographs, yearbooks, audio recordings, and videotapes which identify them as having disabilities.
4. Protect students from verbal identification and discussion of personal information, including:
 - mentioning names of students protected by confidentiality provisions;
 - discussing protected students in the presence or hearing proximity of others;
 - giving information to others having no need to know; and
 - discussing student information with, in front of, or in the hearing proximity of other students, except where the educational program/services for the student with a disability require such disclosure.

Employee Benefits

Contact Finance/Payroll Department for any information regarding retirement, health care plan, COBRA, sick bank, cafeteria plan, and optional plans.

On-the-Job Injury Benefits

Employees may request up to 90 additional days of sick leave when they are injured on the job and such injury requires the individual to be absent from work. When an employee is injured on the job, the employee should complete an “Accident Report Form” and notify the supervisor immediately. This form can be obtained through www.elmoreco.com /Human Resources/Download Forms.

Transfers: Certified and Non-Certified

The Board may consider granting a voluntary transfer if the requesting employee possesses the required qualifications for the desired position and if a vacancy in such position exists. All requests for voluntary transfers must be on a “Transfer Request Form” which can be obtained by contacting the Human Resources Department. This form must be received before the last day of the job posting in order for the employee to be placed on the interested applicant list. Employee transfers will also be subject to the guidelines of the Alabama Students' First Act.

Professional Development

Professional development is the cornerstone of the educational process. All employees are encouraged to take advantage of the numerous opportunities to advance their knowledge through professional development activities and in-service sessions. (*Policy Reference – 5.5*)

Certification

Administration Certification – An employee who holds an administrative certificate, shall pay close attention to receiving the correct number of Professional Learning Units (PLUs) in order to renew this type of certificate. For more information regarding PLUs, visit the Human Resources Section of the school system’s web site: www.elmoreco.com.

Teacher Certification - Teaching certificates must be renewed every five years. Documentation of at least 50 clock hours of professional development activities is a requirement for recertification. Certified employees are expected to document all professional development activities through the use of STI, the school system’s online professional development tracking system. At the close of each school year, individual professional development reports must be updated to reflect any activities attended during the school year. The requirements for renewal of a teaching certificate are 50 Professional Development hours and three years satisfactory teaching within the five year period of the valid certificate being renewed. Please contact the Certification Clerk in Human Resources with any questions.

Evaluating Employee Performance

Certified Employees – The Elmore County Board of Education uses the State-approved performance evaluation system EDUCATEAlabama/LEADAlabama. Local school administrators are responsible for administering EDUCATEAlabama and evaluating employees. For more information and resource materials regarding EDUCATEAlabama/LEADAlabama, please visit the school system’s web site: www.elmoreco.com or the Alabama State Department of Education web site: www.alsde.edu and click on Sections; then click on EDUCATEAlabama and LEADAlabama. (*Policy Reference – 5.8.1*)

Non-Certified Employees – All non-certified staff are evaluated twice annually. A copy of the evaluation form is kept by the employee and the original sent to the Human Resources Department and filed in the employee's personnel file. (*Policy Reference – 5.8.2*)

Policies/Procedures

This section contains selected policies regarding Board employees that are referenced more often than others. To access a complete list of personnel policies, please review the Policy Manual on the school system web site: www.elmoreco.com.

Equal Opportunity Employment (5.13)

The Board recognizes that an effective educational program in the School System depends on the quality of the personnel employed. Therefore, every effort will be made to employ the most qualified personnel available. It is the policy of the Board that applicants for positions will be selected on the basis of their qualifications, merit, and ability. No person shall be denied employment, reemployment, advancement, or evaluation, nor shall be subjected to discrimination on the basis of sex, age, marital status, race, religion, national origin, ethnicity, or disability.

Special Provisions

The Board shall comply with regulations of Title IX of the Education Amendment of 1972, the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973 as evidenced by the Equal Opportunity Policy shown above. In addition, the following provisions shall apply:

1. The School System shall designate an employee(s) on a system-wide basis to be responsible for coordinating compliance efforts of the three Acts.
2. The Grievance Procedure (*Policy Reference – 4.6*) shall be utilized to assure students and employees prompt and equitable action on grievances brought under the Acts noted.
3. Students and employees shall be notified by posting the applicable procedures and the name(s) of the coordinating officer(s) during the months of September and October each year in all work sites.

Court Order(s)

The Board shall comply with provisions of the Court Order of 1970 as issued by the United States District Court for the Middle District of Alabama, Northern Division, and all other court orders under which the Board may be legally charged.

Time Schedules and Work Loads for Certified Personnel (5.1.2, 5.1.2)

Time Schedules

Time schedules for certified personnel may be designated by the Superintendent and/or the immediate supervisor of said personnel. Certified teaching personnel are required to be on duty from at least 20 minutes prior to the opening of school to 20 minutes after the close of school each day, Monday through Friday, except Board-approved holidays, and the necessary time to transact successful faculty meetings, school business, and the safe/orderly dismissal of students, etc.

Faculty meetings shall be reasonable in terms of frequency and duration.

*12 month contracts begin on July 1 and end on June 30th.

*11 month employees work twenty days after the last contract day for teachers (end of school year) and twenty days before the first contract day for new teachers (beginning of next school year)

*10 month employees work ten days after the last contract day for teachers (end of school year) and ten days before the first contract day for new teachers (beginning of next school year)

Work Loads

Work loads for certified personnel shall consist of all job related duties and responsibilities as may be assigned by the Superintendent, immediate supervisor, and job descriptions. The Superintendent and/or immediate supervisor shall assign work loads to certified personnel on an equitable basis. All work load assignments shall conform to standards outlined by the Code of Alabama, the Alabama State Board of Education, and appropriate accreditation agencies. Further, certified personnel allotted for teaching purposes shall not be assigned work loads which remove them from teaching duties that result in an average increase in the pupil-teacher ratio for the school.

Alternate Time Schedules

In order to accommodate the needs of the School System, school principals, with the written approval of the Superintendent, may work with certified personnel to arrange alternate time schedules and/or work loads. In every case the following provisions shall apply:

1. Alternate time schedules and/or work loads shall not be approved that result in increased pupil-teacher ratio.
2. Alternate time schedules and/or work loads shall be mutually agreed upon by the employee and school principal.
3. Employees approved for alternate time schedules and/or work loads shall meet all contractual obligations in terms of days and hours worked.
4. Each teacher shall be provided a minimum of thirty minutes each day free from instructional or supervisory responsibilities.

Time Schedules and Work Loads for Non-Certified Personnel (5.1.2, 5.1.2)

Time Schedules

Time schedules for non-certified personnel may be designated by the Superintendent and/or the immediate supervisor of said personnel. In all cases, the Superintendent and/or immediate supervisor shall have the right to establish time schedules to encompass the employee's work day. Work schedules shall be in compliance with the *Fair Labor Standards Act*.

Work Loads

Work loads for non-certified personnel shall consist of all duties and responsibilities as may be assigned by the Superintendent and/or immediate supervisor and as outlined by individual job descriptions.

Supervising Family Members (5.2.5)

No supervisor or principal shall directly supervise an immediate family member (defined here as: husband, wife, father, mother, son, daughter, brother, or sister). All personnel employed as of the adoption date of this policy who are in violation of this provision are exempted from this policy. This exemption applies only to the position held at the time of adoption of this policy by the Board.

Grievance Resolution Procedure (4.6)

Education is a shared responsibility among home, school and the surrounding community. The Elmore County Board of Education believes all stakeholders have both the right and responsibility to express school-related concerns and grievances to school faculty and administration. All stakeholders are always welcome to make appointments to discuss any concerns they may have regarding their school. The faculty and administration will strive to resolve grievances at the school level (**at the lowest possible administrative level**). It is expected that most grievances will be resolved satisfactorily at this level. However, in the event that the grievance cannot be settled at this level, then the parties involved may pursue the grievance to the Superintendent and then to the Board.

For the purpose of this procedure, a grievance is defined as a claim submitted by an employee, a student, parent/guardian of a student, or a community member of violation, misinterpretation, or inequitable application of local Board policy, local school rule/regulation, or local administrative procedure. A grievance is also a concern regarding identification, evaluation, eligibility, or services related to instructional programs within the school. The term "grievance" shall apply to matters which fall within the discretionary powers of the principal, Superintendent and/or Board but shall not apply to areas where the principal, Superintendent or Board has no authority to act. The Board is the final authority in all matters pertaining to grievances unless the grievant should desire to exercise proper redress through the courts or utilize appeal procedures as established by law.

The normal procedure usually followed by any employee, parent/guardian or student regarding a personal grievance is to discuss the matter with the teacher or administrator directly involved. When the nature of the grievance dictates otherwise, the employee, parent/guardian or student

upon notifying the staff directly involved, may request a meeting with the school principal. Such meetings should be granted within five (5) working days at a reasonable time and place. A student expressing concern may request the presence of one faculty member of the student's choice or his/her parent/guardian(s) to be present at such meeting.

In an effort to resolve concerns prior to filing a formal grievance, the following steps should be taken by an **employee, parent, student, and/or community member**:

1. The initial contact should be a school conference requested by the grievant(s) within 10 school days of the incident where the issue/concern will be presented orally and/or in writing.
2. The immediate supervisor to whom the conference request is presented should schedule a conference within five working days of the request.
3. School informal conference should be documented.
4. In cases when a concern cannot be resolved through an informal conference at the local school level, the grievance procedure herein should be followed.

Formal Grievance Procedure

For the purpose of this procedure, a grievance is defined as *a claim submitted by an employee, parent/guardian, community member, or student regarding a violation, misinterpretation, or inequitable application of local board policy, local school rule and regulation, or local administrative procedure, (i.e. matters concerning curriculum, sports, disciplinary problems, school calendar, classroom policy, etc.)* Incidents/issues not addressed in this grievance procedure are: grades, promotion, placement, Title I, Title IV, 504, and FERPA. Employee grievances should not be submitted for issues regarding dismissal, terminations, transfers, reassignments and any other procedures already established by law and/or the Students First Act.

The following steps should be followed **sequentially** to file a grievance:

1. **Principal/Immediate Supervisor**
 - a. A completed grievance resolution form should be submitted to the principal/employee's immediate supervisor within 10 school days of the informal conference that is the subject of the grievance. (This form may be obtained from the principal or Board of Education Office.)
 - b. The school staff and involved parties are to be immediately given a copy of the completed form by the principal/immediate supervisor and given an opportunity to respond within 3 school days.
 - c. The principal/immediate supervisor will schedule a formal mediation conference with the involved parties and complete the School Conference Report form for documentation (conference scheduled within five days of submitted grievance). The principal shall provide a response on the grievance resolution form to the grievant within ten days of the formal mediation conference.
2. **Superintendent**
 - a. If the grievance is not resolved at level one, the grievant(s) may proceed to level two by submitting the original grievance with the principal's response, and the *School*

Conference Report to the Superintendent's office within 5 school days of the principal's decision.

- b. The Superintendent or his/her designee will review the principal's decision and may arrange for a meeting to review the situation.
- c. The Superintendent may refer the grievant(s) to the appropriate administrative staff to resolve the situation.
- d. A decision will be rendered by the Superintendent or his/her designee within 10 school days after receiving the forwarded grievance form and principal's response.

3. Elmore County Board of Education (ECBOE)

- a. If a grievance is not resolved at level two, the grievant(s) may proceed to level three by presenting the results of the *School Conference Report*, and the original completed grievance form with the Principal's and Superintendent's responses to the President of the Board of Education within 10 school days after the Superintendent's response.
- b. During an executive session of the ECBOE, the grievant(s) will be given the opportunity to present any matter relative to their position.
- c. The decision by the members of the ECBOE is final in the grievance process.

Failure at any step of this procedure to communicate decisions at the levels and in the manner required at the respective level shall permit the grievance to proceed to the next level. Failure at any step of this procedure to appeal a grievance to the next level within specified time limits shall be deemed an acceptance of the decision rendered at that level and this procedure shall terminate for the given grievance.

Sexual Harassment (5.14)

The Board recognizes that harassment on the basis of gender is a violation of federal law (Title IX and Title VII). The Board is committed to providing learning and co-curricular environments that are free from sexual harassment where all students and employees can work together comfortably and productively.

Sexual harassment will not be tolerated from students, employees or non-employees (including volunteers and suppliers), who have contact with employees and students in the workplace, school, school-sponsored events, or any event sanctioned by the Board.

All employees are assured that they may file a complaint or assist in an investigation without fear of retaliation by any Board employee, peer, or alleged harasser. Complaints of retaliation will be promptly investigated and perpetrators will be subject to disciplinary action, whether or not the original complaint is substantiated.

Complaints and cases of sexual harassment will be investigated and handled promptly. Any employee found guilty of sexual harassment, or to be in violation of this policy, shall be subject to disciplinary action, according to the findings of the investigation.

Definition of Sexual Harassment

Sexual harassment consists of unwelcome advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when such conduct has the purpose or effect of unreasonably interfering with an individual's job performance or creating an intimidating, hostile, or offensive work environment at school or school-sponsored events or any event sanctioned by the Board.

Forms of Sexual Harassment include:

1. Verbal harassment, such as derogatory comments, jokes, or slurs;
2. Physical harassment, unnecessary or offensive touching, or impeding or blocking movement;
3. Derogatory or offensive posters, cards, cartoons, graffiti, drawings, or gestures.
4. Electronic communications, e.g., texts, online postings, emails, etc.

Procedures for Reporting Incidents

1. If any employee perceives comments, gestures, or actions from any student, employee, or non-employee to be offensive, the employee should notify the immediate supervisor.
2. The immediate supervisor or designee will promptly investigate any complaints of sexual harassment, and will initiate immediate action to resolve such complaints. If the complaint is against the immediate supervisor, the employee shall contact the Director of Personnel for assistance. No individual will suffer reprisals for reporting any incidents of sexual harassment.
3. Any employee who is found to be responsible for sexual harassment will be subject to appropriate discipline; the severity of the disciplinary action will be based upon the circumstances of the infraction. All proven infractions will become part of the employee's personnel record.

Suicide Reports

Take the threat of self-harm seriously. ALL staff members must take suicidal behavior seriously EVERY time. Take immediate action by notifying the appropriate staff members. The appropriate staff are school administration and school counselors. The school counselors have been provided with suicide procedures and will handle the situation once reported to their office.

Bullying Reports

Take bullying complaints from the students/parents seriously. These reports should be shared with school administrators and/or school counselors. The Elmore County Public Schools has a bullying complaint form that should be completed when bullying reports are made. The school administrators have been provided with bullying procedures and will handle the situation once reported to their office.

Code of Conduct for School System Personnel (5.1)

School System personnel are employed for the express purpose of contributing in a positive way to the education of the community's youth. The community desires and deserves School System employees who will provide an educational environment and program that will engender a well-rounded educational program and a safe and conscientious place for the children to learn.

In order to provide such educational programs and school environments in the respective schools of the School System, all employees of the Board are expected to abide by: (a) all federal

and state laws, (b) all State Board of Education policies, (c) all local ordinances, (d) all local Board policies, and (e) to adopt and follow acceptable codes of conduct that reflect favorably upon the School System. Failure to comply with the above noted expectations may result in disciplinary actions.

Drug Free Workplace (4.2.3, 4.2.6, 5.17)

Drug abuse and use at the workplace are subjects of immediate concern in society. These problems are extremely complex and ones for which there are no simple solutions. From a safety perspective, the users of drugs may impair the well-being of employees, students, and the public at large, as well as result in damage to School System property. Therefore, it is the policy of the Board that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the School System's workplace is prohibited. This shall include being under the influence of such substances, whether or not ingested on school property. Any employees violating this policy will be subject to discipline up to and including termination.

The specifics of this policy are as follows:

1. The School System does not differentiate between drug users and drug distributors or sellers. Any employee who gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the job or on the premises of the School System will be subject to discipline up to and including termination.
2. The term "controlled substance" means any drug listed in 21 U.S.C. 812 and other federal regulations. Generally, these are drugs that have a high potential for abuse. Such drugs include, but are not limited to, alcohol, heroin, marijuana, cocaine and its derivative, "crack," and phencyclidine (PCP). They also include "legal drugs" which are not prescribed to the subject employee by a licensed physician.
3. Each employee is required by law to inform the Superintendent within five days after he or she is convicted for violation of any federal or state criminal drug statute where such violation occurred on the School System's premises. A conviction means a finding of guilt (including a plea of guilt or *non contendre*).
4. The Superintendent of the School System must notify any U.S. government agency with which the School System has a contract within ten days after receiving notice from the employee or otherwise receives actual notice of such a conviction.
5. If any employee is convicted of violating any criminal drug statute while in the workplace, the employee will be subject to discipline up to and including termination. Alternatively, the School System may require the employee to successfully complete a drug abuse program sponsored by an approved private or governmental institution, at no expense to the School System. This alternative shall be allowed at the sole discretion of the Superintendent.

6. All employees shall abide by this policy during any period of employment with the School System.
7. All employees are hereby notified of this policy by its presentation in the Board Policy Manual/Employee Handbook.

Smoking and the Use of Tobacco Products (4.2.4)

The Board discourages the use of tobacco and tobacco-related products. Effective with the adoption date of this policy, the Board prohibits smoking and use of tobacco products inside Board facilities, on property owned by the Board, or on school buses or other vehicles operated by employees of the Board. The Board also prohibits smoking and the use of tobacco products by employees when performing duties and responsibilities for the Board. The following penalties apply to employees who are found smoking or using other tobacco products on property owned by the Board:

1st Incident: The principal/supervisor will prepare a written memorandum or warning describing the incident and reminding the employee of the Board's policy. The original will be given to the employee and a copy will be placed in the personnel folder for that employee.

2nd Incident: A conference will be held with the following persons present: the employee found using tobacco products, the employee's principal or immediate supervisor, and the superintendent's designee.

3rd Incident: To continue using tobacco products on Board property after receiving two warnings is considered to be insubordination. The facts of this matter will be presented to the Board for further action.

Sick Leave (5.10.3)

Leave with pay may be granted employees of the School System for absences from their assigned duties due to death, injury, or illness that prevents such employees from discharging their duties. Authorization is granted under provision of State law rules and regulations of the State Board of Education, and policies of the Board.

Definition

Sick leave is defined as the absence from regular duty by an employee because of the following:

1. Illness of employee.
2. Bodily injury that incapacitates an employee.
3. Attendance upon an ill or injured member of the immediate family (husband, wife, father, mother, son, daughter, brother, sister) of the employee, or a person standing *in loco parentis*.
4. Death in the immediate or extended family of the employee (husband, wife, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, son-in-law,

daughter-in-law, brother-in-law, sister-in-law, nephew, niece, granddaughter, grandson, grandfather, grandmother, uncle and aunt).

5. Where unusually strong personal ties exist, due to an employee's having been supported or educated by a person of some relationship other than those listed, or the converse, e.g., a stepchild, this relationship may be recognized for leave purposes. In each such case the employee concerned shall file with the Superintendent a written statement of the circumstances that justify an exception to the general rule.

Authorization

Sick leave shall apply to all full-time employees of the Board and shall be in accordance with rules and regulations as follows:

1. One day of sick leave per month is allowed for the total months of full-time employment per scholastic year (July 1 through June 30), except in those cases where existing laws or Board policy might otherwise specify.
 - a. Certified personnel, i.e., teachers and administrators, shall be allowed one day per month for each month of full time employment specified in their contract, and may carry over unused sick leave to the next consecutive year or years of employment.
 - b. Non-certified personnel shall be allowed one day per month for each month of full time employment specified in their contract, and may carry over unused sick leave to the next consecutive year or years of employment.
2. Unused sick leave allowable by the State Board of Education may be transferred to other school systems, or from other school systems, within the State of Alabama. It shall be the responsibility of individual employees to request previous employers to supply the Human Resources Department with verification papers for days to be transferred into the School System.
3. Authorization for, and verification of, sick leave shall be the responsibility of the employee's immediate supervisor.
4. Where sick leave extends beyond five (5) successive days, the employee may be required to provide the immediate supervisor with a doctor's statement or satisfactory written verification if the circumstances causing the leave to employee's immediate supervisor.
5. Each employee shall receive an accounting of accrued sick leave days monthly with the payroll check.

Restrictions

1. Sick leave shall not be transferable to or from school systems outside the State of Alabama.
2. Sick leave days shall not be granted in increments of less than one-half (1/2) day.
 1. Full pay for sick leave shall be allowed only if the absences fall within the definition of sick leave as defined in this policy and the employee has sufficient accumulated sick leave/personal leave days.
 2. Sick leave days may not be given, loaned, or transferred, etc., by one employee to another employee (except through the guidelines specified in a duly approved sick leave bank).

3. Long-term sick leave for purposes of retirement only will not be permitted, unless an employee meets the conditions of illness as defined by the Alabama State Board of Education; however, an employee is entitled to apply for retirement service credit based on individual unused, accrued sick leave days.

Physician's Release

Provided an employee has experienced a long-term, debilitating illness which may affect the ability to perform job-related tasks, the Board reserves the right to require such employee to secure a physician's statement certifying that the employee is able to return to work and perform job-related responsibilities before the employee is permitted to return to work.

Sick Leave Bank Guidelines for Personnel (5.12)

The School System's sick leave bank shall operate under the provisions outlined at Ala. Code § 16-22-9.

The guidelines are as follows:

1. Rules and regulations for the operation of the sick leave bank shall be jointly developed by the Sick Leave Bank Committee, comprised of one Board-appointed member, two members of the support personnel association, Educational Support Personnel (ESP), and two members of the Elmore County Education Association (ECEA). At the beginning of each school year, an election will be held among sick leave bank members to determine by secret ballot the members who will serve as the Sick Leave Bank Committee for two years. The Superintendent is responsible for conducting the election. Proposed rules and regulations developed by the Committee shall be submitted to the Board for approval and distributed to all personnel.
2. Representatives on the Sick Leave Bank Committee shall serve one two-year terms. Vacancies occurring on the committee shall be filled by the respective parties.
3. Participation in the sick leave bank shall be voluntary on the part of the employee.
4. Any employee, certified or non-certified, is eligible for participation in the sick leave bank.
5. A participating employee shall not be eligible to use sick leave days from the bank until all of the employee's sick leave has been exhausted. The maximum number of days that can be borrowed by an individual from the bank shall be 15 days, including the five days the individual has on deposit, unless over 50% of the participating members of the bank vote to extend said limit.
6. Any sick leave drawn from the bank by a participating employee shall be used in accordance with the definition of sick leave set forth in the *Code of Alabama* and Board policies.
7. A doctor's statement may be required to be attached to a request form for days borrowed from the sick leave bank.
8. A participating employee who uses sick leave from the bank shall be required to repay the bank as days are accrued.
9. Participating employees cannot leave the School System without repaying the sick leave days owed to the bank. If the employee has no sick leave days remaining, then the said

value of the loan shall be deducted from the individual's final paycheck at the prevailing rate.

10. Any participating member retiring or transferring to another school system may withdraw the employee's unused days contributed to the bank.
11. A participating member of the sick leave bank who wants to voluntarily withdraw from participation may only withdraw at the end of the school year.
12. Any alleged abuse of the sick leave bank shall be investigated by the Sick Leave Bank Committee and, on finding of wrongdoing by any member, the member shall repay all of the sick leave days drawn from the sick leave bank and be subject to other appropriate disciplinary action as determined by the Board.

Catastrophic Sick Leave Provision

The Elmore County Board of Education will comply with Ala. Code § 16-22-9(h), which establishes the catastrophic sick leave provisions for the employees.

Catastrophic illness is defined as, "Any illness or injury so certified by a licensed physician which causes the employee to be absent from work for an extended period of time." Extended period of time will be determined on a case-by-case basis by the Board for which the beneficiary employee works.

Sick leave days may be donated to a beneficiary employee who is a member of the sick leave bank to be used for the same reasons that regular sick leave may be used for illness/injury.

Such leave is defined as the absence from regular duty by an employee because of the following:

- Personal illness
- Bodily injury which incapacitates the employee
- Attendance upon an ill member of the immediate family (husband, wife, father, mother, son, daughter, brother, sister) of the employee or a person standing *in loco parentis*
- Where unusually strong personal ties exist, due to an employee's having been supported or educated by a person of some relationship other than those listed, or the converse, e.g., a stepchild, this relationship may be recognized for leave purposes. In each such case the employee concerned shall file with the Superintendent a written statement of the circumstances that justify an exception to the general rule.

The Local Education Agency (LEA) must have a signed statement from the beneficiary employee or the chairperson of the Sick Leave Bank Committee stating the beneficiary employee agrees to use the donated days.

No limit is established on the number of days a beneficiary employee may receive from donors. It is suggested that the Committee and the Board establish guidelines such as each case be reviewed on a case-by-case basis at the end of each semester or more often if the situation warrants. The recipient of the donated days does not have to repay the donated days.

A beneficiary employee may earn regular sick leave while on catastrophic leave donated by other employees; however, the beneficiary employee must use the day earned each month as it is earned in order to comply with Section 2 of the Act.

An employee who donates sick leave for catastrophic illness purposes may still accumulate the maximum number of days allowed by law. A donor cannot donate more than 30 days to one beneficiary. Ala. Code § 16-22-9(h) authorizes any sick leave bank to donate sick leave days to any other sick leave bank established under this statute for use by a particular employee for catastrophic sick leave purposes. The LEA whose sick leave bank receives donated days (beneficiary employer from another sick leave bank) may claim from the State substitute statute reimbursement in the same manner that other substitute reimbursement is claimed.

Personal Leave and Absences for Certified Personnel (5.10.5)

Each certified teacher and other certified staff members shall be entitled to two (2) days of non-cumulative paid personal leave annually, to be granted upon request of the teacher or staff member. The following provisions shall apply:

1. In order to protect the educational interest of students, it is suggested that personal leave not be taken during the first or last two (2) weeks of school, or immediately before or after a holiday.
2. The two (2) days granted will be paid personal leave. If personal leave days are not used by June 30, the days will be converted to sick leave on the July paycheck, unless the certified employee has arranged in advance for reimbursement. All personal leave is converted to sick leave unless the employee requests reimbursement for the day(s) in writing. The reimbursement is at a substitute's single-day rate of pay.
3. Teachers and other staff members are encouraged to notify the principal and/or supervisor in advance of taking personal leave, although it is recognized that advance notification may not always be possible.
4. The two days may be taken at any time during the school year; however, an employee must work for a full year to earn the two (2) paid personal leave days. In the event an employee uses the two (2) days the first semester and does not work the second semester, a day's pay shall be deducted from the final paycheck.
5. Teachers and other staff members are expected to ensure that adequate and complete lesson plans are available when such leave is taken.
6. Such leave shall be reported as personal business; no other explanation is required.
7. Teachers and certified staff members shall be entitled to earn additional personal leave days based on the following schedule:
 - In fifth contract year through ninth contract year – 1 additional day
 - In tenth contract year through fourteenth contract year – 2 additional days
 - In fifteenth-plus contract year – 3 additional days

These personal days will also be converted to sick leave if they remain unused.

Teachers and certified staff members must compensate the School System the amount paid a regular substitute, through payroll deductions, for each additional day taken. In addition, such

additional days shall not be taken during the first or last two (2) weeks of school, or immediately before or after a school holiday.

The additional days of personal leave may be granted by the principal or immediate supervisor.

Personal Leave and Absences for Non-Certified Personnel (5.10.5)

Each non-certified, full-time employee shall be entitled to two (2) days of non-cumulative paid personnel leave annually, to be granted upon request of the employee.

The following provisions shall apply:

1. In order to protect the educational interest of the School System, it is suggested that personal leave not be taken during the first or last two (2) weeks of school, or immediately before or after a holiday.
2. The two (2) days granted will be paid personal leave.
3. Non-certified employees are encouraged to notify the principal and/or supervisor in advance of taking personal leave, although it is recognized that advance notification may not always be possible.
4. The two days may be taken at any time during the school year; however, an employee must work for a full year to earn the two (2) paid personal leave days. In the event an employee uses the two (2) days the first semester and does not work the second semester, a day's pay will be deducted from the final paycheck.
5. Such leave shall be reported as personal business, no other explanation is required.

Non-certified personnel will be entitled to additional personal leave days based on the following schedule:

- In fifth contract year through ninth contract year – 1 additional day
- In tenth contract year through fourteenth contract year – 2 additional days
- In fifteenth-plus contract year – 3 additional days

Non-certified staff members must compensate the School System, through payroll deductions, for each additional day taken the amount paid regular substitute teachers in the School System. In addition, such additional days may not be taken during the first or last two (2) weeks of school, or immediately before or after a school holiday.

Vacation Days (5.10.6)

Vacation

The Elmore County Board of Education shall have the authority, under such rules and regulations as may be promulgated from time to time by the State Board of Education, to provide for vacation leave for eleven and twelve month employees of the Board. Vacation leave must be scheduled and approved by the employee's supervisor and Superintendent.

Eleven and twelve month employees shall earn vacation days at the rate of one day per

month, beginning July 1 of the contract year and ending June 30 of the contract year. One-half month or more will be considered a full month in computing vacation time. No credit will be given for less than one-half month. Eleven and twelve month employees may accrue vacation days not to exceed 20 by December 31st.

Vacation time may not extend beyond the termination of an employee's contract. No compensation will be paid in lieu of vacation time upon termination of an employee's contract.

The employee's Supervisor and the Superintendent must approve all requests for vacation leave. All administrative personnel shall schedule with the Superintendent the days on which they plan to take their vacation. Substitutes will not be provided for employees on vacation leave without prior approval of the superintendent. Vacation leave may be taken while school is in session, with the Superintendent's approval. A vacation day must be earned before it is used.

***Vacation days over the limit of 20 will be lost if not taken before December 31st.

Family and Medical Leave Act Policy (5.11)

General

The purpose of this policy is to assist the Board and its employees in the implementation of the provisions of the Family and Medical Leave Act of 1993 (hereinafter "FMLA") as amended in 2009. This policy neither adds to nor attempts to limit the rights to which an employee is entitled under the FMLA. If this policy conflicts with the FMLA, the FMLA shall be controlling. All terms shall be defined as indicated by the FMLA.

Entitlement

The FMLA provides eligible employees with up to twelve (12) work weeks of unpaid leave (but with continuation of health benefits) during any twelve-month period for the following reasons:

1. In connection with the birth or adoption of a child;
2. In order to care for a family member with a serious health condition; and
3. In connection with the serious health condition of the employee which renders the employee unable to perform the functions of the position.

For purposes of this provision, the twelve-month period shall be a "rolling" twelve-month period measured backward from the date an employee uses any FMLA leave.

Definitions

1. "Family Member" means the employee's spouse, son, daughter, or parent. "Son" or "daughter" shall include an adopted child, a foster child, a stepchild, a legal ward, or a child as to whom the employee stands *in loco parentis*, provided such child is: (i) under eighteen or (ii) eighteen or older but incapable of self-care due to a mental or physical disability. "Parent" shall not include the parent of a spouse.

2. “Serious Health Condition” means an illness, injury, impairment, or physical or mental condition that involves in-patient care in a hospital, hospice, or residential medical care facility, or continuing treatment by a health care provider.

Eligibility

To be eligible for leave under the FMLA, an employee must:

1. Have been employed by the Board for at least twelve (12) months;
2. Have worked at least 1250 hours during the previous twelve (12) months; and
3. Complete a Request for FMLA Leave form.

Categories of Leave Qualifying for FMLA

1. Birth/Adoption Leave

- a. *Time Period* – Leave may begin prior to the date of birth or placement, but cannot extend beyond twelve (12) months after such birth/placement.
- b. *Required Notice*
 - i. Employees must follow the Board’s normal procedures for notification of absences, unless there are unusual circumstances.
 - ii. When an employee requests FMLA leave, or the Board acquires knowledge that an employee’s leave may be for a FMLA qualified leave reason, the employer must notify the employee of their eligibility to take FMLA leave within 5 business days, absent extreme circumstances.
- c. *Use of Available Paid Leave* – As part of the twelve-week leave period, employees must first use any available personal leave or vacation. To the extent an employee chooses to utilize sick leave in conjunction with the birth of a child, such sick leave counts as part of the twelve-week period of leave.
- d. *Dual Employment* – Where both spouses are employed by the Board, both are eligible for this leave for up to twelve (12) work weeks for each.

2. Serious Health Condition of Employee

The FMLA defines periodic visits to a health care provider for chronic serious health conditions as at least two visits to a health care provider a year.

- a. *Eligibility* – Employees with a serious health condition are eligible for leave under the FMLA if the condition renders them unable to perform the functions of the position. Routine illness or minor injury will not be construed to render the employee so disabled. However, any illness or injury which necessitates the employee’s absence for more than five (5) consecutive work days will be considered as disabling and leave taken with respect thereto (whether paid or unpaid) will be counted as part of the twelve-week entitlement. If an employee is taking leave involving more than three (3) consecutive calendar days of incapacity plus two (2) visits to a health care provider, the two (2) visits must occur within 30 days of the period of incapacity.

- b. *Use of Paid Leave* – As part of the twelve-week period of leave, employees must use any and all available sick leave, personal leave, and/or vacation.
- c. *Reasonable Effort to Avoid Disruption* – Employees requesting leave to facilitate some plan of ongoing treatment must use reasonable efforts to schedule such treatment in a way which minimizes disruption to the Board caused by their absence, subject to approval of the health care provider.
- d. *Intermittent or Reduced Schedule Leave* – Employees may take something less than full-time leave; however, the Board may, at its option, transfer the employee to a position which better accommodates such intermittent or part-time leave, so long as such position provides equal pay and benefits.

3. Leave for the Care of a Family Member

- a. *Required Notice*
 - i. Employees must follow the Board’s normal procedures for notification of absences, unless there are unusual circumstances.
 - ii. When an employee requests FMLA leave, or the Board acquires knowledge that an employee’s leave may be for a FMLA qualified leave reason, the employer must notify the employee of their eligibility to take FMLA leave within 5 business days, absent extreme circumstances.
- b. *Use of Available Paid Leave* – As part of the twelve-week leave period, employees must first use any available sick leave, personal leave or vacation.
- c. *Reasonable Effort to Avoid Disruption* – Where employees request leave to facilitate the care of a family member involved in ongoing treatment, such employee must use reasonable efforts to schedule such treatment in a way which minimizes the disruption to the Board caused by the employee’s absence, subject to approval of the health care provider.
- d. *Intermittent or Reduced Schedule Leave* – Employees may take something less than full-time leave in order to care for a family member; however, the Board may, at its option, transfer the employee to a position which better accommodates such intermittent or part-time leave, so long as such position provides equal pay and benefits.
- e. *Dual Employment* – Where both spouses are employed by the Board, both are eligible for this leave for up to twelve (12) work weeks for each.

4. Military Caregiver Leave

Family members caring for a covered service member with a serious injury or illness incurred in the line of duty on active duty are able to take up to 26 work weeks of leave in a 12-month period.

5. Leaves for Qualifying Exigencies for Families of National Guard and Reserve Personnel

Families of National Guard and Reserve personnel on active duty may take FMLA-job-protected leave to manage their affairs for qualifying exigencies. Qualifying exigencies are defined as:

- Short-notice deployment

- Military events and related activities
- Childcare and school activities
- Financial and legal arrangements
- Counseling
- Rest and recuperation
- Post-deployment activities
- Additional activities where the employer and employee agree to the leave

Other Pertinent Provisions

Special Provisions for Instructional Employees

1. Proposed Leaves Commencing/Ending Within Five (5) Weeks of End of a Semester
 - a. Where an instructional employee begins any category of FMLA leave five (5) or more weeks prior to the end of a semester, and the period of leave is for more than three (3) weeks, the Board may require the employee seeking to return within the last three (3) weeks of the semester to wait until the beginning of the next semester.
 - b. Where an instructional employee begins any category of FMLA leave less than (5) weeks before the end of a semester, and the period of leave is greater than two (2) weeks, the Board may require an employee seeking to return within the last two (2) weeks to wait until the beginning of the next semester.
 - c. Where an instructional employee begins any category of FMLA leave three (3) or fewer weeks before the end of a semester, and the period of leave is greater than five (5) working days, the Board may require the employee to wait to return until the beginning of the next semester.
 - d. The above provisions shall not alter an instructional employee's right to use paid sick leave and/or to return to work at any time during the last five (5) weeks of a semester, even though absences for more than five (5) consecutive days will count as part of the employee's twelve-week entitlement to leave.

2. Intermittent or Reduced Work Schedule Leave

Where an instructional employee requests this type of leave, the leave is foreseeable based on planned medical treatment, and the employee would be on leave for greater than twenty percent (20%) of the total number of working days in the period during which the leave would extend, the Board may require the employee to elect either:

- a. to take a block of leave for a period or periods of a particular duration, not to exceed the duration of the planned medical treatment, or
- b. 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 the regular employment position.

Medical Certification & HIPAA

The Health Insurance Portability and Accountability Act (HIPAA) medical privacy rule applies to

communications between the Board and employee health care providers. A Board representative contacting a health care provider must be a health care provider, human resource professional, leave administrator or a management official, but in no case may it be the employee's direct supervisor.

1. *General Requirements* – With respect to leave in connection with the serious health condition of a family member or the employee, the employee, together with the health care provider or providers, must complete a Certificate of Health Care Provider. If the Board deems a medical certification to be incomplete or insufficient, the Board must specify in writing what information is lacking and give the employee seven (7) calendar days to cure the deficiency.
2. *Clarification* – With the consent of the employee or the employee's family members, as the case may be, the Board's health care provider may contact the employee's or family member's health care provider for clarification or to confirm information with certification.
3. *Additional Opinions/Recertification* – At its expense, the Board may obtain a second medical opinion and, if necessary to resolve conflicts, a third opinion. The Board may also require, on a reasonable basis, periodic updates of status including recertification of any of the information provided.
4. *Benefits*
 - a. Employees will continue to accrue seniority during any approved leave under the FMLA and shall not lose any benefit accrued prior to the commencement of such leave. Employees shall not, however, receive or accrue additional fringe benefits other than those set forth in Paragraph 2 below. Sick leave, personal leave, and vacation shall be reduced on a *pro rata* basis for any time during which the employee is on unpaid FMLA leave.
 - b. Employees on FMLA leave shall continue to receive coverage under any group health plan providing for medical and/or dental benefits so long as such employees return to work after a maximum of twelve (12) weeks of such leave, unless prevented from doing so due to the continuation, recurrence, or onset of a serious health condition of the employee or family member (or circumstances beyond the employee's control). The maximum twelve-week period for continuation of such benefits includes periods during which the employee was either required or chose to use paid leave pursuant to this policy.
5. *Continuation of Co-Pay/Recovery Costs* – Employees must continue to pay any co-payment or portion of health and dental care costs for which they were previously responsible. In the event an employee fails to make such payment within thirty (30) days of its due date, the Board may discontinue the employee's coverage for the duration of the leave. In the event the employee fails to return to work after the leave has expired for a reason other than the continuation, recurrence, or onset of a serious health condition of the employee or family member (or other circumstances beyond the employee's control), the employee shall reimburse the Board for all costs incurred by it with respect to the continuation of the employee's health and/or dental benefits.

Restoration of Job Status

Employees will be restored to the position held before leave or an equivalent position with equivalent pay, benefits, other terms, and conditions. The Board may require medical

certification or recertification prior to reinstatement. Any reassignment made pursuant to this section will not be subject to the Teacher Tenure Act or Fair Dismissal Act.

Outside Employment

An employee who is on FMLA leave may not engage in employment for any other employer or self-employment while on leave. Falsification of records and failure to correct records known to be false are violations of this policy and will result in discipline which may include termination from employment.

Emergency Closing of Schools

Schools will be closed when, in the opinion of the Superintendent or designee, weather conditions or other emergency situations prevent the safe operation of schools. Decisions about the closing of school will be released to the news media at the appropriate time. In addition, personnel may be called to work by the Superintendent. Personnel who find it absolutely impossible to come to work must notify their supervisor or principal. The Superintendent will determine whether such days are considered as excused or not.

Field Trips

The Elmore County Board of Education recognizes that educational field trips and trips to various types of contests for instructional purposes help provide desirable learning experiences. The Board delegates to the Superintendent the responsibility for development of administrative criteria governing field trips. However, only those field trips that grow out of the instructional program or are otherwise related to the course of study are to be permitted during school hours. Other trips, such as those involving band or athletic activities should be confined to after school hours except when the school is engaged in an activity, competition, or contest that must take place during school hours.

Teachers planning field trips or out-of-class learning experiences shall submit an application, in writing, to the school Principal for approval well in advance of the trip. If the Principal approves the trip, he/she will forward the request to the Director or his/her designee for approval. The application shall include an itinerary of the trip and the course of study objectives that will be met or enhanced as a result of the trip. If the principal and director approve the trip, a copy of the application with the itinerary of the trip should be submitted to the head nurse for notification. A list of health needs should be included in the packet provided to the head nurse and conversations with the head nurse should facilitate planning for student health needs. The teacher should also notify the school lunch room two weeks prior to the scheduled field trip. Allow adequate time to plan with the head nurse for health issues, scheduling of transportation and lunch arrangements.

After the trip has been approved by the Superintendent the teacher will secure written parental/guardian permission for each child planning to participate in the trip. Students who have not submitted the appropriate permission forms shall not be allowed to take the trip.

Employees attending field trips must be participating sponsors regularly assigned to work with the students involved or use personal leave or non-paid leave (with their supervisors' prior approval) and pay the cost of a substitute if participating in the field trip.

An employee trained in giving medications must attend all field trips.

Filing for Retirement

Written application should be made to the State Retirement System not less than thirty (30) days or more than ninety (90) days before the date of expected retirement. For example, if you wish to retire on June 1, you must file by the end of April. A representative of the Retirement System conducts local retirement seminars periodically throughout the year for school system employees planning to retire. Information regarding these meetings is available on the RSA website. Any employee who plans to retire shall submit his/her resignation in writing to the Elmore County Board of Education through the Superintendent. *Code of Alabama 16-25-1*

Certification

It is the responsibility of each employee to keep track of his/her renewal times to maintain certification. The valid period of each certificate is noted on the certificate. Certified employees are encouraged to keep a current copy of their certificates and to give a copy to their principal. The personnel staff will assist employees upon request but will not be responsible for notification of expiration of certificates.

Child Abuse/Neglect

Under Alabama law, all public K-12 employees, including all school teachers and officials, are required to report known or suspected child abuse or neglect immediately, either by telephone or direct communication, followed by a written report, to a "duly constituted authority." Ala. Code § 26-14-3(a). A "duly constituted authority" under the law is "[t]he chief of police of a municipality or municipality and county; or the sheriff, if the observation of child abuse or neglect is made in an unincorporated territory; or the Department of Human Resources; or any person, organization, corporation, group, or agency authorized and designated by the Department of Human Resources to receive reports of child abuse and neglect; provided, that a 'duly constituted authority' shall not include an agency involved in the acts or omissions of the reported child abuse or neglect." Ala. Code § 26-14-1(4). A "child" is defined as someone "under the age of 18 years." Ala. Code § 26-14-1 (3).

Child abuse under Alabama law is defined as the "[h]arm or threatened harm to a child's health or welfare," which can "occur through non-accidental physical or mental injury, sexual abuse or attempted sexual abuse, or sexual exploitation or attempted sexual exploitation." Ala. Code § 26-14-1(1). "'Sexual abuse' includes the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in, any sexually explicit conduct or any simulation of the conduct for the purpose of producing any visual depiction of the conduct; or the rape, molestation,

prostitution, or other form of sexual exploitation of children, or incest with children as those acts are defined by Alabama law.” Ala. Code § 26-14-1(1). “‘Sexual exploitation’ includes allowing, permitting, or encouraging a child to engage in prostitution and allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child for commercial purposes.” Ala. Code § 26-14-1(1).

Neglect is defined as Alabama law as the “negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, supervision, clothing, or shelter.” Ala. Code § 26-14-1(2). Certainty that child abuse or neglect has occurred is NOT required to trigger your mandatory reporting responsibility. All that is required is a reasonable suspicion that a child is a victim of abuse or neglect. If you have a reasonable suspicion, you must report.

The mandatory reports required by Alabama law “shall state, if known, the name of the child, his or her whereabouts, the names and addresses of the parents, guardian, or caretaker, and the character and extent of his or her injuries.” Ala. Code § 26-14-5. “The written report shall also contain, if known, any evidence of previous injuries to the child and any other pertinent information which might establish the cause of such injury or injuries, and the identity of the person or persons responsible for the same.” Ala. Code § 26-14-5.

Failure to comply with Alabama’s mandatory reporting law is a crime. Under Ala. Code § 26-14-13, “[a]ny person who shall knowingly fail to make the report required by [the law] shall be guilty of a misdemeanor and shall be punished by a sentence of not more than six months’ imprisonment or a fine of not more than \$500.00.”

Conflicts of Interest

The Elmore County Board of Education prohibits School System employees from engaging in additional employment or any other personal pursuits that would affect their efficiency or usefulness as employees in the system; that would make time and/or energy demands upon such individuals which would interfere with their effectiveness in performing their contractual obligations to the Board; that would compromise or embarrass the School System; that would adversely affect their Elmore County School System employment status or professional standing; or that would in any way conflict with or violate professional ethics or the state ethics.

The Elmore County Board of Education prohibits any employee of the School System from directly or indirectly reaping personal profit or reward from the sale or purchase of goods or services to students in the School System or to parents of students.

Elmore County School System employees acting as individuals are further prohibited from directly or indirectly furnishing or supplying a list or roster of names and addresses of students in the School System or parents of students to persons, firms, corporations, associations or organizations or to the salespersons or agents of any such entities who are engaged directly or indirectly in the business of selling school supplies or school-related activities, equipment or items without the written approval of the Superintendent.

Insurance

Insurance coverage is available to each full time employee of the system. More individual questions can be answered by contacting the Payroll Department.

Media – Video/Electronic

All video/electronic materials shall be previewed by the teacher and approved by the school principal prior to showing in the classroom. Video/Electronic content should relate and correlate to the unit being taught or contain positive educational value to justify viewing the material. Films with any rating other than “G” require written permission from the principal prior to being viewed by students.

Medications

Medications must be double locked and only accessible by the nurse and medication assistant. No employee shall endorse or encourage students to use protein drinks or any other supplements.

Parent Conferences

The Elmore County Board of Education requires that at least once each semester every classroom teacher attempt to schedule a conference with the parent/guardian of each student for whom that teacher is responsible. The purpose of the parent/guardian/teacher conference is to provide the teacher an opportunity to advise parents of the academic progress of each student and to discuss with the parent/guardian suggested strategies that the parent/guardian can implement in supporting the teacher’s instructions. Each teacher should develop written documentation of each parent/guardian conference and the objectives discussed during the conference. Copies of conference documentation should be maintained for a minimum of three (3) years. Conferences should be scheduled at times when teachers are not engaged in classroom instruction.

Pay day

All payroll checks will be submitted for direct deposit beginning in January 2018. Please make arrangements with the payroll department to set up direct deposit, if you have not already done so. Questions related to salary matters should be directed to the Payroll Office.

Principal – Personnel Relations

The principal is responsible for the supervision of all personnel assigned to the school. Professional cooperation is expected between the principal and all personnel.

Professional Organizations

Certified and non---certified personnel of the School System shall respect each other’s rights to choose for themselves the professional organizations with which they affiliate. Membership in professional organizations shall be on a voluntary basis. Administrators of the School System or

local schools shall not take punitive action against employees because of their membership in professional organizations or because of their failure to affiliate with said organizations.

Safety

All personnel are encouraged to be safety-conscious and to establish classroom practices and procedures that insure the protection of students and other staff members. It is the responsibility of classroom teachers to provide for the safety of students assigned to them. A school designated safety coordinator will review school safety procedures annually. In cases where the activity may be hazardous, it is important that students are instructed in measures that insure their safety. Safety hazards are to be reported in writing to the principal. All personnel are asked to assist with this important activity.

Salaries

All regular personnel shall be paid in accordance with salary or hourly wage schedules as adopted by the Elmore County Board of Education, provided the salary schedule for certified staff is no less than 100 percent of the State Minimum Salary Schedule. All teaching/administrative experience gained in all public elementary and secondary schools and/or state or regionally accredited public institutions of higher learning shall be approved as credit for placement on the salary schedule. No teaching/administrative experience gained in private elementary and secondary schools shall be considered for credit for placement on the salary schedule.

Any employee subject to the overtime provisions of the Fair Labor Standards Act of 1988, as amended, and who is required (must be approved) to work in excess of forty (40) hours in any work week, shall be compensated for the hours in excess of forty (40) as provided in the FLSA of 1988 at the rate of one and one-half (1½) times the regular rate of pay for the service performed (overtime or comp time). Any Elmore County School System employee working beyond his/her designated total weekly hours without prior permission of the Superintendent through the principal or supervisor may be subject to disciplinary action.

Staff Meetings

An administrator, supervisor, and/or principal may call staff meetings when he/ she feels such meetings are warranted. Mandatory attendance by employees may be required. However, such compulsory attendance should be stated within the notice announcing the meeting. Staff meetings should be planned and announced as far in advance as possible in order to allow employees to appropriately plan their individual schedules.

Technology Policy for Employees

The Internet is a worldwide computer network. The most basic functions provided by the Internet are access to remote informational facilities, file transfer, and electronic mail (e-mail). The Elmore County BOE is committed to making advanced technology and increased access opportunities available to all employees. The goal of the school system in providing access to administrators, teachers, and other employees is to promote educational excellence in schools

by facilitating resource sharing, innovations and communications. The use of computers, the Internet and other on-line services shall be in support of education and research consistent with the educational objectives of the school system.

1. The school system encourages employees to use e-mail and telecommunications tools and apply them in appropriate ways in the performance of tasks associated with their positions and assignments. The Office of Technology is responsible for providing procedures and in-service training for all users of the e-mail system. Workshops will be scheduled as needed for employees.
2. The e-mail system shall provide the capability of sending and receiving telecommunications between all schools and central administrative offices. Employees shall communicate with telecommunication tools in a professional manner consistent with state laws and school system policies governing the behavior of school employees and with federal laws governing copyright. All messages should pertain to school business. Emails are archived as per federal mandates and are subject to search at any time required by law or county/state policy.
3. E-mail and telecommunications shall NOT be utilized to share confidential information about students or district employees. Confidentiality of employee and student data shall be maintained by adherence to Board policy.
4. Communications over the ELMORENET shall NOT be considered to be private. Messages may be diverted accidentally, and messages may be reviewed to ascertain compliance with network guidelines for acceptable use. Files may be deleted which are not kept to a manageable storage level.
5. Teachers, administrators and others who make decision regarding student access to the Internet shall, in making such decisions, at all times consider the school systems stated educational mission and the Student Acceptable Use Policy. To the extent possible, students' use of the Internet shall be structured in ways, which point students to those resources, which have been evaluated prior to use. Students utilizing ELMORENET to access the Internet shall be supervised by school system professional staff at all times. Linking to external web sites considered appropriate by board standards and guidelines.
6. The following uses of ELMORENET are NOT PERMITTED on the part of Elmore County Public Schools' Employees:
 - a) Accessing, uploading, downloading or distributing pornographic, obscene or sexually explicit material
 - b) Transmitting obscene, abusive, sexually explicit, or threatening language
 - c) Linking to external web sites considered inappropriate by Board standards or posting photographs, names, and intellectual property of others without the written consent of the individual or, in the case of minors, the parent/ guardian.
 - d) Violating any local, state or federal statute
 - e) Accessing another individual's materials, information, or files without permission
 - f) Violating copyright or otherwise using the intellectual property of another individual or organization without permission

- g) Using or sharing passwords –password should be guarded and not shared with anyone
 - h) Vandalizing, which is any unauthorized access and/or malicious attempt to damage computer hardware/software or networks or destroying the data of another user, including creating, uploading or intentionally introducing viruses
 - i) Intentionally wasting limited resources
 - j) Employees shall not provide information about the County school system to parties without prior approval
 - k) Using the ELMORENET network or web page for profit-making, commercial, or political purposes
 - l) Harassing, insulting, or attacking others
 - m) Giving out personal information on-line such as full name, home address, phone number, etc.
 - n) Gaining unauthorized access to resources or entities
 - o) Invading privacy of individuals
 - p) Altering the set up of computers
 - q) Failing to follow a school system procedure while using computers or failing to follow any other policy or guideline established by the Elmore County BOE or the user’s supervisor and failure to follow instructions of supervisors
 - r) Seeking to gain unauthorized access to information resources.
7. Personal devices that have not been previously approved by the Office of Technology are not allowed to be connected to the WAN/LAN – these will be considered rogue devices and confiscated immediately.
 8. Users will limit their storage to 2GB or less on the county SAN. The county will regularly monitor this content and it is the end user’s responsibility to maintain an external device to store anything over this requirement. Files may be deleted which are not kept to this storage level.
 9. Users are responsible for maintaining a safe environment.
 - a) Users will keep passwords secure.
 - b) Users will change password when directed by the ECBOE.
 10. Any user identified as a security risk or having a history of problems with computer systems may be denied access.
 11. The Elmore County Board of Education makes no warranties of any kind, whether expressed or implied, for the access it is providing, nor will it be responsible for any damages suffered. This includes loss of data resulting from delays, nondeliveries, misdeliveries, or service interruptions caused by its own negligence or user errors or omissions. Use of any information obtained via the Internet is at the user’s risk.
 12. All ECBOE technology purchases must meet the network specifications in order to be connected to such network and/or to have county technology maintenance support. Minimum standards have been set in order to maintain a safe and reliable network. All such purchases are recorded and tracked through the Office of Technology and meet the Alabama Joint Purchase (ALJP) Bid Laws.

13. Any statement of personal belief found on the Internet or other telecommunication system is implicitly understood to be representative of the author's individual point of view and not that of Elmore County Public Schools, its administrators, teachers, staff, or the participating school.
14. Social Networking sites (Facebook, Twitter, MySpace, etc.) – The Board is aware that social media web sites have become increasingly popular, not only among students, but among adults as well. While these sites have the potential to offer both social and professional benefits, they have an equal potential to cause disruption to the school environment. Employees should be mindful that the information posted on these sites is public and can be accessed and shared by others. For this reason, employees should refrain from posting statements or material that reflects poorly on this school system or the employee's character. To do so will only hurt the employee's credibility and effectiveness with parents, students, and coworkers.
15. Employees who violate any of these procedures will be subject to appropriate disciplinary action as set forth in the ECBOE Policy Manual.

Board's Disclaimer

This Employee Handbook contains only general guidelines and information related to policy and procedures of the Elmore County Board of Education. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice, should be addressed to the Human Resources Department. Neither this handbook nor any other Elmore County Board of Education document confers any right, either expressed or implied, to remain in the System's employ, nor does it guarantee any fixed terms or conditions of employment. Employment may be terminated pursuant to applicable Federal, State, and local laws and/or policies and procedures.

Some of the subjects described in this handbook are covered in detail in official policy and procedure documents. Employees should refer to these documents for specific information, since this handbook only briefly summarizes those benefits. The procedures, practices, policies, and benefits described here may be modified or discontinued from time to time. Every attempt will be made to inform all employees of changes as they occur. However, it is the employee's responsibility to keep current of all Elmore County Board of Education policies and procedures. It is each employee's responsibility to review the system policies and procedures in detail and to request any clarification needed from supervision or the Human Resources office. Violation of system policies or procedures may result in disciplinary action, up to and including termination of employment.