

MCINTOSH COUNTY SCHOOLS PERSONNEL HANDBOOK

2016-2017



Mission Statement

The mission of the McIntosh County School System is to provide a high quality education for all of our students.

Vision Statement

Our vision is to be a school system that ensures an excellent and equitable education for our students, all of whom will graduate, be lifelong learners, and be successful citizens.

TABLE OF CONTENTS

I.	SCHOOLS-----	4
II.	BOARD MEMBERS-----	4
III.	CENTRAL OFFICE STAFF-----	4-5
IV.	WORKPLACE STANDARDS-----	5
	A. EQUAL OPPORTUNITY EMPLOYMENT-----	5
	B. DISCRIMINATORY COMPLAINTS PROCEDURE-----	5-7
	C. COMPLAINTS AND GRIEVANCES-----	7-11
	D. HARASSMENT-----	11-12
	E. STAFF POLITICAL ACTIVITIES-----	13
	F. REPORTING OF FRAUDULENT ACTIVITIES-----	13
	G. SOLICITATIONS-----	14
	H. PERSONNEL RECORDS-----	14-15
	I. CRIMINAL BACKGROUND CHECK-----	15
	J. DRUG-FREE WORKPLACE-----	15-18
	K. EMPLOYEE DRESS CODE-----	18-20
	L. DRUG SCREENING FOR BUS DRIVERS-----	20-21
	M. INJURY REPORTING PROCEDURES-----	21-22
	N. ABESTOS MANAGEMENT PLAN-----	22
V.	STANDARDS OF CONDUCT-----	23
	A. THE CODE OF ETHICS FOR EDUCATORS-----	23-28
	B. CHILD ABUSE OR NEGLECT-----	28-30
VI.	EMPLOYEE LEAVE-----	30
	A. SICK LEAVE/PERSONAL LEAVE-----	30
	B. FEDERAL FAMILY AND MEDICAL LEAVE ACT-----	31-34
VII.	COMPENSATION/BENEFITS-----	34
	A. PAY PERIODS-----	34-35
	B. CREDIT UNION-----	35
	C. DIRECT DEPOSIT-----	35
	D. TEACHER RETIREMENT-----	35
	E. ANNUITIES & INSURANCE-----	35-36
	F. WORKER'S COMPENSATION-----	36
VIII.	SEPARATION OF EMPLOYMENT-----	36
	A. PROFESSIONAL PERSONNEL LAY-OFF-----	36-38
	B. NON-RENEWAL OF CONTRACT-----	38
IX.	FORMS (LOCATED IN YOUR OFFICE AND THE WEBSITE)-----	38
	A. MANDATED CHILD REPORTING FORM	

- B. PROFESSIONAL LEAVE FORM**
- C. REPORT OF ABSENCE REQUEST FORM**
- D. ACTIVITY REQUEST FORM**
- E. REQUEST FOR TRANSPORTATION FORM**
- F. TKES/LKES RELEASE FORM**

I. SCHOOLS

Todd Grant Elementary

McIntosh County Middle

McIntosh County Academy

Alternative Learning Center

II. BOARD OF EDUCATION

Mrs. Bonnie Caldwell, Board Chair

Mr. James McKinzie, Board Vice-Chair

Mr. Joseph Maulden, Board Member

Mrs. Sandy McDonald, Board Member

Mr. Fred McIver, Board Member

Mr. Richard Braun, Board Attorney

Dr. John D. Barge, Superintendent

III. CENTRAL OFFICE STAFF

Dr. John D. Barge, Superintendent

Dr. Diane J. Richardson, Deputy Superintendent

Dr. Elizabeth B. Williams, Curriculum/Federal Programs Director

Dr. Kristine Hickson, Special Education Director

Mr. Ken Hyndman, Technology Director

Mrs. Elsie Lane, Coordinator of Student Information Systems

Mr. Ronnie Ryals, Supervisor of Maintenance

Ms. Karen Brunegraff, Supervisor of Nutrition

Mr. Sean O'Neal, Transportation Supervisor/Mechanic

Mrs. Debra Vickers, Director of Financial Services

Ms. Shyrl Washington, Coordinator of Payroll/ Benefits /Certification
Mrs. Madeline Hamilton, Administrative Assistant for Superintendent
Mrs. Mitzi Pearson, Receptionist, Secretary for Testing/Maintenance
Mrs. Rose Harrison, Secretary for Title I/Data Clerk/Transportation
Chief Daniel Lodise, Campus Police Department

IV. WORKPLACE STANDARDS

A. Equal Opportunity Employment

The McIntosh County Board of Education does not discriminate on the basis of age, race, color, or national origin (Title VI of the Civil Rights Act of 1964); sex (Title IX of the Educational Amendments of 1972 and the Carl Perkins Vocational and Applied Technology Education Act of 1990); or disability (Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990) in educational programs or activities receiving federal financial assistance.

Employees, students, and the general public are hereby notified that the McIntosh County Board of Education does not discriminate in any educational programs or activities or in employment programs or activities or in employment policies.

Inquiries concerning the application of the Perkins act, Title I, Title VI, Title IX, or Section 504 and ADA to the policies and practices of the Board of Education may be addressed to the McIntosh County Board of Education, P.O. Box 495, 200 Pine Street, Darien, Georgia 31305; to the Regional office for Civil Rights, Atlanta, Georgia 30323; or to the Director, Office for Civil Rights, Education Department, Washington, D.C. 20201.

An employee who believes he/she has been subjected to discriminatory actions or harassing conduct of any kind should immediately contact and make a written report (preferably within 24 hours) to the Human Resources Director, or if reporting the incident to the Human Resources Director is not feasible or comfortable under the circumstances, to the Superintendent, or designee, in an attempt to reach a resolution. The Superintendent, or designee, will promptly investigate all allegations of discrimination or harassment in as confidential a manner as possible and take appropriate corrective and remedial action where warranted. Furthermore, the Superintendent, or designee, will not retaliate against any employee or other person for coming forward with a complaint, for filing a complaint, or for assisting in the investigation of any matter that is reported.

B. DISCRIMINATORY COMPLAINTS PROCEDURE

Complaints made to the McIntosh County School System regarding alleged discrimination on the basis of race, color or national origin in violation of Title VI, on the basis of sex in violation of Title IX, on the basis of handicap in violation of Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act will be processed in accordance with the following procedure:

1. Any student, employee, applicant for employment, or other person with a complaint alleging a violation as described above shall promptly notify, in writing or orally, either the principal for his/her school or the appropriate coordinator designated below for the school system. If the complaint is oral, either the coordinator or school principal to whom the complaint is made shall promptly prepare a memorandum or written statement of the complaint as made to him or her by the complainant and shall have the complainant read and sign the memorandum or statement if it accurately reflects the complaint made. If the complaint is made to a school principal, he or she shall be responsible for notifying the appropriate coordinator of the complaint.
2. The coordinator or his or her designee shall have 15 days to gather all information relevant to the complaint, review the information, determine the facts relating to the complaint, review the action requested by the complainant, and attempt to resolve the complaint with the complainant and any other persons involved. The coordinator shall prepare a written response to the complaint detailing any action to be taken in response to the complaint and the time frame in which such action will be taken, and copies of this response shall be furnished to the complainant, the appropriate coordinator and the personnel director.
3. If the complaint is not resolved at the conclusion of this 15-day period or if the complainant is not satisfied with the resolution of the complaint, the complainant shall have the right, within five days of receiving a copy of the written response, to have the complaint referred to the Superintendent of Schools.
4. The Superintendent shall have 15 days to review the complaint and response of the coordinator or designee and attempt to resolve the complaint. The Superintendent shall furnish to the complainant a written response setting forth either his or her approval of the action recommended by the system in response to the complaint in lieu of that recommended by the coordinator or designee and the time frame in which such action shall be taken.
5. If the complainant is dissatisfied with the response of the Superintendent, then the complainant shall have the right, within 15 days of the receipt of the written response of the Superintendent, to have the complaint referred to the Board of Education. In order to have the Board review the Superintendent's decision, the complainant must file with the Superintendent's written statement setting forth the reasons he or she disagrees with the response of the Superintendent and the action the complainant is requesting the system to take. The complainant shall also include in the written response a request that the complaint be referred to the Board of Education.
6. Within 30 days of receipt of the written request of the complainant, the Superintendent shall present the matter to the Board of Education at its regular meeting or at a special meeting called for that purpose. The Board shall review the original complaint, the response

of the coordinator or designee, the response of the Superintendent, and the response of the complainant. In addition, the Board may, but is not required to, hear directly from any individuals with knowledge of any relevant facts relating to the complaint.

7. The Board of Education will either uphold the recommendation of the Superintendent or require the system to take some other action in response to the complaint. A copy of the action of the Board will be furnished to the complainant, either as a part of the minutes of the Board of Education or as a separate written statement. The Board shall be the final reviewing authority within the system.

8. This policy is not intended to deprive any employee of any right they may have to file a grievance pursuant to any other policy of the local Board of Education, specifically the policy designed to implement O.C.G.A. 20-2-989.5, where appropriate. This policy is not intended to provide an alternative process for resolving evaluation and employment disputes where there already exists a due process procedure mandated by state law or State Department of Education regulations, specifically including, but not limited to, hearings to be conducted pursuant to the Fair Dismissal Act of Georgia. The complainant retains at all times the right to contact the Office of Civil Rights or the Equal Employment Opportunity Commission with regard to any allegations that the system has violated the statutes described above.

9. The school system shall be responsible for distributing and disseminating information relevant to this policy and procedure to students, applicants for employment, and employees through appropriate procedures.

C. Complaints and Grievances

Section 1. Purpose; Informal Resolution Preferred

It is the purpose of this policy to implement the provisions of the Act of the General Assembly of 1992, O.C.G.A. 20-2-989.5 et seq. In accordance with the foregoing, it is the policy of the McIntosh County Board of Education that certificated personnel shall have the right to present and resolve complaints relating to certain matters affecting the employment relationship at the lowest organizational level possible. The Board of Education encourages all employees to resolve their complaints informally, in a spirit of collegiality, where possible. This policy and procedure is available where such efforts do not succeed or, where for any other reason, the certificated employee desires to pursue this procedure.

Section 2. Definitions

"Level One Administrator" means the principal of a school with respect to teachers and other certificated personnel assigned to that school. With respect to the certificated administrators supervised by the Superintendent, the "Level One Administrator" shall be the Superintendent. In any case not covered by this paragraph, the "Level One Administrator" shall be the supervisory certificated person designated by the board or in the absence thereof, by the Superintendent

“Central Office Administrator” means the local school system Superintendent.

"Complaint" means any claim or grievance by a certificated employee of this school district which is filed pursuant to this policy and which comes within the scope of the policy.

"Notification" means delivery in person to the party entitled to notification, or deposit in the United States Mail, certified mail, return receipt requested, to the last known address of the party notified.

Section 3. Scope of Complaint: Exclusions

a. Scope Unless excluded by paragraph (b) hereof, this complaint and grievance procedure is applicable to any claim by a professional employee certificated by the Professional Standards Commission who is affected in his or her employment relationship by an alleged violation, misinterpretation, or misapplication of statutes, policies, rules, regulations, or written agreements of this school district, or with which the district is required to comply.

b. Exclusions: This procedure shall not apply to:

- 1. Performance ratings contained in personnel evaluation and professional development plans pursuant to Code Section 20-2-210;**
- 2. Job performance;**
- 3. Termination, nonrenewal, demotion, suspension, or reprimand of any employee, as set forth in Code Section 20-2-940;**
- 4. The revocation, suspension, or denial of certificates of any employee, as set forth in Code Section 20-2-790;**

c. A certificated employee who chooses to appeal under Code Section 20-2-1160 shall be barred from pursuing the same complaint under this policy.

Section 4. Hearing Rights; Evidence: Representation: Decisions; Records

a. Hearing; Evidence - The Complainant shall be entitled to an opportunity to be heard, to present relevant evidence, and to examine witnesses at each level, but the Complainant may not present additional evidence at the second or third hearing levels unless notice of the Complainant's intention and the evidence to be presented are submitted in writing five (5) days prior to the hearing to the administrator who will preside at such level, and in the case of the local Board, to the Superintendent. When hearing an appeal from a prior level, the local Board of Education shall hear and decide all appeals de novo.

b. Representation - The Complainant and the administrator against whom the complaint is filed, or whose decision is appealed, shall be entitled to the presence of an individual, including an attorney, to assist in the presentation of the complaint and the response thereto, at the central office administrator level and at the local Board of Education level. The presence of any individual other than the Complainant and the administrator at Level One is prohibited, except witnesses who present testimony or documents.

c. Hearing Officer - The local Board of Education may appoint a member of the State Bar to serve as law officer who shall rule on all issues of law and other objections, but such attorney shall not assist in the presentation of the case for either party.

d. Hearing Time Schedules - The overall time frame from the initiation of the complaint until rendition of the decision by the local Board and notification thereof to the Complainant shall not exceed sixty (60) days.

e. Automatic referral to next level - Any complaint not processed by the administrator or the local unit of administration within the time frame required by this policy shall be forwarded to the next level for determination.

f. Records - Accurate records of the proceedings at each level shall be kept; the proceedings shall be preserved and made available to the parties at all times; and all costs and fees shall be borne by the party incurring them unless otherwise agreed upon by the parties; except that the cost of preparing and preserving the record of the proceedings shall be borne by the Board of Education; provided however, the cost of transcribing the transcript of evidence and proceedings before the local Board shall be borne by the party requesting same, and all costs of the record on appeal to the Superior Courts and Appellate Courts shall be paid by the party required to do so by the laws relating thereto.

g. Decisions - Each decision shall be made in writing and dated, and shall contain findings of fact and reasons for the particular decision reached.

h. Notice - The decision at each level shall be delivered to the Complainant by a person designated by the Superintendent, either (1) being hand delivered, or (2) being deposited in the U.S. Mail certified mail, return receipt requested. Notice to the Complainant shall be deemed to have been made on the date of hand delivery or on the date of deposit in the U.S. Mail by certified mail, return receipt requested, to the address stated in the complaint or, if not contained in the complaint, to the last known address of the Complainant on file with the Board of Education.

Section 5. First Level; Presentation; Time; Contents

The complaint shall be presented in writing to the Level One Administrator within ten (10) calendar days after the most recent incident upon which the complaint is based. The complaint shall include the following:

- a. The mailing address of the Complainant to which all notices and other documents may be mailed;**
- b. The intent of the Complainant to utilize this complaint procedure, clearly stated;**
- c. A reference or description of the statute, policy, rule, contract provision or regulation that is alleged to have been violated, misinterpreted or misapplied;**
- d. A brief statement of the facts reasonably calculated to show how such statute, policy, rule or regulation was violated or misapplied, and how it substantially affects the employment relationship of the Complainant; and**

e. A statement of the relief desired.

The Superintendent shall prepare forms for use in accordance with the foregoing requirements.

Section 6. First Level Hearing and Decision

The Level One Administrator shall record the date of filing on the complaint, and shall give notice to the Complainant of the time and place of the hearing, either by mail or hand delivery. When notice is given by mail, it shall be sent by first class mail to the address set forth in the complaint. If no address was included in the complaint, then the notice shall be sent to the last known address of the Complainant on file with the Board of Education. The Level One Administrator shall conduct a hearing on the complaint and render a decision thereon within ten (10) days of the filing of the complaint. The decision shall be dated and a copy shall be sent to the Complainant as provided in Section 4 above.

Section 7. Second Level; Appeal From First Level To Central Office Administrator

A Complainant dissatisfied with the decision of the first level shall be entitled to appeal to the Central Office Administrator by filing written notice of appeal with the Office of the Superintendent. The appeal must be filed within ten (10) calendar days after the Complainant is notified of the Level One decision. The Central Office Administrator shall obtain copies of all minutes, transcripts, documents and other records relating to the complaint and shall conduct a hearing and render decision within ten (10) calendar days of the date of the filing of the appeal, or the hearing may be conducted by any designated representative of the Central Office Administrator who shall promptly submit his or her recommendations and findings to the Level Two Administrator for final decision. The decision shall be rendered and served on the Complainant and his attorney in accordance with Section 4(h).

Section 8. Third level; appeal to Board of Education

A Complainant of Level One Administrator dissatisfied with the decision of the Central Office Administrator may appeal to the Board of Education by filing written notice of appeal with the Office of the Superintendent. The appeal must be filed within ten (10) calendar days after the date of the decision as provided in Section 4. The Superintendent shall record the date of filing on the appeal, and shall promptly give written notice, by mail or by hand delivery, to the Complainant of the time and place of hearing. The complainant and the Administrators against whom the complaint is filed or whose decision is being appealed shall be entitled to appear before the Board of Education and be heard. The Board of Education may direct that a pre-hearing conference be held prior to the hearing to identify issues and facilitate presentation. The local Board shall conduct a hearing and render its decision in writing within twenty (20) calendar days after the hearing, and prefect service thereof on the Complainant and his attorney, all in accordance with Section 4.

Section 9. Appeals to State Board

Appeals from the decision of the local Board of Education shall be governed by the State Board Rule (BCAEA) governing appeals and O.C.G.A. 20-2-1160.

Section 10. Reprisals prohibited

No certificated personnel shall be subjected to reprisals as a result of filing any complaint under this policy. Any reprisals may be referred to the Professional Standards Commission.

Section 11. Collective Bargaining Disclaimer

Nothing in this policy shall be construed to permit or foster collective bargaining.

Section 12. Repeals

All policies and parts of policies in conflict herewith are repealed.

D. Harassment

It is the policy of the McIntosh County School District to forbid sexual, racial and other harassment of all employees and students at all times and during all occasions while at school, in the work place or at any school event or activity. Any act of harassment of students or employees by other students or employees based upon the race, color, sex, national origin, religion, age or disability of students or employees shall result in prompt and appropriate discipline, including termination of offending employees or suspension or expulsion of students guilty of harassment.

Harassment includes, but is not necessarily limited to, conduct or speech which entails unwelcome sexual advances, requests for sexual favors, taunts, threats, comments of a vulgar or demeaning nature, or demands which are intimidating or create a hostile environment for a student or employee, as well as physical contact. There may be other speech or conduct which employees or students experience as illegal harassment which should be reported also; harassment can take many forms and it is not possible to itemize every aspect of the harassment forbidden by this policy.

If a student or employee believes he or she is being subjected to harassment forbidden by this policy, the student or employee should promptly report the offense to the coordinator designated below. If a student or employee reports such harassment to a counselor, principal or other school system employee other than the coordinator designated below, that employee shall be responsible for notifying the appropriate coordinator immediately. It will be the duty of the coordinator to interview the complainant and determine the acts which the complainant believes constitute harassment as well as the name or names of the perpetrators and any other relevant facts which will assist in investigating such acts. The coordinator shall investigate the complaint thoroughly by interviewing any individuals who may have knowledge of the allegations or may assist in resolving the complaint. The coordinator may

involve other appropriate persons in the investigation as the coordinator may deem necessary. The coordinator shall report the substance of the investigation, conclusions reached and recommendations for corrective action and discipline to the following persons:

- a. If both the perpetrator and victim are students, to the principal of the school and the parents of the students;
- b. If the victim is a student and the perpetrator an employee, to the parents of the student, the principal where the student is enrolled, the supervisor of the employee and the personnel director of the school district;
- c. If the victim and perpetrator are employees, to the supervisor of the perpetrator and the personnel director of the school system.

The coordinator, to the extent it is reasonably possible, shall protect the confidentiality of students and employees as well, although the discovery of the truth and the elimination of unlawful harassment shall be the overriding considerations. All records generated by the investigation shall be considered as student records protected by FERPA or as part of their personnel records of the employees dealing with performance of the employees.

The coordinator shall report to the complainant and complainant's parents, if complainant is a student, at the conclusion of the investigation the conclusions reached and the recommendations of the coordinator. If the complainant is not satisfied with the manner in which the matter has been resolved, the complainant may appeal to the Superintendent, who shall review all circumstances surrounding the allegations, conduct such further investigations as the Superintendent believes appropriate and take such additional action or make recommendations as the Superintendent determines is warranted. The Superintendent shall inform the complainant and his/her parents, if complainant is a student, who, if dissatisfied may request this Board to review further the substance of the complaint. The Board will conduct a review or convene such hearings as the Board believes the circumstances warrant and will resolve the matter appropriately. No reprisal shall occur as a result of reporting unlawful harassment under this policy, and any attempt to retaliate against a complainant shall be disciplined as is appropriate.

It is the duty of all employees to report harassment forbidden by this policy to the coordinator designated below promptly. It is also the duty of all supervisors of personnel to instruct their subordinates as to the content of this policy and through appropriate staff development to enlighten employees as to the varied forms or expressions of illegal harassment. The principals of all schools in this district shall insure that students and parents are informed through student handbooks, if appropriate, and verbally that harassment is strictly forbidden, how it is to be reported and the consequences for violating this policy: Title IX Coordinator

E. Staff Political Activities

Personnel of the McIntosh County School System shall be encouraged to vote in local, state and national elections. They shall be granted permission to leave as soon as students are dismissed on Election Day in order to vote.

F. Reporting of Fraudulent Activities

PURPOSE: To ensure that the reporting of suspicion of fraudulent activity, the McIntosh County Board of Education ensures employees, clients and providers of confidential channels to report suspicious activities.

DEFINITIONS: FRAUD: A false representation of a matter of fact, whether by words or by conduct, or by concealment of that which should have been disclosed, that is used for the purpose misappropriating property and/or monetary funds from federal grants.

STATEMENT OF ADMINISTRATIVE REGULATIONS: McIntosh County Board of Education thoroughly and expeditiously investigates any reported cases of suspected fraud to determine if disciplinary, financial Recovery and/or criminal action should be taken.

CONFIDENTIALITY: All reports of suspect fraud must be handled under the strictest confidentiality. Only those directly involved in the investigation should be encouraged to cooperate with the investigators and should be given information. Informants may remain anonymous but should be encouraged to cooperate with the investigators and should provide as much detail and evidence of alleged fraudulent act as possible.

PROCEDURES AND RESPONSIBILITIES:

- 1. Anyone suspecting fraud concerning federal programs should report their concerns to McIntosh County Board of Education at 912-437-6645.**
- 2. Any employee with McIntosh County Board of Education (full-time staff, part-time staff, substitutes and contractors) who receives a report of suspected fraudulent activity must report this information within the next business day. You are to contact the Board of Education at 912-437-6645. Employees have the responsibility to report suspected fraud. All reports can be made in confidence.**
- 3. The McIntosh County Board of Education shall Investigations of employees, providers, contractors, or vendors.**
- 4. If necessary, you will be contacted for additional information.**
- 5. Periodic communication through meetings should emphasize the responsibilities and channels to report suspected fraud.**

G. Solicitations

The McIntosh County Board of Education recognizes the need to allow schools and school-associated organizations to solicit funds for the proper and legitimate exercise of their responsibilities. To ensure that solicitation activities conform to community expectations and desires, the Board of Education establishes the following guidelines and procedures to be followed in fund-raising by schools and school-associated organizations:

1. Only a limited number of in-school and out-of-school solicitations will be considered.
2. Solicitations of a service nature, such as car washes, yard sales and barbeques, are encouraged. Food sales will not be allowed during the school day unless they are consistent with the provisions of board policy governing sale of foods of minimal nutritional value.
3. Solicitations and fund-raising activities must not infringe upon instructional time, and teachers should not be involved in the distribution and collection of materials or money connected with solicitations sponsored by PTO's, PTA's, booster clubs and similar organizations.
4. Each school is authorized to engage in fund-raising activities such as school stores, pictures, book fairs, yearbooks and carnivals without seeking specific permission from the Board of Education for such activities. At the beginning of each school year, each school principal must notify the Board of Education in advance of plans for such activities.
5. Schools and school-associated organizations must receive board permission to engage in fund-raising activities or solicitations other than those outlined in paragraph 4. Requests to conduct a fund-raising activity or solicitation first must be approved by the school principal and then submitted in writing to the Superintendent of Schools for his or her approval at least ten days prior to the next regularly scheduled meeting of the Board of Education. The requests will then be presented to the Board of Education for final approval.
6. Elementary schools may not conduct door-to-door solicitations.

H. Personnel Records

It is the policy of the McIntosh County Board of Education that the provisions of the Open Records Act found in the Official Code of Georgia at Section 50-18-70 and the following sections shall be complied with by this school district. The Superintendent of Schools or designee shall make every reasonable effort to respond to the provisions of any request for documents or other information covered by the Open Records Act within the time provided by that Act. The school system, as a matter of policy, should redact certain information from employees' personnel records before furnishing such documents in compliance with a request for records under the Open Records Act: the home address, home telephone number, Social Security number, insurance information, medical information, mother's birth name, day and

month of birth, credit card or debit card numbers, bank account information and financial data or information. The school system may furnish any of such information to a third party under the Open Records Act upon consent of the affected employee.

I. Criminal Background Check

A criminal record check will be conducted at or prior to employment on every person who is employed by the Board of Education for the first time to fill either a full-time or part-time certified or classified position with this School District.

For initial hiring purposes, the employee either shall be fingerprinted or shall provide a signed consent on a form designated by the School District, including the employee's full name, address, social security number and date of birth, based upon the requirement of state law or applicable rule or regulation. A clearance certificate verifying a satisfactory criminal background check may be required based on the requirements of state law and rules of the Professional Standards Commission.

Subsequent criminal record checks shall be conducted on all personnel in accordance with state laws, state board rules, and rules of the Professional Standards Commission. All certified personnel whose employment is continued with this School District shall have a criminal record check made upon any certificate renewal application to the Professional Standards Commission. All classified employees whose employment is continued with this School District shall have subsequent criminal record checks on a periodic basis, not to exceed every five years, using procedures and schedules to be determined by the Superintendent or designee.

Any cost of such record checks for all personnel shall be paid by the applicant.

Criminal record check information shall be used by the school district and its officials and employees only for the purpose of determining whether to grant regular employment, and in any administrative or judicial proceeding calling such employment into question. Such information shall be stored, restricted, and disposed of in such manner as may be required by federal and state authorities. A breach of confidentiality or the inappropriate use of criminal background check information may constitute a workplace violation and may be grounds for disciplinary action including, but not limited to, termination and/or reporting to the Professional Standards Commission. The Superintendent shall establish such procedures, fees and regulations needed to administer this policy.

J. Drug-Free Workplace

In order to protect the health, welfare, and safety of students, no school employee will dispense, or in any way transfer, or possess alcohol or any controlled substance while on school premises, including school vehicles, or at any school-planned activity. Further, no

school employee will be under the influence of alcohol or possess, or be under the influence of any controlled substance while on school premises, including school vehicles, or at any school-planned activity. Further, no employee may bring on the school property firearms or explosives of any kind. Violation of this policy provision will result in suspension and/or dismissal of the employee.

The use of tobacco products by employees is prohibited in or on property owned by the McIntosh County Board of Education or in any location or at any time in which the employee is directly instructing or supervising students, where students are being transported to and from school activities; or in any location where a student activity is being held. Directly instructing or supervising students includes, but is not limited to, such activities as teaching, monitoring, coaching, band or choral directing, acting as a sponsor, advisor or chaperone for a school club or other student organization, and other similar situations.

In accordance with mandates in Georgia's Drug-Free Public Work Force Act of 1990, the Board of Education hereby declares that the unlawful manufacture, distribution, sale, possession or use of alcohol or controlled substances or other dangerous drugs is prohibited on school premises. Failure to comply with the Drug Free Public Work Force Act will result in disciplinary action up to and including, dismissal and referral for prosecution.

For purposes of this policy, the following definitions shall apply.

"Controlled substance" means any drug, substance, or immediate precursor included in the definition of the term "control substance" in paragraph (4) of Code Section 16-13-21;

"Convicted" or "conviction" refers to a final conviction in a court of competent jurisdiction or the acceptance of a plea of guilty, nolo contendere or a plea pursuant to the provisions of the First Offenders Act of Georgia.

"Dangerous drug" means any drug or substance defined as such under Code Section 16-13-71.

"Marijuana" means any substance described in paragraph (16) of Code Section 16-13-21.

"Public employee" means any person employed on a full-time, part-time, and temporary, of intermittent basis and shall also include all officials, or administrators of any school system or agency.

"Public employee" means any public school system or agency that receives funds from the State of Georgia agency thereof.

"Public employment" means employment by any public employer.

Each employee shall be given a copy of this policy. As a condition of employment, employees will abide by the terms of this policy and shall notify their principal or immediate supervisor and the Superintendent of Schools of any criminal drug statute conviction for a violation not later than five days after such conviction. Compliance with the provisions of this policy shall be mandatory.

Any public employee who is convicted for the first time, under the laws of this state, the United States, or any other state, of any criminal offense involving the manufacture,

distribution, sale, or possession of a controlled substance, marijuana, or a dangerous drug shall be suspended from his or her public employment for a period of not less than two months. Any such employee shall be required as a condition of completion of suspension to obtain an assessment of his or her drug usage and if appropriate, complete a drug abuse treatment and education program licensed under Chapter 5 Title 26 at their own expense. Any such person shall be ineligible for public employment for a period of three months from the date of conviction. Such persons also lose their right to participate in a public retirement program. Non-vested employees will have their paid-in contribution reimbursed. Vested employees will have their right to benefit determined as of the date of final conviction.

Any public employee who is convicted for a second or subsequent time, under the laws of this state, United States, or any other state, of any criminal offense involving the manufacture, distribution, sale, or possession of a controlled substance, marijuana, or a dangerous drug shall be terminated from his or her public employment and shall be ineligible for other public employment for a period of five years from the most recent date of conviction.

The Superintendent or designee shall cause to have compiled and posted at each local school in a prominent place or places summaries of recent drug legislation enacted by the Georgia Legislature so that all employees understand the risks and penalties imposed for using and/or selling illegal drugs.

On and after July 1, 1990, if prior to an arrest for an offense involving a controlled substance, marijuana, or a dangerous drug, an employee notifies the Board of Education or designee that the employee illegally uses or is dependent upon alcohol or a controlled substance, marijuana, or a dangerous drug, and is receiving or agrees to receive treatment at the employee's expense in a drug abuse treatment and education program licensed under Chapter 5 of Title 26, the employee shall be entitled to maintain the employee's employment for up to one year as long as the employee follows the treatment plan. During this period, the employee shall not be separated from employment solely on the basis of the employee's drug dependence. However, the employee's work activities may be restricted if practical to protect persons or property. Further, if during the one year protected period the employee is convicted of an offense involving a controlled substance, marijuana, or dangerous drug, his employment with the school system shall be terminated. If treatment of the employee's recommended treatment plan prevents the employee from performing the employee's duties for a period of time extending beyond the balance of the employee's sick leave, the employee will be placed on disability leave without pay until the one-year limit of this option has expired. No statement or admission of an employee to a supervisor or any other person in order to comply with this policy shall be admissible in any civil, administrative, or criminal proceeding as evidence against the employee. The opportunity granted in this paragraph shall be available to an employee only once during a five-year period and shall not apply to an employee whose position is such that students are placed at risk, if such employee has refused to be tested or has tested positive for a controlled substance, marijuana, or a dangerous drug.

Any employee whose employment is covered by the Fair Dismissal Act, O.C.G.A. 20-2-940 et seq., shall be provided the notice and hearing contemplated by the Act if that employee is terminated or nonrenewal for conduct forbidden by this policy.

The Board of Education has developed a comprehensive drug-free awareness program to inform employees about:

1. The dangers of workplace drug abuse;
2. The employer's drug-free workplace policy;
3. Any available drug counseling, rehabilitation, and employee assistance programs; and
4. The penalties applicable to employees for drug abuse violations.

REVIEW OF POLICY

The Board shall conduct a biennial review of the program to:

1. Determine its effectiveness and implement changes to the program if needed; and
2. Ensure that the disciplinary sanctions imposed are consistently enforced.

K. Employee Dress Code

The McIntosh County Board of Education acknowledges that an appropriate appearance by employees promotes respect for authority and contributes to a positive learning environment. Each employee's manner of dress should convey a high level of professionalism. Employees are encouraged to wear the approved student uniforms.

As individuals working in a professional environment with children, responsibilities include being role models and preparing children for the working world. All employees are expected to be appropriately and professionally dressed to perform their duties.

Employees shall adhere to the following principles for professional appearance as set forth by the board of Education according to the various job responsibilities within the system. Extreme styles should be avoided. No visible body piercings, except for earrings, with a limit of three per year in the ear lobe.

Professional certified staff, clerical staff, and paraprofessionals: Name tags shall be worn. No t-shirts bearing advertising logos. No denim clothing regardless of color; shorts, skorts, leggings, or wind/jogging suits. PE teachers may wear appropriate wind/jogging suits, shorts, and/or t-shirts to fulfill their responsibilities while teaching physical education classes. However, when teaching in a regular classroom setting (not PE) or when involved in a parent-conference or other professional conference, PE teachers shall wear appropriate professional attire.

All other employees: Employees shall wear some form of identification. They shall wear name tags, or they shall wear uniforms with their names and department printed on them. They shall also maintain a neat appearance appropriate to their job responsibilities.

Exceptions shall be discussed with site administrators prior to wearing any clothing stated in the previous paragraphs as not to be worn. The building principal may allow exceptions due to

special days like field days, field trips, planning days, and/or school spirit days or based on job description, grade level, or subject taught.

The following items are considered appropriate attire:

Men

- Dress shoes or loafers
- Ties
- Slacks
- Short/long sleeve collared shirts, turtlenecks
- Sports jackets/suits
- Sweaters
- Central Office, Principals, and Assistant Principals, shirt and tie
- Uniforms as required

Women

- Skirts/dresses (appropriate length - no more than 2" above the knee)
- Slacks/mid-calf length slacks
- Suits
- Blouses/shirts/sweaters (t-shirts, blouses with cutout sleeves, and tank tops are not appropriate as outerwear)
- Halter type tops or dresses are not recommended and must be worn with a sweater or jacket
- All clothes should have appropriate coverage
- Shoes (appropriate for a professional work setting; flip flop/beach shoes are inappropriate; staff members who are conducting experiments or are in a lab are required to wear close-toed shoes.)
- Uniforms as required

School Spirit Day

Business casual dress is appropriate for School Spirit Day, which includes the appropriate items listed above in addition to **ONLY** the following:

- Casual slacks (No shorts)

- Denim garments (No shorts)
- School spirit shirts
- Athletic shoes

General Exceptions:

The principal is allowed discretion to make adaptations to the dress code guidelines in the following cases: School Spirit Days, Field days, or other Special Events.

- At the principal's discretion, personnel such as occupational therapists, physical therapists, school nurses and teachers in specialized classes may be allowed to wear scrubs.
- Clothing should not be too tight or too revealing.
- Denim garments will not be worn other than on designated Spirit Days or as noted under general exceptions.
- Unless there is a medical reason, athletic shoes/sneakers will NOT be worn.
- Business attire is preferred at parent/teacher conferences and is expected at Awards Ceremonies, PTA meetings and any formal activities at the school or in the community.
- Hats should not be worn in the building.
- Physical education teachers are allowed to wear attire appropriate for the activities they will be teaching.

Principals will use their best judgment to determine if particular clothing is too tight, too revealing or is a violation of this code. Body piercing and tattoos that may cause a disruption are strongly discouraged. The principal may request that tattoos be covered during instructional periods, or that the employee take any steps necessary, such as changing clothes, to comply with this dress code.

L. Drug Screening of Bus Drivers

The McIntosh County Board of Education places a high priority on ensuring safe transportation for its students transported on school buses. The Board of Education recognizes that unimpaired judgment on the part of its drivers is essential to providing safe transportation and that alcohol misuse and controlled substance use may impair the judgment of drivers.

In order to help prevent accidents and injuries resulting from alcohol misuse and controlled substance use, on January 1, 1996, the Board of Education will implement the United States Department of Transportation, Federal Highway Administration, Controlled Substances and

Alcohol Use and Testing Regulations ("Regulations"), as well as applicable state law and the regulations promulgated there under. All individuals who drive or may drive a bus for the Board of Education at any time, including, but not limited to full-time drivers, part-time drivers, substitute drivers, teachers who drive buses, mechanics and others, must participate in the controlled substance and alcohol testing program as more fully described in federal and state regulations.

Individuals who have positive controlled substance test results shall be terminated, as shall individuals whose test results reveal blood alcohol concentrations of 0.04 and above and individuals who refuse to submit to a required alcohol or controlled substance test. Individuals whose test results reveal blood alcohol concentrations of at least 0.02, but less than 0.04, and individuals who engage in other conduct prohibited by the regulations may, in the Board of Education's discretion, be terminated.

Drivers must inform their immediate supervisor of any therapeutic drug use, whether by prescription or "over the counter," and must provide a statement from their treating physician that the substance does not adversely affect the driver's ability to operate the bus.

M. INJURY REPORTING PROCEDURES

The McIntosh County Board of Education recognizes the importance of maintaining a safe and risk free working environment for our students and our staff. Each member of the staff must have responsibility for his/her own safety. Adherence to policies, regulations, safety procedures, and heightened awareness of safety in your work area are critical to maintaining a safe and injury free work environment in our schools. In the event of an injury at the work site please follow these procedures:

- 1.) Report the injury to your Principal/Department Supervisor or their designee **immediately**. Effective May 7, 2013 you must report to the SCHOOL SUPERINTENDENT or designee before completing an injury report form.
- 2.) After the required SUPERINTENDENT interview you will complete the Injury Report Form at the Central Office. All employees filing a worker compensation injury report must seek medical attention immediately and undergo drug and alcohol screenings. If medical attention is refused the employee understands the school system is released of all workers compensation liability.
- 3.) If the injury is serious or life threatening immediately seek medical attention and notify Debra Vickers by phone 437-8843 (interview and report will be completed later).
- 4.) If an injury (even if medical attention is not required) is reported you must still complete the Superintendent's interview.
- 5.) The approved physician panel is posted at each school office and department site as well as being posted on our website. You must see one of the panel physicians listed.

6.) If you are out for seven days and are not released to return to work following an injury, you will begin receiving workers compensation pay directly from Affinity Service Group until you are released from care. We will make every effort to accommodate modified light duty work until a full medical release is received.

7.) Upon return to work from an injury the injured employee is required to have a follow-up conference with the Deputy Superintendent.

These procedures have been instituted in an effort to reduce accidents in the workplace by identifying the causes and hopefully eliminating when possible the re-occurrence of similar injuries to employees.

N. ABESTOS MANAGEMENT PLAN

This is to notify all persons, who work or attend classes in McIntosh County Schools, which all school buildings have been inspected for asbestos building materials and a management plan has been developed to address any problems. All friable and non-friable ACM has been identified in the management plan.

“It is important to note that not all friable asbestos-containing material need to be removed from schools. Once such material has been identified, a program can be implemented to ensure that the material is maintained in good condition and that appropriate precautions are followed when the material is disturbed for any reason.”

This notification is being given to you as required by law. Anyone who desire to review or obtain a copy of this management plan can do so at the school or board office.

V. STANDARDS OF CONDUCT

A. The Code of Ethics for Educators

Effective June 15, 2015

505-6-.01 THE CODE OF ETHICS FOR EDUCATORS

(1) Introduction. The Code of Ethics for Educators defines the professional behavior of educators in Georgia and serves as a guide to ethical conduct. The Georgia Professional Standards Commission has adopted standards that represent the conduct generally accepted by the education profession. The code defines unethical conduct justifying disciplinary sanction and provides guidance for protecting the health, safety and general welfare of students and educators, and assuring the citizens of Georgia a degree of accountability within the education profession.

(2) Definitions

(a) "Certificate" refers to any teaching, service, or leadership certificate, license, or permit issued by authority of the Georgia Professional Standards Commission.

(b) "Child endangerment" occurs when an educator disregards a substantial and/or unjustifiable risk of bodily harm to the student.

(c) "Educator" is a teacher, school or school system administrator, or other education personnel who holds a certificate issued by the Georgia Professional Standards Commission and persons who have applied for but have not yet received a certificate. For the purposes of the Code of Ethics for Educators, "educator" also refers to paraprofessionals, aides, and substitute teachers.

(d) "Student" is any individual enrolled in the state's public or private schools from preschool through grade 12 or any individual between and including the ages of 3 and 17 under the age of 18. For the purposes of the Code of Ethics and Standards of Professional Conduct for Educators, the enrollment period for a graduating student ends on August 31 of the year of graduation.

(e) "Complaint" is any written and signed statement from a local board, the state board, or one or more individual residents of this state filed with the Georgia Professional Standards Commission alleging that an educator has breached one or more of the standards in the Code of Ethics for Educators. A "complaint" will be deemed a request to investigate.

(f) "Revocation" is the invalidation of any certificate held by the educator.

(g) "Denial" is the refusal to grant initial certification to an applicant for a certificate.

(h) "Suspension" is the temporary invalidation of any certificate for a period of time specified by the Georgia Professional Standards Commission.

(i) "Reprimand" admonishes the certificate holder for his or her conduct. The reprimand cautions that further unethical conduct will lead to a more severe action.

(j) "Warning" warns the certificate holder that his or her conduct is unethical. The warning cautions that further unethical conduct will lead to a more severe action.

(k) "Monitoring" is the quarterly appraisal of the educator's conduct by the Georgia Professional Standards Commission through contact with the educator and his or her employer. As a condition of monitoring, an educator may be required to submit a criminal background check (GCIC). The Commission specifies the length of the monitoring period.

(l) "No Probable Cause" is a determination by the Georgia Professional Standards Commission that, after a preliminary investigation, either no further action need be taken or no cause exists to recommend disciplinary action.

(3) Standards

(a) Standard 1: Legal Compliance - An educator shall 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; of any other criminal offense involving the manufacture, distribution, trafficking, sale, or possession of a controlled substance or marijuana as provided for in Chapter 13 of Title 16; or of any other sexual offense as provided for in Code Section 16-6-1 through 16-6-17, 16-6-20, 16-6-22.2, or 16-12-100; or any other laws applicable to the profession. 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; a situation where first offender treatment without adjudication of guilt pursuant to the charge was granted; and a situation where an adjudication of guilt or sentence was otherwise withheld or not entered on the charge or the charge was otherwise disposed of in a similar manner in any jurisdiction.

(b) Standard 2: Conduct with Students - An educator shall always maintain a professional relationship with all students, both in and outside the classroom. Unethical conduct includes but is not limited to:

1. committing any act of child abuse, including physical and verbal abuse;
2. committing any act of cruelty to children or any act of child endangerment;
3. committing any sexual act with a student or soliciting such from a student;
4. engaging in or permitting harassment of or misconduct toward a student that would violate a state or federal law;
5. soliciting, encouraging, or consummating an inappropriate written, verbal, electronic, or physical relationship with a student;
6. furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student; or
7. failing to prevent the use of alcohol or illegal or unauthorized drugs by students who are under the educator's supervision (including but not limited to at the educator's residence or any other private setting).

(c) Standard 3: Alcohol or Drugs - An educator shall refrain from the use of alcohol or illegal or unauthorized drugs during the course of professional practice. Unethical conduct includes but is not limited to:

1. being on school or Local Unit of Administration (LUA)/school district premises or at a school or a LUA/school district-related activity while under the influence of, possessing, using, or consuming illegal or unauthorized drugs; and
2. being on school or LUA/school district premises or at a school-related activity involving students while under the influence of, possessing, or consuming alcohol. A school-related activity includes, but is not limited to, any activity sponsored by the school or school system (booster clubs, parent-teacher organizations, or any activity designed to enhance the school curriculum i.e. Foreign Language trips, etc).

505-6-.01 Page 3

(d) Standard 4: Honesty - An educator shall exemplify honesty and integrity in the course of professional practice. Unethical conduct includes but is not limited to, falsifying, misrepresenting or omitting:

1. professional qualifications, criminal history, college or staff development credit and/or degrees, academic award, and employment history;
2. information submitted to federal, state, local school districts and other governmental agencies;
3. information regarding the evaluation of students and/or personnel;
4. reasons for absences or leaves;
5. information submitted in the course of an official inquiry/investigation; and
6. information submitted in the course of professional practice.

(e) Standard 5: Public Funds and Property - An educator entrusted with public funds and property shall honor that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes but is not limited to:

1. misusing public or school-related funds;
2. failing to account for funds collected from students or parents;
3. submitting fraudulent requests or documentation for reimbursement of expenses or for pay (including fraudulent or purchased degrees, documents, or coursework);
4. co-mingling public or school-related funds with personal funds or checking accounts; and
5. using school or school district property without the approval of the local board of education/governing board or authorized designee.

(f) Standard 6: Remunerative Conduct - An educator shall maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation. Unethical conduct includes but is not limited to:

1. soliciting students or parents of students, or school and/or LUA/school district personnel, to purchase equipment, supplies, or services from the educator or to participate in activities that

financially benefit the educator unless approved by the local board of education/governing board or authorized designee;

2. accepting gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest;

3. tutoring students assigned to the educator for remuneration unless approved by the local board of education/governing board or authorized designee; and

4. coaching, instructing, promoting athletic camps, summer leagues, etc. that involves students in an educator's school system and from whom the educator receives remuneration unless approved by the local board of education/governing board or authorized designee. These types of activities must be in compliance with all rules and regulations of the Georgia High School Association.

(g) Standard 7: Confidential Information - An educator shall comply with state and federal laws and state school board policies relating to the confidentiality of student and personnel records, standardized test material and other information. Unethical conduct includes but is not limited to:

1. sharing of confidential information concerning student academic and disciplinary records, health and medical information, family status and/or income, and assessment/testing results unless disclosure is required or permitted by law;

2. sharing of confidential information restricted by state or federal law;

3. violation of confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or distributing test items or answers, discussing test items, violating local school system or state directions for the use of tests or test items, etc.; and

4. violation of other confidentiality agreements required by state or local policy.

(h) Standard 8: Abandonment of Contract - An educator shall fulfill all of the terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract. Unethical conduct includes but is not limited to:

1. abandoning the contract for professional services without prior release from the contract by the employer, and

2. willfully refusing to perform the services required by a contract.

(i) Standard 9: Required Reports - An educator shall file reports of a breach of one or more of the standards in the Code of Ethics for Educators, child abuse (O.C.G.A. §19-7-5), or any other required report. Unethical conduct includes but is not limited to:

1. failure to report all requested information on documents required by the Commission when applying for or renewing any certificate with the Commission;

2. failure to make a required report of a violation of one or more standards of the Code of Ethics for educators of which they have personal knowledge as soon as possible but no later

than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner; and

3. failure to make a required report of any violation of state or federal law soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. These reports include but are not limited to: murder, voluntary manslaughter, aggravated assault, aggravated battery, kidnapping, any sexual offense, any sexual exploitation of a minor, any offense involving a controlled substance and any abuse of a child if an educator has reasonable cause to believe that a child has been abused.

(j) **Standard 10: Professional Conduct** - An educator shall demonstrate conduct that follows generally recognized professional standards and preserves the dignity and integrity of the education profession. Unethical conduct includes but is not limited to any conduct that impairs and/or diminishes the certificate holder's ability to function professionally in his or her employment position, or behavior or conduct that is detrimental to the health, welfare, discipline, or morals of students.

(k) **Standard 11: Testing** - An educator shall administer state-mandated assessments fairly and ethically. Unethical conduct includes but is not limited to:

1. committing any act that breaches Test Security; and
2. compromising the integrity of the assessment.

(4) Reporting

(a) Educators are required to report a breach of one or more of the Standards in the Code of Ethics for Educators as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. Educators should be aware of legal requirements and local policies and procedures for reporting unethical conduct. Complaints filed with the Georgia Professional Standards Commission must be in writing and must be signed by the complainant (parent, educator, or other LUA/school district employee, etc.).

(b) The Commission notifies local and state officials of all disciplinary actions. In addition, suspensions and revocations are reported to national officials, including the NASDTEC Clearinghouse.

(5) Disciplinary Action

(a) The Georgia Professional Standards Commission is authorized to suspend, revoke, or deny certificates, to issue a reprimand or warning, or to monitor the educator's conduct and performance after an investigation is held and notice and opportunity for a hearing are provided to the certificate holder. Any of the following grounds shall be considered cause for disciplinary action against the holder of a certificate:

1. unethical conduct as outlined in The Code of Ethics for Educators, Standards 1-11 (GaPSC Rule 505-6-.01);

2. disciplinary action against a certificate in another state on grounds consistent with those specified in the Code of Ethics for Educators, Standards 1-11 (GaPSC Rule 505-6-.01);
3. order from a court of competent jurisdiction or a request from the Department of Human Resources that the certificate should be suspended or the application for certification should be denied for non-payment of child support (O.C.G.A. §19-6-28.1 and §19-11-9.3);
4. notification from the Georgia Higher Education Assistance Corporation that the educator is in default and not in satisfactory repayment status on a student loan guaranteed by the Georgia Higher Education Assistance Corporation (O.C.G.A. §20-3-295);
5. suspension or revocation of any professional license or certificate;
6. violation of any other laws and rules applicable to the profession; and
7. any other good and sufficient cause that renders an educator unfit for employment as an educator.

(b) An individual whose certificate has been revoked, denied, or suspended may not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher or in any other position during the period of his or her revocation, suspension or denial for a violation of The Code of Ethics. The superintendent and the educator designated by the superintendent/Local Board of Education shall be responsible for assuring that an individual whose certificate has been revoked, denied, or

suspended is not employed or serving in any capacity in their district. Both the superintendent and the superintendent's designee must hold GaPSC certification. Should the superintendent's certificate be revoked, suspended, or denied, the Board of Education shall be responsible for assuring that the superintendent whose certificate has been revoked, suspended, or denied is not employed or serving in any capacity in their district.

Authority O.C.G.A. § 20-2-200; 20-2-981 through 20-2-984.5

B. CHILD ABUSE OR NEGLECT

All employees of the McIntosh County Board of Education, as well as persons who attend to a child pursuant to their duties as a volunteer for the school system, who have reason or cause to believe that suspected child abuse has occurred, shall notify the principal or the school system's designee, who shall report such abuse immediately, but under no circumstances later than 24 hours from the time there is reasonable cause to believe that suspected child abuse has occurred, in accordance with Georgia law and the protocol for handling child abuse cases for McIntosh County, Georgia.

Under no circumstances shall the principal or designee to whom a report of child abuse has been made exercise any control, restraint, modification or make any other change to the information provided by a mandated reporter, although the reporter may be consulted prior

to the making of a report and may provide any additional, relevant, and necessary information when making the report.

“Abused” means subjected to child abuse.

“Child” means any person under 18 years of age.

“Child abuse” means:

- 1. Physical injury or death inflicted upon a child by a parent or caretaker thereof by other than accidental means; provided, however, physical forms of discipline may be used as long as there is no physical injury to the child;**
- 2. Neglect or exploitation of a child by a parent or caretaker thereof;**
- 3. Sexual assault of a child; or**
- 4. Sexual exploitation of a child.**

“Sexual exploitation” means conduct by a child’s parent or caretaker who allows, permits, encourages, or requires that child to engage in prostitution, or sexually explicit conduct for the purpose of producing any visual or print medium depicting such conduct.

A person recognizing such signs of child abuse/neglect in the course of employment by a school or similar facility shall notify the Chief of the McIntosh County Schools Campus Police, who shall report the incident as outlined in the local child abuse protocol. Additionally, person making report shall also copy the report to the building level principal and the Superintendent of McIntosh County Schools.

An oral report shall be made immediately by telephone or otherwise, and followed by a report in writing to the Department of Family and Children’s Services.

Such reports shall contain the names and addresses of the child and parents or caretakers, if known, the child’s age, the nature and extent of the child’s injuries (including any evidence of previous injuries), and any other information that the reporting person believes might be helpful in establishing the cause of the injuries and the identity of the person(s) who caused them.

Any person or school system participating in the making of the report, or participating in any judicial proceeding resulting there from, shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed, providing such participation is made in good faith. This reporting is legal under section 99.31(a)(5) and 99.36 of the Family Educational Rights and Privacy Act and do not constitute a violation of it as long as the following factors are taken into account.

- A. The seriousness of the threat to the child’s health and safety;**
- B. The need for the information from the child’s education records to protect the child’s health and safety;**

C. Whether the information is being disclosed to persons who are in a position to deal with the emergency; and

D. Whether time is of the essence in dealing with the emergency.

Any person or official required by O.C.G.A. §19-7-5 to report a suspected case of child abuse who knowingly and willfully fails to do so shall be guilty of a misdemeanor and may be punished.

McIntosh County Schools

Date Adopted: 10/17/2002

Last Revised: 8/10/2015

VI. EMPLOYEE LEAVE

A. SICK LEAVE/PERSONAL LEAVE

The complete sick/personal leave policy of the McIntosh County Board of Education is contained in the Board Policy through eBoard on the McIntosh County School website at www.mcintosh.k12.ga.us.

Employees of the McIntosh County School System earn 1 1/4 days of sick leave per pay period. An employee on a 190 day contract will earn 12 1/2 days sick leave per year. Of those sick days earned, three days personal leave per year are allowed. An employee may annually carry over up to 45 days of sick leave.

If an employee uses more than the earned amount of sick leave during a pay period, a pay adjustment is made on the next payroll check. Also, an employee using more than three days for personal leave will have his or her paycheck docked accordingly.

Falsifying, deliberately misrepresenting, or omitting reasons for sick leave is a violation of Standard 4 of the Teacher Code of Ethics.

B. Federal Family and Medical Leave Act

It is the purpose of this policy to set out in summary from the provisions of the Family and Medical Leave Act ("Act") as adopted by the U.S. Congress on February 5, 1993, and which became effective August 5, 1993. This Board does not intend by this policy to create any

additional rights to leave not provided by the Act. The Board does not intend to elect certain options as the Act authorizes. Any portion of this policy inconsistent or contrary to the Act is unintentional and shall not be given effect. As to the interpretation of this policy, the Board's employees should look to the Act itself and its regulation.

A. Eligible Employee

Employees of the McIntosh County Board of Education ("Board of Education") who have been employed by the Board of Education by at least 12 months and who have worked at least 1250 hours for the Board of Education during the 12 month period immediately prior to requesting leave are eligible to take 12 weeks of unpaid leave under the Family and Medical Leave Act ("FMLA").

An employee may request leave for one or more of the following reasons:

1. Birth of a son or daughter and to care for the newborn child;
2. Adoption or foster placement of a son or daughter with the employee;
3. To care for the employee's spouse, son, daughter or parent, if that person has a serious health condition; and
4. Serious health condition of employee that prevents the employee from performing his/her job functions.

In the event of the birth, adoption or foster placement of a son or daughter, all leave must be completed within twelve months after the birth, adoption or foster placement.

B. Definitions

"Instructional employee"- means an employee whose principal function is to teach and instruct students in a class, a small group, or an individual setting.

"Parent"- means a biological parent or one who acted in place of a parent when the employee was a child. The term "parent" does not include parent "in-law".

"Serious Health Condition" – means illness, injury, impairment, or physical or mental condition that involved inpatient care in a hospital, hospice or residential medical care facility or continuing treatment by a health care provider.

"Son or daughter"- means a biological, adopted or foster child, a stepchild, a legal ward, or a child for whom the employee acts as a parent. The son or daughter must be under age 18 or, if the son or daughter is age 18 or older, he/she must be incapable of self-care on a daily basis due to a mental or physical disability.

"Spouse"- means a husband or wife.

C. Amount and Type of Leave Taken

Except as provided below, an employee may take a total of 12 weeks leave during any twelve-month period. The 12-month period shall be measured backward from the date the employee begins using any FMLA leave. See 20 C.F.R. 825.200(b) (4).

If both spouses work for the McIntosh County Board of Education and both are eligible for the FMLA leave, they are authorized to take only a combined total of 12 weeks leave during any one 12 month period to take care for a newborn or adopted child, a child placed with the employee for foster care, or a parent with a serious health condition. Both spouses are authorized unpaid leave to care for a spouse or child with a serious health condition for twelve (12) week.

Employees seeking to take FMLA leave to care for a newborn or adopted child, a child placed with the employed for foster care, or a parent, spouse or child with a serious health condition must substitute any accumulated paid vacation, personal or family leave for all or a part of the otherwise unpaid FMLA leave. Employees seeking to take FMLA leave because of their own serious health condition or to care for a parent, spouse or child with a serious health condition must substitute any accumulated paid vacation, personal, medical or sick leave for all or a part of the otherwise unpaid FMLA leave.

D. Intermittent or Reduced Leave

An employee is not permitted to take leave on an intermittent or reduced leave schedule unless it is medically necessary. The Board of Education will require a certification, in the form described in Section G below, to document the medical necessity of such intermittent leave.

E. Notification of Leave

If the need for FMLA leave is foreseeable, an employee requesting leave must provide at least 30 days advance notice to the systems bookkeeper. If such advance notice is not possible, the employees must give notice to the system's bookkeeper, as soon as practicable, ordinarily within one or two working days of learning of the need for the leave. When planning medical treatment, the employee should make a reasonable effort to schedule the treatment, subject to the approval of the health care provider, so that any corresponding leave will not disrupt unduly the operations of the school district.

F. Benefits and Return to Work

Employees will be eligible to maintain health care benefits, provided by the school district, while on FMLA leave. The Board of Education will pay the employer's portion, if any, of such benefits. The employee will pay the same portions, if any, of such benefits as the employee paid before.

The Board of Education may recover any health care benefit premiums paid on behalf of an employee if the employee does not return to work after the leave period has expired, unless the employee did not return due to a serious health condition of the employee of the employee's spouse, parent or child, or other circumstances beyond the employee's control. The Board of Education may require certification from the health care provider that a serious

health condition of the employee or family member prevented the employee from returning to work.

With the exception of paid vacation, personal, medical or sick leave required to be substituted for unpaid leave under Section C above, the employee's absence during leave will not alter benefits which the employee accrued before taking leave.

Upon return from leave, the employee is entitled to be reinstated to a position equivalent to the one the employee held when he/she left on FMLA leave, with equivalent pay, benefits and other terms and conditions of employment. Upon proper notice, however, the Board of Education may deny reinstatement under this policy to any employee whose salary is in the highest 10% of the employees employed by the school district if such denial is necessary to prevent substantial and grievous economic injury to the district's operation, as determined by the Board of Education.

G. Required Certification and Reporting

The Board of Education required that a request for leave due to a serious health condition be supported by a certification issued by the appropriate health care provider of the eligible employee or of the son, daughter, spouse, or parent of the employee on a form to be provided by the Board of Education.

This certification must include (1) the date on which the serious health condition commenced, (2) the probable duration of the condition, (3) if the purpose of the leave is to care for a son, daughter, spouse or parent ("family member"), a statement that the employee is needed to care for the family member and the estimated amount of time needed for such care, and (4) if the leave is due to the employee's own serious health condition, a statement that the employee is unable to perform his/her job functions. The employer may require that the eligible employee obtain subsequent recertification on a reasonable basis as requested by the school district.

The Board of Education, at its own expense, may obtain the opinion of a second health care provider of the Board of Education's choice, if the Board should choose to do so. If a conflict exists between the opinion in the certification and the second opinion, the Board of Education may, at its own expense, obtain a third opinion from a health care provider upon which the Board of Education and the employee jointly agree. Such a third opinion as to the necessity for the leave is binding on both the Board of Education and the employee.

Upon an employee's return to work after leave for employee's own serious health condition, the Board of Education may require the employee to obtain certification from his/her health care provider that the employee is able to resume work.

H. Special Provisions

When an instructional employee seeks intermittent leave or leave on a reduced schedule in connection with a family or personal illness that would constitute at least 20% of the total number of working days in the period during which the leave would extend, the Board of

Education may require the employee to elect to take leave in a block (non-intermittently) for the entire period or to transfer to an available alternative position within the school system that is equivalent in pay, for which the employee is qualified, and which better accommodates the intermittent situation.

If an instructional employee begins leave more than five weeks before the end of a semester, the Board of Education may require the employee to continue taking leave until the end of the semester if:

- I. The leave will last at least three weeks; and
- J. The employee would return to work during the three-week period before the end of the term.

If an instructional employee begins leave for a purpose other than the employee's own serious health condition during the five-week period before the end of the semester, the Board of Education may require the employee to continue taking leave until the end of the semester if:

- K. The leave will last more than two weeks; and
- L. The employee would return to work during the two-week period before the end of the term.

If an instructional employee begins leave for a purpose other than the employee's own serious health condition during the three-week period before the end of a semester, and the leave will last more than five working days, the Board of Education may require the employee to continue taking leave until the end of the semester.

VII. Compensation/Benefits

A. PAY PERIODS

McIntosh County Board of Education employees are paid in twelve monthly payments, with the pay date being the last working day of each month. Most pay periods are set up on a 20 day basis. Certified staff new to teaching and/or to Georgia and new classified employees will be paid in thirteen monthly payments during their first year of employment. Requests for pay advances may be considered only in cases of extreme medical emergencies and must be addressed directly to the Superintendent.

B. CREDIT UNION

Employees of the McIntosh County Board of Education are eligible to join the Marshland Credit Union. A \$5.00 membership fee is required. The Marshland Credit Union is located at 3650 Community Road in Brunswick. Employees must apply for membership directly with the credit union. The credit union also offers the service of payroll deduction.

C. DIRECT DEPOSIT

Employees of the McIntosh County Board of Education can elect to have their checks direct deposited to the Bank or Credit Union of their choice, by completing through our payroll department, a direct deposit request form with attachments.

D. TEACHER RETIREMENT

Employees who are members of the Teacher Retirement System of Georgia contribute 6% of their earnings by payroll deduction. The McIntosh County Board of Education contributes a matching percentage to TRS. Public School Employees Retirement System (PSERS) new employees who first joined on or after July 1, 2012 will contribute \$10.00 per month for nine months and employees employed prior to July 1, 2012 will contribute \$4.00 per month for nine months.

E. ANNUITIES & INSURANCE

Employees of the McIntosh County Board of Education are eligible to participate in tax sheltered annuities, insurance plans and other benefits below:

American Fidelity Insurance

VALIC Insurance

Medicare - The McIntosh County Board of Education does not withhold social security on certificated employees, but Medicare is withheld at the rate of 1.45%.

Major medical Insurance is provided through the State health Benefit Plan. Other optional insurance benefits available includes: dental, vision, short & long term disability, cancer, AD&D, and life insurance.

For additional information regarding annuities and insurances, contact our Payroll Department, 200 Pine Street, Darien, Georgia

F. WORKERS COMPENSATION

Employees of the McIntosh County School system are covered by workers compensation insurance for any work-related injury incurred during regular work hours. Employees injured on the job must report the injury immediately at the work site so that an injury report form can be completed and processed at the board of education office. Notices are posted at each work location indicating the panel of medical services available to treat worker comp injuries. Workers Compensation filing procedures are posted on our web site. For additional information, please contact Debra Vickers at the Board Office.

VIII. SEPARATION OF EMPLOYMENT

A. Professional Personnel Lay-Off

Reduction in Force

RESPONSIBILITIES AND PREROGATIVES OF BOARD OF EDUCATION

The most important functions of the Board of Education are to employ personnel and manage resources within the limitations defined by the funding sources of the school system. Consequently, it shall be the prerogative of the Board of Education (hereinafter the "Board") to abolish job positions, to reduce the length of the work year and salary (hereinafter "to downgrade") and/or to reduce the number of employees when seeking to cope effectively with program changes or financial exigency.

REASONS FOR REDUCTION IN FORCE (HEREINAFTER "RIF")

The Board shall consider a reduction in the professional work force to include the abolition of job positions, the downgrading of an employee's position, and/or the reduction of the number of employees, as a response to the following:

1. A decrease in student enrollment in the School District which would necessitate a decrease in personnel or a discontinuation of programs;
2. A change in state or local curriculum, personnel, or financial practices which would necessitate a change in or elimination of programs or services provided by the School District;
3. A loss of funds due to a reduction in state funds, reduction in local funds or other funds that make necessary a reduction in spending;
4. A lack of funding for programs, personnel, or services provided by the School District;
5. Any reasonable reorganization plan, to include the elimination of programs or services, to achieve a more efficient school district.

APPLICABILITY OF POLICY

Nothing in this policy shall be construed to extend to any employee substantive or procedural rights not required under state law. Specifically, nothing in this policy shall extend to professional personnel any expectation of re-employment or due process rights greater than are available under state law. This policy is not to be construed to mandate the promotion, transfer or reassignment of an employee to any other position with the School District, even though the employee who is to be terminated or non-renewed may be qualified or certified for a higher or different position.

RIF PROCEDURE

When the Superintendent determines that the application of this reduction in force policy is necessary, it shall be his or her responsibility to prepare for presentation to the Board of Education a plan for the reduction in force (RIF).

In proposing the plan, the Superintendent may: (1) determine the group(s) of employees to which the RIF will be applied, (2) select individuals or positions to be subject to the RIF, or (3) any combination of (1) and (2). The primary factor to be considered by the Superintendent in devising a RIF plan shall be the performance of the educator, one measure of which may be student academic performance; provided, however, that this provision shall not apply if the board of education eliminates an entire program. Other factors to be considered may include, but shall not be limited to, the professional expertise, effectiveness, professionalism, performance of duties and responsibilities, relationship with students, parents and staff, tenure status, level of certification, fields of certification, and length of continuous service with the Board, number of successful years in public education, performance of extra responsibilities, and performance of extracurricular responsibilities.

NOTICE AND HEARING PROCEDURES

If the Board accepts the recommendation of the Superintendent, the Superintendent shall notify any employee affected by the application of the plan in a manner consistent with the provisions of Georgia law and he or she shall have whatever rights the Fair Dismissal Act provides for such employee.

When a termination or nonrenewal is to be based solely on O.C.G.A. § 20-2-940(a) (6), the basis for the employment action will be the necessary reduction in staff and not the performance issue of the employee.

B. NON-RENEWAL OF CONTRACT

All personnel shall be employed and assigned by the Board upon the recommendation of the Superintendent. Employment contracts of certificated professional personnel shall be in writing.

The Board shall, by May 15 of the current school year, tender a new contract for the ensuing school year to each teacher and other professional employee certificated by the Professional Standards Commission on the payroll of this school district at the beginning of the current school year, except those who have resigned or who have been terminated, or

If the intention is to not renew the contract of a teacher or other certificated professional employee, the Board shall notify such employee in writing of such intention. Upon request, the Superintendent shall make a written explanation for failure to renew the contract of a certificated person available to such person.

IX. FORMS (LOCATED IN YOUR SCHOOL'S OFFICE OR THE WEBSITE)

- A. MANDATED CHILD REPORTING FORM**
- B. PROFESSIONAL LEAVE FORM**
- C. REPORT OF ABSENCE REQUEST FORM**
- D. ACTIVITY REQUEST FORM**
- E. REQUEST FOR TRANSPORTATION FORM**
- F. TKES/LKES RELEASE FORM**