

CHAPTER 6: HUMAN RESOURCES

EMPLOYMENT

6.10*+

- I. All personnel shall be appointed or re-appointed as prescribed by Alabama law and in conformance with applicable State Board of Education and School Board rules.
- II. All personnel except the Chief School Financial Officer shall be recommended by the Superintendent in writing for School Board approval.
- III. The Superintendent is directed to develop appropriate employment procedures governing the recruitment, screening, selection, appointment and employment of all personnel. Employment qualifications and other criteria will be listed in job descriptions for each position within the school system.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA 16-1-30,

CODE OF ALABAMA

16-12-16, 16-12-19, 16-22A-1, 3&4, 16-23-1

ADOPTED: 03/08/07

REVISION DATE(S): 03/08/07

FORMERLY: CGG,CGJ,CGL,CGM,GAAA,GAK, GAKA,

GAKCG, GAKG, GAKH

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EMPLOYMENT STATUS

6.11

I. Full Time

A regular full time certified employee is a person who is employed for the school term or for the school term or for the school fiscal year to render the minimum number of hours each day as established by the Board for that position or job. A full time support employee includes adult bus drivers and those support employees working twenty (20) or more hours per week

II. Part-time

A part-time certified employee is a person who is employed to render less than the number of hours each day as established by the Board for a regular full time employee. A part-time support employee is a person employed less than twenty (20) hours per week.

III. Temporary

A temporary employee is a person whose employment is expected to be for a limited time to fill a vacancy for which a permanent employee is not available or able to perform some work of a temporary nature. Such employment will cease at the close of the school term or school fiscal year or when the temporary work has been completed. A temporary employee may be a part-time or full time employee.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA 16-1-30,

16-12-20, 36-25-1,36-26-100

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FORMERLY: GAB, GBAA, DJC, GCAA, EHC

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POSTING VACANT POSITIONS AND RECRUITMENT

6.12

- I. The Board shall post a notice of vacancy for each vacant personnel position. The notice shall be posted in a conspicuous place at each school campus and worksite at least for the minimum number of days required by current law and state regulations before the position is to be filled. The notice shall include, but not necessarily be limited to all the following:
 - A. Job description and title
 - B. Required qualifications
 - C. Salary Schedule Statement
 - D. Information on where to submit an application
 - E. Information on any deadlines for applying
 - F. Other relevant information

- II. In accordance with Attorney General Opinion 2002-069, November 21, 2001, the following are exceptions to posting vacancies:
 - A. There is no vacancy when two (2) teachers trade positions; and
 - B. Where a lateral transfer occurs and the positions are neither newly created nor supervisory or managerial in nature, and there has been no increase or decrease in salary.

- III. Employees who desire a transfer within the system shall notify the Superintendent in writing.

- IV. Nothing in this policy shall prohibit the immediate employment or transfer of personnel needed ensure the welfare and safety of students, personnel or others and teachers on a temporary emergency basis as provided by law.

- V. It shall be the duty of the Superintendent to ensure that all certified and non-certified employees satisfactorily meet all requirements of State Law and state Board of Education rules and regulations.

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- IV. The Superintendent shall establish and maintain a plan for actively recruiting promising personnel for employment by the board of Education. The recruitment program may include, but shall not be limited to, the following:
- A. Interview prospective employees prior to graduation at area colleges
 - B. Advertise and/or disseminate information about job vacancies; and,
 - C. Review files obtained by college placement bureaus and the Alabama State Department of Education

REFERENCE(S):

**CODE OF ALABAMA
16-8-9, 16-9-23, 16-9-24, 16-23-6, 16-24B-7**

HISTORY:

**LEGISLATIVE ACT 98-147
ADOPTED: 03/08/07
REVISION DATE(S): 02/14/19**

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JOB DESCRIPTIONS

6.13+

- I. The Board must approve a job description prior to the establishment of any position.
- II. Each job description shall contain the minimal qualifications, required skills, essential performance responsibilities, physical requirements of the position and other information as deemed necessary.
- III. The Superintendent shall maintain comprehensive, up-to-date job descriptions for all positions.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA 16-1-30,
16-8-8, 16-11-9, 16-12-19, 32-6-49.1, et seq.

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FORMERLY: CGB, CGBA, CGPB, DJC,
GAKF, GAKH, GANI, GBA, GBAA, GBBA, GBRB, GCRB

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CONFLICTS OF INTEREST

6.14

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

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA 16-1-30

16-12-3(a), 16-12-15, 16-24-8,
36-25-1(8), 36-25-2(a), (b), (d), 36-25-5-(a), 36-25-8

ADOPTED: 03/08/07

REVISION DATE(S): 03/08/07

FORMERLY: GAID

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GIFTS

6.14.1

- I. Staff members may, at their discretion, present personal gifts to student(s) on special occasions. Staff members must exercise good taste and sound professional judgement when giving gifts to students. Gifts provided by staff members to students must not be elaborate or expensive.
- II. Staff members shall not solicit or accept a gift, including money, from any source, when such a gift could be construed to be:
 - A. Associated with the performance of school-related duties or activities;
 - B. A result of or a precondition to business transactions between the parties;
- III. Gifts of a nominal value on special occasions such as Valentine's Day, birthday, etc., are excluded from this provision.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

CODE OF ALABAMA 16-1-30
11-9, 36-25-1, et al.
ADOPTED: 03/08/07
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FORMERLY: DJEI, GAJA, GAJB

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NEPOTISM

6.15

- I. An employee may not be recommended for employment or be evaluated by a close relative.
- II. Two or more close relatives may not work in the same administrative unit except by special permission of the Superintendent.
- III. Close relatives are defined as mother, father, son, daughter, brother, sister and spouse and in-laws of the same.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA 16-1-30

16-1-30, 41-1-5

ADOPTED: 03/08/07

REVISION DATE(S): 03/08/07

FORMERLY: GANF

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EMPLOYMENT REQUIREMENTS

6.16

Any person desiring employment shall file a completed application on the form provided by the Superintendent.

- I. Qualifications
 - A. Must be of good moral character
 - B. Must have attained the age of eighteen (18) years with the exception of students employed by the Board.
- II. Certificate Requirements

Each applicant for an instructional or a certified administrative position shall hold an Alabama Teacher's Certificate and all vocational personnel shall meet the State Department of Education requirements and have the proper license to perform services.

- A. To be considered for a position, an applicant shall be duly qualified for that position in accordance with state law, regulations of the State Department of Education and the approved job description. If it appears that the applicant is eligible for proper certification, appointment may be made subject to the conditions set forth in the contract of employment.
 - B. Any person not holding a valid Teacher's Certificate at the time of employment shall be required, upon initial employment to make application to the State Department of Education for such a certificate, through the personnel office of the school system. When such certificate is received, it must be filed with the office of the Superintendent. If the State Department of Education declines to issue a certificate, the person's employment shall be terminated immediately. Failure to file for such certificate, except for good cause as determined by the Superintendent, shall result in the termination of employment.
- III. Criminal background checks by means of fingerprinting for prospective and current employees who have unsupervised access to students shall be conducted consistent with requirements of law.

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- IV. The system shall ensure that all aspects of the recruitment and selection process are job-related and are consistent with business necessity to ensure equal employment opportunity. Neither the system nor its agents shall engage in any discrimination with respect to employment in violation of any state or federal laws. Applicants shall be informed of the complaint procedure that may be used should they allege discrimination.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:

CODE OF ALABAMA 16-1-30
16-22A-1 et seq., 16-23-1 et seq

ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: GAJDB, GAAA

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MEDICAL EXAMINATIONS

6.16.1

The Superintendent may require a physical, psychological, and/or psychiatric examination by a physical licensed in the state of Alabama when I the superintendent's judgement such an examination is relevant to the teaching performance or employment status of School Board employee. The superintendent shall select the physician(s), psychologist(s), or psychiatrist(s), and the Board shall pay all costs incurred in the examination(s). The employee shall allow the report of the physician(s), psychologist(s), or psychiatrist(s) to be submitted to the Superintendent with a copy being forwarded to the employee.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
LEGISLATIVE ACT 2009-571

HISTORY:

CODE OF ALABAMA
16-1-30
16-1-18-1, 16-8-8, 16-11-2,
16-11-9, 16-22-3
ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: GAJDB, GAMA

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LICENSE OF SCHOOL BUS DRIVER

6.16.2

Each school bus driver shall possess the minimum qualifications prescribed in Alabama status and by the State Board of Education.

- I. Bus drivers shall be eligible for the School Board's automobile liability coverage.
- II. All school bus drivers shall
 - A. Hold a valid Commercial Driver's License;
 - B. Complete required training;
 - C. Pass a driving performance test.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

CODE OF ALABAMA 16-1-30
16-27-4, 32-6-49.1, et seq.

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FORMERLY: NEW

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EXTRA DUTIES AND STAFF MEETINGS

6.18

Extra work-related duties associated with the school's curriculum may be assigned to and/or requested of certified personnel employed by the Attalla City School System. When extra duties related to the curriculum are assigned to said personnel, the following provisions shall apply:

1. Extra duties shall not be assigned during regular school hours that require certified teaching personnel to be removed, on a continuing basis, from teaching responsibilities.
2. The Board requires that all duties assigned be reasonable and in support of accomplishing the overall educational objectives of the board of school.
3. Extra duties that assigned shall be made on a fair and equitable basis, taking into consideration the nature of the activity and the teacher involved.

The curriculum is defined as any activity that occurs in the name of the school (school plays, athletic contests, math team competition, social events, etc).

Administrator and/or supervisor may call staff meetings when he/she feels such meetings are warranted. Attendance by employees may be required. Such compulsory attendance should be stated within the notice announcing the meeting. Meetings requiring employee attendance should be planned and announced as far in advance as possible in order to allow employees to appropriately plan their individual schedules.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

CODE OF ALABAMA
16-8-8, 16-8-9

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FORMERLY:

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SUBSTITUTE TEACHERS

6.20

- I. An approved list of substitute teachers shall be provided to the schools. The principal or his/her designee shall secure all substitute teacher form this approved list.
- II. Applicants who seek employment as substitute teachers shall meet the following minimum qualifications and provide the appropriate materials as required:
 - A. Be at least twenty-one (21) years of age unless otherwise approved by the Superintendent
 - B. Hold a valid teacher's certificate or valid substitute teacher's license
 - C. Attend required substitute training
 - D. Pass a criminal background check consistent with the requirements of state law
- III. An approval list of substitute support personnel (CNP staff, bus drivers, custodial, clerical staff, instructional aides, etc.) shall be maintained and provided to appropriate administrators and worksite supervisors. Substitute support personnel shall meet employment qualifications licensure regulations and training requirements for the position worked and shall be subject to rules and policies of all school system employees.
- IV. The compensation for substitute personnel shall be for services rendered I accordance with the salary schedule adopted by the Attalla city Board of Education. **SUBSTITUTES FOR CLASSIFIED (SUPPORT) PERSONNEL ARE TO WORK NO MORE THAN SIX (6) HOURS PER DAY, SUBSTITUTES ARE NOT ELIGIBLE FOR OVERTIME.**

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

CODE OF ALABAMA
16-23-2, 16-25-16, 16-8-8

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REVISION DATE(S): 02/14/19
FORMERLY: GBRJ

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NON PROBATIONARY STATUE/TENURE

6.21

- I. Certified personnel – Certified personnel (teachers, supervisors, non-contract principals, administrators, or other holding regular, provisional, or alternative certificates, but not emergency certificates) attain tenure (non-probationary status) after three (3) complete, consecutive school years of full-time employment as a teacher with the Attalla City School System unless the Board of Education approves and issues written notice of termination to the teacher on or before the last day of the teacher’s third consecutive complete school year of employment.
- II. Non-Certified Personnel – classified/support employees attain non-probationary status after three complete, consecutive school years of full time employment with the Attalla City School System unless the Board of Education approves and issues written notice of termination to the employee on or before the 15th day of June immediately following the employee’s third consecutive complete school year of employment.
- III. Employees of the Attalla City Schools do not earn tenure or non-probationary status in a particular position, rank, work site or location, job assignment, title or rate of compensation. Employees may not apply service years in a classified position to service years in a professional/certified position or vice versa for purposes of attaining tenure or non-probationary status.
- IV. Superintendents, contract principals and chief school financial officers do not earn tenure or protected status as defined by Legislative Act 2011-270 (Students First Act). Persons employed as temporary, part-time, substitute, summer school, occasional, seasonal, supplemental, or in positions that are experimental, pilot, temporary or under projects where the funding and duration are finite do not earn tenure or protected status. Time in service spent under an emergency certificate does not count toward the attainment of tenure.

A school year is deemed “complete” if the employee is hired or rehired before October 1 of that school year.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

CODE OF ALABAMA
16-23-2, 16-24C3-4
LEGISLATIVE ACT 2011-270
ADOPTED: 03/08/07
REVISION DATE(S): 02/14/19
FORMERLY: GBG, GCL, GCI, GBL

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VIOLATION OF LAW

6.30

- I. Anyone known to be violating a local, state, and/or federal law on School board property or at a school function will be subject to referral for prosecution to the appropriate law enforcement agency. The referral process will be subject to state statutes and School Board rules.
- II. Employees in violation of this policy may be subject to termination or other disciplinary action.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

**CODE OF ALABAMA 16-1-30
16-1-24(e), 16-12-3(a), 16-12-16,
36-25-2(a), (b), 36-25-5(a),
6-25-7, 36-25-8
ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: GALG**

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POSSESSION OF DEADLY WEAPONS

6.30.1

- I. Possession of a deadly weapon on school property or on a school bus with the intention to do bodily harm is a class C felony.
- II. The board authorizes the Superintendent or designee to immediately and automatically suspend, terminate, or separate from service in accordance with Board policy any employee found in possession of a deadly weapon. A deadly weapon shall be defined as anything manifestly designed made or adapted from the purpose of inflicting death or serious physical injury. Deadly weapons are not be carried by any employee on school grounds, on school buses and/or at any school-sponsored event, during or after regular school hours.
- III. Any employee determined to have brought to school or have in his/her possession a firearm defined in section 921, Title 18 of the U.S. Code in a school building, on school grounds, or at other school-sponsored functions shall be subject to suspension, termination and/or separation from service in accordance with Board policy.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA 16-1-30

16-1-24, 16-12-24.,1

16-12-3, 16-12-16

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REVISED: 03/08/07

FORMERLY: NEW

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SOLICITATIONS

6.31

- I. The Board prohibits any employee of the school system from directly or indirectly reaping personal profit or reward from the sale or purchase of goods or services to students in the school system or to parents of students.
- II. Employees are further prohibited from directly or indirectly furnishing or supplying a list or roster of names and addresses of students in the school system or parents of students to persons, firms, corporations, associations or organizations or to the salespersons or agents of any such entities who are engaged directly or indirectly in the business of selling school supplies or school-related activities, equipment or items.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

LEGISLATIVE ACTS:

HISTORY:

CODE OF ALABAMA

**16-8-8, 16-11-9, 16-12-3(a),
36-25-1(8), 36-25-2(a), (b), (d),
36-25-5(a), 36-25-7**

ADOPTED: 03/08/07

REVISION DATE(S): 03/08/07

FORMERLY: GAIA

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USE OF SCHOOL NAME OR SCHOOL SYSTEM NAME

6.31.1

The Board hereby prohibits School system personnel, other individuals, community organizations, institutions, agencies, businesses, and other from using, either in oral or written form, the name of the School System or individual school to obtain personal financial gain, preferred status, preferential treatment, or for any purpose that could convey the impression that an activity, event, or entrepreneurial endeavor is sanctioned or approved by school personnel without the prior written approval of the Board.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA 16-11-11

**16-8-8, 16-11-9, 16-12-3(a),
36-25-1(8), 36-25-2(a), (b), (d),
36-25-5(a), 36-25-7**

ADOPTED: 03/08/07

REVISION DATE(S): 03/08/07

FORMERLY: IHEAB

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POLITICAL ACTIVITIES

6.32

- I. School Board employees shall not solicit support for any political candidates or issue during regular work hours.
- II. A School Board employee who offers himself/herself as a candidate for public office shall conduct his/her campaign so as not to interfere with his/her responsibilities.
 - A. Such candidate shall adhere strictly to Alabama laws governing political activity on the part of public officials and public employees.
 - B. A successful candidate for an office requiring a part-time responsibility shall report immediately to the Superintendent after the election and thereafter, when deemed necessary by the Superintendent or the School Board, to evaluate the compatibility of the dual responsibility and the amount of time the employee will be absent

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
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CODE OF ALABAMA 16-1-30
17-1-7(c); 36-25-1 et seq.

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FORMERLY: GAG, GAJD

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COMPLAINTS AGAINST EMPLOYEES

6.40

- I. Anyone having a complaint about a school employee may submit that complaint to the employee's immediate supervisor. If the issue is not resolved, the complaint may be submitted to the Superintendent.
- II. The complainant should identify himself/herself and submit the complaint in writing if possible.
- III. No action, including a letter to the employee's personnel file, shall be taken by the administrative staff or School Board on the basis of a complaint, unless the matter is first reported to the employee, and he/she is furnished with a written copy of the complaint.
- IV. The school employee may submit a written explanation or rebuttal file.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
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HISTORY:

CODE OF ALABAMA 16-1-30
16-12-3, 16-22-14

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REVISION DATE(S): 03/08/07
FORMERLY: GAJDBH, GAJDA

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GRIEVANCES

6.40.1

The Board is committed to the task of maintaining the highest possible level of professional relations among members of the staff of the school system and of maintaining good morale among employees. Grievances and problems, which may arise from time to time, should be resolved at the lowest possible level that provides equitable and satisfactory solutions. The goal is to encourage the best possible relations among employees and to enhance morale. Persons who may become concerned in grievance matters are urged to work together constructively in a sincere effort to resolve their disagreements.

Definitions

- I. Grievance - A *grievance* is a complaint by an employee based upon an alleged violation, misinterpretation or inequitable application of any published policy, rule or regulation of the school system. The term *grievance* should not apply to any matter in which the method of review is prescribed by law. *Grievances* are objections to a specific act or condition. Dismissals, terminations, transfers and any other procedure already established by law, as well as performance appraisals, including assessments, observations and evaluations, are not subject to the grievance procedures herein described.
- II. Employee – The term *employee* is considered to apply to anyone employed on a full-time or part-time basis by the Board, with the exception of the Superintendent.
- III. Supervisor – This term refers to that individual assigned to direct the work efforts of a person or group of persons within an organizational element and who has both the authority over and responsibility for management in respect to the functions of a defined organizational element. In a school, the principal would be the supervisor unless the job description states otherwise.
- IV. Organizational Element – The term *organizational element* is any identifiable segment of the system that is clearly under the supervision of a single individual. This would include a school, a center and any support function.
- V. Representative – The term *representative* refers to any person chosen, if desired, by the aggrieved party to serve as the liaison supervisor.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:

CODE OF ALABAMA 16-1-30

ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

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REVISION DATE(S): 03/08/07
FORMERLY: GAAA, GAE

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GRIEVANCE PROCEDURE

6.41

Whenever an employee believes that he/she has a complaint, every effort is to be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, employees can resort to the more formal procedures as provided herein.

- I. Definitions
 - A. *Complaint* shall mean any alleged violation, misinterpretation or any inequitable application of any published policy, rule or regulation of the school system. *Complaint* shall not apply to any matter in which the method of review is prescribed by law. *Complaints* are objections to a specific act or condition. Dismissals, termination, transfers and any other procedure already instituted by law, as well as performances appraisals, including assessments, observations and evaluations, are not subject to the grievance procedure herein described.
 - B. *Complainant* shall mean any employee or group of employees, directly affected by the alleged misinterpretation or violation, filing a complaint.
 - C. *Employer* shall mean the School Board or its representatives.
 - D. *Day* shall mean a working day.
- II. Time Limits - The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.
- III. Released Time – The complaint procedure will normally be carried out during non-work time. If, however, the Board elects to carry out provisions during work time, the complainant shall lose no pay.
- IV. Complaint Procedure
 - A. Informal Discussion – If an employee believes there is a basis for complaint, he/she shall discuss the complaint with his/her immediate supervisor (except in cases of discrimination or harassment involving the supervisor, in which case the complainant shall report the Equity Coordinator or other person designated by the Superintendent) within five (5) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which thirty (30) days will be allowed.

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- B. Level One – If the complainant is not satisfied with the informal resolution he/she may, within then (10) days, file a formal complaint in writing and deliver it to his/her immediate supervisor or alternate. The supervisor or alternate shall communicate his/her answer in writing to the complainant. Class complaints involving more than one (1) supervisor and complaint involving an administrator above the building level may be filed by the complainant at level two.
- C. Level Two - -If the complainant is not satisfied with the resolution at level one he/she may, within ten (10) days of the answer, file a copy of the complaint with the Superintendent. The Superintendent shall indicate his/her disposition in writing to the complainant.
- D. Board Appeal - -If the complainant is not satisfied with the resolution by the Superintendent, he or she shall have the right to appeal the Superintendent’s decision to the School Board, provided request for placement on Board agenda is filed within ten (10) days.
- V. Confidentiality will be provided to the extent possible to any employee, student or affected party who alleged discrimination or harassment.

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16-1-30, 16-12-3(C)

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FORMERLY: GAE

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SUSPENSION/TERMINATION/SEPARATION

6.50

- I. The Board may suspend or terminate employees who have earned tenure or non-probationary status or are principals serving under contract for the following reasons:
 - A. Immorality;
 - B. Incompetence;
 - C. Insubordination;
 - D. Neglect of duty;
 - E. Failure to perform duties in a satisfactory manner;
 - F. Justifiable decrease in the number of positions in the system (for contract principals, decrease must be due to decrease enrollment or funding); and
 - G. Other good and just cause.
- II. Contract principals also may be terminated for
 - A. Conviction of a felony or a crime involving moral turpitude;
 - B. Failure to fulfill the duties and responsibilities imposed upon principals by Alabama code ; and
 - C. Failure to maintain his/her certificate in a current status.
 - D. Willful failure to comply with Board policy.
- III. Notification to the employee of the proposed termination and his/her hearing rights will be governed by applicable state law.
- IV. The superintendent has authority to suspend temporarily school system personnel when in his/her opinion, the circumstances necessitate immediate action. Such suspension shall be without loss of pay pending a hearing by the board upon the charges filed by the Superintendent.
- V. The board may end its employment relationship with employees who have not earned tenure or non-probationary status by providing the appropriate notice required under state law or contract.
- VI. The Board may end its employment with principals serving as non-probationary contract principals by providing a reason why their contract will not be renewed and notice as provided in state law. Probationary contract principals may be provided a reason.

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STATUTORY AUTHORITY:	CODE OF ALABAMA 16-1-30
LAW(S) IMPLEMENTED:	16-4-8, 16-11-17, 16-12-16
ALABAMA ADMINISTRATIVE PROCEDURE ACT:	16-21-1, et seq., 16-24B-3, 36-26-101, 104, 108
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	FORMERLY: CGM, CGN, GAN, GBL, GCI, GAJDB

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PERFORMANCE ASSESSEMENT

6.60+

- I. The Board shall evaluate and assess the performance of the Superintendent per his/her contract and State Department of Education guidelines.
- II. The board will use the state Professional Education Personnel Evaluation Program for the evaluation of all certified personnel as required by the state.
 - A. The superintendent will develop a plan for implementation of the evaluation program, consistent with state guidelines that ensures all personnel serving as evaluators will undergo the required state training and be certified under the program.
 - B. Tenured teachers will be informed that should their evaluation results fall below the performance standards established by the state, the Board may consider these results in determining a tenured teacher's continued employment.
- III. Other Personnel – The Superintendent shall develop or select personnel performance assessment systems for all other staff.

Probationary, non-certified employees will be evaluated during their probationary period.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA 16-1-30

16-1-30, 16-8-8, 16-11-9, 16-11-17, 16-12-16

36-26-101

ADOPTED: 03/08/07

REVISION DATE(S): 03/08/07

FORMERLY: CGI, GBI, GCFA

CHAPTER 6: HUMAN RESOURCES

LEAVE OF ABSENCE

6.70*+

- I. A leave of absence is permission granted by the School Board or allowed under its adopted policies for an employee to be absent from duty for a specified period of time with the right to return to employment upon the expiration of leave. Any absence of a member of the staff from duty shall be covered by leave duly authorized and granted. Leave shall be officially granted in advance and shall be used for the purposes set forth in the leave application. Leave for sickness or other emergencies may be deemed to be granted in advance if prompt report is made to the proper authority.
- II. Leave may be with or without pay as provided by law, regulations of the State Board of Education, and these rules. For any absence that is without pay, the deduction for each day of absence shall be determined by dividing the annual salary by the number of day/hours for the employment period.
- III. A leave shall not be granted to any accept other employment. Accepting employment while on a leave of absence cancels the leave automatically unless otherwise approved by the Board of Education. The person on leave may be notified that he/she must return to work with the School Board immediately, resign, or be terminated.
- IV. An application for leave shall be made in writing, approved by the principal or site supervisor, and shall be directed to the School Board. The principal, supervisor, or other person under the direct supervision of the Superintendent, shall submit any leave application directly to the Superintendent. Leave granted for a school year or for the remaining part thereof will expire at the end of the school year or school fiscal year for which such leave is granted.
- V. A system employee having leave for the year or for the remaining part thereof and who plans to return to duty the next school fiscal year shall send a copy of such notice to the administrative supervisor by April 1 of that fiscal year.
- VI. The Superintendent shall develop procedures to implement leave provisions.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:

CODE OF ALABAMA
16-1-30
16-1-18. 1, 16-1-30

HISTORY:

ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: CGPF, GBRHB

CHAPTER 6: HUMAN RESOURCES

NOTIFICATION OF ABSENCE

6.70.1*

- I. The Principal or designee shall notify and submit the appropriate leave form to the superintendent when he/she plans to be away from school for a half-day or longer. The principal shall designate a responsible member of the administrative or instructional staff to be in charge during his/her absence.
- II. An employee who is absent from duty for any reason shall notify the principal or his/her immediate supervisor as early as possible. Such notification shall be given in advance unless conditions beyond the control of the employee make such advance notification impossible.
- III. Any employee who is willfully absent from duty without leave may be subject to dismissal from employment and shall forfeit compensation for the time of the absence.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

CODE OF ALABAMA
16-1-30
16-1-18. 1, 16-1-30
ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: NEW

CHAPTER 6: HUMAN RESOURCES

VACATION LEAVE FOR ALL FULL TIME, TWELVE-MONTH PERSONNEL 6.70.2

- I. The Board hereby grants all **twelve-month personnel** who work on a **full-time basis**, annual vacation days with regular pay. These days are earned in arrears for employees hired before July 1, 2020. Employees hired after July 1, 2020 will not earn days in arrears. Therefore, the following provisions shall apply: personnel employed by the school system for one full year shall be granted, **on the first anniversary of employment**, 10 days' vacation leave with regular pay. Thereafter, the following schedule is applicable:

1 full year of service through 5 years	10 Days
6 full years of service	11 Days
7 full years of service	12 Days
8 full years of service	13 Days
9 full years of service	14 Days
10 full years of service	15 Days/maximum per year

- II. The leave period runs July 1 through June 30 following the first anniversary of employment. Vacation days are taken in increments of half or full day. Vacation days must have prior approval by the respective supervisor and Superintendent.
- III. **Employees shall only be allowed to request pay for unused vacation days at the time of retirement from the Attalla City Board of Education.** Employees must use their vacation days during the leave period or lose those days. No employee shall receive pay for any unused vacation days.
- IV. Effective July 1, 2009, and henceforth, until modified by the Attalla City Board of Education, employees of the Attalla City Board of Education who earn vacation days **shall not be able to carry over, from year to year, unused vacation days.** Days earned prior to July 1, 2009 are exempt from this policy. The Attalla City Board of Education specifically reserves the right to purchase or buy back any vacation days, which have been earned and accumulated by employees prior to July 1, 2009.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA

16-1-30

16-1-18. 1, 16-1-30

ADOPTED: 03/08/07

REVISION DATE(S): 03/08/07, 05/29/09,

05/10/12, 6/11/20

FORMERLY: GALAB

CHAPTER 6: HUMAN RESOURCES

FAMILY AND MEDICAL LEAVE

6.70.3*

- I. In compliance with the Family and Medical Leave Act of 1993, eligible full-time school system employees are entitled to take up to twelve (12) weeks unpaid leave a year for the following reasons:
 - A. The birth of the employee's child
 - B. The placement of a child with the employee for adoption or foster care;
 - C. To care for the employee's spouse, child, or parent who has a serious health condition;
 - D. A serious health condition rendering the employee unable to perform his/her job.

- II. Employees are to provide at least (30) calendar days' notice, if possible, of their intention to take leave. Medical certification that the leave is needed is required for the employee's own serious health condition or that of a family member. The School Board will continue the employee's health insurance under the same conditions as if the employee were working. Upon returning from leave, the employee will be restored to the same or equivalent position with equivalent pay, benefits, and other terms and conditions of employment.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA 16-1-30
16-1-18. 1, 16- 11, 9, 16-22-9, 16-24-13,
THE FAMILY AND MEDICAL LEAVE ACT OF 1993,
PART 825 OF THE CODE OF FEDERAL REGULATIONS
TITLE 29, U.S. DEPARTMENT OF LABOR,
EMPLOYMENT STANDARDS
ADMINISTRATION, WAGE AND HOUR DIVISION
ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: GALBEA, GALBATA, GALBE

CHAPTER 6: HUMAN RESOURCES

ON-THE-JOB INJURY

6.70.4*

- I. Any employee shall be entitled to on-the-job injury leave for a periods not to exceed ninety (90) working days per fiscal year when he/she has to be absent from work because of a personal injury received in the discharge of his/her duties.
- II. To be considered for on –the job injury leave, the following conditions shall be met:
 - A. The employee must provide written testimony or evidence that his/her injury was received in the line of duty.
 - B. The employee may be required to supply written certification from a medical doctor who treated the patient, stating that in his/her opinion, there is a strong probability that the illness was contracted at the work site. The Board may at its expense require a second medical opinion.
 - C. The employee must file a written claim as required by the employer.
- III. The employee or, if incapacitated, another person knowledgeable of the situation shall notify the supervisor within twenty-four (24) hours of the occurrence of the injury.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

CODE OF ALABAMA
16-1-30
16-1-18.1
ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: GALBAD, GALBAF, GALBAT

CHAPTER 6: HUMAN RESOURCES

JURY WITNESS/DUTY

6.70.5*

- I. An employee of the board who is summoned as a member of a jury panel may be granted leave with pay. Any jury fees may be retained by the employee. The Board shall not reimburse the employee for meals, lodging and travel expenses incurred while serving as a juror.
- II. An employee who is subpoenaed as a witness, not involving personal litigation, may be granted temporary leave. Any witness fees may be retained by the employee. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a witness.
- III. When an employee is subpoenaed in line of duty to represent the Board as a witness or defendant, he/she may retain any fees received from the court. In the event no fees are received from the court, he/she may be paid for meals, lodging, and travel expenses.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

CODE OF ALABAMA 16-1-30
12-16-8, 16-1-18, 16-13-231

ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: CGPGA, GALBF

CHAPTER 6: HUMAN RESOURCES

MILITARY LEAVE

6.70.6

I. General Policy

All employees are entitled to military leave of absence when ordered to active duty for training as members of the Alabama National Guard or any component of the U.S. Armed Forces. Employees, who volunteer, are drafted or are ordered to extend active duty with any component of the U.S. Armed Forces shall be entitled to reinstatement to their former position or comparable positions if the right is exercised in a timely manner as noted below.

II. Military Leave for Training or short-term Duty

Employees who are required to attend annual training or special active duty for training these shall not suffer any loss of salary during the first twenty-one (21) days of such absence in any calendar year. Employees who are ordered for such duty shall provide one copy of their orders to the Superintendent. Leave will be without loss of benefits. These arrangements shall apply to any "military call-ups."

III. Reinstatement to Positions after Extended Duty

Employees who volunteer, are drafted or called to active duty for extended periods will be placed on Military Leave of Absence upon written application and be entitled to reinstatement to their former or similar positions upon their return and under the following conditions:

- A. They must not have remained on active duty beyond their first opportunity for honorable or general release;
- B. They must report to claim reinstatement within ninety (90) days after completion of such service (31 days in case of individuals who undergo only six (6) months active training or less).

IV. A maximum of three (3) years of experience credit for placement on the school system salary schedule may be granted for honorable service in the U.S. military.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA

16-1-30

16-24-13, 16-25-3, 16-25-12, 31-2-13

ADOPTED: 03/08/07

REVISION DATE(S): 03/08/07

FORMERLY: CGPGD, GALBD,

GALBD

CHAPTER 6: HUMAN RESOURCES

PERSONAL LEAVE FOR PERSONNEL

6.70.7*

The Board shall grant five (5) days of personal leave per year to each full-time employee under the following conditions:

- I. Two (2) days shall be granted to all employees of the Attalla city School System.
- II. Three (3) days shall be granted to employees who have ten (10) to fourteen (14) years of service in the Attalla City School System.
- III. Four (4) days shall be granted to employees who have fifteen (15) to nineteen (19) years of service in the school system or was employee at Etowah High School when the school becomes a part of the Attalla City School System.
- IV. Five (5) days shall be granted to employees who have twenty (20) or more years of service in the school system or was an employee at Etowah High School when the school became part of the Attalla City School System.
- V. A substitute will be paid for days used in referenced days of section I-IV.
- VI. Employees may choose to convert unused personal leave days to sick leave days or to be reimbursed (at the daily rate of substitute teachers) for unused personal leave eligible for conversion to sick leave days is limited to personal leave funded by the state or the school board. (A system form will be provided through the central office and/or school for conversion.)
- VII. An employee, with less than five (5) earned personal leave days, may choose to take extra-personal leave days up to the maximum of five (5) days as directed by the opening statement of this policy. The school system will deduct the highest substitute rate from the employee's salary.
- VIII. It is the responsibility of the principal to approve the earned and extra-personal leave days for all personnel reporting directly to him/her and to determine if the days are available, by maintaining a record in the school office, for such personnel.
- IX. The Superintendent must approve the earned and extra-personal leave days for all other personnel not reporting directly to principals.
- X. Personnel must have worked a portion of the year that is equal to the days of personal leave requested.

CHAPTER 6: HUMAN RESOURCES

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA

16-24-13, 16-25-3, 16-25-12, 31-2-13

ADOPTED: 03/08/07

REVISION DATE(S): 03/08/07

FORMERLY: CGPGD, GALBD, GALBD, GALBA

CHAPTER 6: HUMAN RESOURCES

PROFESSIONAL LEAVE

6.70.8*

- I. The Board may grant professional leave to an employee wishing to attend any educationally related conference, meeting, or convention if such attendance is considered to be in the best interest of the school system.
- II. The Board may pay all or any part of expense of any personnel whom it may direct to represent it at any such professional or educational meeting or in visitation to another school system. In all such cases, prior approval for said expenses must be given by the Board.
- III. The board will consider a request for professional leave of absence when such a request is submitted one (1) week in advance to the Superintendent in writing. A written request for professional leave of absence and demonstrate why the Board should favorably consider the request.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA 16-1-30

16-1-18.1, 16-24-13

ADOPTED: 03/08/07

REVISION DATE(S): 03/08/07

FORMERLY: CGPF, CGPFB, DJCB, GALAD, GALBG

- I. Sick leave is defined as the absence from regular duty by an employee because of the following:
 - A. Personal illness or doctor's quarantine;
 - B. Incapacitating personal injury;
 - C. Death in the family of the employee (parent, spouse, child, sibling, parent-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece, grandchild, grandparent, uncle or aunt);
 - D. Where unusually strong personal ties exist because of an employee's having been supported or educated by a person of some relationship other than those listed, this relationship may be recognized for leave purposes. In such cases the employee concerned shall file with the Board a written statement of the circumstances which justify an exception to the general rule;
 - E. Attendance to an ill member of the immediate family (parent, spouse, child, sibling,) of the employee, a person standing in loco parentis, or an individual with a close personal tie.
- II. Employees shall be allowed to accumulate an unlimited number of sick leave days.
- III. Unused earned sick leave from another Alabama school board shall be transferable to a new employee, as permitted by law, upon certification by the previous employer.
 - A. Any employee who requires the taking of **ten or more** consecutive days of sick leave will be **required** to furnish to the Superintendent of the Attalla City Board of Education a doctor's excuse setting out the necessity for the continued taking of sick leave. **The employee will need to contact the payroll department for the required forms (Leave Request and FMLA Form).**
 - B. In the event that any employee of the Attalla City Board of Education requires the taking of more than thirty days of sick leave in a year, the Attalla city Board of Education shall have the option, at the expense of the Attalla City board of Education, to require the employee to obtain a second opinion from a doctor chosen by the Attalla City Board of Education, as to the necessity of the continuation of taking sick leave.
 - C. In the event that the second doctor's opinion acquired by the Attalla City board of Education disagrees with the opinion of the employee's treating physician, the employee's treating physician and the physician chosen by the Attalla city board of Education shall jointly stipulate and specify the name of a third physician to whom the employee shall be referred for an evaluation as to the necessity of taking more than thirty days of sick leave. The opinion of the third physician, chosen by the physician for

the employee, and the physician chosen by the Attalla City board of Education, shall be binding upon the employee and the Attalla City Board of Education.

- D. Any employee of the Attalla City board of Education who is taking sick leave shall not be permitted to be gainfully employed in any job other than the employee's employment with the Attalla City Board of Education.

IV. See policy 6.84 for Sick Leave Bank provisions.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

CODE OF ALABAMA 16-1-30
16-1-18.1, 16-13-231, 16-22-9

ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07, 06/11/20
FORMERLY: DJCG, GALAP, GALB, GALBB

MATERNITY LEAVE

6.70.10

- I. Maternity leave will be granted without pay in accordance with the laws of the state of Alabama. Maternity leave may begin on the date the teacher and her doctor agree it should, provided the Superintendent is given written notice of her intent thirty (30) days prior to the date the leave will begin.
- II. An adoptive parent may be granted leave without pay for a period not to exceed one (1) year from the time of adoption. Should the leave begin during a school year, the maximum of a one (1) year period shall be considered to commence at the beginning of the new semester.
- III. If a vacancy exists, the teacher may return at her request upon ten (10) days written notice of the intent. If no vacancy exists, she may return at the beginning of the next school year without loss of any rights or privileges. A non-tenured teacher may expect the same privileges as a tenured teacher, except re-employment for the next school term will be treated the same as all other non-tenured teachers. If sick leave is taken by the teacher for the purpose of childbirth, the Superintendent must be notified in writing by her doctor that the teacher is unable to teach until after the birth of her child. Advance notification is not asked for, since a teacher may be able to work very late in her pregnancy. Since the sick leave laws are intended for specific purposes, the teacher will be expected to return to work by the date that she is considered well and able. The teacher will notify the superintendent two (2) weeks prior to her expected date of return if she will not be able to return to work within a reasonable time. A physician must explain in writing to the Superintendent the nature of the condition that prevents her from returning to work.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA 16-1-30

16-1-18.1, 16-13-9, 16-12-3, 16-24-13

ADOPTED: 03/08/07

REVISION DATE(S):03/08/07

FORMERLY: GALBE, GBRIF

It is the policy of the Board that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the workplace is prohibited. Employees shall not possess, use, transfer, sell, deliver, nor be “under the influence” of narcotics, drugs, alcohol, controlled substance or use chemical substances which can affect psychological function of the employee. Employees shall not possess paraphernalia specific to the use of chemical substances. This policy shall apply on all system school properties, in school buildings, in school buses or during any school-sponsored extra-curricular activities.

Employees violating this policy will be subject to disciplinary action by school officials, including termination of employment, and may be subject to legal action by local, state and federal officers.

The specifics of the policy are as follows

- I. The system school do not differentiate between drug users and drug pushers or sellers. Any employee who gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the job or on the school system premises will be subject to disciplinary action, including termination or employment.
- II. The term “controlled substance” means any drug listed in 21 USC Section 812 and other federal regulations. Generally, these are drugs that have a high potential for abuse. Such drugs include, but are not limited to heroin, marijuana, cocaine (including crack) and PCP. They also include “legal drugs” which are not prescribed by a licensed physician.
- III. Each employee is required by the Drug –Free Workplace act of 1988 to inform the Superintendent within five (5) days after he/she is conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal or state court.
- IV. If the employee is paid with funds from a grant, the Superintendent must notify the U.S. Department agency by which the grant was made within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of such conviction.
- V. If an employee is convicted of violating any criminal drug statue while in the workplace, he/she will be subject to disciplinary action, including termination of employment. Alternatively, the school system may require the employee to successfully complete a drug abuse program sponsored by an approved private or governmental institution.
- VI. As a condition of employment on any federal government grant, the Act requires all employees to abide by this policy.
- VII. Employees who use prescription drug authorized for their use by a licensed physician do not violate this policy.

VIII. "Under the influence" is defined as manifesting signs of chemical use/misuse such as staggering, odor of chemicals on breath or person, or unusual inappropriate behavior.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:

CODE OF ALABAMA 16-1-30
16-11-9, 16-12-3

HISTORY:

ADOPTED: 03/08/07
REVISION DATE(S):03/08/07
FORMERLY: GAMBC

DRUG AND ALCOHOL TESTING

6.80*+

- I. The School Board Omnibus Transportation Employee Testing Act Drug and Alcohol Testing Manual is hereby incorporated by reference and made a part of this policy. Any revisions shall be approved and adopted by the School Board.
- II. The superintendent shall develop and the Board approves procedures for implementing this policy, which will include random unannounced alcohol and other drug testing, additional driver and supervisor training, and other items.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA 16-1-30

16-1-18.1, 349 CFR PART 40, DOT

49 CFR PARTS 382 & 391

FEDERAL HIGHWAY ADMINISTRATION

ADOPTED: 03/08/07

REVISION DATE(S): 03/08/07

FORMERLY: GAMBCD

**HIV, AIDS, OR OTHER COMMUNICABLE DISEASES, BLOODBORNE PATHOGENS,
AND ENVIRONMENTAL HAZARDS**

6.81+

- I. Each employee reported to have been diagnosed in one of the stages of acquired Immunodeficiency Syndrome (AIDS), or antibody to AIDS or dangerous communicable diseases, shall be carefully and thoroughly evaluated on an individual, case-by-case basis.
- II. The evaluation shall be conducted by a placement a team comprising the employee, or a representative of the employee, the employee’s physician, a representative of the administration and the school system’s physician. The team will formulate a recommendation regarding the most appropriate placement of the employee, which would include the worksite, an alternative worksite, medical leave or disability, or retirement. Factors to be considered are:
 - A. Clinical condition of the employee;
 - B. Risk of others in the worksite to the employee; and,
 - C. Risk of the employee to other in the worksite.
- III. Upon completion of its evaluation, the placement team shall immediately submit its recommendation to the system’s physician who shall in turn appropriately advise the Board who shall be responsible for the final decision.
- IV. Recommendations regarding the type of work setting for the infected employee shall be based on the physical condition of the employee and the expected type of interaction in that particular setting.
- V. Employee infected with AIDS should work in settings that minimize exposure of others to blood and body fluids.
- VI. Once placement has been determined, a monitoring team comprising the system’s physician appropriate supervisor and the employee or employee’s representative shall evaluate the work setting and the employee. All changes are to be reported to the system’s physician. For example:
 - A. Outbreaks of communicable diseases, which put the individual at risk.
 - B. A deleterious change in the employee’s social behavior or physical condition.
- VII. The system’s physician will maintain regular contact with the employee’s physician. A change in the employee’s health status may dictate changes on the job.

- VIII. The placement team shall conduct a review of each case it has considered so long as it is an open case, prior to the beginning of each school semester, and at such other times as deemed necessary.
- IX. An employee denying evaluation will be excluded from the worksite
- X. This policy is not intended to be a dismissal procedure.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

CODE OF ALABAMA 16-1-30
16-8-8, 16-11-2, 16-11-9, 16-22-3

ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: GAMA

The Board shall require complete and current personnel records for each employee. All information contained in an employee's personnel file, except sensitive personnel records, are considered public records under Alabama Sunshine Law.

- I. Each employee shall have a right to review her/his local school or central office personnel file during normal business hours. Employees shall be notified of any entry to be placed in personnel files. No anonymous letters or materials shall be placed in personnel files. Each employee may have included on his/her personnel file a written response to any material contained within the file.
- II. Any employee may request to review her/his personnel file at any time that is mutually agreeable with the Personnel Administrator and when the employee is not engaged in fulfilling employment-related duties. The Personnel Administrator or certified designee must be present during the review. A log shall be maintained documenting any such review.
- III. A copy of all materials to be placed in an employee's record, which may tend to diminish the employee's professional work status, or reflect adversely on the employee's record of performance or character, shall be provided to the employee.
- IV. Any anonymous complaint or material received by a school official shall be immediately transmitted to the executive officer. If the material is deemed worthy of an investigation by the executive officer, it may be investigated. The results of the investigation shall be reduced to writing, signed by the executive officer, principal, or other designated official in charge of the complaint, dated, attached to the material in question, and placed in the personnel file of the employee. Any anonymous complaint, which is not investigated within 30 calendar days of its receipt by the executive officer, shall not be retained, but shall be destroyed.
- V. The transfer of the personnel file or any parts, summation, or copies of the personnel file of the employee shall be effectuated upon the written request of the employee. The employer may transfer an employee's personnel file, copies, or parts thereof to another employer or prospective employer.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

CODE OF ALABAMA 16-1-30
16-1-3, 16-1-4, 16-12-3,
16-22-14, 36-12-2, 36-12-40
ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: GAKI

- I. All regular personnel shall be paid in accordance with salary or hourly wage schedules as adopted by the School Board, provided the salary schedule for certified staff is no less than 100 percent of the State Minimum Salary Schedule.
- II. Any employee subject to the overtime provisions of the fair Labor standards act of 1938, as amended, and who is required to work in excess of forty (40) hours in any work week, shall be compensated for the hours in excess of forty at the rate of one and one-half times the regular rate of pay for the service performed or shall be provided compensatory time (premium time).
- III. Any employee working beyond his/her designated total weekly hours without prior permission of the Superintendent through the principal or supervisor may be subject to disciplinary action.
- IV. The board will make salary deductions, which are required by law, including federal income tax, state income tax, retirement, and other deductions in accordance with applicable laws and regulations.
- V. The Board may make certain other salary deductions when employees or groups of employees properly request such deductions based on recommendations of the fringe benefit committee. The deductions shall be made from salaries earned in at least nine (9) different pay periods and shall be remitted to the appropriate recipient as specified by the employee within ten (10) days following each deduction.
- VI. Deductions made for membership dues are voluntary contributions shall be made based upon membership lists and forms provided by the respective organizations.
- VII. Authorization for voluntary contributions may be revoked by providing a thirty (30) day written notice of revocation.
- VIII. Upon termination, amounts owed under the authorization of an employee shall be deducted from an employee's final pay.
- IX. When amounts have been correctly deducted and remitted by the Board, the Board shall bear no further responsibility or liability for further transactions. The Board shall not be liable for any error while acting in good faith to make the subject deductions.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA 16-1-30

16-8-8, 16-11-17, 16-13-231.1,

16-22-6, 16-22-17

290-2-1-.01

ADOPTED: 03/08/07

REVISION DATE(S): 03/08/07

FORMERLY: CGA, DJCB, GALA, GALAD, GALD

SICK LEAVE BANK**6.84*+**

- I. The Board, upon request of a minimum of ten percent (10%) of its full-time professional personnel and full-time support personnel, shall establish a sick leave bank for such personnel. The plan, if established, shall allow each employee to deposit into the bank an equal number of his/her earned sick leave, not to exceed five (5) days. These days shall be available for loan to any other participating employee whose sick leave has been exhausted.
- II. A Sick Leave Bank Committee composed of four (4) employees and one (1) representative of the Board shall be established and selected as provided by law.
- III. The sick Leave Bank committee shall write the guidelines and procedures for the sick leave bank, including catastrophic leave provisions of law, for board approval
- IV. All guidelines and procedures must be consistent with law.

STATUTORY AUTHORITY:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

CODE OF ALABAMA 16-1-30
16-1-18,,1, 16-22-9
ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: GALBAJ, GALB

PLANNING AND OTHER DUTY-FREE TIME

6.85

- I. Each teacher shall be give a minimum of thirty (30) minutes of time free of instructional or supervisory responsibilities each teaching day.
- II. The Superintendent or designee is authorized to establish planning and other duty-free time for teachers and other personnel.

STATUTORY AUTHORITY:

**CODE OF ALABAMA 16-1-30
16-1-1, 16-8-8, 16-11-9, 16-12-3**

**ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:**

**ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: NEW**

- I. It is the intent of the Attalla City Board of Education for its employees to perform the necessary tasks of their jobs during the regular designated workweek. However, there may be certain circumstances in the best in interest of students and the school system, when emergencies would necessitate that certain employees work beyond their designated workweek. However, the option to revive compensatory time rather than pay must be approved by the immediate supervisor and the Superintendent.
- II. Overtime should always be requested by the immediate supervisor and approved by the Superintendent or a designated representative on the approved form for overtime. Verbal approval should be given by the immediate supervisor at the time the work is done; however, an immediate follow-up written request must be forwarded to the Superintendent for approval within one working day after the work has been performed. Overtime pay may be granted only to noncertified employees whose job titles or responsibilities indicate that the position is nonsupervisory.
- III. Such compensatory time and/or overtime pay will be in full compliance with the Federal Fair Labor Standards Act.
- IV. Payment for overtime shall be made to the appropriate employee at the next regular pay period of submitted prior to the deadline for the pay period. No special checks shall be issued for payment of overtime.
- V. Monthly reports showing overtime costs are to be included with the financial report to the Board.

STATUTORY AUTHORITY:**CODE OF ALABAMA 16-1-30
6-11-9, 16-12-3, FLSA****ALABAMA ADMINISTRATIVE PROCEDURE ACT:****HISTORY:****ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: NEW**

OVERTIME - NONCERTIFIED PERSONNEL

6.87

- I. It is the intent of the Attalla City board of Education for its employees to perform the necessary tasks of their jobs during the regular designated workweek. However, there may be certain circumstances, in the best interest of students and the school system, when emergencies would necessitate the certain employees work beyond their designated workweek. However, the option to receive compensatory time rather than pay must be approved by the immediate supervisor and the Superintendent.
- II. Overtime should always be requested by the immediate supervisor and approved by the Superintendent or a designated representative on the approved form for overtime. Verbal approval should be given by the immediate supervisor at the time the work is done; however, an immediate follow-up written request must be forwarded to the Superintendent for approval within one working day after the work has been performed. Overtime pay may be granted only to noncertified employees whose job titles or responsibilities indicate that the position is nonsupervisory.
- III. Such compensatory time and/or overtime pay will be in full compliance with the Federal Fair Labor Standards Act.
- IV. Payment for overtime shall be made to the appropriate employee at the next regular pay period if submitted prior to the deadline for the pay period. No special checks shall be issued for payment of overtime.
- V. Monthly reports showing overtime cost are to be included with the financial report to the Board.

STATUTORY AUTHORITY:

**CODE OF ALABAMA 16-1-30
6-11-9, 16-12-3, FLSA**

**ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:**

**ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: NEW**

I. Certified Employees

A transfer is reassignment from one position, school or grade to another. Transfers shall be without loss of status or violation of contract nor for political or personal reasons. Transfers are recommended by the Superintendent and approved by the Board.

A. Non-tenured

Non-tenured certified personnel can be transferred at any time during the school year.

B. Tenured

1. Voluntary – Tenured certified personnel can be transferred voluntarily at any time during the school year.
2. Involuntary – Tenured personnel must be notified prior to July 1 of any transfer for the succeeding school year.

C. Emergency Temporary Transfers

Within fifteen (15) days before or after the first day of the school year, a teacher who meets all qualifications, certification, grade level, or subject matter requirements may be transferred involuntarily on a temporary emergency basis, provided all of the following conditions are met:

1. The Superintendent seeks volunteers by posting notice of the vacancy of vacancies in conspicuous locations at all school system sites for at least five (5) working days.
2. If there are no volunteers, qualified probationary teachers are subject to transfer first.
3. If there are no qualified probationary teachers, qualified teachers on continuing service status are subject to transfer in reverse order of their seniority with the Board. If more than one tenured teacher has equal seniority, the Board shall take into consideration qualification, certification, and experience in the position, grade level, or subject matter.
4. If a vacancy exists at the end of a school year at the former site for which the emergency transferred teacher is qualified, upon the request of the teacher. The teacher shall have a one-time right of first refusal to fill the vacancy at the former site, provided that the vacancy occurs within two (2) years of the transfer.

5. Upon the request of the teacher, the teacher shall be given a one-time right of first refusal to return, at the beginning of the school year, to the position, grade, school, worksite, or subject area from which he or she was originally transferred to effect the emergency transfer, provided the vacancy occurs within two (2) years of the transfer.
6. Emergency transfers shall be effected without regard to the time for filing notice of appeal and hearing.

II. Support Personnel

Whether on probationary status or not, support workers may be transferred at any time based upon good and just cause and the needs of the school system provided the transfer is without loss of status. Such transfers are made upon the recommendation of the Superintendent and approval of the Board but cannot be for personal or political reasons.

Support personnel will be given the required notice of their transfer and a statement of their right to appeal.

STATUTORY AUTHORITY:

**CODE OF ALABAMA 16-1-30
16-12-16, 16-24-1, 16-24-5 TO, 6-24B-7,
16-24B-8, 36-26-105, 36-26-106, 36-26-107**

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

**ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: CGL, GBM**

I. Definition and Scope

- A. This policy applies to reductions-in-force that are implemented by “layoffs” as contemplated by Ala. Code §16-1-33 (1975). This policy shall apply in situations where reduction-in-force of tenured/non-probationary positions is involved.
- B. A reduction-in-force may be declared by the Board of Education and layoff’s approved thereunder if the Board determines that decreased student enrollment or a shortage of revenues requires a reduction in the work force (beyond normal attrition) in order to maintain effective provision of educational services or to meet the Board’s financial, legal, or operational obligation.
- C. A “layoff” within the meaning of this policy is a separation from employment with the Board of Education. However, employees who are laid off under authority of this policy are eligible for recall to employment as conditionally provided in this policy, Nor does the term “layoff” include or apply to the expiration of temporary, occasional, or “at-will” appointments or to decisions not to renew or extend employment beyond the expiration of annual or other specified terms of appointment.

II. Criteria for Implementing Layoffs

- A. The order, priority, rank or selection of individual employees who are to be laid off under authority of this policy shall be determined on the basis of objective criteria. However, nothing herein shall be deemed or construed to limit or abridge the Board’s legislative discretion to identify areas, departments, groupings or classifications for reductions (layoffs). (For example, the board is not required to justify by objective criteria or otherwise a decision to implement layoffs in non- instructional categories or employees before doing so with instructional staff).
- B. The criterion or criteria on which the layoffs are to be based shall be announced or otherwise made known by the Board to employee affected by the layoff no later the date notice of the layoff is provided to the employees.

- C. "Objective criteria" within the meaning of this policy may include any lawful selection standard (or combination of standards) that is verifiable, calculable, measurable, or otherwise determinable by means or methods other than the personal or subjective judgements or opinions of the person(s) applying the criteria, and that would be expected to produce the same result if applied to the same employees or group of employees by different persons. For purpose of this policy, objective criteria may include, but are not limited to:
- Seniority, longevity, or time in-service that will be more specifically described in the notice of layoff that is provided to affect employees
 - Years of experience
 - Degrees, certification, or licensure
 - Job classification
 - Written or otherwise documented performance evaluations that can be fairly, accurately, and objectively compared to other similarly situated employees for the purpose of ordering or ranking, provided that such evaluations predate the RIF announcement or declaration by not less than thirty days

III. Recall

Employees who have been laid off under the terms of this policy will be given priority in filling positions as enrollment or financial circumstances warrant, provided that:

- A. The nature of the position and qualifications there for have not materially changed;
- B. The laid-off employee remains properly qualified, licensed, or certified; and
- C. The laid-off employee confirms in writing his or her availability for and interest in re-employment to the Board's Director of Human Resources in accordance with any directives that may be contained in or transmitted in conjunction with the notice layoff.

Circumstances permitting, and to the extent practicable, the selection of employees for recall will be based on the criteria that were applied to the layoffs themselves if there are more employees eligible for recall than available to fill. When layoffs occur over a period of time. The board will take relative length of separation from servile in to consideration in assigning recall priority, other factors being equal. In no case will any right to be recalled to employment extend beyond fourteen (14) months from the effective date of the employee's layoff. Recalled employees will retain credit for the tenure, years of service, and the pay and benefits they held on the effective date of their layoff. No pay, benefit, status, or additional rights will accrue or be credited to the recalled employee for the time he or she has been laid off.

IV. Notice

Notification of layoff and recall shall be by United State certified or registered mail, hand delivery, or such other means as are reasonable under the circumstances. Upon receipt of notification of recall, a laid-off employee shall respond affirmatively to the notice of recall in accordance with such specific directions or instruction as may be contained therein. Any laid-off employee who does not respond or who otherwise declines an offer of reemployment by the Board will be deemed to have waived any right to be recalled under the terms of this policy.

STATUTORY AUTHORITY:

CODE OF ALABAMA 16-1-30
16-1-30, 16-1-33

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

ADOPTED: 03/08/07
REVISION DATE(S): 03/10/11
FORMERLY: GBKA, GCKA

THIS POLICY REPLACES LAYOFF AND RECALL BOARD MEETING: MARCH 10, 2011

Any employee who plans to retire shall submit written notice of intent to retire to the School Board through the Superintendent.

STATUTORY AUTHORITY:

**CODE OF ALABAMA 16-1-30
16-25-1**

**ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:**

**ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: GALC**

- I. Any administrative or instructional staff member who wishes to resign shall submit his or her resignation in writing addressed to the School Board. The letter or resignation shall state the reasons for the resignation and the desired effective date. No resignation shall become effective until accepted by the School Board. Any teacher resignation request submitted during the school term or within forty-five (45) days prior to the beginning of said term can only be accepted if mutually agreed upon.
- II. A non-instructional employee who wishes to resign shall submit his/her resignation in writing addressed to the School Board. Whenever possible, two (2) weeks' notice shall be given. The letter of resignation shall state the reason for the resignation and the desired effective date. A resignation of an employee shall be sent to and countersigned by his/her immediate administrative supervisor. The resignation shall be submitted to the School Board at its next regular or special meeting. No resignation shall become effective until accepted by the School Board. The School board may refuse to accept to accept any resignation for cause.
- III. An employee who violates the terms of an employment agreement or written contract by leaving his/her position without first being released from the agreement or contract by the School Board and fails to complete and file the required records and reports, may have final compensation withheld.

STATUTORY AUTHORITY:

**CODE OF ALABAMA 16-1-30
16-24-11, 16-25-1**

**ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:**

**ADOPTED: 03/08/07
REVISION DATE(S): 03/08/07
FORMERLY: CGN, GBO**