

LOWNDES COUNTY SCHOOLS

Certified Personnel Handbook

2022-2023

***Human Resources Department
229-245-2250***

CERTIFIED PERSONNEL HANDBOOK DISCLAIMER

This Certified Personnel Handbook (Handbook) is intended for informational purposes for certified employees of Lowndes County Schools (LCS) and does not create an employment contract or guarantee a term of employment for any period. The Handbook is provided so that each certified employee (teacher, administrative, and service certificated) can better understand the expectations of LCS. The information contained in the Handbook and in subsequent updates should be studied thoroughly. A complete understanding of this handbook enables the certificated employee to have a more successful and meaningful working relationship with the Lowndes County Board of Education (Board). The information contained in this Handbook is based on numerous sources, including federal and state laws, state and local Board policies and procedure, and various employee benefit plans. The information as published is correct to the best of the school system's knowledge; however, laws, court decisions, and interpretations of law, and Board policies are subject to change without prior notice. Additionally, benefit provisions are likely to change frequently, particularly with respect to the various insurance and retirement benefits available to employees. Periodic updates of the Handbook will be provided to reflect changes in the Handbook. The information found in this handbook is not meant to be, and should not be relied upon as legal advice or financial investment advice. If you have any questions regarding benefits or financial investment decisions, then you should contact a qualified financial advisor. Any questions about the Handbook should be directed to your administrator/director or the Human Resources Department. The Handbook supersedes all former handbooks relating to personnel policies and administrative procedures for certified contractual personnel disseminated by the LCS. Should there be any conflict in the contents of the Handbook with Board policies, plan documents, etc., and federal and state law, then those instrument(s) will be the controlling documents.

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1.0 Introduction

1.1 Welcome by the Superintendent

Welcome to the Lowndes County Schools and One Lowndes.

It should be evident that many of the things we have done in the past may only sustain us at best. Our hope for the future is that we all work together to make a good school system even greater. We aspire to make our school system the best, but this task will require the commitment of employees, students, parents, and our community. We must all focus on our tasks and devote our mind, heart, and will to meeting the great opportunities ahead as we work together in our pursuit of excellence. Together, we can create a school system focused on the needs of all students as we educate and inspire them through our role model of excellence every day.

1.2 Vision, Mission, Motto, and Guiding Principles

Vision

A learning community striving for excellence every day.

Mission

Working together to empower, challenge, and inspire – One Lowndes!

Motto

Working Together for Excellence Every Day.

Guiding Principles

1. The safety, education, and welfare of our students are our priorities, and this must be reflected in our actions and our facilities.
2. A safe, supportive environment nurtures teaching and learning.
3. Excellent teachers are the foundation of quality instruction. All educators are accountable for the quality of work provided to students, and they must be committed to the continuous improvement of that work.
4. All educators and staff must be continuous learners. They must be disciplined people, with disciplined thought and disciplined action.
5. The purpose of the school is to ensure that each student develops the capacity to think, reason, and use one's mind well. Each student must develop those understandings,

- skills, and habits of the mind which make it possible to participate fully in the life of a diverse society operating in the context of an information-based global economy.
6. The focus of all schools' activities must be on providing students with quality work that engages them in meaningful learning.
 7. Every student can surpass his or her current level of learning. Students learn in different ways and at different rates; therefore, instruction should make every attempt to match learning styles and levels.
 8. All resources (time, people, space, information, budget, and technology) must be used effectively, efficiently, and continuously evaluated to improve the quality of education provided for our students.
 9. A home/school/community partnership with open communication is essential in providing each student the support needed to be successful.
 10. Each parent is a partner with the school system in providing a quality education to his/her child. Parent, student, and community input into every aspect of what we do as a school system is essential to everyone's success.

1.3 Board Policies

The Lowndes County Board of Education (Board) has developed multiple policies to address various subjects to ensure the effective operation of the school system. Several of the Board policies are referenced in the Handbook. Board policies can be viewed in their entirety on the school system website (www.lowndes.k12.ga.us) under the Leadership/Board link. When reviewing the Handbook, please refer to the following Board policies that specifically relate to Personnel:

GAAA	<u>Equal Opportunity Employment</u>
GAD	<u>Professional Learning Opportunities</u>
GAE	<u>Complaints and Grievances</u>
GAEB	<u>Harassment</u>
GAG	<u>Staff Conflict of Interest</u>
GAK(1)	<u>Criminal Background Check</u>
GAL	<u>Salary Deductions</u>
GAMA	<u>Drug-Free Workplace</u>
GAN	<u>Employee Tobacco Use</u>

GANA	<u>Infectious Diseases</u>
GBC	<u>Professional Personnel Recruitment</u>
GBKA	<u>Professional Personnel Lay-Off</u>
GBRB	<u>Professional Personnel Time Schedules</u>
GBRH	<u>Professional Personnel Leaves and Absences</u>
GBRIB(1)	<u>Professional Personnel Sick Leave Bank</u>
GBRIG	<u>Federal Family and Medical Leave Act</u>
GCRA(1)	<u>Drug Screening of Bus Drivers</u>
IFBG	<u>Internet Acceptable Use</u>
IFBGA	<u>Electronic Communications</u>
JAA	<u>Equal Educational Opportunities</u>
JCAC	<u>Sexual Harassment of Students</u>

2.0 Purpose of the Certified Personnel Handbook (Handbook)

The objective of this handbook is to provide you general information of the rights and responsibilities as a professional staff member. The laws, policies, procedures, regulations, benefits, rights, and responsibilities relating to personnel matters have been assembled from various sources. These authorities and sources include federal laws, Georgia laws, policies of the Georgia Department of Education, and policies of the Lowndes County Board of Education (Board). Several legal and policy codes are used throughout this handbook as reference.

Every staff member must be aware that with each session of United States Congress, court rulings, and the Georgia Legislature may result in new laws and modifications to old laws. Each month may bring changes in the policies of the Georgia Department of Education and the Board. Fringe benefit provisions are also subject to alteration at any time. Queries concerning the accuracy and timeliness of any information in this handbook should be addressed to an employee's immediate supervisor or the Human Resources Department.

3.0 General Employment Information

3.1 Equal Opportunity Employment

The LCS does not discriminate on the basis of race, color, religion, national origin, age, disability, or gender in its employment practices, student programs and dealings with the public. It is the policy of the Board of Education to comply fully with the requirements of Title VI, Title IX, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and accompanying regulations.

Any employee, student, applicant for employment, parent or other person who believes he or she has been discriminated against or harassed in violation of this policy must make a complaint in accordance with the procedures outlined below.

Employment advertising, recruiting, interviewing, testing, employment, training, transfer, compensation, promotion, termination, layoff and recall, employment benefits, social, and recreational activities shall be administered without regard to race, color, creed, gender, national origin, age, disability or veteran status.

If requested by an applicant or employee, LCS will make reasonable accommodation for such qualified individual's known disability unless doing so would result in an undue hardship to LCS or create a safety or health hazard for other applicants or employees.

If an applicant or employee believes at any time that LCS, or any employee is not acting in accordance to these standards of equal employment opportunity, then the affected individual is encouraged to report the matter to his/her immediate supervisor or the Human Resource Department.

As in the case of any work-related problem, the employee has the right to use the Complaint Procedure to discuss any perceived harassment or discrimination. The applicant and employee should be assured that concerns and reports of perceived discrimination or harassment can be raised without fear of reprisal.

An employee found to be engaging in unlawful discrimination shall be subject to disciplinary action, up to and including termination of employment. An applicant found to be engaging in unlawful discrimination shall be subject to disciplinary action, up to and including disqualification for employment.

3.2 Harassment (See Board Policy JAA and JCAC)

It is the policy of this school district to prohibit any act of harassment of students or employees by other students or employees based upon race, color, gender, national origin, religion, age or disability at all times and during all occasions while at school, in the workplace or at any school event or activity. Any such act by an employee shall result in prompt and appropriate discipline, including the possible termination of employment.

Sexual harassment may include conduct or speech which entails unwelcome sexual advances, requests for sexual favors, taunts, threats, comments of a vulgar or demeaning nature, demands or physical contact which creates a hostile environment for a student or employee.

There may be other speech or conduct which employees or students experience as inappropriate or illegal harassment which should also be reported; harassment can take many forms, and it is not possible to itemize every aspect of the harassment forbidden by this policy.

Any student, employee, applicant for employment, parent, or other individual who believes he or she has been subjected to harassment or discrimination by other students or employees of the school district as prohibited by this policy should promptly report the same to the principal of their school or to the appropriate coordinator designated in policy GAAA, who will implement the board's discriminatory complaints procedures as specified in that policy. Students may also report harassment or discrimination to their school counselor or any administrator. Students and employees will not be subjected to retaliation for reporting such harassment or discrimination. If at any point in the investigation of reported sexual harassment of a student, the coordinator or designee determines that the reported harassment should more properly be termed abuse, the reported incident or situation shall be referred pursuant to the established protocol for child abuse investigation.

It is the duty of all employees to promptly report harassment. All supervisors will instruct their subordinates as to the content of this policy and, through appropriate staff development, enlighten employees as to the varied forms or expression of prohibited harassment. The principals of all schools shall ensure that students and parents are informed through student handbooks that such harassment is strictly forbidden, how it is to be reported and the consequences for violating this policy.

3.3 Complaint Procedure - Discrimination or Harassment

Complaints made to the School System regarding alleged discrimination or harassment on the basis of race, color or national origin in violation of Title VI, on the basis of sex in violation of Title IX or on the basis of disability 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, parent 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 from time to time by the Board of Education. 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. If the alleged offending individual is the coordinator designated by the Board of Education, the complaint shall either be made by the complainant to the Superintendent or, if the complaint is initially made to the school principal, reported by the principal to the Superintendent.
3. The coordinator or his or her designee shall have fifteen work days to gather all information relevant to the complaint made, 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 or designee 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 Superintendent or his or her designee.
4. If the complaint is not resolved at the conclusion of this fifteen-day period or if the complainant is not satisfied with the resolution of the complaint, the complainant shall have the right within five work days of receiving a copy of the written response, to have the complaint referred to the Superintendent of Schools. If the alleged offending individual is the Superintendent, the Complainant may have the complaint referred to the Board of Education, rather than the Superintendent.
5. The Superintendent shall have fifteen (15) work days to review the complaint and the 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 coordinator or designee or the action to be taken 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.
6. If the complainant is dissatisfied with the response of the Superintendent, then the complainant shall have the right, within fifteen work 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 a 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 his or her complaint be referred to the Board of Education.

7. Within thirty work 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.
8. 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.
9. 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 Official Code of Georgia Annotated 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.
10. 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.
11. 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.
12. The confidentiality of any individual making a complaint or report in accordance with this policy, to the extent it is reasonably possible, shall be protected, although the discovery of the truth and the elimination of unlawful harassment shall be the overriding considerations.

3.4 General Complaints and Grievances

General Complaints – Alleged violation, misinterpretation, or misapplication of statutes, policies, rules, regulations, or written agreements.

Section 1. Purpose – Informal Resolution Preferred

It is the purpose of this policy to implement the provisions of O.C.G.A. §20-2-989.5, et seq. In accordance with the foregoing, it is the policy of the Board of Education that certified 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

- a. "Level One Administrator" means the principal of a school with respect to employees and other certificated personnel assigned to that school. With respect to the certified 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.
- b. "Central Office Administrator" means the local school system Superintendent.
- c. "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.
- d. "Notification" means delivery in person by a person designated by the Superintendent to the party entitled to notification, or deposit in the United States Mail, certified mail, return receipt requested or statutory overnight delivery, to the last known address of the party notified.

Section 3. Scope of Complaint and Exclusions

- a. Scope - Unless excluded by paragraph (b) hereof, this complaint and grievance procedure is applicable to any claim by any 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, non-renewal, 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 §20-2-984.5.
- c. A certified 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, and Records

- a. Hearing and 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 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. Overall 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 recorded by mechanical means; all evidence 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 local 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 or statutory overnight delivery). 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 or by statutory overnight delivery 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, and 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 certified mail or statutory overnight delivery 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. Where service or notice is made by certified mail or statutory overnight delivery as provided above, it shall be deemed to have been perfected when timely deposited in the mail, regardless of whether it was actually received or not.

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 record the date of the filing of the appeal and shall notify the Complainant in writing of the time and place of the hearing in the same manner as provided in Section 6 above. 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 a 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 Central Office 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 the Board of Education

A Complainant or 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 in the same manner as provided in Section 6 above 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 perfect 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 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 by or on behalf of any employee or group of employees.

Section 12. Repealer

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

4.0 Employment Categories

It is the intent of this section to clarify the definitions of employment classifications so employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time.

Employees are designated as either nonexempt or exempt for purposes of federal and state wage and hour laws. The nonexempt or exempt classifications may be changed only upon written notification by the Superintendent.

4.1 Certified Contractual Professional Employees

Certified employees must hold, as required by their position and duties, a teaching, educational leadership or service certificate issued by the Georgia Professional Standards Commission. Certified employees include Principals, Assistant Principals, Teachers, Guidance Counselors, Media Specialists, Curriculum Supervisors, etc. Certified employees serve under the terms of a year-to-year employment contract.

4.2 Exempt Employees

Certified employees are generally considered exempt employees. Exempt employees are excluded from specific provisions of the Fair Labor Standards Act and are not eligible for overtime for hours worked in excess of 40.0 hours in any one workweek.

4.3 Nonexempt Employees

Nonexempt employees are entitled to overtime pay under specific provisions of federal and State laws. Additionally, there are certain minimum wage and time keeping requirements that apply to nonexempt employees.

4.4 Full-Time Employment

Full-time employees are those employed 20.0 hours or more per week and are generally scheduled to work 37.5 hours to 40 hours per week in a budgeted position. Full-time employees are eligible for employee benefits, subject to the terms, conditions, and limitations of each benefit program.

4.5 Part-Time (49%) Employment

Part-time employees are those employed 19.5 hours or less per workweek. Part-time employees are considered temporary or emergency employees and are not eligible for employee benefits.

4.6 Temporary-As Needed

Temporary employees, such as long-term substitute teachers, are employed on a temporary, interim basis, to temporarily supplement the work force or to assist in the completion of a specific duty. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain this status unless and until notified of a change. Temporary employees are not eligible for employee benefits.

5.0 Criminal Background Check

In order to be employed for the first time or re-employed by the Board, any applicant for a position of teacher, administrator, or for any other position must first submit to a fingerprint and **Federal Bureau of Investigation** criminal records check which will be coordinated by and through the Human Resources Department. **This requirement is authorized by O.C.G.A. § 20-2-211.1.** Such fingerprinting and criminal record check shall be required even though the applicant may already undergone fingerprinting and criminal record checks by another school district. Additionally, all certificated personnel shall submit to a criminal records check and/or fingerprinting, if not previously provided, in order to renew their certificate. All fees associated with criminal records check and/or fingerprinting shall be paid by the applicant/employee. All employees, certified and classified, must submit to a criminal background check every five years.

6.0 Release from Employment Contract

During a contract year, any employee desiring to relinquish a position with the LCS shall give the superintendent written notice of this intention. This notice shall be given in sufficient time for a replacement to be employed. Any employee desiring to relinquish a position prior to the beginning of a new school year shall request the release from contract in writing to the

superintendent. After June 5th of each year, employees will be released from his/her contract for the following school year only when there are extenuating circumstances and only after all positions in the system in the employee's certification field have been filled and a qualified replacement has been secured to fill the position held by the employee requesting release. The Superintendent, in his/her sole discretion, may waive this requirement. LCS shall adhere to the "Guidelines for Breach of Contract" guidance of the Georgia Professional Standards Commission.

Except in situations which the Board, in the reasonable exercise of its discretion deems to be an emergency, the contract of employment shall not be terminated by the employee without the written consent of the Board. In the event that the employee terminates the contract, whether by formal notice or by the willful failure or refusal to continue teaching, without such written consent or emergency situation, the Board may file a complaint with the Georgia Professional Standards Commission. Disciplinary action may be taken in accordance with the Code of Ethics for Educators of the Georgia Professional Standards Commission.

7.0 Reduction in Force (RIF)

7.1 Responsibilities and Prerogatives of the 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 (hereinafter the "Board") to abolish job positions, to reduce the length of the work year and salary of certificated or non-certificated personnel (hereinafter "to downgrade") and/or to reduce the number of employees when seeking to cope effectively with program changes or financial exigency.

7.2 Reasons for reduction in Force (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 program 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; and/or
5. Any reasonable reorganization plan to achieve a more efficient school district.

Refer to the Board of Education Reduction in Force policy for additional information.

7.3 Applicability of Policy

This RIF policy shall apply to all personnel employed by the Board of Education. Nothing in this policy, however, shall be construed to extend to professional personnel any expectation of re-employment or due process rights greater than are available to the specific employees under the Fair Dismissal Law of Georgia; nor is this policy to be construed to mandate the promotion of an employee to a position of higher rank, authority, or compensation, even though the employee who is to be terminated may be qualified or certified for a higher position.

8.0 Federal Immigration Law Compliance

LCS is committed to employing only citizens of the United States and resident who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with federal law, new employees, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present acceptable documentation establishing their employment eligibility. Former employees subsequently re-hired must also complete the Form I-9 and provide acceptable employment eligibility documentation. Failure to do so within three days of the first day of employment, shall result in termination of employment. LCS also participates in the federal E-Verify program.

9.0 Job Descriptions

LCS is required to have a job description for each certificated professional personnel classification. Current job descriptions are available for the Human Resources Department. Job descriptions are provided for all employment positions. Job descriptions are intended to define the essential duties and responsibilities and what LCS expects in terms of performance. Employees with questions regarding job descriptions should immediately contact their supervisor.

Job descriptions include the following information:

- Job Title;
- Department;
- Position Summary;
- Requirements; and
- Essential Duties and Responsibilities

Employees must be sure to read and understand the applicable job description that describes and is assigned to their positions. Job descriptions will be reviewed and updated regularly as part of the performance evaluation or when duties and responsibilities of the job change.

10.0 Educator Certification

10.1 General Information

The Georgia Professional Standards Commission is responsible for establishing the necessary professional certification requirements and issuing certificates required of certified staff employed in the Georgia's public schools. Complete and detailed information is available on the Professional Standards Commission's website at www.gapsc.com.

10.2 Expiring Certificates

Certificates of current employees can **only** be renewed through the Human Resources Department. In the late fall of the year preceding the expiration date of the certificate, employees should receive a packet from the Human Resources Department indicating the procedures to be followed and the documentation required for submission. All certified employees must submit to a Criminal Background Check at the time of certificate renewal. Those employees who were hired after July 1, 1994 and were fingerprinted by the LCS at the time of hire will only submit to a GCIC/FBI criminal background check. Any individual who has not previously been fingerprinted will be scheduled to do so prior to the renewal being submitted. Fingerprinting is coordinated by the Human Resources Department. The employee shall assume all cost of fingerprinting and the criminal background check.

10.3 Maintaining a Valid In-field Certificate

Securing and maintaining the appropriate valid in-field certificate(s) is the educator's personal responsibility. Failure to maintain a valid in-field teaching certificate will result in termination of employment. Each employee is responsible for the certification status of his/her certificate. Contact the Human Resources Department for assistance with any certification questions.

10.4 Suspension, Revocation, Denial

A. The Georgia Professional Standards Commission is authorized by law to suspend, revoke or deny certificates, licenses and permits, or to issue a written reprimand, for good cause after an investigation is held and notice and a hearing are provided to the certificate, license or permit holder. Any one of the following grounds shall be considered good cause for suspension, revocation or denial of a certificate, license or permit, or the issuance of a written reprimand against the holder of a certificate, license or permit:

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.
- (b) 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 1-10 (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 1-10 (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 (O.C.G.A. §16-13-111);
7. any other good and sufficient cause that renders an educator unfit for employment as an educator; and
8. Any violation of the Georgia Professional Standards Commission Code of Ethics for Educators.

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

11.0 Assignments

11.1 Assignment - General Guidelines

The basic consideration in the assignment of professional personnel will be the needs of students and the instructional program. Assignments will be considered in light of projected student enrollments, a balanced staff and availability of positions for various certification areas.

Personnel will be assigned based on their qualifications, the needs of the district (including a balanced staff) and when possible their expressed desires. When it is not possible to meet all of these conditions, an employee will be assigned first in accordance with district needs and where the administration feels the employee is most qualified to serve, and second, according to the preference of the employee.

A personnel assignment is defined as the location/responsibilities given to a professional employee for a contract period. A transfer is defined as a change in assignment requested by the professional employee. A reassignment is defined as an administrative change of assignment that affects 50% or more of a professional employee's assignment and/or results in a change of the individual employee's primary evaluator. Seniority is determined by the length of continuous full-time instructional service with the LCS. Continuous service will not be considered interrupted when approved leaves are taken. A displaced position is defined as a position that no longer exists as a result of reorganization within school/system or lack of funding.

Within individual schools or programs, principals or program coordinators have the responsibility to assign classes and courses in accordance with certification requirements and instructional needs.

11.2 Reassignment (Voluntary and Involuntary)

When it becomes necessary to reassign a staff member due to changes in enrollment, programs, curriculum, state and local regulations, or for other reasons, school and district leadership will:

1. Assess the system need and develop a plan for correcting the situation.
 2. Determine the school(s), grade(s), program(s) or department(s) affected by the corrective plan and identify the employee or group of employees who may be affected.
- Voluntary reassignment is desirable. Voluntary reassignment is one which involves mutual acceptance of the employee and the receiving principal and/or program coordinator. If more than one employee holding the appropriate certification has been identified as potentially affected, then school and/or district leadership will:
- a. Determine if there are any present staff member(s) interested in the proposed reassignment.
 - b. If there are multiple volunteers, then the one with the most seniority will be given first consideration.

If certification and acceptance by the receiving principal or program coordinator is in order, the reassignment of that individual will be made. If all conditions are not met for the most senior volunteer, leadership will consider all other volunteers in order of seniority. If no present staff members in the identified group volunteer for reassignment, then an involuntary reassignment will be pursued as follows:

1. The identified group of employees will be ranked according to seniority within the LCS those with uninterrupted tenure receive preference;
2. The least senior employee will be the first considered for involuntary reassignment. If a review of all factors affecting reassignment is satisfactory for this individual, the involuntary reassignment of that individual will be made.
(Review RIF policy.)

All of the following factors, in addition to seniority, will be considered for reassignment:

1. Staff diversity within the school.

2. Special talents and/or expertise deemed to be essential.
3. Training and experience of staff.
4. Program needs.

In operating the most effective and efficient school system possible, the Superintendent may require the transfer or reassignment of personnel into positions that best meet the needs of the school system. Positions which are filled through transfers or lateral reassignments shall not be considered vacant and shall not be subject to the announcement or advertisement.

11.3 Notification of Reassignment

Staff members will be notified of the reassignment and the effective date of the change in writing as soon as practical. This will allow for appropriate notification of parents and relocation of classroom/instructional materials, etc.

11.4 Reassignment After Leave of Absence

Staff members who return from an approved leave of absence, will be entitled to return to active employment upon written request for reassignment and contingent on a vacancy for which the teacher is qualified. Teachers granted such leave shall be given preference to other applicants for a vacancy for which they are qualified; however, reassignment to a teaching position may be delayed until the beginning of a semester or other grading period in order to maintain continuity of classroom instruction. (Review Leave of Absence policy.)

11.5 Transfers

A transfer may be requested by any professional employee and will be given due consideration in accordance with the provisions of this policy. Acceptance of transfers is left to the discretion of the receiving principal or program director and approval by the Superintendent. The system reserves the right to establish annually a deadline date for transfers requested by employees and to monitor transfers in order to maintain a balanced staff.

11.6 Assignment of Professional Staff When Opening New School

The primary consideration in the assignment of professional personnel to new schools will be the needs of the students, the needs of the instructional program, and the necessity of providing a balanced staff. Every attempt will be made to accommodate the wishes of staff members; however, involuntary reassignments may be warranted. When a new school opens in the system, professional assignment will be made by district/school leadership as follows:

1. Allotments of professional staff for schools/programs/departments involved in the reorganization will be determined.
2. Based on these allotments, the number of displaced positions will be determined (at the high school level, these numbers are done by departments).
3. Personnel affected by displacement will be determined. Voluntary assignments of displaced personnel will be made whenever possible; however, involuntary reassignments may be necessary in order to meet student needs, system needs, and to comply with state and federal guidelines. All displaced personnel will be assigned before any outside applicants are considered for employment.

4. If all displaced personnel have been assigned and additional positions exist, transfer requests from throughout the system will be considered according to the provisions of this policy.
5. Any remaining positions would be filled with outside applicants.

12.0 Professional Learning Opportunities

The Board of Education recognizes the importance of establishing, coordinating, and maintaining professional learning programs that address the assessed needs of all students and school and system personnel. Funds budgeted for professional learning shall be used for activities that enhance the skills and knowledge of all school system personnel, school board members and school council members, which directly relate to improving student achievement.

The Superintendent shall cause to be prepared and implemented a system-level Comprehensive School Professional Learning Plan (CSPLP) that includes professional learning as a major component, developed according to priorities that are determined annually by the local board of education.

The Superintendent shall appoint a Professional Learning Coordinator whose job description shall include detailed responsibilities and functions for administering, coordinating and directing the local professional learning program. The Superintendent shall ensure that the Board receives an annual report describing the progress in meeting the goals and objectives of the comprehensive professional learning plan.

A Professional Learning committee may be appointed annually to advise and assist the system Coordinator and the Teaching/Learning staff in the assessment of professional learning needs, determination of priorities, content and quality of activities, evaluation of the program and modification of the professional learning portion of the system's CSPLP.

The Superintendent and appropriate staff shall facilitate the development and implementation of procedures for assuring that each school within the school system has a CSPLP that addresses comprehensive professional learning as a major component and is aligned with the system CSPLP. The school CSPLP shall include all components specified in State Board Rule 160-3-3-04.

Please contact your principal or director or the Professional Learning Coordinator at the Central Office for additional information and refer to State Board Rule 160-3-3-04.

13.0 Electronic Acceptable Use Policies

The acceptable use policy sets the standards that ensure that all users benefit from the technology in place in our school system. The policy encourages use of technology appropriate

for a school environment, discourages harmful practices, and sets penalties for those who choose to violate the policy.

Technology is an integral part of the learning experiences in the Lowndes County Schools. Students use these resources to acquire knowledge, to seek, evaluate, and create information, and to communicate and collaborate with others. The use of the system's computers and network is a privilege that requires each student to act responsibly. To guide this use of technology, the Lowndes County Board of Education has approved a Student Acceptable Use Policy which describes the expectations for how technology should be used by students in the Lowndes County Schools.

Likewise, we expect employees to model ethical and professional conduct as they use technology to enhance instruction and to facilitate their daily tasks. To provide direction to employees on how technology is to be used, the Board of Education has also adopted an Employee Acceptable Use Agreement that outlines expectations for communicating electronically. It is the responsibility of each employee to understand and to adhere to the policy.

Refer to the Board of Education Acceptable Use Policy for additional information.

14.0 Cellular Telephones and Other Electronic Devices

In order to protect the integrity of our instructional program and to provide the most responsible supervision of our students, personal cell phones and other personal electronic devices should not be activated or used during instructional periods of the day. Exceptions due to extenuating circumstances may be approved by the principal/director on an individual basis. Note that it is imperative that no wireless communication devices be used during emergency situations, particularly bomb threats, since frequencies emitted have the potential to detonate an explosive device.

15.0 Public Relations

Public relations should be a concern to every employee. Successful implementation of public relations objectives is the responsibility of the board of education, administrators, teachers, and support personnel.

In order to promote effective public relations, the following beliefs are set forth:

- A. The cause of public education can be promoted, resulting in an improved, quality instructional program.
- B. All citizens have the right to complete and accurate information on all aspects of the educational program.
- C. It is the primary responsibility of the public relations representative assigned to each department or school, the administrators, and the director of public relations to communicate effectively with the many school system's publics.

D. Public relations require continuous internal (employee) as well as external (community) communication. This communication must be a planned, systematic, two-way process.

E. Communication should incorporate the use of a variety of media.

F. Educational communication must be dynamic and sensitive to change as determined by events and evaluation of the program.

Contact the Director of Public Relations at the Central Office for further information.

16.0 Attendance

The Board recognizes that exemplary punctuality and attendance by each member of the staff is necessary and expected in order to maintain an efficient and effective school system. Each staff member is expected to be in attendance and on time each workday of the work calendar; however because the Board recognizes that certain absences are unavoidable, allowances will be made in accordance with leave policies approved by the Board. Staff members who must be absent from duty are expected to return to active service at the earliest time commensurate with good health and safety. (See the Leave of Absence policy.)

All worktime must be entered in the system time system, VeriTime. Failure to do so may result in disciplinary action, including termination of employment.

17.0 Unauthorized Absence

Unauthorized absence shall cause an employee to be subject to dismissal with the termination of all employment benefits or to have that absence posted as leave without pay. Unauthorized absence is defined as follows:

1. An absence for any reason which is not permissible under the Georgia Code of Ethics or policies of the Lowndes County Board of Education/ Georgia state Board of Education or;
2. An absence which occurs without the principal or principal's designee receiving ample advance notice regarding the absence.

18.0 Child Abuse and Neglect

All employees are required by law to report suspected child abuse and neglect to the appropriate authorities. All suspected cases of child abuse shall be reported to the principal or designee who in turn will make a report to school social worker and superintendent. The school social workers are the official contact persons on child abuse and will make any other necessary contacts with the Department of Family and Children Services. (GBOE Rule JGI (160-4-8-.04) (O.C.G.A. § 19-0-70519-0-705) (See the Code of Ethics for Educators at www.gapsc.com.)

19.0 Professional Attire

All certified instructional employees must understand their choices concerning dress sends a clear message to our students, our colleagues, and our community. It is important that those choices demonstrate a high level of professionalism. Professional dress enables instructional staff to command greater respect from students, and as a result, ensure a learning environment more conducive to education. Please consult with your principal or director if you have questions concerning appropriate attire.

20.0 Confidentiality of Information and Test Data

Employees having access to, or knowledge of, sensitive information are responsible for maintaining the confidentiality of such information. This includes but is not limited to test scores, evaluations, medical information, criminal history information, disciplinary reports and personnel matters. A breach in confidentiality may result in disciplinary action including termination of employment and a report to the Ethics Division of the Georgia Professional Standards Commission. **A breach of confidentiality involving criminal history information may also result in civil penalties and criminal prosecution.**

20.1 Test Data Specifically

No student test data or results are to be released or made public in anyway except through the appropriate Central Office personnel. All test information, gained in any manner within the LCS, falls within the jurisdiction of the school system and is not be used or released by any persons except with the written permission of the superintendent of the LCS with the following exception: A child's individual test records are open to inspection by the parent or legal guardian of that child upon request to the principal.(GBOE Rule II (160-3-1-.07) (O.C.G.A. § 50-18-72) (See Code of Ethics for Educators at www.gapsc.com.)

If you have a question regarding this matter, you should contact your test coordinator, principal, or LCS Testing Coordinator.

21.0 Staff Conflict of Interest

It is the policy of the Board that two employees who are related to each other as defined by this policy shall not be assigned within the school system so as to result in one of the related employees being in a direct supervisory position (responsible for the evaluation) over the other. It is the preference of the Board that no two persons who are related to each other as defined in this policy be assigned to the same work site. However, the Board recognizes that in areas of critical need, the superintendent may determine that assignment to the same work site is appropriate.

For the purpose of this policy, relatives are defined as persons related by either blood or marriage in the following way: spouse, parents, children, brothers, sisters, grandparents, grandchildren, and any relatives living in the immediate household of the employee.

Refer to the Board of Education Conflict of Interest policy for additional information.

22.0 Performance

22.1 Performance Appraisal

Performance evaluation is an integral component in the process of improving teaching and learning, and LCS is committed to performance assessment that encourages continuous improvement for all employees. The purposes of the performance evaluation are:

- A. to identify and reinforce effective teaching practices;
- B. to identify areas where development can improve instructional effectiveness; and
- C. to identify employees who do not meet the minimum standards so that the appropriate action can be taken.

Pursuant to Official Code of Georgia § 20-2-210 and State Board of Education rules, teachers of record, service personnel, assistant principals, and principals shall be evaluated using multiple, rigorous, and transparent measures prioritizing growth in student achievement as prescribed by the Georgia Teacher Keys Effectiveness System (TKES and LKES). Other certificated employees shall be evaluated using evaluation instruments developed by the State Board of Education and/or the employer in accordance with Official Code of Georgia § 20-2-210 and applicable rules of the State Board of Education and the employer.

Employees shall be evaluated by their immediate supervisor or designee, using the approved instruments and procedures. Certified employees who are employed any portion of the year must be evaluated.

Certified employees who receive an unsatisfactory annual evaluation shall remain at his or her current step and will not receive salary credit for the year in which the unsatisfactory was received. Any employee who receives two unsatisfactory annual evaluations in the course of the five-year validity period of the certificate shall only be eligible for a Non-renewable one-year certificate. Deficiencies must be corrected in that one-year period in order to maintain certification. Upon receipt of a satisfactory annual evaluation, the individual shall be placed on the next step of the State Salary Schedule for the subsequent school year

22.2 Employee Conduct at Work

Every successful organization must have policies and procedures for it to conduct its business in an orderly and productive manner. No organization can function properly where individuals are without a standard of conduct and behavior. LCS (LCS) is no exception. In addition to the Code of Ethics for Educators, LCS needs a standard of conduct so that employees know what is expected in the workplace and to ensure the proper interaction with others.

Therefore, LCS expects its employees to comply with all existing procedures contained in this Handbook, any other provisions that may be subsequently adopted and all policies of the local Board of Education, Georgia State Board of Education, federal and state laws.

The efficient functioning of LCS depends upon all employees being fully committed to its policies/procedures. Therefore, employees who fail to comply with LCS policies/procedures fail to meet performance standards, participate in conduct unacceptable to LCS or interfere with the mission and operation of LCS may be subject to disciplinary action, up to and including termination as provided under state law.

22.3 Purpose

The purpose of this section is to provide fair treatment for all employees when disciplinary action is necessary and to encourage prompt action if employees fail to perform their job duties satisfactorily or demonstrate unacceptable behavior.

To ensure the orderly operation of its activities, LCS expressly retains and reserves the right to form, change, modify, disseminate and enforce rules of conduct, at its sole discretion, as it determines necessary. It must be further understood that any rules of conduct contained in this Handbook or as subsequently adopted by LCS are not all inclusive or comprehensive. Instead, they are intended as a general guideline and other misconduct, whether contained in this Handbook or not, that is, in the opinion of LCS, harmful to its best interest, its employees or students, or any combination of different offenses, may result in disciplinary action, up to and including termination of employment. LCS's approach to discipline focuses on solving problems and not on punishment. The objective is to correct unacceptable behavior and prevent its recurrence.

22.4 Corrective Measures

It is impossible to list all the forms of behavior that are unacceptable in the workplace, but situations may arise where, in the opinion of LCS, disciplinary action is warranted. Incidents will be handled on a case-by-case basis in order to evaluate any unique circumstances. Disciplinary action deemed appropriate by LCS may include, but is not limited to:

- Verbal Counseling;
- Written Warning;
- Letter of Reprimand;
- Suspension With/Without Pay; and/or
- Termination of Employment.

LCS may use any of the above actions, in any sequence, it determines appropriate and necessary. No certified employee/employee with a contract for a definite term shall be subject to suspension, demotion, nonrenewal, or termination except as provided in the provisions of the Georgia Fair Dismissal Act, if the Act is applicable. (O.C.G.A. Annotated §20-2-940 - §20-2-947)

22.5 Major Infractions

LCS recognizes that there are certain types of behavior that are serious enough to justify immediate suspension and/or discharge without prior warning. It is not the intent of this section to present a precise listing of all Major Infractions, nor shall it be considered as such. Rather, this policy merely gives a general statement regarding LCS's expectations for acceptable conduct and

performance. Some examples of Major Infractions that may result in immediate suspension and/or termination include, but are not limited to, the following:

1. Theft or misappropriation of property belonging to LCS, other employees or students;
2. Dishonesty;
3. Insubordinate acts or statements, refusal or failure to carry out instructions or work assignments;
4. Physical assault of a fellow employee or others while on duty or on LCS property;
5. Threats to others, willful disrespect or use of abusive language toward a supervisor, employee or student.
6. Careless damage or waste of LCS property or property of another employee or student;
7. Omission or falsification of information on employment forms or other LCS records;
8. Violation of Alcohol/Drug policies;
9. Use of tobacco products or vaping devices while on duty or while on LCS property;
10. Absence for three consecutively scheduled workdays without an approved reason and without proper notification to LCS;
11. Altering or falsifying timesheets, financial or other LCS records;
12. Leaving your work area without permission;
13. Interfering with or distraction of other employees in their performance of work, restricting, hindering work, limiting production or attempting to get others to do so;
14. Possession or use of firearms or weapons of any kind while on duty or while on LCS property;
15. Unauthorized possession, copying, use, removal or release of proprietary or confidential information or records **(including Criminal History Information Reports that may result in civil penalties and criminal prosecution)**;
16. Violation of safety, security or conduct standards that could result or results in injury to the employee, other employees students or that could result or results in injury or damage to or loss of LCS property, or property of other employees or students;
17. Excessive absenteeism or tardiness;
18. Failure to report an on-the-job injury/illness;
19. Horseplay (non-work related activity resulting in an injury to the employee, another employee or student or damage to LCS property); and
20. Sleeping on the job.

The foregoing is presented for illustrative purposes. There are other examples of Major Infractions not listed that are unacceptable in the opinion of LCS are serious enough to warrant immediate suspension and/or discharge without going through any prior notice or disciplinary proceedings, except as required by law.

22.6 Minor Infractions

Should unacceptable conduct occur that is less serious than a Major Infraction, LCS likewise retains the right to take immediate disciplinary action as it determines appropriate. Disciplinary action for Minor Infractions generally takes the form of written warnings given to employees, with a copy retained in their personnel files.

It is not the intent of this section to present a precise listing of all Minor Infractions, nor shall it be considered as such. Rather, this section merely gives a general statement regarding LCS's expectations for acceptable conduct and performance.

Some examples of Minor Infractions which may result in immediate disciplinary action include, but are not limited to, the following:

1. Unsatisfactory work performance or careless neglect of assigned duties;
2. Using working time, and/or school property for personal business or involving other employees in personal business;
3. Misuse of time while on duty;
4. Violation of safety, security or conduct standards other than the ones considered Major Infractions; and
5. Use of personal cell phones during instructional periods.

Again, the foregoing list is for illustrative purposes. There are other examples of Minor Infractions, not listed, that may result in immediate disciplinary action.

22.7 Money Handling Procedures

ALL money collected from students, vendors etc. for club activities, trips, fundraising, party events, donations etc. are processed as property of the Lowndes County Schools as follows:

1. Recorded on a system cash collection sheet by collector (not the school bookkeeper):
 - To include description of funds collected (what you are selling; what you are collecting for)
2. Student name for cash and student/check writer name for checks to include check number. Only point of sale items, where goods are exchanged and refunds are not issued, is cash listed as a total. Checks are always listed;
 - Total breakdowns for multiple collection types (i.e. club dues, t-shirts, trip payment);
3. Counted, totaled and signed by the preparer;
4. Retain copy for potential refunds; and
5. Turned in to the school bookkeeper for verification, signature and deposit preparation on a **daily** basis.

Under NO circumstance shall CASH be paid to a vendor for goods or services. ALL money collected must be processed as stated above.

School bookkeepers collecting money, for any reason, shall prepare the cash collection forms and have another staff member verify the collections.

Failure to comply with this procedure may:

- 1. Result in disciplinary action up to and including termination of employment; and***
- 2. Be considered grounds for violation of Rule 505-6-.01 THE CODE OF ETHICS FOR EDUCATORS for Georgia Educators that may result in disciplinary action by the Georgia Professional Standards Commission.***

Revised 6/4/19

23.0 Reprimand

The superintendent may write a letter of reprimand to a teacher or other school employee for any valid reason. A copy of the letter of reprimand will be placed in the teacher's or employee's permanent personnel file. The teacher or employee receiving such a letter of reprimand shall have the right to appeal the decision of the superintendent to the Board. The board shall have the right to either affirm the decision of the superintendent or to reverse it. If the decision of the board is to reverse it, the letter of reprimand shall be removed from the teacher's or employee's permanent personnel file. (OCGA 20-2-944)

24.0 Separation Procedure

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

24.1 Examples of Separation of Employment

- A. Resignation - Voluntary employment termination initiated by employees.
- B. Discharge - Involuntary employment termination initiated by the system.
- C. Reduction-In-Force - Involuntary employment termination initiated by the system for non-disciplinary reasons.
- D. Retirement - Voluntary employment termination initiated by employees for retirement purposes including disability retirement.

24.2 Notice Requirement

If a certified employee finds it necessary to resign, advance notice is required. The employee will be required to file a written request to be released from his/her employment contract. The Superintendent and the Board will consider the request and make a written response to the employee.

24.3 Separation Pay Upon Separation

Upon termination, the net amount of any earnings payable to employees, less any applicable deductions, will be applied to the final pay check. Final pay checks will be distributed in accordance with the regular pay schedule or may be mailed to designated addresses.

24.4 Employee Benefits Upon Separation

Employee benefits will obviously be affected by employment termination. For instance, all accrued and vested benefits that are due and payable at the time of termination will be paid. Some benefits may be continued if the employee so chooses to continue payments. Employees should contact the Human Resources Department regarding any benefits that may be continued and of the terms, conditions, and limitations of such continuance.

24.5 Return of System Property Upon Separation

Terminated employee shall be responsible for items issued by the system such as the following:

1. Instructional supplies;
2. Credit cards;
3. Equipment (computer, cellular telephone, etc.);
4. Keys;
5. Written materials (manuals, computer disks, etc.); and
6. Other system property assigned for use by the employee.

All such property must be returned by terminated employees on or before the last day of work. Final paychecks will not be issued until all system property has been accounted for or returned. Deductions, to the extent allowed by law, shall be made as compensation for property not returned or returned in unsatisfactory condition. The system may also take all other action deemed appropriate to recover or protect system property.

24.6 Exit Interview Upon Separation

The Human Resources Department will send each terminated employee an exit interview questionnaire at the time of employment termination. The exit interview questionnaire will afford an opportunity for the former employee to discuss such issues as employee benefits, work environment, compensation, suggestions for improvement and concerns.

25.0 Georgia Professional Standards Commission Educator Code of Ethics and Sanctions

Effective April 15, 2021 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) "Breach of contract" occurs when an educator fails to honor a signed contract for employment with a school/school system by resigning in a manner that does not meet the guidelines established by the Georgia Professional Standards Commission.

- (b) "Certificate" refers to any teaching, service, or leadership certificate, license, or permit issued by authority of the Georgia Professional Standards Commission.
- (c) "Child endangerment" occurs when an educator disregards a substantial and/or unjustifiable risk of bodily harm to the student.
- (d) "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.
- (e) "Student" is any individual enrolled in the state's public or private schools from preschool through grade 12 or any individual under the age of 18. For the purposes of the Code of Ethics for Educators, the enrollment period for a graduating student ends on August 31 of the school year of graduation.
- (f) "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.
- (g) "Revocation" is the permanent invalidation of any certificate held by the educator.
- (h) "Denial" is the refusal to grant initial certification to an applicant for a certificate.
- (i) "Suspension" is the temporary invalidation of any certificate for a period of time specified by the Georgia Professional Standards Commission.
- (j) "Reprimand" admonishes the certificate holder for his or her conduct. The reprimand cautions that further unethical conduct will lead to a more severe action.
- (k) "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.
- (l) "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 505-6-.01 Page 2 condition of monitoring, an educator may be required to submit a criminal background check (GCIC). The Commission specifies the length of the monitoring period.
- (m) "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;
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 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).

(i) For the purposes of this standard, an educator shall be considered "under the influence" if the educator exhibits one or more of the following indicators, including but not limited to: slurred speech, enlarged pupils, bloodshot eyes, general personality changes, lack of physical coordination, poor motor skills, memory problems, concentration problems, etc.

(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 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; 505-6-.01 Page 4
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: Required Reports - An educator shall file with the Georgia Professional Standards Commission 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 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. 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.

(i) Standard 9: 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 a resignation that would equate to a breach of

contract; 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.

(j) Standard 10: 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 educator:

1. Unethical conduct as outlined in The Code of Ethics for Educators, Standards 1-10 (GaPSC Rule 505-6-.01);
2. Disciplinary action against a certificate on grounds consistent with those specified in the Code of Ethics for Educators, Standards 1-10 (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 (O.C.G.A. §16- 13-111); and
7. Any other good and sufficient cause that renders an educator unfit for employment as an educator.

(c) 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

The Code of Ethics for Educators is subject to change. Please refer to the Georgia Professionals Standards Commission website (www.gapsc.com) for the current version.

25.1 Role of the Georgia Professional Standards Commission

The Georgia Professional Standards Commission (Commission) is the state agency responsible for setting and enforcing standards of competent professional performance and ethical conduct. The Commission (Educator Ethics Division) provides technical assistance, conducts formal investigations and makes recommendations in matters of incompetence, professional ethics, denial of certificate applications, suspension and revocation of teaching certificates and other educational concerns.

25.2 Investigations

Upon the request of a local board of education, the State Board of Education, or one or more citizens of the state, the Commission is authorized to investigate alleged violations by an educator of:

- A. Any law of the state pertaining to educators or the profession of education;
- B. The Code of Ethics of the Commission;
- C. Rules, regulations, or policies of the State Board of Education, the Professional Standards Commission or a local board of education; and
- D. Failure to meet or comply with standards of performance of the Professional Standards Commission, the State Board of Education, or a local board of education.

25.3 Sanctions

Based upon its investigation, the Commission may furnish the representing party with findings of facts, conclusions of law, and recommendations. The Commission may recommend:

- A. No action be taken against the educator;
- B. That the educator be warned or reprimanded;
- C. That the contract of the educator be:
 - 1. Terminated
 - 2. Suspended, or
 - 3. Not renewed;
- D. That the certificate of the educator be:
 - 1. Suspended, or
 - 2. Revoked.(O.C.G.A. 20-2-793; 20-2-794; 20-2-796; 20-2-797)

25.4 Contacting the Commission Ethics Division

Individuals may contact the Ethics Division with questions and requests at www.gapsc.com.

25.5 Educator Responsibility

It is the responsibility of all certified/licensed employees and other covered employees to familiarize themselves with the Code of Ethics located at: www.gapsc.com.

26.0 Salary Administration

26.1 Compensation Plan Rationale

It is the intent of LCS to adequately compensate all certificated employees without regard to age, gender, race, color, religion, national origin, disability, or other protected class. To attract and retain the most qualified employees and support personnel, LCS shall determine competitive salaries and supplements by conducting regular market/job analysis of similar positions in similar school districts and organizations as deemed necessary by the LCS.

26.2 Objective

The objectives of the school system's compensation plan are to:

1. Ensure the consistent application of compensation practices;
2. Provide a process for the regular review of compensation;
3. Comply with applicable state and federal laws and regulations;
4. Promote operational efficiency within the constraints of the District's budgetary process and financial resources; and
5. Recognize and provide competitive salaries needed to provide sufficiently attractive compensation to attract and retain employees.

26.3 Salary Schedules

The salaries for all certified positions shall be placed in the Salary Schedules maintained by LCS. Any change in the salary amounts listed in the Salary Schedules, including supplements, must first be recommended by the Superintendent to the Board for approval. The approved Salary Schedules shall become part of LCS's annual budget.

26.4 Administrative Guidelines

The Superintendent is authorized to develop, maintain and administer guidelines to facilitate administration of the provisions of this policy and the Salary Schedules adopted by the Board.

27.0 Certified Employee Contracts

27.1 Annual Contract

A written contract is issued to each certified employee if the position requires state certification by the Georgia Professional Standards Commission. After the principal's recommendation is received and approved by the superintendent, a contract is made for each recommended employee for the coming school year.

A contract is made by and between the employee and the Board of Education for a position within the system and not for a specific school. (O.C.G.A. 20-2-943(b)) Employment contracts of teachers, principals, and other certificated professional personnel must be in writing and

must be signed in duplicate by such personnel on their own behalf and by the superintendent on behalf of the Board. (O.C.G.A. 20-2-211)

Any laws to the contrary notwithstanding, the Board shall tender a new contract for the ensuing school year to every certified employee on the payroll of the system at the beginning of the preceding school year, except employees who have resigned or who have been terminated, by May 15 of each year or notify any such employee that they will not be reemployed for the ensuing school year. The notification shall be in writing. (O.C.G.A. 20-2-211)

27.2 Effective Date of Salary Schedules

Schedules are effective for the fiscal year, which begins July 1 and ends June 30 of each year. The scheduled rate applies to work performed during the fiscal year.

27.3 Minimum Salary for Certificated Employees

The Board shall not pay any employee or other certificated professional personnel in its employment a salary less than that prescribed by the index schedule of minimum salaries for the State of Georgia as set forth on the official Georgia Department of Education State Salary Schedule. (O.C.G.A. 20-2-212)

27.4 Factors Determining Salary

A contracted employee's salary is based on:

- (1) the number of work days scheduled in the official school calendar;
- (2) the number of years creditable experience;
- (3) the salary schedule he/she is on;
- (4) the annual evaluation; and
- (5) the highest level in-field certificate the employee has on file in the Human Resources Department.

Therefore, for newly employed personnel, until a valid in-field certificate and certified experience records are on file, all quotations of salary are temporary. For newly employed personnel, when the Human Resources Department receives a valid in-field certificate, the employee's pay rate will be adjusted, if necessary, to the beginning date of employment or the beginning validity date on the certificate, whichever is most recent.

27.5 Working Less Than the Number of Contracted Days

An employee's salary will be subject to an adjustment, on a pro rata basis, for the number of days in the annual work schedule that the employee does not work due to:

1. Late employment starting date;
2. Temporary relief from duty as the result of board action;
3. Absence from work without approval;
4. Non-compensated absence with approval;
5. Absence when the employee has no accumulated sick leave to cover the absences;
6. Early separation date from employment; and
7. Board action to adjust the official work schedule. (O.C.G.A. 20-2-212.1)

27.6 Years of Experience

"Years of Experience" as used in these salary schedules are defined as completed years on payroll as of July 1 of the fiscal year. Creditable experience and placement on the State Salary Schedule shall be in keeping with the salary placement rules of the Georgia State Board of Education.

27.7 Placement - Initial

An employee employed by LCS will receive a salary based on creditable years of experience and the highest, valid, in-field certificate. It shall be the sole responsibility of the employee to provide certification information to the Human Resources Department. The initial salary placement will be based on the salary schedule and policies adopted by the Board. Prior experience in professional positions in the LCS or in other systems will be recognized at full credit for initial salary placement. It is the employee's responsibility to provide acceptable verification of experience in other systems. Salaries will be adjusted for unverified experience. Creditable experience and placement on the State Salary Schedule shall be in keeping with the salary placement standards set by the Georgia State Board of Education.

27.8 Adjustment for New Certificate

The salary schedules for a certified employee are based on the highest, valid Georgia certificate on file in the Human Resources Department. State funds necessary to finance salaries are based on valid, in-field teaching certificates. Salary adjustments for new certificates will be processed during the month the new certificate is received by the Human Resources Department provided it is received prior to the payroll cut-off date. If it is received after the cut-off date, the salary adjustment will be made the following month. Salary adjustments will be retroactive to the effective date of the level of the certificate, or the date of employment, whichever is most recent.

27.9 Advancement on the State Salary Schedule

The contract salary of a 190-day employee holding a valid, professional, in-field certificate will be advanced to the next consecutive step on the salary schedule unless: (1) the maximum progression step for the position has been reached; (2) services were contracted for fewer than 120 days in the previous academic year; (3) certification requirements have not been met; (4) insufficient funds are budgeted for salary advancement; or (5) the employee fails to receive a satisfactory performance evaluation for the prior two years. An employee may advance only one step on the salary schedule per year and must work one year on each step. Step advancement normally occurs only at the beginning of an academic year. Professional staff employed on 10-month, 11-month, or 12-month contracts must be under contract for at least 120 days in the previous academic year to be eligible for a step increase. Creditable experience and placement on the State Salary Schedule shall be in keeping with the salary placement standards set by the Georgia State Board of Education.

27.10 Schedules Subject to State Funds Availability

Salary schedules are subject to the availability of state funding. If state funding is not available, schedules may be reduced. The contract amount may be decreased according to any decrease

in the Georgia state Salary Schedule or any decrease of federal funds or other grant funding from the date of execution of the contract or the termination thereof. The rate is also subject to an adjustment upward or downward according to the Quality Basic Education Act (as amended) applicable to the classification and type of service to which the employee has been assigned. In the event funding sources are adjusted, LCS's salary schedules will be adjusted by an equitable amount for each salary step. In the event funds for designated programs are discontinued, the positions funded by the special grants will be terminated when the funds have been exhausted.

27.11 Certification Ineligibility and Pay

In the event an employee is not able to secure an appropriate Georgia teaching certificate, the employee's services may be terminated at the discretion of the school system. The salary will be paid at the appropriate substitute employee rate in keeping with the terms of the employment contract.

27.12 Extended Day/Year Salaries

The Board recognizes as necessary the extension of secondary educational programs through the use of extended day/year funds in the Quality Basic Education Act. These extended day/year funds are generated through the full-time equivalency funding process for the categories of 9-12 regular high school, 9-12 non-vocational laboratory program and the 9-12 vocational laboratory program. These funds are reflected in the direct instructional cost allocations in the above categories. The board establishes the following criteria that apply to all instructors receiving extended day/year salaries.

- A. The extended day and extended year time will be beyond the employee's normal eight-hour workday and 190 day work year.
- B. All approved extended instructional activities relate to state approved instructional student competencies.
- C. Employees will be limited to teaching a maximum of one instructional segment beyond the teaching workday and to one segment out-of-field.
- D. Payments will be made only for work performed beyond the normal eight hour work day.
- E. Monthly/yearly documentation of extended salary time and program responsibilities will be maintained and reported to the Georgia Department of Education.
- F. Payments for extended day are based on the hourly rate of the employee's state base salary times the number of days worked. Local supplement is not calculated in extended-day salary.
- G. Payments for extended year are based on the daily rate of the employee's state base salary times the number of days worked.(GBOE Rule GBA(1) (160-4-3-.09); GBA(2) (160-43-.11); GBA(3)(160-4-3-.04); GBA(4)(160-3-1-.01) (O.C.G.A. 20-2-168(d)(e); 20-2-182(d); 20-2-212) (LCS Policy GBA)

27.13 Extra-Duty Assignments

Personnel may be assigned, at the discretion of the principal, additional duties requiring daily and calendar schedules exceeding the schedules for regular assignments. These assignments may include athletic coaching, instruction in instrumental music, on-the-job training, counseling, sponsorship of student organizations and other activities that are a part of the

school program. All personnel receiving salary supplements are employed with the specific understanding that duties shall be performed in addition to classroom instruction. Extra-duty assignments made by the principal or other administrator which are compensated in addition to the contracted salary are specifically duties assigned on a semester or annual basis and are accepted with the understanding that they are exclusive of all contract provisions, including due process provisions of the Georgia Code.

27.14 Extra-Duty Supplements

Supplements for coaching assignments and club sponsorships are paid for the extended daily and calendar schedules which are necessary for practice, competitive events and other activities related to the respective programs. Employees who complete a partial assignment will receive a proration of the supplement as recommended by the principal and approved by the Human Resources Department. Salary supplements, including extended day, extended year and extra duty supplements, are annually approved at the sole discretion of the Lowndes Board of Education (Board) and are not a guaranteed part of the salary. Extra duty supplements are awarded based on the recommendation of the superintendent and approval of the Board.

27.15 Summer and After School Programs

Salaries for certified employees for summer and after school programs will be calculated using the state base salary only and shall not include any local supplements.

27.16 Salaries Paid Over 12 Months

Salaries for employees who work less than 12 full months will be divided over a 12-month period (September through August). An employee's salary is earned by working a 190-day schedule, August through May. However, employees new to the system who will be receiving "summer pay" from another school system for the month of August (immediately prior to pre-planning) will be paid over a 12-month period, September through August. All other employees new to the system will be paid over a 13-month period, August through August.

27.17 Pay Dates

All professional employees are paid once a month on the last day of the month. Paydays in November and December may be set for the last workday prior to holiday breaks.

27.18 Retroactive Adjustments

Salary adjustments are sometimes necessary due to: (1) late employment, (2) temporary relief from duty by Board action, (3) absence without approval, (4) non-compensated absence with approval, (5) absence when there is no accumulated leave to cover such absence, (6) early separation, (7) adjustments in official work schedules, (8) certification irregularities, (9) new upgraded certificates, (10) verification of experience irregularities, (11) changes in supplemental duty assignments, and (12) other factors. The Human Resources Department will calculate any retroactive pay once all supporting documents are received.

27.19 Movement Between Levels

Movement from one level to another is based upon the fulfillment of all requirements for the next level. Movement of certified staff from one level on the State Salary Schedule to another level will be based on certification (T-1 to Professional T-7). For the local schedules that have levels, a change must be recommended by the immediate supervisor and approved by the superintendent. Special rules apply to Leadership positions. Movement between levels and placement on the State Salary Schedule shall be in keeping with the salary placement standards set by the Georgia State Board of Education.

See rules at www.gapsc.com or contact the Human Resources Department.

27.20 Performance Evaluations and Pay

Movement of certified employees from one step to another is contingent upon receiving a satisfactory annual evaluation. A certified individual receiving an unsatisfactory annual evaluation shall not receive credit for any year of experience in which the employee received an unsatisfactory performance evaluation for the purpose of calculating that employee's placement on the State Salary Schedule and the employee shall remain at his/her current step. Upon receipt of a subsequent satisfactory annual evaluation, the employee shall be placed on the salary schedule on the step where that individual would have been placed if the year of unsatisfactory evaluation had not been received. Any employee receiving two unsatisfactory annual performance evaluations in the previous five-year period will not be entitled to receive a renewable certificate until he/she demonstrates that such performance deficiency has been satisfactorily remediated, but the employee may apply to the Georgia Professional Standards Commission for a one-year nonrenewable certificate. Creditable experience and placement on the State Salary Schedule shall be in keeping with the salary placement standards set by the Georgia State Board of Education.

See rules at www.gapsc.com or contact the Human Resources Department.

28.0 Salary Deductions

Payroll deductions are authorized for the following reasons:

1. Dues for professional organizations;
2. Premiums on approved insurance plans;
3. Payments to approved tax deferred annuity plans;
4. Voluntary contributions or other payments to agencies meeting the requirements set forth in regulations to be developed by the superintendent and staff;
5. Legally mandated deductions, including those for federal and state income tax, garnishments, wage levies, and retirement plans; and
6. When payroll deductions are necessary to recoup the cost for materials, equipment, etc. that are lost, not returned, or damaged.

29.0 State Approved Creditable Experience for Salary Purposes

The following regulation is applicable when determining creditable experience for placement on the State Salary Schedule:

29.1 Purpose

The minimum state salary of certified educators in Georgia is determined by the number of years of creditable experience earned and the highest level and type certificate held. Creditable years of experience represent the experience approved by the State Board of Education for advancement on the State Salary Schedule.

29.2 Responsibility for Verifying and Awarding Experience

Employees are responsible for furnishing prior experience verification in the form and upon request by the Human resources Department. LCS is responsible for verifying and evaluating satisfactory experience for placement of certified employees on the State Salary Schedule. Should questions regarding verification arise, the educator shall be required to submit additional records to LCS.

30.0 Hours of Work

Full-time employees are expected to work a minimum eight-hour day and forty hours each week. All hours worked must be reported on the system's time system (VeriTime). The workday begins at the time specified by the principal or director or designee. Part-time (49%) employees work the number of hours daily and/or weekly as specified in their contract or initial employment agreement subject to the terms of the Teacher's Retirement System of Georgia. School principals will be responsible for the individual hours a school employee works. Principals have some discretion in the hours employees are at school and will work with employees on an individual basis to insure that schools are open and that children are supervised when they arrive and until the time they leave.

Duties for certified staff members may vary according to assignments, and include responsibilities such as teaching and preparation, staff meetings, conferences with students and parents, planning conferences, related school activities in the community and extra class responsibilities and completion of those duties may result in a workweek in excess of 40 hours. Distribution of work among staff members shall conform to the minimum requirements for accreditation and any applicable state standards. (GBOE Rule AF, GBRC (160-5-1-.06) (O.C.G.A. 20-2-168(c))

31.0 Professional Personnel Time Schedules

The minimum work day for full-time certified employees shall be eight (8) hours. Specific work hours for certified employees shall be determined by their administrators/directors. The minimum work day for which the base salary is paid shall include, but not be limited to, such

duties as teaching, preparation time, meetings, conferences with parents and all other duties that may be assigned.

Certified employees shall use the system's time recording system (VeriTime) when starting work and when stopping work upon their departure at the end of the school day. All hours worked must be recorded in VeriTime.

32.0 Direct Deposit of Pay

Employees are encouraged to have their payroll check deposited to their choice of any bank or credit union provided the bank is a member of the Automated Clearing House (ACH). The deposit may be made to a checking account. The employee may end the arrangement at any time. Please contact the Human Resources Department if you have questions regarding direct deposit.

32.1 Eligibility

All employees are eligible for direct deposit of pay. New employees are eligible for direct deposit beginning with the second paycheck. Application can be made at any time.

32.2 How to Apply

Please contact the Human Resources Department to initiate direct deposit.

32.3 Proof of Deposit

Employees will receive a "Direct Deposit Voucher" on the Self-Serve website showing their wages, taxes, and other deductions. The employee's bank statement should also show the date and the amount of the deposit.

32.4 Production Problems

It is possible that production problems concerning power failure, inclement weather or technical operations may prevent the direct deposit of payroll. Should a rare production problem prevent a direct deposit, then a regular paycheck will be issued. Immediately upon receipt, each check stub should be reviewed for accuracy.

32.5 Notice to Discontinue or Change Direct Deposit

Any changes to direct deposit accounts require written notification, (i.e. closed bank account, transfer of account to new bank) and must be received no later than the 10th of the month by the Human Resources Department.

32.6 Closing a Bank Account

Bank accounts should be closed only after a written notice to discontinue direct deposit has been received and processed by the Human Resources Department and Payroll Department.

33.0 Employee Benefits

33.1 Eligibility

Full-time employees are eligible for employee benefits sponsored by the system in keeping with the terms and conditions of the individual plans. Your employee benefits are an important part of your total compensation, so please familiarize yourself with details of the plans. We encourage you to seek clarification when necessary.

33.2 Employee Benefits Center

The Employee Benefits Center website (<http://www.mylowndesbenefits.com/>) is your online employee benefits manual. This site has been created to provide you with an efficient way to obtain information and answers to your questions regarding your employee benefit plans on a 24/7 basis. Our goal is to empower you through this tool to meet your specific needs, as well as enhance your understanding of our benefit program. Specifically, you will have access to the various benefit summaries, forms and links to important sites.

33.3 Benefit Plans

The district understand that our employees are our most valuable resource. Therefore, we are committed to providing you with the most cost-effective benefits program possible. Should you have any questions regarding your benefits with LCS, we invite you to contact the Human Resources Department.

LCS is proud to be able to offer a variety of voluntary employee benefits. For the most current information, please refer to the Employee Benefits Center website (<http://www.mylowndesbenefits.com/>) to review plan details and to access other resources. If you need additional assistance, please contact the Human Resources Department.

34.0 Leaves of Absence

It shall be the policy of the Lowndes County Board of Education to provide leave for its personnel in accordance with state law, to encourage excellent attendance and to promote fair and consistent application of attendance policies and procedures. The Board expects regular and punctual employee attendance. The superintendent shall develop written procedures to implement this policy.

Personnel will receive full pay when temporarily absent for approved reasons covered in this policy.

34.1 DEFINITIONS

Absence: Days or portions of days absent from work.

Approved absence: Sick leave, professional leave, personal leave, jury/legal leave, religious observance, and military absences as defined in this policy.

Unapproved absence: An absence not covered by one of the approved list above.

Sick leave absences: Those days used for personal illness (including exposure to contagious disease) or temporary disability (including maternity); illness and temporary disability of members of the immediate family or death in the immediate family.

Immediate family: Spouse, children, father, mother, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, grandparents, aunt, uncle, niece, nephew, grandchildren, or any relative living in the home of the employee.

Professional leave days: Those days spent at approved professional conferences or other approved professional growth activities relating to the profession.

Personal leave days: A maximum of five days that can be utilized for the purpose of transacting personal business.

Annual leave days: Those days earned by 12-month employees, unless otherwise indicated in the district Salary Schedules, for annual leave during the contract/work year July 1 through June 30. The 12-month employee may accumulate a maximum of 20 annual leave days, which may only be used for annual leave.

34.2 LEAVE DAYS EARNINGS AND USE

The employee must apply in writing (following Lowndes County procedures) for personal, annual, maternity, and professional leave. Instructions provided with leave forms must be followed.

Procedures for accounting for leave days shall be developed and followed.

Employees shall be granted leave days for the current year at the beginning of the contract/work year.

The total maximum annual accumulation for 10-month employees will be 12.5 days, for 11-month employees - 13.75 days, and for 12-month employees - 15 days.

The employee may accumulate a maximum of 75 leave days, all of which may be used in one year for sick leave.

Any unused sick and personal leave accumulated by employees shall be credited to such personnel and shall be transferred when there is a change in the employment of such personnel from one local board of education to another. Lowndes County Schools will only accept a maximum of 45 leave days earned by an employee while employed with another local board of education.

Any accumulated unused sick and personal leave credited to employees shall be forfeited if such personnel withdraw from service for a period of 12 or more consecutive months, unless

the withdrawal from service is for educational leave to seek a higher level or different field of certification and provided that the withdrawal from service for this purpose is for no longer than 24 consecutive months. Any employees who forfeit such accumulated sick and personal leave shall be entitled to regain such accumulated sick and personal leave after the employees have returned to service for a period of two consecutive years.

Regular employees who work less than ten (10) months shall receive the proportionate amount of leave days to which their employment entitles them.

When personnel are absent for reasons other than those covered by the leave policy, the entire salary will be deducted for the time absent.

Substitute teachers will be paid by the Board.

34.3 JURY/LEGAL LEAVE

Employees shall be paid for time missed when summoned to serve on a jury or subpoenaed to appear in court. Such absence will not be deducted from the employee's allotted leave days. Jury/legal leave must be requested in writing in a timely manner and must include a copy of the subpoena or summons.

34.4 MILITARY LEAVE

All employees are entitled to paid leave not to exceed eighteen days in any one federal fiscal year for the purpose of complying with ordered military duty with the armed forces of the United States or State of Georgia, including duty as a voluntary member of the National Guard or any reserve component of the United States or State of Georgia. In the event the Governor declares an emergency that results in an employee being ordered to military duty as a member of the National Guard, the employee is entitled to leave not exceeding thirty days in any one federal fiscal year. Employees who have military commitments shall inform the Superintendent or designee annually, provide a copy of the official military orders, and cooperate to the extent possible in scheduling such leave so as to minimize the disruption in those employees' duties and the mission of the Board of Education.

34.5 PERSONAL LEAVE

Effective July 1, 2011, the number of personal leave days that can be used each year (July-June) shall not exceed five days.

There shall be no accumulation of personal business leave days. However, if these days are not used, they shall be accumulated as sick leave days.

Request for such leave must be scheduled in the appropriate time/attendance system at least one (1) week before the anticipated absence, except in case of emergency, and must be approved by the superintendent or designee. In accordance with Georgia law, certified personnel do not have to give a reason for taking personal business leave.

Personal business leave days will not be granted on in-service days, nor will they be granted on

the day before or the day after a school holiday period, except as may be approved by the administrator/immediate supervisor. They will not be granted for gainful employment elsewhere.

34.6 ANNUAL LEAVE

Effective July 1, 2017, 12-month employees shall earn ten days of annual leave per year at the beginning of each contract/work year. The employee may accumulate a maximum of 20 annual leave days. Unused annual leave not in excess of 20 days shall be carried forward and may be used in the subsequent year. Annual leave days in excess of 20 days shall be permanently forfeited and no payment shall be made for the unused/forfeited days.

Request for leave must be scheduled in the appropriate time/attendance system at least ten days prior to the anticipated absence and must be approved by the superintendent or his/her designee.

34.7 PROFESSIONAL LEAVE

Employees may be granted professional leave days at the discretion of the superintendent. Request for such leave must be submitted on the appropriate form at least two (2) weeks before the anticipated absence and must be approved by the superintendent or designee.

Professional leave days will not be counted against the employee's earned sick leave. Professional leave days will not be granted for gainful employment elsewhere.

34.8 RELIGIOUS OBSERVANCES

Employees may use personal leave for the observance of recognized religious holidays. If an employee desires to take leave for the observance of recognized religious holidays in excess of the days allowed for personal leave, the employee may take unpaid leave for such purposes, provided that such leave is not excessive and does not interfere with fulfilling the obligations of his or her job.

34.9 SICK LEAVE

Should the Superintendent have a reasonable basis to question any doctor's statement of disability or ability to return to work, the Superintendent may appoint a physician of the same specialty to render an independent opinion. The independent opinion shall be paid for by the Board of Education. Refusal by the employee to submit to such independent examination shall be grounds for termination of employment.

Employees are eligible to join the Sick Leave Bank (GBRIB(1)) from which days may be drawn for periods of extended sickness or disability.

Employees may also apply for unpaid leave under the Family and Medical Leave (GBRIG) policy.

Any sick leave accumulated by certified employees shall be credited to them and shall be transferred with such employees when they change employment from one Georgia School

System to another Georgia School System. Such leave will be forfeited if the employee withdraws from service for twelve or more consecutive months.

Certified employees shall not be charged with sick leave nor have their compensation reduced for absence due to an injury caused by a physical assault while such employees were engaged in the performance of their assigned duties for the first seven work days of absence resulting from a single injury.

An active employee may donate up to ten (10) accrued and unused sick leave days to his or her spouse provided the spouse is also an active employee of the Lowndes County Board of Education. Donated sick leave days authorized in this policy may only be used by the receiving spouse for the purposes of maternity leave, personal illness, illness of a family member or death of a family member. The number of sick leave days donated may not under any circumstances exceed a total of ten (10) days during the donating spouse's employment.

The election to donate sick leave is irrevocable and not subject to restoration or appeal. The sick leave days donated shall not be used to increase the number of additional personal days (those days beyond the statutory five-day allowance) available to a spouse, and the number of additional sick leave days (those days beyond the statutory five-day allowance) available to the donating spouse may decrease as a result of the voluntary donation election.

The Superintendent shall establish and maintain guidelines (including a Sick Leave Donation to Spouse Authorization Form) necessary for administration of this policy.

34.10 PAID PARENTAL LEAVE

Effective July 1, 2021, qualified full-time employees are eligible to receive up to 15 paid days of leave for the following qualifying events:

1. The birth of a child of an eligible employee;
2. The placement of a minor child for adoption with an eligible employee; or
3. The placement of a minor child for foster care with an eligible employee.

Please contact the Human Resources Department for additional information and to make application for Paid Parental Leave.

34.11 EXTENDED LEAVE OF ABSENCE

Certified personnel with at least five (5) years of continuous service to Lowndes County Schools may apply to the superintendent for unpaid leaves of absence of up to one (1) year for continuation of academic pursuits or for holding elective office.

Leaves of absence may be granted for graduate study. An employee granted such a leave shall be given consideration for re-employment if an opening exists for which the employee is qualified.

During the absence of an employee holding public office, a substitute will be employed to fill

the position. Upon completion of the public service, the employee shall resume regular school duties. The Board will deduct salary for the days absent.

If the Board grants the employee an unpaid leave of absence, that employee retains the accumulated days of leave for the term of the leave of absence agreement granted by the Board, not to exceed twelve (12) consecutive months.

34.12 LIMITED EXTENDED MEDICAL LEAVE

Certified and classified employees may be granted up to 120 workdays as unpaid extended medical leave provided the following conditions are met:

1. This leave is available to active personnel only in the event for illness of employees, their sons, daughters, spouses, or parents. Leave under this section does not apply to maternity leave except in the case of medical complications arising from normal pregnancy.
2. All other paid and unpaid leave provided employees under Board policies has been exhausted.
3. The employee must be an active employee and have been employed for a minimum of 12 consecutive months prior to the request for leave.
4. Except where circumstances are such that advance planning is not possible, employees must provide the superintendent with a written notice requesting leave at least 30 calendar days in advance of the date the leave is to begin.
5. The Board requires a request for leave supported by a certification issued by the attending physician of the eligible employee or of the son, daughter, spouse, or parent of the employee. Refusal or failure to furnish a physician's certification as requested shall be grounds for termination of employment.
6. Following the end of a period of approved leave, employees shall have preferred rights to re-employment in jobs for which they are qualified for a period of twenty-four (24) months.
7. After having been offered re-employment, if the employee fails to return on the first scheduled workday following expiration of any period of approved leave, employment will be terminated, and the employee will be required to reimburse the Board within 30 calendar days an amount equal to all employer contributions that may be made on behalf of the employee for employee benefits during the leave period.
8. An employee returning to work after a leave for a personal disability shall only be entitled to return to active employment upon presentation of a physician's statement certifying that the employee can perform the essential functions of the job. Refusal or failure to furnish a physician's statement as requested shall be grounds for termination of employment.
9. During any period of leave as prescribed under this section, the employee shall not be gainfully employed in any other job nor be enrolled as a student in a technical college, college, or university. Should this occur, the employee will be subject to termination of employment.
10. The employee maybe granted a maximum of 120 unpaid workdays. After the initial 120 days of leave has been used, the employee will not be eligible for leave provided in this policy during the next 36 consecutive months.
11. While on approved leave, the employee may be entitled to continuation of group health benefits during the leave in keeping with provisions of the State Health Benefit Plan.

12. While on approved leave, the employee will not earn leave days except as may be required by law.

13. The superintendent shall have the responsibility of receiving, verifying, and approving, modifying, or denying requests for limited medical leaves of absence. The superintendent shall render a decision on all applications within ten (10) working days after the receipt of a complete and legible application. The decision shall be final and binding and not subject to appeal.

14. The superintendent shall inform the payroll department of all requests they approve and the amount of additional leave granted the employee. The payroll department shall maintain records of the transactions involving this provision of the policy.

34.13 LEAVE FOR SHORT-TERM ABSENCES

Principals/Directors may approve a short-term leave of absence to an employee who needs to be absent for a period not to exceed two hours per day. Short-term leaves will be subject to the following conditions:

1. The short-term leave is granted on a case-by-case basis and at the sole discretion of the employee's principal/director;
2. The employee must give advanced notice of his/her planned absence;
3. The employee's absence will not jeopardize instruction or the operation of the school/department; and
4. Short-term leaves are limited to a maximum of eight hours per school year to be charged in half-hour increments.

34.14 LEAVE AND WORKDAY EXCHANGE

Under special hardship circumstances, the Superintendent may approve a leave of absence and corresponding workday exchange. In consideration of this leave of absence, the employee will agree to work an additional number of days equal to the number of days taken as leave under this provision. The workdays will be in addition to and performed after the employee completes his/her regularly scheduled number of school year workdays. (An employee on a 230-day schedule will be required to work on a Saturday or holiday(s) as his/her exchange days). This policy will also apply in the event an employee works on a day when work is not normally scheduled and is approved for an exchange days of leave to be taken on a day when work is normally performed. This leave of absence and workday exchange will be subject to the following conditions:

1. The leave of absence and workday exchange are granted on a case-by-case basis and at the sole discretion of the superintendent;
2. The employee must give a minimum of five days advanced notice of the planned absence and the workday exchange date(s) and complete a Workday Exchange request form;
3. The employee's absence and workday exchange will not jeopardize instruction or the operation of the school/department;
4. The leave of absence and workday exchange are limited to a maximum of five days per school year;

5. The employee will not receive compensation for the leave of absence, however compensation will be made for the exchange workday(s) actually worked;
6. If an employee requests a workday exchange but fails to work the scheduled exchange day, a payroll deduction will be made from the employee's next salary payment in an amount equal to the compensation the employee would have earned had the employee worked on the leave day(s);
7. Leave will not be granted on in-service days, nor will leave be granted on the day before or the day after a school holiday;
8. The leave will not be granted for gainful employment elsewhere; and
9. The exchange day(s) work must be performed within the fiscal year that the leave of absence is taken.

34.15 LONG-TERM UNPAID LEAVE

There may be rare occasions when an employee (certified and classified) is faced with an emergency or special circumstance necessitating the need for Long-Term Unpaid Leave (LTUL). The Superintendent may grant LTUL to employees on a case-by-case basis. All periods of LTUL are subject to the Principal/Director and Superintendent's recommendation and Board approval.

LTUL may be granted provided the following conditions are met:

1. The employee requesting LTUL must be a full time, active employee and have been employed for a minimum of 24 consecutive months (to include summer periods when the employee may not be actively at work) prior to the beginning date of LTUL.
2. All other paid and unpaid leave provided employees under Board policies, state and/or federal laws has been exhausted (or the employee is not eligible for other forms of paid or unpaid leave).
3. The employee shall notify the Principal/Director in writing (a Long-Term Unpaid Leave Request form will be provided) of the request for LTUL at least 60 calendar days prior to the date such leave is to begin. If the request is of an emergency nature, the Principal/Director may waive the prior notification requirement. The notice shall indicate the reason for the request and the beginning and ending dates of such leave. Determination of the approved beginning and return dates are left to the discretion of the Superintendent.
4. The Principal/Director shall present the executed leave request form and, if approved, the reemployment recommendation to the Superintendent within five days of completion of the form by the employee and Principal/Director.
5. The Superintendent shall make a determination to accept or reject the leave request based on the needs of the System. The leave request will be evaluated, taking into consideration the instructional/support needs of the System, length of service, work record and the reason for and length of the LTUL.
6. A leave request approved by the Principal/Director and Superintendent shall be submitted to the Board for final approval. The action by the Board shall be final and not subject to appeal.
7. If LTUL is requested because of a medical necessity of the eligible employee or of the son,

daughter, spouse, or parent of the employee, the LTUL request must be supported by an acceptable certification issued by the attending physician.

8. An employee returning to work after a leave for a personal illness or disability shall only be entitled to return to active employment upon presentation of a physician's statement certifying that the employee can perform the essential functions of the job. Refusal or failure to furnish a physician's statement as requested shall be grounds for termination of employment and the System will be under no further obligation or duty to the employee to offer another opportunity for employment.

9. Following the end of a period of LTUL, the employee shall have a right to employment in a job for which the employee is qualified. At the conclusion of the LTUL, or at any time during the leave that the employee is able to return to work, provided that a statement from the attending physician is submitted attesting to the employee's ability to perform his or her job functions, the employee shall be considered for the position held when the LTUL commenced or another similarly situated position that may be available at the time. It shall be at the discretion of the Superintendent as to the exact location and nature of the employment to be offered. If for any reason the employment offer is not accepted, the System will be under no further obligation or duty to the employee to offer another opportunity for employment and the refusal will be considered a voluntary resignation and employment will be terminated.

10. The Superintendent may delay the return of a certified employee to active employment until the beginning of the next semester.

11. If the employee fails to return on the first scheduled workday following expiration of any period of approved LTUL, employment will be terminated.

12. During any period of LTUL, the employee shall not be gainfully employed in any other job. Should this occur, the employee shall forfeit all re-employment rights.

13. The employee may be granted a LTUL up to a maximum of 12 months.

14. The employee on LTUL will retain all benefits accrued prior to the commencement of leave, but the employee is not eligible to receive benefits, including sick leave, during the period of leave except as may be required by law. However, the employee may be entitled to continuation of group benefits in keeping with provisions of the individual plans. Employees desiring to continue their insurance coverage must personally contact the insurance companies and make arrangements with the companies for payment of premiums while on LTUL. During a period of LTUL, the employee is solely responsible for the payment of all applicable premiums for his/her employee benefits.

34.16 Leave and Workday Exchange

Under special hardship circumstances, the Superintendent may approve a leave of absence and corresponding workday exchange. In consideration of this leave of absence, the employee will agree to work an additional number of days equal to the number of days taken as leave under this provision. The workdays will be in addition to and performed after the employee completes his/her regularly scheduled number of school year workdays. (An employee on a 230 - day schedule will be required to work on a Saturday or holiday(s) as his/her exchange day). This policy will also apply in the event an employee works on a day when work is not normally scheduled and is approved for an exchange day of leave to be taken on a day when work is

normally performed. This leave of absence and workday exchange will be subject to the following conditions:

1. The leave of absence and workday exchange are granted on a case-by-case basis and at the sole discretion of the superintendent;
2. The employee must give a minimum of five days advance notice of the planned absence and the workday exchange date(s) and complete a Leave and Workday Exchange Request form;
3. The employee's absence and workday exchange will not jeopardize instruction or the operation of the school/department;
4. The leave of absence and workday exchange are limited to a maximum of five days per school year;
5. The employee will not receive compensation for the leave of absence, however compensation will be made for the exchange workday(s) actually worked;
6. If an employee requests a workday exchange but fails to work the scheduled exchange day, a payroll deduction will be made from the employee's next salary payment in an amount equal to the compensation the employee would have earned had the employee worked on the leave day(s);
7. Leave will not be granted on in-service days, nor will leave be granted on the day before or the day after a school holiday;
8. The leave will not be granted for gainful employment elsewhere; and
9. The exchanged day(s) of work must be performed within the fiscal year that the leave of absence is taken.

34.17 Long-Term Unpaid Leave

There may be rare occasions when an employee has an emergency or special circumstance necessitating the need for Long-Term Unpaid Leave (LTUL). The Superintendent or designee may grant LTUL to employees on a case-by-case basis. All periods of LTUL are subject to the Principal/Director and Superintendent's recommendation and Board approval.

LTUL may be granted provided the following conditions are met:

1. The employee requesting LTUL must be a full time, active employee and have been employed for a minimum of 24 consecutive months (to include summer periods when the employee may not be actively at work) prior to the beginning date of LTUL.
2. All other paid and unpaid leave provided employees under Board policies, state and/or federal laws has been exhausted (or the employee is not eligible for other forms of paid or unpaid leave).

3. The employee shall notify the Principal/Director in writing (a Long-Term Unpaid Leave Request form will be provided) of the request for LTUL at least 60 calendar days prior to the date such leave is to begin. If the request is of an emergency nature, the Principal/Director may waive the prior notification requirement. The notice shall indicate the reason for the request and the beginning and ending dates of such leave. Determination of the approved beginning and return dates are left to the discretion of the Superintendent.
4. The Principal/Director shall present the executed leave request form and, if approved, the reemployment recommendation to the Superintendent within five days of completion of the form by the employee and Principal/Director.
5. The Superintendent shall make a determination to accept or reject the leave request based on the needs of the System. The leave request will be evaluated, taking into consideration the instructional/support needs of the System, length of service, work record and the reason for and length of the LTUL.
6. A leave request approved by the Principal/Director and Superintendent shall be submitted to the Board for final approval. The action by the Board shall be final and not subject to appeal.
7. If LTUL is requested because of a medical necessity of the eligible employee or of the son, daughter, spouse, or parent of the employee, the LTUL request must be supported by an acceptable certification issued by the attending physician.
8. An employee returning to work after a leave for a personal illness or disability shall only be entitled to return to active employment upon presentation of a physician's statement certifying that the employee can perform the essential functions of the job. Refusal or failure to furnish a physician's statement as requested shall be grounds for termination of employment and the System will be under no further obligation or duty to the employee to offer another opportunity for employment.
9. Following the end of a period of LTUL, the employee shall have a right to employment in a job for which the employee is qualified. At the conclusion of the LTUL, or at any time during the leave that the employee is able to return to work, provided that a statement from the attending physician is submitted attesting to the employee's ability to perform his or her job functions, the employee shall be considered for the position held when the LTUL commenced or another similarly situated position that may be available at the time. It shall be at the discretion of the Superintendent as to the exact location and nature of the employment to be offered. If for any reason the employment offer is not accepted, the System will be under no further obligation or duty to the employee to offer another opportunity for employment and the refusal will be considered a voluntary resignation and employment will be terminated.

10. The Superintendent may delay the return of a certified employee to active employment until the beginning of the next semester.
11. If the employee fails to return on the first scheduled workday following expiration of any period of approved LTUL, employment will be terminated.
12. During any period of LTUL, the employee shall not be gainfully employed in any other job. Should this occur, the employee shall forfeit all reemployment rights.
13. The employee may be granted a LTUL up to a maximum of 12 months.
14. The employee on LTUL will retain all benefits accrued prior to the commencement of leave, but the employee is not eligible to receive benefits, including sick leave, during the period of leave except as may be required by law. However, the employee may be entitled to continuation of group benefits in keeping with provisions of the individual plans. Employees desiring to continue their insurance coverage must personally contact the insurance companies and make arrangements with the companies for payment of premiums while on LTUL. During a period of LTUL, the employee is solely responsible for the payment of all applicable premiums for his/her employee benefits.

34.18 Family and Medical Leave Act (FMLA)

It is the purpose of this policy to set out in summary form the provisions of the Family and Medical Leave Act ("the Act" or "FMLA") and its implementing regulations. The Board of Education ("Board") does not intend by this policy to create any additional rights to leave not provided by the Act; provided, however, the Board does wish to extend the rights of the Act to certain employees who have worked at least 12 months for the Board. The Board does 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 regulations. **Employees should contact the Human Resources Department as soon as leave under the Act is anticipated.**

A. ELIGIBLE EMPLOYEES

Employees of the Board who have been employed by the Board for at least 12 months and who have worked at least 1250 hours during the 12 month period immediately preceding the commencement of the leave are eligible to take unpaid leave under the FMLA.

B. DEFINITIONS

"Covered Active Duty" means, for members of the regular Armed Forces, duty during deployment to a foreign country; for members of a Reserves component of the Armed Forces, duty during deployment to a foreign country under a call or order to active duty pursuant to federal law.

“Covered Service member” (for qualifying exigency leave) means the employee’s spouse, child or parent under a federal call or order to covered active duty.

“Covered Service member” (for military caregiver leave) means the employee’s spouse, child, parent or next of kin who is (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a veteran who was a member of the Armed Forces at any time during the five years preceding the date on which the veteran undergoes such medical treatment, recuperation, or therapy.

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

“Next of Kin” of a covered service member means the nearest blood relative other than the covered service member’s spouse, parent, son or daughter, in the following order of priority: blood relatives granted legal custody, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative for purposes of FMLA caregiver leave.

“Outpatient Status,” with respect to a covered service member, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

"Parent" means a biological, adoptive, step or foster mother or father or one who acted in place of a parent when the employee was a child. The term “parent” does not include parent “in law.”

“Parent of covered service member” means a biological, adoptive, step or foster parent or any other individual who acted in place of a parent of the covered service member. The term does not include parents “in law.”

"Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care requiring an overnight stay in a hospital, hospice or residential medical care facility or continuing treatment by a health care provider, all as further defined in the FMLA regulations.

“Serious Injury or Illness” means, an injury or illness incurred by a covered service member in the line of duty on active duty (or that existed before active duty and was aggravated by line of duty active service) that may render the service member medically unfit to perform the duties of the member’s office, grade, rank, or rating. In the case of a veteran, “serious injury or illness” means a qualifying injury or illness incurred during

or aggravated by active duty during the five years before undergoing treatment, recuperation, or therapy, and that manifested itself before or after the member became a veteran.

"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 due to a mental or physical disability at the time FMLA leave is to begin.

"Son or daughter of a covered service member" means a covered service member's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered service member acted in the place of a parent, and who is of any age.

"Spouse" means a husband or wife as defined in the FMLA regulations.

C. AMOUNT AND TYPE OF LEAVE TAKEN

An eligible 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 with the employee of a son or daughter and to care for the newly placed child;
3. To care for the employee's spouse, son, daughter or parent, if that person has a serious health condition;
4. Serious health condition of the employee that prevents the employee from performing his/her job functions;
5. Any qualifying exigency arising from the fact that the employee's family member (the covered service member) is on covered active duty. Qualifying exigencies are defined as short-notice deployment (seven or less calendar days); military events and related activities; child care and school activities; financial and legal arrangements; counseling; rest and recuperation (up to fifteen calendar days per instance); post-deployment activities; parental care; additional activities where the employer and employee agree that the leave is an exigency and agree to both timing and duration of the leave; and
6. Military caregiver leave to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member.

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.

Except as provided below, an employee may take up to a total of 12 weeks leave during any twelve-month period. A "rolling year" shall be used to determine the twelve-month period

during which the leave entitlement may occur. That is, each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the number of weeks that has not been used during the immediately preceding 12 months. See 29 C.F.R. § 825.200(b)(4). If both spouses work for the District and both are eligible for FMLA leave, they are authorized to take only a combined total of 12 weeks leave during any one 12 month period to 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 to take leave for twelve (12) weeks to care for a spouse or child with a serious health condition.

An eligible employee is eligible to take up to 26 weeks of military caregiver leave during a "single 12-month period." The "single 12-month period" begins on the date the employee first takes military caregiver leave and ends 12 months after that date, regardless of the method used to determine the leave entitlement period for other FMLA reasons. If both spouses work for the District and both are eligible for FMLA leave, they are authorized to take only a combined total of 26 weeks during the "single 12-month period" described above for military caregiver leave or a combination of military caregiver leave and leave taken for other FMLA reasons.

The District will require that any accrued paid leave (sick, personal, vacation, or any other paid leave) be substituted for (run concurrently with) all or a part of the otherwise unpaid FMLA leave under the terms and conditions of the District's normal leave policies. Because leave pursuant to an employee's disability benefit plan or workers' compensation absence is not unpaid, the provision for required substitution of accrued paid leave is not applicable in such cases.

D. INTERMITTENT OR REDUCED LEAVE

An employee may take leave on an intermittent or reduced leave schedule where it is medically necessary due to the serious health condition of a covered family member, the employee, or the serious injury or illness of a covered service member, or when necessary because of a qualifying exigency. The District will require a certification, in the form designated by the District, to document the necessity of such intermittent leave or reduced schedule 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 Superintendent or his/her designee. If such advance notice is not possible, the employee must give notice as soon as practicable, which means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case. If an employee does not provide at least 30 days notice of foreseeable leave, he or she must explain why such notice was not practicable if so requested by the District. When the need for leave is not foreseeable, an employee must provide notice as soon as practicable, which generally should be according to the

District's usual and customary leave requirements. 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 District.

Employees must provide sufficient information for the District to reasonably determine whether the FMLA may apply to the leave request. When an employee seeks leave due to an FMLA-qualifying reason for which the District has previously provided FMLA leave, the employee must specifically reference either the previous qualifying reason for leave or the need for FMLA leave.

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 District will pay the employer's portion, if any, of such benefits. The employee will pay the same portion, if any, of such benefits as the employee paid before beginning the leave.

The District 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 or the employee's spouse, parent or child, or a serious injury or illness of a covered service member or other circumstances beyond the employee's control. The District may require certification from the health care provider that a serious health condition of the employee or family member, or the covered service member's serious injury or illness, prevented the employee from returning to work.

With the exception of paid vacation, personal, sick, or any other paid 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. Any accrued benefits will not be lost during the 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 District may deny reinstatement under this policy to an 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 District.

G. REQUIRED CERTIFICATION AND REPORTING

The District requires that a request for leave due to a serious health condition of an employee or an employee's family member or a serious injury or illness of a covered

service member be supported by certification by the appropriate health care provider of the eligible employee or family member on a form to be provided by the District. This certification for a serious health condition must include (1) the name, address, telephone and fax numbers of the healthcare provider and type of practice/specialization; (2) the approximate date on which the serious health condition commenced, and its probable duration; (3) a statement or description of appropriate medical facts regarding the patient's health condition for which FMLA leave is requested; (4) if the purpose of the leave is to care for a family member, a statement that the employee is needed to care for the family member and an estimate of the frequency and duration of the leave required for such care; (5) if the leave is due to the employee's own serious health condition, a statement that the employee is unable to perform his/her essential job functions, the nature of other work restrictions, and the likely duration of such inability; and (6) if intermittent or reduced schedule leave is requested, information sufficient to establish the medical necessity for the same and an estimate of the dates and duration of treatments and any periods of recovery. The employer may require that the eligible employee obtain subsequent recertification on a reasonable basis as requested by the District in accordance with the FMLA regulations.

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

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

The District may require that a first request for leave because of a qualifying exigency arising from active duty or a call to active duty be supported by a copy of the covered service member's active duty orders or other documentation issued by the military. A certification form requesting the required information to support a request for exigency leave will be provided by the District upon request.

The District may require an employee on FMLA leave to report periodically to his/her principal or supervisor on the employee's status and intent to return to work.

H. SPECIAL PROVISIONS

When an instructional employee seeks intermittent leave or leave on a reduced schedule in connection with a family or personal serious health condition or to care for a

covered service member that would constitute at least 20% of the total number of working days during which the leave would extend, the District may require the employee to elect to take leave in a block (not 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.

- I. If an instructional employee begins leave more than five weeks before the end of a semester, the District may require the employee to continue taking leave until the end of the semester if
 1. the leave will last at least three weeks; and
 2. 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 District may require the employee to continue taking leave until the end of the semester if

1. the leave will last more than two weeks; and
2. 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 District may require the employee to continue taking leave until the end of the semester.

34.19 Sick Leave Bank

The Board provides for a Sick Leave Bank for all employees to utilize after their accumulated sick leave days have been exhausted. The Sick Leave Bank shall be activated provided there is minimum participation of two hundred (200) employees.

Employees who elect to participate shall make a one-time contribution of (1) day from their accumulated sick leave until such time as the Sick Leave Bank is depleted to 60 days. At that time members will be assessed an additional day. Employees may withdraw sick leave days only within the guidelines established by the Sick Leave Bank Committee and in accordance with Board policy.

Sick leave days may be withdrawn for reasons as outlined under O.C.G.A. 20-2-850. Maternity leave, as defined by O.C.G.A. 20-2-852, is excluded from coverage by the Sick Leave Bank. Exceptions will be considered where medical complications arise from normal pregnancy.

The Sick Leave Bank may be used only for personal illness of the employee, and must be the result of a Catastrophic illness (as determined by the definition below and the Sick Leave Bank Committee) or Catastrophic Disability causing an extended absence from work or a qualifying Non-Catastrophic Disability.

Members preparing for retirement may donate unused sick days to the Sick Leave Bank providing the donation takes place prior to their last official work day.

Definitions:

Non-Catastrophic Disability

A Non-Catastrophic Disability is defined as any non-life threatening event requiring a period of temporary total disability longer than 20 consecutive workdays. Sick Leave Bank eligibility would begin at the end of the consecutive 20-day qualifying period provided the employee meets all participation requirements. The maximum amount of Sick Leave Bank days allowed for any one Non-Catastrophic Disability shall be 10 days during any July 1 to June 30 period .

Catastrophic Disability

A Catastrophic Disability is defined as a life-threatening illness or a life-threatening event that renders the employee totally disabled for 20 or more consecutive workdays. The maximum amount of Sick Leave Bank days allowed for any one Catastrophic Disability shall be 45 days during any July 1 to June 30 period.

Catastrophic Illness includes but shall not be limited to:

1. Heart Disease;
2. Heart surgery or cardiovascular rupture;
3. Stroke or any major cerebrovascular rupture or aneurysm;
4. Carcinoma;
5. Diabetes and medical complications related to diabetes;
6. Acquired Immune Deficiency Syndrome;
7. Muscular Disease;
8. Leukemia;
9. Organ transplant;
10. Brain or head trauma; and
11. Major trauma or illness resulting in hospitalization of 10 or more consecutive days.

Total Disability

Total Disability is defined as an event or illness that results in the employee being unable to perform all of his/her essential duties and responsibilities. All claims of benefits from the Sick Leave Bank shall be supported with medical documentation of the Total Disability and must be acceptable to the Sick Leave Bank Committee.

Regulations

1. The Sick Leave Bank Committee shall administer the Sick Leave Bank. It shall consist of seven (7) members. In May of each year, the superintendent or his/her designee will appoint a committee member from each of the following departments to serve a three (3) year term as vacancies occur:

- (a) elementary teacher (includes media specialists);
- (b) middle grades teacher (includes media specialists and counselors);
- (c) high school teacher (includes media specialists and counselors);
- (d) school based administrator (principal, assistant principal, certified directors);
- (e) classified employee (paraprofessional, school food service, clerical, custodian, maintenance, bus driver, transportation); and
- (f) system-wide employee (classified or certified)

The seventh member will be a representative of the Human Resources Department who will be a permanent member.

Vacancies will be filled by appointment by the superintendent or his designee. Any person appointed for any portion of a school year will be considered as having served for one year of a three (3) year term. The committee will, to the extent possible, be a diverse representation of the staff population.

2. The committee shall meet annually in May for the purpose of selecting officers (a chair, vice chair, and secretary). The committee officers shall serve a one-year term coinciding with the district's fiscal year.

3. The Sick Leave Bank Committee shall have the responsibility of receiving, verifying, and approving or denying requests for Sick Leave Bank withdrawals. The Sick Leave Bank Committee shall administer the Sick Leave Bank under the guidelines it establishes in accordance with Lowndes Board of Education regulations.

- (a) The Sick Leave Bank Committee shall render a decision on all applications within 10 working days after the chairman has received a complete and legible copy of the application.
- (b) The decision must reflect a majority of the Sick Leave Bank Committee. The decision shall be final and binding and not subject to appeal.
- (c) A majority of committee members must be present to conduct the official business of the Sick Leave Bank Committee. In case of emergency, the chairman may poll the committee by written ballot or by phone.

4. The Sick Leave Bank Committee and the payroll department shall maintain records of the Sick Leave Bank. The Sick Leave Bank Committee shall inform the payroll department of all requests they approve and the amount of additional leave granted the employee.

Disclaimer

Since every application will be different with unique characteristics, prior claims, actions, or decisions made by the Sick Leave Bank Committee shall not constitute a precedent for current or future decisions of the Committee.

Membership

Membership in the Sick Leave Bank is voluntary.

All employees of the Lowndes County School System will become eligible for membership of the Sick Leave Bank after a full year of employment. An employee wishing to become a member of the Sick Leave Bank must sign a participation form within the enrollment period, which will be October 1 through November 1 of each school year. All persons initially joining the Bank will receive a copy of this policy at the time they join.

Donations of sick leave to the Sick Leave Bank are not refundable and not transferable.

Membership in the Sick Leave Bank is considered continuous unless the Sick Leave Bank Committee receives written notice of withdrawal of membership within the enrollment period of a subsequent year. Once a member withdraws, the member will not be eligible to re-join for a period of two (2) years.

Procedures for Application for Sick Leave Bank Withdrawals

A member of the Sick Leave Bank shall be eligible to make application to the Bank provided that:

1. All accumulated sick leave days have been exhausted before making the application.
2. That the first 20 consecutive working days of illness or disability have been covered by the employee's own accumulated sick leave or absence without pay.
3. Application must be made as soon as possible and prior to the date the employee wishes the coverage to begin.
4. In the event that a member is physically or mentally unable to make a request to the Sick Leave Bank, a family member or agent may file the request on the member's behalf.
5. All requests to withdraw days from the Sick Leave Bank shall be filed with the Committee on the Sick Leave Bank Request Form.
6. The Sick Leave Bank Request Form shall be accompanied by a statement from a medical or osteopathic doctor verifying illness and attesting to the individual's incapacity to perform assigned duties.
7. An applicant may be required to undergo (at his/her own expense) a medical review by a physician approved by the Sick Leave Bank Committee.
8. Leave days granted by the Sick Leave Bank Committee may be used only for personal illness of the employee.

9. Sick leave days granted shall not exceed forty-five (45) work days annually for catastrophic illness and 10 days annually for a non-catastrophic illness. All leave granted but not used by the employee must be returned to the Sick Leave Bank.
Applicants may submit requests for extension of leave before their prior grant expires.
 10. Sick leave granted to an employee by the Committee does not have to be repaid except as all members are uniformly assessed.
 11. Each employee shall sign the Sick Leave Bank Enrollment/Waiver Form stating awareness of the provisions of the Sick Leave Bank and relieving the Sick Leave Bank Committee and LCS from any liability as a result of action taken by the Sick Leave Bank Committee.
 12. Any Worker's Compensation paid by the Board will be deducted from the base salary of any employee to whom Sick Leave Bank benefits are granted.
- O.C.G.A. 20-2-850

Please contact the Human Resources Department if you have questions or need assistance completing an application form.

34.20 Workers' Compensation Insurance

Employees are provided with Workers' Compensation Insurance. The cost of this insurance is paid entirely by the LCS. This coverage, as regulated by the State of Georgia, provides certain benefits for employees who are injured or becomes ill as a result of performing work requirements.

It shall be the responsibility of the employee to report any work-related injury immediately to the principal or immediate supervisor. The employee may lose the right to receive compensation if an accident is not reported properly within the 30-day period following the accident. It shall be the responsibility of the principal or director of the department to complete Georgia Form WC-1 Employer's First Report of Injury or Occupational Disease on each work-related injury that occurs. This form, along with the Supervisor's First Report of Injury, shall be forwarded to the Human Resources Department immediately following the accident. Failure to submit this form will jeopardize the proper processing of the claim.

If medical treatment is needed as a result of a job-related injury or illness, the employee injured on the job must select a doctor from the list of Panel of Physicians posted in each system facility. One change of doctor, from the list, may be made without permission. Further changes require the permission of the employer or the State Board of Workers' Compensation.

Employees being treated under the Georgia Workers' Compensation Law must be treated by one of the approved panel of physicians or the medical bills will not be paid by the Board with the exceptions noted below. An employee may accept the services of a physician from the panel. Due to an emergency or for some other justifiable reasons, the selection requirements of the paragraph shall not apply as long as the inability of the employee to make a selection

persists. The physician selected under this subsection may arrange for any consultation, referral, extraordinary or other specialized medical services as the nature of the injury shall require. LCS shall not be responsible for the charges for medical services furnished or ordered by a physician, including any person licensed to practice a healing art and any remedial treatment and care in the State of Georgia, or other persons elected by the employee in disregard of the provisions of this section.

Remember, all injuries or illnesses must be reported immediately. Failure to report work-related injuries or illnesses may result in the loss of Workers' Compensation benefits, if applicable, and disciplinary action, up to and including termination of employment.

Please refer to the Panel of Physicians and the Bill of Rights for Injured Workers posted on the school/facility bulletin board(s). Any questions about this coverage should be referred to the Human Resources Department.

35.0 Health and Safety

35.1 Drug-Free Workplace

The Board of Education declares that the manufacture, distribution, sale or possession of controlled substances, marijuana and other dangerous drugs in an unlawful manner or being at work under the influence of alcohol, controlled substances, marijuana or other dangerous drugs is a serious threat to the public health, safety and welfare. With this in mind, the Board declares that its work force must be absolutely free of any person who would knowingly manufacture, distribute, sell or possess a controlled substance, marijuana or a dangerous drug in an unlawful manner. This prohibition specifically includes, but is not limited to, the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol in the employee's workplace. This prohibition also includes, but is not limited to, an employee being under the influence of alcohol or controlled substances while on duty.

Any 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 subject to disciplinary action. At a minimum, such an employee shall be suspended for a period of not less than two months and shall be required to complete, at his or her own expense, a drug abuse treatment and education program licensed under Chapter 5 of Title 26 of the Official Code of Georgia and approved by the board. At a maximum, such an employee may be terminated from his employment with the school system. Any employee who is convicted for a second or subsequent 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 terminated from his or her employment and shall be ineligible for employment for a period of five years from the most recent date of conviction.

If, prior to an arrest for an offense involving a controlled substance, marijuana or a dangerous drug, an employee notifies the Superintendent or the Superintendent's designee that the employee illegally uses a controlled substance, marijuana or a dangerous drug and is receiving or agrees to receive treatment under a drug abuse treatment and education program licensed under Chapter 5 of Title 26 of the Official Code of Georgia and approved by the Board, the employee shall be entitled to maintain his or her 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, but the employee's work activities may be restructured if practicable to protect persons or property. No statement made by an employee to the Superintendent or the Superintendent's designee in order to comply with this code section shall be admissible in any civil, administrative or criminal proceeding as evidence against the public employee. The rights granted by this policy shall be available to an employee only once during a five year period and are intended to be and shall be interpreted as being the same as those minimum rights granted pursuant to the Georgia Drug-Free Work Force Act and any subsequent amendments thereof.

As a condition of employment, each employee must abide by the terms of this policy and must notify the Board within five days after any arrest on any drug-related criminal charge and further notify the board within five days of any conviction of a drug-related offense.

A copy of this policy shall be disseminated to all employees either directly or through employee handbooks.

The Board of Education shall not consider for employment any applicant who has been convicted for the first time of any drug offense as described above for a three month period from the date of conviction nor shall the Board of Education consider any applicant for employment who has been convicted for the second time of any drug offense as described above for a five year period from the most recent date of conviction.

For purposes of this policy, "conviction" refers to any final conviction in a court of competent jurisdiction, specifically including acceptance of a plea of guilty, nolo contendere, or any plea entered under the First Offenders Act of Georgia or any comparable state or federal legislation.

No certified employee or employee with a contract for a definite term shall be subject to suspension or termination pursuant to this policy except in compliance with the provisions of the Fair Dismissal Act of Georgia, Official Code of Georgia Annotated §20-2-940 through 947. This policy is not intended and shall not be interpreted as prohibiting the school system from taking appropriate disciplinary action against any employee where there exists evidence that an employee uses, distributes or sells illegal drugs even though the employee has not been convicted of any criminal offense or where there exists evidence that an employee is under the influence of alcohol while on duty, except that the school system may not use the statement of any employee to the superintendent requesting treatment as described in this policy.

The School District shall provide such staff development as required by state or federal law to inform employees of the dangers of drug abuse, the availability of employee assistance and drug counseling and treatment and the terms of this policy.

35.2 Drug and Alcohol Screening for Employees (Performing Safety-Sensitive Work)

The Board is dedicated to providing safe and efficient transportation for students transported on school buses. The Board recognizes that safe student transportation depends on unimpaired judgment, physical dexterity, reflex action, and unimpaired senses of sight and hearing, of employees in safety-sensitive functions. The goal of the Board is to provide our employees and students with an environment that promotes health and safety.

Operating a school bus or other commercial vehicle requires a Commercial Driver's License (CDL) and is considered a safety-sensitive function. Individuals who are employed by the Board to operate safety-sensitive vehicles include, but are not limited to; mechanics, school bus drivers, substitute school bus drivers, maintenance workers, technicians, coaches, teachers, and administrators.

In order to meet this goal, the Board of Education endorses the U.S. Department of Transportation and Federal Highway Safety Administration's anti-alcohol and controlled substances policies and regulations. The Board will not tolerate unauthorized use, abuse, possession or sale of alcohol or controlled substances by its employees.

Individuals who have positive controlled substance test results shall be terminated, as shall individuals whose test results reveal alcohol concentrations 0.04 and above and individuals who refuse to submit to a required alcohol or controlled substance test. Individuals whose tests results reveal 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'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.

35.3 Work-Related Injuries Requiring Alcohol/Controlled Substances Testing

The Board is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized should any employee use or be under the influence of alcohol (alcohol concentration of at least 0.02) alcohol while in the workplace while on duty (including travel time while in travel status as part of his/her employment with LCS), and/or use in an unlawful manner or be under the influence of controlled substances, marijuana or other dangerous drugs while in the workplace while on duty (including travel time while in travel status as part of his/her employment with LCS).

Testing

LCS shall direct and the employee shall be required to submit to a controlled substances test and alcohol test (if an alcohol test is deemed necessary) when an employee on duty has, in the

opinion of LCS:

1. Suffered, caused or contributed to an on-the-job injury that results in a loss of work time (any period of time the employee or another individual is required to cease performing his/her regular activities to seek medical examination and/or treatment from a licensed medical provider away from the workplace); or
2. When damage to property in excess of \$100 occurs as a result of the employee's conduct.

Test Results

1. Refusal to take a test shall be considered as a positive test;
2. An adulterated or substituted test specimen shall be considered as a positive test;
3. Refusal to take a test, adulteration, substitution of a specimen or a positive test may result in the denial of employee benefits including workers' compensation benefits and unemployment compensation benefits; and
4. Refusal to take a test, adulteration, substitution of a specimen or a positive test may result in disciplinary action up to and including termination of employment and ineligibility for re-employment.

A copy of the policy shall be made available to all employees. Compliance with the policy by all employees, whether full-time, part-time or temporary, is mandatory.

The Superintendent shall develop regulations consistent with the provisions of the policy for its implementation.

35.4 Use of Tobacco Products

Smoking, distribution or sale of tobacco products, including electronic cigarettes (e-cigarettes) and all other electronic "vaping" devices, shall be prohibited at any time in any school building, vehicle or property owned or leased by the Lowndes County School system and during all on-campus or off-campus school-sponsored events. In addition, smoking, use, distribution or sale of tobacco products by employees, student teachers, visitors, volunteers and parents/guardians is prohibited at any time such individuals are directly instructing or supervising students. Direct supervision includes, but is not limited to, coaching, band directing, person acting as a sponsor or advisor of a club, similar school organization, and other instructional roles. Employees shall not possess tobacco or tobacco-related products on their person.

Signage declaring all district grounds and facilities as tobacco-free will be posted in all buildings, vehicular entrances to grounds, at building entrances and in all indoor and outdoor facilities.

School district employees who violate this policy may be subject to appropriate disciplinary action, including reprimand, suspension with or without pay or termination. Students who violate this policy may be subject to disciplinary action in accordance with the Student Code of

Conduct (JDCA) and the student/parent handbook. Others who violate this policy will be asked to refrain from the use of tobacco products while on district property or leave the premises.

35.5 Emergency Response Checklists

LCS has developed a checklist for use by employees in the event of certain emergencies. A copy of the Checklist is available in the school office or at the Human Resources Department. Please read and understand the procedures listed on the Checklist and have a copy readily available if your classroom/office.

35.6 School Safety Plan

Georgia law requires the development and implementation of a comprehensive school safety plan as stated in O.C.G.A. 20-2-1185 as follows:

(a) Every public school shall prepare a school safety plan to help curb the growing incidence of violence in schools, to respond effectively to such incidents, and to provide a safe learning environment for Georgia's children, teachers, and other school personnel. Such plan shall also address preparedness for natural disasters, hazardous materials or radiological accidents, acts of violence, and acts of terrorism. School safety plans of public schools shall be prepared with input from students enrolled in that school, parents or legal guardians of such students, teachers in that school, community leaders, other school employees and school district employees, and local law enforcement, juvenile court, fire service, public safety, and emergency management agencies. As part of such plans, public schools shall provide for the coordination with local law enforcement agencies and the local juvenile court system. School safety plans shall include, at a minimum, the following strategy areas:

- (1) Training school administrators, teachers, and support staff, including, but not limited to, school resource officers, security officers, secretaries, custodians, and bus drivers, on school violence prevention, school security, school threat assessment, mental health awareness, and school emergency planning best practices;
- (2) Evaluating and refining school security measures;
- (3) Updating and exercising school emergency preparedness plans;
- (4) Strengthening partnerships with public safety officials; and
- (5) Creating enhanced crisis communications plans and social media strategies.

School safety plans of private schools may be prepared with input from students enrolled in that school, parents or legal guardians of such students, teachers in that school, other school employees, and local law enforcement, fire service, public safety, and emergency management agencies. Such plans shall be reviewed and, if necessary, updated annually. Such plans of public schools shall be submitted to the local emergency management agency and the local law enforcement agency for approval.

(b) A public school may request funding assistance from the state for facilities, technology, or other safety improvements or initiatives, such as the installation of safety equipment, including, but not limited to, video surveillance cameras, metal detectors, alarms, communications

systems, building access controls, and other similar security devices. The Department of Education shall establish criteria that will be applied in reviewing funding requests pursuant to this subsection that shall take into consideration the physical security needs of the public school in evaluating how the school safety plan and funding request will support such physical security needs. Funding may be provided to a public school in accordance with a school safety plan prepared by the school and approved by the local board of education, the local law enforcement agency, the Department of Education, and the Georgia Emergency Management and Homeland Security Agency; provided, however, that a public school shall be required to match the state funding with local funds unless the school can demonstrate a substantial hardship.

(c) School safety plans prepared by public schools shall address security issues in school safety zones as defined in Code Section 16-11-127.1. School safety plans should also address security issues involving the transportation of pupils to and from school and school functions when such transportation is furnished by the school or school system and school functions held during non-instructional hours.

(d) The Georgia Emergency Management and Homeland Security Agency shall provide training and technical assistance to public school systems, and may provide this same training and technical assistance to private school systems and independent private schools throughout this state in the area of emergency management and safe school operations. This training and technical assistance shall include, but not be limited to, crisis response team development, site surveys and safety audits, crisis management planning, exercise design, safe school planning, emergency operations planning, search and seizure, bomb threat management, and model school safety plans.

(e) Every public school shall conduct drills with students, teachers, and other school personnel on the execution of school safety plans in such form and at such intervals based upon guidance from the Georgia Emergency Management and Homeland Security Agency.

In response to this law, LCS has developed the Safety School Safety Plan. Since the document is lengthy, please refer to www.lowndes.k12.ga.us and the link found under the system's Facilities and Operations Department or review a copy available in the school/department office.

35.7 State Eye Protection Standard

Eye protection devices will be provided for students, teachers, and visitors in the designated laboratory courses. Teachers of these courses are to instruct their students in the use and care of the devices, and provide for their security and safekeeping. Students who are issued the devices are responsible for returning them to their teacher immediately following their use. (GBOE Rule JGF 160-4-3-.10 and O.C.G.A. 20-2-16; 20-2-1130; 20-9-1)

35.8 Communicable Diseases

Please refer to the **LCS Return to School Plan** located on the LCS website homepage under the News link for additional safety information.

Definitions

1. Communicable Disease: A disease that can be directly or indirectly transmitted from one person to another.
2. HIV Infection: An infection in which the human immunodeficiency virus is present.

Requirements

1. A student infected with a communicable disease shall not be denied an education solely because of the infection.
2. All schools shall adopt routine procedures for handling blood and body fluids consistent with the Centers for Disease Control's Universal Precautions for Handling Blood and Body Fluids.
3. The school district shall educate its employees about HIV infection and other communicable diseases, including transmission, risk reduction and universal precautions for handling blood and body fluids.
4. If the school district has reasonable cause to believe that a student or an employee has become infected with a communicable disease, the determination of a student's or employee's condition shall be based on reasonable medical judgment given the state of medical knowledge about:
 - the nature of the risk, i.e., how the disease is transmitted
 - the duration of the risk, i.e., how long the carrier is infectious
 - the severity of the risk, i.e., the degree of potential harm to third parties
 - the probability that the disease will be transmitted and will cause varying degrees of harm.
5. After consideration of the criteria set forth above, the school district shall allow infected students or employees to remain in their educational or employment settings unless they currently present a significant risk of contagion as determined by the school district after consultation with the student's or employee's physician, a public health official knowledgeable about the disease and/or the Board's physician (at the Board's option).
6. After a determination of the student's or employee's medical condition has been made using the criteria set forth above, the school district, after consultation with the student's or employee's physician, a public health official knowledgeable about the disease and/or the Board's physician (at the Board's option), shall determine whether reasonable accommodation will allow the student to perform in the classroom or the employee to meet the essential functions of the job. An accommodation is reasonable unless it imposes either an undue financial hardship or administrative burden on the school district.
7. Notwithstanding the requirements for evaluation of a student or an employee who may be infected with a communicable disease set forth herein above, the school district may

immediately remove a student or employee for a period of time not to exceed ten (10) calendar days from his or her educational or employment setting for the purpose of obtaining a reasonable medical judgment, as required by subsections (d) and (e) as to whether the student or employee constitutes a significant risk of contagion to others.

8. The school district shall not deny an individual employment based solely upon the individual's infection with a communicable disease unless the school district, after consultation with the applicant's physician, a public health official knowledgeable about the disease and/or Board physician (at Board's option) determines that the communicable disease is of such nature or at a stage that the individual should not be in an school district setting.
9. The school district shall not disclose medical information about a student or employee with HIV infection or other communicable disease without the consent of the employee or the student or the parent or guardian, whichever is applicable, or only as required by law or court order.
10. Nothing in this policy shall be inconsistent with the requirements of Section 504 of the Vocational Rehabilitation Act of 1973, amended, and any other applicable federal or state statute.

36.0 Questions and Forms

Please contact your principal/director or the Human Resources Department if you have any question concerning the contents of the Handbook. If a form referenced in the Handbook is not available on the school system website, please contact the Human Resources Department and the form will be sent to you and if you need assistance completing the form.

37.0 Personnel Handbook Acknowledgment

The LCS Certified Personnel Handbook is also available on the school system web site at www.lowndes.k12.ga.us under the Human Resources Department link.

It is your responsibility to review the information contained in the Handbook. It is your responsibility to contact the Human Resources Department if you have any questions regarding the information contained in the Handbook or need assistance with any provision. *Should there be any conflict in the contents of the Handbook with Board policies, plan documents, etc., and federal and state law, then those instrument(s) will be the controlling documents.*

As a condition of employment, you must acknowledge receipt of the Handbook as part of the Compliance Director electronic sign-off. Your Compliance Director electronic sign-off shall become part of my personnel file. The Compliance Director sign-off for the Handbook and all other modules must be completed by the due date specified by the District. Please contact your administrator if you do not know the due date.