
Employee Handbook



Learning Today...Leading Tomorrow

Mission:

The Mission of the Richmond County School System is to build a world class school system through education, collaboration and innovation

Vision:

RCSS will create a world-class, globally competitive school system where all students will graduate and are college/career ready

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GENERAL INFORMATION

EMPLOYEE HANDBOOK

This handbook is intended to assist all employees of the Richmond County School System. Please note, however, that some sections apply solely to certified employees and some sections apply solely to classified employees.

NOTICE OF NON-DISCRIMINATION

Notice of Non-Discrimination

The Richmond County School System does not discriminate on the basis of race, color, national origin, religion, sex, disability or age in its programs and activities for students. The following person has been designated to investigate any complaint communicated to the Board of Education alleging non-compliance of non-discrimination policies regarding student activities.

Director of Student Services (Dr. Ed Sanderson)
864 Broad Street
Augusta, GA 30901
(706) 826-1000
sanded@boe.richmond.k12.ga.us

Notice of Non-Discrimination

The Richmond County School System does not discriminate on the basis of race, color, religion, national origin, sex, age, or disability in its program and activities and provide equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Title IX Coordinator (Mr. George Bailey)
864 Broad Street
Augusta, Ga 30901
(706) 826-1126
bailege@boe.richmond.k12.ga.us

Annual Public Notice of Career, Technical, and Agricultural Education Opportunities

The Richmond County School System in compliance with the Office of Civil Rights (OCR) Guideline 4 (O) annually issue public notification that all career and Technical Education opportunities will be offered without regard to race, color, religion, national origin, sex, age, or disability.

The following procedures will be followed:

Notification will be provided prior to the beginning of the school year.

Advise students, parents/guardians, employees, and the general public of the policy of non-discrimination.

The lack of English Language skills should not be a barrier to the admission and participation in career and technical education programs.

Disseminate to communities of national origin minority persons with limited English language skills in their native language. Provide a brief summary of program offerings. Provide a brief summary of admissions criteria.

Provide the name and title, office address and telephone of the person(s) designated to coordinate Title IX, Section 504, and Age compliance.

Inquiries regarding nondiscrimination of Career, Technical, and Agricultural Education opportunities should be directed to:

Director of Career Technical Agricultural Education (Ms. Nanette Barnes)
864 Broad Street
Augusta, Ga 30901 (706) 826-1115
barnenan@boe.richmond.k12.ga.us

The Richmond County School System does not discriminate in employment or services on the basis of race, color, national origin, sex or handicap. Inquiries should be directed to:

Chief Human Resources Officer (Dr. Cecil Clark, II)
864 Broad Street
Augusta, Ga 30901 (706) 826-1000
clarkce@boe.richmond.k12.ga.us

BOARD OF EDUCATION

The Local Board of Education is a 10-member body elected for four year staggered terms. Members are residents of the district from which they are elected. They are voted on in district elections.

The primary duty of the Board is to develop policies and written statements with the intent of guiding the operation of the school program. The Board also approves the hiring of each employee and makes the final decision on the termination of all employees, unless otherwise delegated.

A Board Member has no individual power or authority to make decisions or take action except when acting as a member of the Board during a meeting of the Board.

Regular Board Meetings are held on the third Tuesday of each month at 6:00 p.m. at the Central Office. All employees are invited to attend board meetings.

While employees are expected to follow procedures, policies and the prescribed chain of command in pursuing grievances and complaints, they nevertheless are encouraged to speak to Board Members at any time on matters of public concern. A listing of the Board Members and their contact information may be found at www.rcboe.org under "Board of Education."

SUPERINTENDENT

The Superintendent of Schools is appointed by the Board of Education for up to a 3-year contractual term.

The Superintendent is the chief executive officer of the Board and acts as its secretary. The Superintendent also has authority for general supervision of the school system and its employees. The Superintendent recommends the hiring and the termination of employees to the Local Board.

BOARD ATTORNEY

The Board Attorney is authorized by the Charter to represent the Board of Education and the school system, to provide general legal services and to perform such other duties as are from time to time approved or directed by the Board of Education.

MISSION STATEMENT

Building a world-class school system through education, collaboration and innovation.

SYSTEM GOALS

- Guarantee high academic achievement for all.
- Ensure communication and collaboration within the community.
- Provide a safe, orderly, and healthy learning environment.

EMPLOYMENT POLICIES

ETHICS

All employees must adhere to the high standards and expectations determined by the Richmond County Board of Education and those described in the Professional Standards Commission Code of Ethics. As public employees expected to uphold the public trust, employees should not use their positions or professional relationships for personal gain.

PAYCHECKS

Employees will be paid on the last calendar workday of the month not falling on Saturday or Sunday. All public retirement employees will be paid semi-monthly. Exceptions may be made for the months of November and December if approved by the superintendent and funds are available. Direct deposit is an option for any pay period provided that the direct deposit form has been submitted earlier than the 15th of the month or the date checks have been run. The annual salary is paid over a period of twelve months. Inquiries about paychecks are to be made through the principal, director, or bookkeeper to the Central Office Accounting Department.

EARLY CHECKS FOR NEW EMPLOYEES

Certified employees are paid on their certificate and experience on file. Ten month employees newly hired for the current school term are paid from August to July.

SALARY DEDUCTIONS

Mandatory Deductions:

- Social Security
- Medicare
- Teacher Retirement
- State and Federal Withholding Taxes

Optional Deductions:

- State Health Insurance
- Disability Insurance(s)
- Life Insurance
- Cancer Insurance
- Dental Insurance
- Vision Insurance
- Tax-Sheltered Annuities
- Dues to Teacher or Employee Associations
- United Way
- United Negro College Fund
- Credit Union

For further information on the Teacher Retirement System, please visit the Teacher Retirement System website at www.trsga.com.

NAME/ADDRESS/PHONE NUMBER CHANGES

It is the responsibility of employees to inform the Human Resources Division of any change in home address and/or phone number. Employees may update their name, personal address, and phone number through our employee online system or by submitting an Address Change Form. Name change requests must be accompanied by a copy of the signed social security card reflecting the new name, before the request may be completed.

PENALTY FOR FAILURE TO PROVIDE CERTIFICATION

The employment contracts issued to certified staff are contingent upon the employee securing and continuing to hold a valid in-field certificate issued by the Georgia Professional Standards Commission. Salary adjustments may be made to conform to the certificate level approved by the Georgia Professional Standards Commission. If an employee is unable to be certified properly, the daily rate of pay may be adjusted to that of a substitute employee retroactive to the beginning of employment under the contract. The employee must be 'highly qualified' to teach in the assigned subject area(s) as required by the *Elementary and Secondary Education Assistance Act of 1965*.

PENALTY FOR FAILURE TO MEET CONTRACTUAL OBLIGATION

If fewer than 20 days of service are rendered under contract, the daily rate may be equal to the substitute teacher rate.

EMPLOYEE JOB PERFORMANCE EXPECTATIONS

All employees of the Richmond County Board of Education are hired for the express purpose of supporting the educational program for children. As a result, all employees are expected to perform their jobs and conduct themselves in such a manner as to serve as an appropriate role model for children. The following guidelines are offered to ensure that employees understand expectations for job performance, but these guidelines are not intended to be all-inclusive. Other specific expectations exist for all positions.

Employees of the Richmond County Board of Education are expected to:

1. report to work promptly and follow all required sign in/sign out procedures as assigned.
2. perform job responsibilities accurately and proficiently.
3. adhere to all policies and procedures as established by the Richmond County Board of Education and the local school or department.
4. refrain from use of tobacco or alcoholic beverages in the work place. Use of illicit drugs is prohibited.
5. attend work and required meetings and trainings as scheduled unless sick, personal, medical or other approved leave.
6. report absences from work as required by local school or department procedures.
7. recognize the school principal as the immediate supervisor when assigned directly to a school or when providing services in school.
8. refrain from touching or talking to students or employees of the Board of Education in a manner which could be construed as sexually or physically threatening or otherwise unacceptable or harmful.
9. respect and protect public property from harm, damage, or loss.
10. refrain from borrowing, taking or bothering the personal property of others or public property without proper authorization.

RETURN OF SYSTEM PROPERTY UPON SEPARATION

All employees upon separation of employment 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.

HIRING PERSONNEL

All school personnel must be employed by the Board of Education on the recommendation of the Superintendent of Schools. All personnel recommended for employment must meet the minimum requirements for employment. The Superintendent of Schools is authorized to place under temporary employment non-certified personnel to fill vacancies as needed, provided all employment policy and procedure requirements have been applied and cleared. Board of Education approval of such employees shall be requested at the next Board meeting where official personnel action shall be taken.

The Board prohibits personnel assignments which require the direct supervision of one family member over others of the immediate family. Immediate family is defined as one of the following: father, mother, brother, sister, son, daughter or spouse of the employee concerned.

REPORTING LATE AND LEAVING EARLY IN THE SCHOOL YEAR

Salaries for teachers will begin on the date on which they report for duty. Teachers reporting for duty after the designated date for duty will not be paid for those days prior to their reporting for duty.

Teachers on tenure who become unable to continue as a classroom teacher due to physical, emotional, or mental reasons are expected to follow the Family Medical Leave Act policy as soon as their condition is found to interfere with their ability to render proper instruction to the pupils in their care. Teachers are to begin such leave, when appropriate, in order to ensure continuity of instruction for their pupils, at the end of the semester or the end of the report card period. They may return to duty as soon as their condition allows them to render proper instruction and a suitable vacancy occurs.

Teachers not on tenure who become unable to continue as a classroom teacher due to physical, emotional, or mental reasons are expected to resign as soon as their condition is found to interfere with their ability to render proper instruction to the pupils in their care. Such teachers are to resign, when appropriate, in order to ensure continuity of instruction of their pupils, at the end of the semester or the end of the report card period. Such teachers shall be encouraged to reapply for a teaching position with the Richmond County School System as soon as their condition allows them to render proper instruction. It shall be the policy of the system's administration to give such applications priority over applications of persons having no record of prior service with the system.

Teachers leaving the school system before the end of the contract period will lose pay equivalent to 1/190th of their annual salary for each day missed.

Teachers finding it necessary to report late for the preplanning week or to leave after report cards are given out but before the designated contract ending date due to the necessity of summer school activity which carries college credits, will not have the above deduction made, provided the necessity of such leaving is determined in advance by the principal and the superintendent's designee.

The payroll period for the year begins with the first workday of the preplanning week and runs through the last workday of the post planning week, making a total of 190 days. Salaries for teachers who serve for less than the full year will be figured on a daily basis for the actual number of days that they serve based on a 190-day year.

TAX SHELTERED ANNUITIES

As an employee working for a public nonprofit institution, you are eligible to participate in a tax sheltered annuity plan. It allows you to defer receiving a portion of your current year's earnings, which enables you to defer paying income tax on that portion. An employee may select a tax sheltered annuity plan of any insurance company approved by the Board of Education. Contributions to the desired plan may be made through payroll deduction. Existing annuities will continue to be deducted. The approved companies can be found at www.rcboe.org under **Human Resources – Employee Benefits Center**.

SCHOOL DAY FOR TEACHERS

It is the policy of the State Board of Education to regard the minimum workday for the teacher as eight hours and the work week as 40 hours. This on-campus time should be devoted to the duties for which the base salary is paid - teaching and preparation for teaching, extra class responsibilities, conferences with students and parents, staff meetings, planning conferences, professional learning and related school activities in the community. Additional time may be required as deemed necessary by the building level administrator. Teachers are certified contracted employees and overtime is not provided.

SCHOOL YEAR FOR TEACHERS

The school year shall include 180 actual teaching days with ten additional working days devoted to planning and evaluation by the staff at each school.

NEW TEACHER ORIENTATION

All teachers new to Richmond County will participate in the New Teacher Orientation. The orientation has been set up to:

- Thoroughly orient teachers to the resources available within the county.
- Support teachers throughout the certification and evaluation process.
- Introduce teachers to subject area coordinators.
- Arrange mini sessions discussing special needs for new teachers.

New Teacher Orientation allows induction phase teachers to become familiar with local, district, and state initiatives and provides professional, social, and emotional support. The induction phase teacher is defined as any teacher who has been hired into a new permanent position in any Georgia school

Guideline 1

Orientation must be conducted in an appropriate time frame and must be provided to all induction phase teachers.

Required Components

1. Conducted at the beginning of the school year or when the induction phase teacher is hired.

Guideline 2

Information concerning district initiatives, curriculum, and administrative policies will be provided at the district level for all induction phase teachers.

Required Components

1. Description of district mission, vision, values, and goals.
2. Introduction to the required curriculum.
3. Relevant district information such as student population, school locations, organizational chart, safe school policies, and procedures and grading guidelines.
4. Identification of available ongoing support and resources. (i.e., curriculum/program staff and resources)
5. Schedule of induction and professional learning activities.
6. Explanation of the purpose and structure of the Georgia Teacher Induction Guidance.
7. An in-depth explanation of the purpose and structure of the Teacher Keys Effectiveness System (TKES).
8. Articulation of a plan to communicate consistently and directly with new teachers, including a plan to assess their needs on an ongoing basis.
9. Information regarding salary, benefits, pay days, sick days and other Administrative policies, programs, and the Georgia Code of Ethics for Educators.

SMART INDUCTION PROGRAM

Our mission is to provide an effective induction program that recognizes the importance of creating a systematic process for the recruitment, selection, training, and support of qualified mentors who provide school-based support for induction phase teachers. We will provide support for induction phase teachers as they transition into the profession, Richmond County School System, or new content areas. As a result of this program, we will enhance the collegial environment in our schools and facilitate on-going professional growth for new and veteran teachers in order to facilitate enhanced student learning through more effective teaching.

The RCSS Teacher Induction Program requires structured and regular support for beginning and transitioning teachers in the areas of content knowledge, classroom effectiveness, integration of disciplines, differentiating instruction for diverse learners, instructional planning, establishing a positive classroom environment, professional communication and engagement, assessment and evaluation, legal and ethical responsibilities, and professional contribution and involvement.

MENTOR RESPONSIBILITIES

Mentor expectations are provided that delineate the roles and responsibilities of mentors for a successful induction phase teacher.

Provide school level orientation.
Provide instructional, professional, and personal support to induction phase teachers.
Utilize effective communication and collaboration skills to support induction phase teachers.
Assist with coordination/facilitation of interventions and professional learning experiences to guide growth and development of induction phase teachers.
Serve on the Induction Phase Teacher Support Team
Provide timely, constructive feedback at regular intervals.
Participate in ongoing professional learning.
Foster open and safe communication in a non-evaluative role.
Provide sustained support – multiyear.
Provide or support the appropriate coaching to engage teachers in reflection about their practice.
Serve as an advocate for induction phase teachers.
Gather and share human/print resources.

CERTIFIED EXPERIENCE CREDIT

Credit for one year's experience shall be given for each year of verified work experience.

Certified employees are to be given credit for previous experience according to the following:

- a. The employee must have worked at least 120 days in a regular school year.
- b. The school must be accredited by the state or a regional accrediting agency.
- c. The employee must have held a valid professional teaching certificate from the state in which the experience was earned. The certificate must be the equivalent of a Georgia clear renewable certificate as determined by the state of origin.
- d. Two one-half years of experience earned in a regular school may be combined and equal 120 days of consecutive service.
- e. No more than one year of experience may be credited for any 12-month period.
- f. The employee is responsible for providing verification of prior teaching experience.
- g. Experience verification must be submitted to the Human Resources Department on or before the last day of the fiscal year of hire.

CREDIT WILL NOT BE GIVEN FOR EXPERIENCE EARNED WITHOUT A VALID STATE CERTIFICATE. THE SCHOOL MUST HAVE BEEN ACCREDITED DURING THE TIME THE EXPERIENCE WAS EARNED.

20-1-210 STEP INCREASE AND EVALUATION REQUIREMENTS effective July 1, 2014

A teacher shall not receive credit for any year of experience in which the teacher received an unsatisfactory or ineffective annual summative performance evaluation, or for the second year in which a teacher receives two consecutive annual summative needs development ratings.

CERTIFICATE PAY

Pay for certified employees who do not hold a valid Georgia certificate at the time of employment will be calculated on teacher provisional pay from the date of hire.

Certified employees will be placed on a provisional pay scale initially until a valid GA certificate has been received. At that time an adjustment of retroactive pay will be made according to the validity date of the certificate.

MAINTAINING TENURE

Employee Handbook – Revised July 2018

Certified tenured employees and those with life certificates are required to earn ten quarter hours or six semester hours of college or PLU credit or a combination of the two within a three-year period to maintain tenure status.

CERTIFICATION RENEWAL

The PSC shall establish rules and regulations for appropriate requirements and procedures to ensure high-quality certification standards for all Georgia educators while facilitating the interstate mobility of out-of-state certificated educators. Although the human resources department supports certified employees through the renewal process, certification is an individual responsibility.

Georgia Professional Standards Commission:

505-2-.36 RENEWAL REQUIREMENTS effective July 1, 2017

(1) Purpose. Certificate renewal is an outcome of applying Georgia Professional Standards Commission (GaPSC)-accepted continuing professional learning toward the continued validity of a state certificate or license. While it is essential for individual educators to maintain valid certificates and licenses, professional learning should be focused toward school improvement leading to improved teaching and increased student learning. The goal of certificate renewal and professional learning is for educators within a Georgia local unit of administration (LUA) to work together to enhance established educational goals for the individual educator, the school and the LUA to assist students in meeting state standards for student achievement. Written Professional Learning Plans (PLPs) or Professional Learning Goals (PLGs) shall be required for all certificate holders employed by a Georgia LUA. PLPs outline requirements for the professional growth of educators as well as clearly delineate support the school or school system will provide for the educator's professional growth. PLGs outline identified areas for educator growth for those educators not required to have PLPs. All professional learning approved for certificate renewal shall be designed around national professional learning standards as outlined by Learning Forward (formerly the National Staff Development Council). This requirement applies to the design of school and LUA learning communities, the selection of workshops that support learning communities, and any other professional learning designed for certified educators.

Individuals holding a valid Georgia life certificate shall be deemed to have met state renewal requirements except those related to Security Clearance.

Legal reference: O.C.G.A. § 20-2-200, as may be amended from time to time.

I. Criminal Record Check

On and after January 1, 2011, all educators employed by the School System shall hold a valid clearance certificate (a certificate issued by the PSC that verifies that an educator has completed fingerprint and background checks as required by law and that the individual does not have a certificate that is currently revoked or suspended in Georgia or any other State); provided, however, that an educator who possesses a professional educator certificate as of January 1, 2011, shall not be required to obtain a clearance certificate until his or her professional educator certificate is up for renewal.

Educators holding a valid clearance certificate shall be subject to the Code of Ethics for Educators. The School System shall ensure that all personnel employed by such System after January 1, 2011, shall be fingerprinted and have a criminal record check performed. The System shall adopt policies to provide for the subsequent criminal record checks of personnel continued in employment in the local unit of administration.

Legal reference: O.C.G.A. § 20-2-211.1, as may be amended from time to time.

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II. Two Unsatisfactory Annual Performance Evaluations

Georgia Code 20-2-210 requires that all personnel employed by local units of administration (LUAs) shall have their performance reviewed annually. The purpose of this rule is to define the process for reporting “Unsatisfactory,” “Ineffective” and “Needs Development” annual performance evaluations for certificated personnel; the process for reporting successful completion of remediation plans; and the effect of two (2) or more unremediated “Unsatisfactory,” “Ineffective” or “Needs Development” annual performance evaluations in a five (5)-year period on certification eligibility, issuance and renewal.

Legal Reference: O.C.G.A. § 20-2-200(c), as may be amended from time to time.

EMPLOYEE EVALUATION

All employees will be evaluated on their performance each year and given a summary each year. When necessary, written plans of improvement are given. A copy of the written evaluation form will be submitted to the Personnel Office to be retained in the employee’s permanent personnel file. All certified employees will be evaluated according to a state evaluation instrument each school year. All classified employees will be evaluated through a locally developed instrument each school year.

TRANSFER OF EMPLOYEES

Board initiated transfer of employees within the school system may be made according to needs of individual schools. Employees may also initiate requests for transfers. There must be a vacancy at the school to which the request is made. Teachers wishing to transfer should follow the voluntary transfer procedures that are sent out in the Spring of each year. The transfer takes place only after the teacher and the principal sign the appropriate form and this form is filed with and approved by the Human Resources Department. If the request for transfer has not been acted upon by the date established in each year’s transfer procedures, then said transfer shall not be allowed for the ensuing year unless the mutual consent of both the releasing and receiving Principals is given.

Nothing herein shall limit the authority of the school board or school administration to deny a request for transfer or to effectuate a transfer at any time during the year deemed to be made to meet emergency conditions or is considered to be in the best interest of the appropriate operation of the school system.

The teacher requesting a transfer must have been recommended for re-election by the principal of the school in which he/she is currently employed.

TERMINATION, SUSPENSION, DEMOTION, AND REPRIMAND

The Richmond County Board of Education follows the provisions of the Georgia Fair Dismissal Act of 1975, as amended, as it relates to termination, demotion, non-renewal or letters of reprimand for a teacher, principal or other employee having a contract for a definite term. (See Sections 20-2-940 through 20-2-946, Official Code of Georgia). A teacher who accepts a fourth consecutive school year contract may be non-renewed only for those reasons set forth in the Fair Dismissal Act. A teacher is deemed to have accepted a fourth consecutive school year contract, if, while the teacher is serving under the third consecutive school year contract, the local board does not serve notice on the teacher by May 15* that it intends not to renew the teacher’s contract for the ensuing school year, and the teacher does accept the following consecutive school year contract. School year means a period of at least 190 school days beginning in or about August and ending in or about June.

A “school year contract” means a contract of full-time employment between a teacher and the Richmond County Board of Education.

The following are grounds for termination, suspension, or demotion:

- Incompetence
- Insubordination
- Willful neglect of duties
- Immorality
- Inciting, encouraging, or counseling students to violate any valid state law, municipal ordinance, policy or rule of the Local Board of Education
- Reduction in staff due to loss of students or cancellation of programs
- Failure to secure and maintain necessary educational training
- Any other good and sufficient cause

Before termination or suspension of a teacher, principal, or employee having a contract of employment for a definite term, written notice of the changes shall be given at least ten days before the date set for the hearing. Any teacher, principal, or other person against whom such charges have been brought, shall be entitled to be represented by counsel, and upon request, shall be entitled to have subpoenas or other compulsory process issued for attendance of witnesses and the production of documents and other evidence. The superintendent may temporarily relieve from duty any teacher or any other school employee pending hearing by the Board in those cases where charges are of such seriousness or other circumstances exist which indicate that such teacher or employee could not be permitted to continue to perform his or her duties pending hearing without danger of disruption or other serious harm to the school, its mission, pupils or personnel. (For more information, please see Official Code of Georgia, Section 20-2-940, *et seq.*)

SEPARATION PAY UPON SEPARATION

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

LETTER OF REPRIMAND

A superintendent may write a letter of reprimand to a teacher or other school employee for any valid reason. A copy of said letter of reprimand is to remain in the teacher or employee permanent personnel file. A teacher receiving such a letter of reprimand shall have the right to appeal the decision of the superintendent to the Local Board. Said hearing is to be conducted according to the provisions of the Fair Dismissal Act. 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, said letter of reprimand shall be removed from said teacher permanent personnel file. (See Section 20-2-944, Official Code of Georgia). Additionally, an alternate local policy gives teachers the right to have their written response placed in their personnel file in lieu of a hearing. Any appeal right of a classified employee is governed by Policy GAE-3 which can be found at www.rcboe.org under “Policies.”

NONRENEWAL

When a local school superintendent or local Board of Education proposes not to renew the contract of any teacher or other professional employee, certificated by the Professional Standards Commission, who was on the payroll and under contract on the beginning day of the current school year, written notification of such intention shall be given to the teacher or other certified professional employee no later than May 15*, prior to the ensuing school year. When such notice is not given, the employment of such teacher or employee shall be continued for the ensuing school year unless such teacher or employee has been removed in the manner previously provided herein or unless the teacher or certified professional employee elects to accept such employment by notifying the Board or superintendent in writing no later than May 15* thereafter.

**Note: The School System has until May 15th to send notice to certified employees notifying them that their contract will not be renewed or to tender new contracts pursuant to O.C.G.A. § 20-2-211(b).*

NONRENEWAL OR DEMOTION AFTER THREE YEARS OF SERVICE

In order to demote or fail to renew the contract of a teacher who accepts a school year contract for the fourth or subsequent consecutive school year from the local board of education, the teacher must be given written notice of the intention to demote or not renew his/her contract. Such notice shall be given by certified mail as provided in subsection (c) of Code Section 20-2-940, *et seq.* Such notice shall contain a conspicuous statement in substantially the following form:

You have the right to certain procedural safeguards before you can be demoted or dismissed. These safeguards include the right to a hearing. If you desire these rights, you must send to the superintendent of schools, by certified mail, a statement that you wish to have a hearing, and such statement must be mailed to the superintendent of schools within 20 days after this notice was mailed to you. Your rights are governed by Code Sections 20-2-940 through 20-2-947.

A copy of Code Sections 20-2-940 through 20-2-947 shall be enclosed with the notice. A teacher who is so notified that he or she is to be demoted or that his or her contract will not be renewed has the right to the procedures set forth in subsections (b through g) of Code Section 20-2-940 before the intended action is taken. A certified employee who has the right to these procedures must serve written notice on the superintendent of the local board employing the teacher within 20 days of the day the notice of the intended action is served that he or she requests a hearing. In order to be effective, such written notice that the teacher requests implementation of such procedures must be served by certified mail as provided in subsection (c) of Code Section 20-2-940. Within 14 days of service of the request to implement the procedures, the local board must furnish the teacher a notice that complies with the requirements of subsection (b) of Code Section 20-2-940.

CONTRACTS

Contracts for the ensuing school year of continuing certified employees are offered no later than May 15th of the current school year. The employee has a minimum of ten days to review the contract before signing and returning. Notice of the Board's intention not to renew an employee's contract: the employee will be notified no later than May 15th.

**Note: The School System has until May 15th to send notice to certified employees notifying them that their contract will not be renewed or to tender new contracts pursuant to O.C.G.A. § 20-2-211(b).*

RESIGNATIONS

Certified employees may request to be released from their contract during the school year due to unforeseen circumstances. The superintendent or his designee may grant a release from contract providing a suitable replacement is found. The employee must remain in the present assignment until the release has been officially approved. Principals do not have the authority to grant a release from contract.

In this regard, certified employees should be aware of the requirements of the Code of Ethics for Georgia Educators found at www.gapsc.com.

PROMOTIONS

All administrative positions are advertised throughout the school system. Applicants for administrative positions are screened by a committee as determined from time to time by the Superintendent or designee. The committee's screening result is presented to the Superintendent for consideration. The Superintendent has the sole responsibility to recommend an applicant to the Board; thus the results of the screening, when held, are usually advisory only. The Superintendent's recommendation is presented to the Board for approval. Furthermore, appointment to such position may be subject to such prior training, evaluations or conditions as determined appropriate from time to time. In this regard certified employees should be aware of the requirements of the Code of Ethics for Georgia Educators found at www.gapsc.com.

REDUCTION IN WORK FORCE

Any reduction in force will be effectuated by complying with policies formulated and approved by the Richmond County Board of Education. A copy of the Board of Education's reduction in force policy can be found at www.rcboe.org under "Policies."

EMPLOYMENT OF FAMILY MEMBERS

There shall be no prohibition against relatives working in or being assigned to work in the same school, school unit or department within the school system; however, in a particular instance in which the employment of relatives within the same school, department or school unit has created unprofessional and deteriorating staff relations or disruption of efficient operation of the unit, the principal or department head may request transfer of one or more of said employees, provided such principal or department head first demonstrates appropriate evidence that staff relations or work relations have deteriorated or become disruptive due to the employment of two or more relatives in the same school, school unit or department. Under no circumstances should an employee be placed in the position of supervising a relative.

NON SCHOOL EMPLOYMENT

An employee is allowed to hold a part-time job that does not interfere with the efficiency, effectiveness, or the duties of the employee. However, an employee is not to sell products of any kind to students or parents of students who are enrolled in the school to which the teacher is assigned. An employee is not allowed to sell products or solicit for profit in the work setting. See also the Code of Ethics for Educators found at www.gapsc.com as well as any Department Handbook that may apply. Also, please refer to Policy GBRGA, Professional Personnel, which governs consulting by professional personnel.

RCSS employees are reminded that their job assignments within the district are their first obligation, and if outside employment is taking time or energy from this position or affecting their performance, they will be asked to choose one or the other.

Each principal/supervisor has direct responsibility for evaluating the effects of outside employment on personnel assigned. Employees seeking employment in any private business or outside activity during the term of their contract shall first receive permission from their respective principal/supervisor before entering into such supplementary employment. Ethical violations may result in disciplinary action up to and including termination.

TUTORING IN ELEMENTARY SCHOOLS

Teachers in grades K-5 will be allowed to tutor students for fees if they are assigned to a grade level lower than the student who is being tutored.

TUTORING IN MIDDLE AND HIGH SCHOOLS

Teachers in middle and high schools will be allowed to tutor students for fees as long as those students being tutored are not assigned to that teacher's class or classes.

PERSONNEL RECORDS

The purpose of these policies is to ensure that employee records are legal, accurate and fair and that permanent records are available to the employee but inaccessible to all unauthorized persons. The Board has the right to amend such policies from time to time. However, the availability of certain information to the public is governed by the Open Records Act, which is applicable to this school system.

MAINTENANCE OF RECORDS

The Records Specialist shall be responsible for the maintenance, upkeep, updating and protection of all permanent records for the employees of the school system. These records are kept in the vault of the Central Administrative Offices at 864 Broad Street, Augusta, Georgia 30901. Generally, said personnel records shall contain applications, evaluations, recommendations, personal history information, contracts, reprimands, if any, and any other forms which are reasonably necessary, proper, and useful in the proper conduct of the school system. Certain records such as information on sick leave, annual or periodic personnel evaluation, payroll and insurance are housed separate from the personnel files. However, such records are subject to the same guidelines as those maintained in the vault files, unless separate laws apply. All supervisors shall keep such personnel records as are deemed necessary for the proper placement, evaluation, or similar entry. These records must be shown to the employee, and the original must be forwarded to the Director of Human Resources for inclusion in the employee's permanent file and a copy sent to the appropriate Executive Director. The employee, at his election, in lieu of any statutory rights granted by Section 20-2-940, *et seq.*, Official Code of Georgia, has the right to include a response to any such entry. Letters, commendations and the like (other than specifically stated above) are not routinely placed in the permanent personnel file, without written permission of the Superintendent, the Deputy Superintendent or the Director of Human Resources. Such permission shall be given only in rare instances.

ACCESS OF RECORDS

Each employee has the right to inspect his/her personnel file except for letters of recommendation, which are confidential information. Employees are to give reasonable notice of a desire to inspect the file and to be reasonable in the timing and frequency of such requests. An appointment is required and may be scheduled between 9:00 a.m. and 5:00 p.m. (additional time will be scheduled as required). All personnel files are accessible to employees of the personnel department in carrying out their regular routine responsibilities and are exempt from the requirement that a written record be left showing the date of inspection and the name of the inspector. Other

administrators and employees needing to use the records in carrying out their assigned duties may have access to them if they get the required approval and if they leave a written record of the inspection. Individual members of the Board of Education may inspect the individual permanent record folder or file of any individual employee to the same extent and under the same conditions as set by law for the public. No personal information identifying individual employees shall be given to creditors, outside agencies or any other person not employed by the Board of Education unless such information is requested by subpoena, by a governmental agency having the right to inspect such records without the use of subpoenas or unless the employee shall give permission for such information to be provided or unless it is information required to be disclosed to the public, upon proper request, by The Open Records Act. Directory information, however, may be released without the necessity of obtaining the waiver of such employee. The following records are **not** directory information and cannot be released without written permission of the employee: records concerning public employees that reveal the public employee's home address, home telephone number, day and month of birth, social security number, insurance or medical information, mother's birth name, credit card information, debit card information, bank account information, account number, utility account number, password used to access his or her account, financial data or information other than compensation by a government agency, unlisted telephone number if so designated in a public record and the identity of the public employee's immediate family members or dependents.

Any employee who objects to the release of the directory information may file an objection in writing to the Director of Human Resources, Richmond County Board of Education, 864 Broad Street, Augusta, Georgia 30901, clearly stating what directory information the employee does not wish to have released. Certain governmental institutions have access to employees' personnel files without prior consent for disclosure.

PROFESSIONAL PERSONNEL SERVING AS CONSULTANTS

Employees may serve as resource persons for an agency, university, a teaching workshop, a course or another school system according to the guidelines of the Richmond County Board of Education. These guidelines, including ownership of stipends or payment received, are found in Policy GBRGA and Policy EBRGA at www.rcboe.org under "Policies." Persons wishing to serve as consultants must first receive written approval from the Superintendent.

BENEFITS

Benefits are a large part of the total compensation package for Richmond County Public School employees. In order to meet the changing needs of our employees, we are continuously reviewing and updating these benefits and their features. The following is an overview of the benefits provided by RCBOE. Because of the importance of the benefits package, we encourage you to familiarize yourself with the details of the various plans from a variety of sources, including the RCBOE *New Hire Benefits Packet*. Publications, along with other detailed information, can be found on the www.rcboe.org- Human Resources – Employee Benefits.

Open Enrollment (OE) is the period each year when employees may enroll or change options or coverage, subject to the conditions described in the plan. The OE period, unless otherwise announced, occurs mid- October through mid-November of each calendar year. Coverage changes or enrollments become effective the following January 1. **It is the responsibility of the employee to notify the Benefits Office of any changes in the number of dependents and/or the names of beneficiaries.**

INSURANCE PLANS

Insurance benefits become effective on the first day of the month following the completion of one full calendar month of employment. If an employee begins employment on the 1st day of the month coverage will begin the following month.

To be eligible for benefits, an employee must be employed for a *minimum of 20 hours per week on a continuing basis*. Temporary employees (regular substitutes and miscellaneous employees) or employees who work less than 20 hours per week are not eligible for benefits.

HEALTH INSURANCE

Benefit eligible employees have the opportunity to enroll in group health insurance provided by the State Health Benefit Plan. Enrollment in the State Health Benefit Plan is limited to a 15-day period at the time of effective hire date of employment. Any employee who fails to meet this requirement, will not be eligible to enroll in the plan until the annual Open Enrollment period (mid- October through mid-November). Information on the health plan is available from the Benefits or www.rcboe.org - Human Resources – Employee Benefits.

Coverage may not be dropped except during the open enrollment period. Certain changes in life status enable an employee to enroll or add dependents within 31 days of the event. Otherwise, all changes, additions, and deletions may be made only during the time of open enrollment in mid-October through mid- November. (The State Health Benefit Plan booklet provides details.) Coverage may be reduced from *family to single* at a time other than open enrollment only because of loss of all eligible dependents. This must be done within *31 days* of the loss of the last eligible dependent. Newlyweds who wish to cover his/her spouse under the Health Benefit Plan will be allowed to change to family coverage no later than 31 days after the marriage. The employee must come into the insurance office to make the change. If an employee's spouse loses group health insurance coverage because of factors beyond his/her control, the employee has the option of

selecting family coverage. The employee must file a request in the insurance office no later than 31 days after the coverage loss.

The Board contributes a portion toward the premium for classified personnel wishing to enroll in the State Health Benefit Plan. For certified personnel, the Board contributes a percentage of their state salary toward the premium for the State Health Benefit Plan. Current Health Insurance Rates can be found at www.rcboe.org under [Human Resources – Employee Benefits](#)

CONTINUING HEALTH INSURANCE COVERAGE DURING LEAVE OF ABSENCE WITHOUT PAY

Employees on an approved leave of absence may continue coverage by making the full premium payment to the Benefits Office in the Human Resources Department. Full details and required documents are available from the Benefits Office in the Human Resources Department.

DISABILITY INSURANCE, LIFE, VISION, CANCER AND DENTAL INSURANCE

Enrollment for each of these types of insurance is offered to all employees who work at least 20 hours per week. Open enrollment, (mid-October through mid-November) is the only time current employees may apply for or change coverage. Dental, life, vision, health and cancer insurance benefits can be changed to single coverage or family coverage within 31 days of loss or acquisition of dependents.

The Board provides \$30,000 of Life and Accidental Death and Dismemberment coverage at NO COST to an employee regularly working at least 20 hours per week. The employee pays the total premiums for optional life insurance, dependent life insurance, dental, vision, and cancer insurance. The employee pays a percentage of the premium for short and long term disability coverage, with the Board paying the remaining percentage.

DENTAL INSURANCE

Optional dental coverage may be purchased for the individual employee and his/her family. Two plans are available: regular option or high option. Both plans offer a voluntary network of preferred dental providers. The Premium plan also offers orthodontia benefits. Late entrant restrictions may apply to employees who decline enrollment at the time of hire and enroll through a subsequent Open Enrollment, or for those employees who dropped dental coverage and re-elected coverage at a later Open Enrollment.

VISION INSURANCE

Vision insurance covers the cost of eye exams and other services and materials through the selected vision care provider. Using in-network providers allows enrollees to receive care at no cost or minimal out-of-pocket expense. The plan also includes an out-of-network benefit that allows enrollees to use any eye care professional.

NOTE: When an employee enters a *leave-without pay* status, no payroll deductions can be made because no paycheck is issued. At such times, if coverage is to continue, ***the employee*** is responsible for making payments (cashier's check or money order) ***directly to the vendors as noted on the leave-without pay notice. A leave without pay notice will be***

CAFETERIA BENEFIT PLAN

The Board of Education offers a passive "cafeteria" plan of fringe benefits for all eligible employees. The plan allows employees to pay insurance premiums from pretax dollars and thereby increasing an employee's net pay and decreasing tax liability. Please contact the insurance

office at the Central Offices for more information. Employees must elect to enter the cafeteria plan during open enrollment (exact dates specified consistent with the State Health Benefit Plan open enrollment dates) or at the beginning of employment and must remain under the plan for one calendar year once enrolled.

TEACHERS RETIREMENT SYSTEM

All personnel employed in a permanent status position, not less than half-time, with local boards of education, charter schools, universities and colleges, technical colleges, Board of Regents, county and regional libraries, RESA's, and certain State of Georgia agencies are required to be members as a condition of employment.

Exceptions to TRS membership include employees required to participate in another Georgia retirement plan. Temporary, less than half-time, and private school employees are not eligible for TRS membership. Substitute teachers are considered temporary employees and are not eligible for membership in TRS.

Each employee eligible for TRS membership shall have approximately six percent (varies according to State mandates) of his earnable compensation deducted from his salary every payroll period. All other employees shall become a member of Public School Employee Retirement and shall have the required sum deducted from their paychecks for the months of September thru May.

If a member ceases to be employed, the amount of his contribution to the retirement system shall be payable to him upon request. Processing this request may take up to 90 days. This request shall be made through the Richmond County Board of Education.

When a teacher desires to retire, a TRS 10A (service retirement application) or TRS 10B (disability retirement application) must be completed in the office of the Richmond County Board of Education and mailed to the Teachers' Retirement System of Georgia in Atlanta. For further details, visit the Teacher Retirement System website at www.trsga.com.

PUBLIC SCHOOL EMPLOYEES RETIREMENT SYSTEMS OF GEORGIA (PSERS) (PSERS)

Bus drivers, food service employees, some non-supervisory maintenance and custodial personnel, and other employees not eligible for membership in TRS are eligible for membership in the Public School Employees' Retirement System of Georgia (PSERS). For members with at least 10 years of creditable service, normal retirement benefits may commence at age 65, and reduced early retirement benefits may commence as early as age 60. Members hired before July 1, 2012 contribute \$4.00 per month for nine months each year. Members hired or rehired on or after July 1, 2012 contribute \$10.00 per month for nine months each year. The state makes the employer's contribution. Further information is available on the Employees' Retirement System of Georgia website.

TEACHER LOAN FORGIVENESS PROGRAM

Teaching is a profession that requires a great deal of talent and responsibility, but it also provides educators with many personal rewards. These rewards are what attract many people into the teaching profession. Congress provided another incentive to teach when it established the Teacher Loan Forgiveness Program (TLFP). The TLFP was created to encourage individuals to enter and continue in the teaching profession in certain elementary and secondary schools that serve low-income families.

You must have been employed as a full-time teacher for five complete, consecutive academic years at an eligible school. An eligible school is considered “low-income” according to certain criteria for funding under Title I of the Elementary and Secondary Education Act and is listed in the Annual Directory of Designated Low-Income Schools for Teacher Cancellation Benefits. At least 30 percent of an eligible school’s enrolled students must qualify for services provided under Title I. To determine if you are eligible for the TLFP, please review the information provided below. Additional information is available through the Office of Federal Student Aid at the U. S. Department of Education at: <http://studentaid.ed.gov/repay-loans/forgiveness-cancellation/charts/teacher>.

WORKERS’ COMPENSATION

Under workers’ compensation laws, employees who are injured on the job will have the incurred medical expenses paid in accordance with workers’ compensation statutes. Time lost from work, after the first seven (7) days of disability, will be compensated for as provided by state law. Employees may not receive Workers’ Compensation and be paid their salary for the same days. A list of authorized physicians will be posted in each work location.

An employee injured on the job who sees a physician other than a physician listed on the official panel without the approval of the employer or Workers’ Compensation Board, will be required to pay his/her own medical expenses. Employees needing emergency treatment should go to the emergency room of any local hospital except the Veterans Administration Medical Center and the Eisenhower Medical Center. Urgent Care Centers are not authorized. The Official Code of Georgia, Section 34-9-201, provides that if, due to an emergency or similarly justifiable reason, an inability to make a selection results, the selection requirements of this subsection shall not apply as long as such inability persists.

If an employee receives workers’ compensation in lieu of his/her normal payroll, the employee enters a *leave-without pay* status. Therefore, no payroll deductions can be made because no paycheck is issued. At such time, if coverage is to continue, the employee is responsible for making his/her insurance payments directly to the Insurance Office located in the Central Offices – Suite 208, 864 Broad Street, Augusta, Georgia 30901.

Please see the section in the employee handbook regarding Continuing Health Insurance Coverage During Leave Without Pay. Any employee returning to work following an on-the-job accident must notify the Workers’ Compensation Office at the Central Offices Suite 208, 864 Broad Street, Augusta, Georgia 30901, (Phone) (706) 826-1000 Ext. 5163 or 5165.

The panel of physicians may be found at www.rcboe.org under **Human Resources – Employee Benefits – Workers’ Compensation**

A REMINDER FROM WORKERS' COMPENSATION:

IT IS IMPERATIVE THAT AN EMPLOYEE REPORT ALL ACCIDENTS TO YOUR PRINCIPAL OR DIRECTOR, SCHOOL NURSE OR SUPERVISOR IMMEDIATELY REGARDLESS OF HOW MINOR. ALL ACCIDENT REPORTS MUST BE IN THE WORKERS' COMPENSATION OFFICE WITHIN 48 HOURS OF THE ACCIDENT.
Workers' Compensation Questions: (706) 826-1000 ext. 5163 or 5165

HEALTH and SAFETY

The Board recognizes the responsibility for ensuring the safety of all employees. Therefore, it is the policy of the Board to take all practical steps to develop and implement a safety program for all employees, which will provide and maintain safe and healthful working conditions, adequate protection equipment, and develop operating procedures and practices that comply with federal, state, and local legislation pertaining to accident prevention.

To help ensure safe working conditions, an employee is responsible for:

- Knowing the potential hazards of the job.
- Learning and following the safety practices required by management.
- Complying with safety rules and regulations
- Correcting and/or reporting safety hazards immediately.
- Immediately reporting any accident or injury to supervisor.
- Operating machinery or equipment only if qualified to do so.
- Maintaining good housekeeping practices including keeping all fire exits clear and firefighting equipment accessible.

CREDIT UNION

The non-profit, member owned Peach State Federal Credit Union is located at 864 Broad Street, Augusta, Georgia 30901, and is open to all Board employees and their immediate family members. The Credit Union offers Checking, ATM Cards, Savings, Christmas Club Accounts, Certificates of Deposits, Individual Retirement Accounts and Loans, which are all payroll deductible. The initial deposit to join is \$15.00. Hours of operation are Monday through Friday, 10:00 a.m. through 5:00 p.m. except the first working day of each month when the office is closed for balancing. The Credit Union office will observe most holidays observed by the school system. The Credit Union newsletter will post those closings at least one month in advance. Each school and most departments have a Credit Union Representative. Contact your office or department head for further information at (706)826-1101.

EMPLOYEE BENEFITS UPON SEPARATION

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

EXIT INTERVIEW UPON SEPARATION

The Human Resources Benefits Department will send each terminated employee an exit interview questionnaire at the time of employment separation. 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.

EMPLOYEE LEAVE AND ABSENCES

Richmond County Board of Education recognizes that our employees will encounter personal situations that may require employees to take time away from their job. Our leave options are designed to not only be flexible and consistent with employee needs but also to comply with state and federal laws. Any request for time off before or after a holiday must be accompanied by the approved Certificate of Absence form and a letter that specifically explains why the day off is requested. The certificate of absence must have the signed approval of your supervisor and 2 weeks in advance to the assigned Area Superintendent for your school or department.

A leave form must be filed and approved by the principal or immediate supervisor prior to leave. Unless otherwise approved by the Superintendent or designee, personal and professional leave will not be granted during pre-planning, post-planning, in-service days or on the day before or day after holidays. See Frequently Used Forms at www.rcboe.org

SICK LEAVE

This policy shall apply to all employees of the Richmond County Board of Education. All employees are required to follow the work calendar established by the Board of Education and may take leave from work only in accordance with this policy or other leave policies enacted by the Board of Education. Unless otherwise provided by the Board of Education, principals and other supervisors are not authorized to rearrange the work calendars of employees.

Each employee of the Board of Education shall be entitled to sick leave, with full pay, computed on the basis of one and one-fourth (1 1/4) working days for each completed month (20 school days of service). An employee must have worked more than half of any given month to be entitled to sick leave for that month. All unused sick leave shall be accumulated from one fiscal year to the next up to a maximum of ninety (90) days. Sick leave accumulated by a certified employee is transferable from one school system to another school system, up to a maximum of 45 days.

The leave provided for under this policy is available only for personal illness, injury or exposure to contagious diseases, or for absences necessitated by illness in the employee's immediate family.

For the purposes of absences for medical and related reasons, members of the immediate family are defined as spouse, children, father, mother, stepfather, stepmother, sisters, brothers, grandparents, grandchildren, father-in-law, mother-in-law, or other relatives living in the home of the employee. Employees may utilize sick leave upon the approval of their principal or supervisor. Employees absent without accumulated sick leave will have a full day's pay deducted from their salary for each day absent.

For any absence in which sick leave is used, the Superintendent or his/her designee shall have the right to require a physician's statement and a physician's certificate stating that the employee is ill and is unable to perform his or her duties. In the event that sick leave is used to care for a member of the immediate family, under the Federal Medical Leave Act an employee will be required to provide a physician's statement and a physician's certificate stating that the employee is needed to care for the sick family member. If an employee is absent for three consecutive days of sick leave, a physician's statement must be furnished.

When returning from sick, disability or FMLA leave, the employee must submit to the Benefits Office and supervisor or his/her designee a release to work statement from the health care provider stating that the employee is able to perform the essential functions of the job. If an employee is released with work restrictions, the work restrictions must be approved prior to an employee's return to work. For additional information, please reference Policy GARH at www.rcboe.org under "Policies."

The Sick Leave Bank will serve as a depository into which employees may donate accrued sick leave time for allocation to other participating employees in similar pay status. The purpose of this bank is to alleviate the hardship caused if catastrophic illness or injury forces the employee to exhaust all sick leave time (including non-accumulative and extended illness sick leave) earned by that employee and thereby lose compensation. For criteria and requirements, please reference Sick Leave Bank Policy at www.rcboe.org under "Employee Benefits."

PERSONAL AND PROFESSIONAL LEAVE

Employees may take three (3) days of personal/professional leave if prior approval of the absence has been given by the employee's principal or immediate supervisor and if the presence of the employee requesting absence is not essential for effective school operation. A leave from must be filed and approved by the principal or immediate prior to leave.

In addition, personal leave will not be granted during the first week of the student school year or during the last week of the student school year, unless the Superintendent or designee, in his or her discretion, determines that such leave should be granted due to emergency or extenuating circumstances beyond the employee's control. The Superintendent may refuse to allow an employee to take personal or professional leave if qualified substitutes are not available.

Employees are not required to disclose the purpose for which such absence is sought but may be required to state whether the absence is for "personal" or "professional" reasons. Professional leave for training and/or professional meetings attended at the request of the school system shall not be counted against an employee's sick leave.

For additional information, please reference Policy GARH at www.rcboe.org under "Policies."

VACATION FOR 12-MONTH EMPLOYEES

Vacation schedule applies for all twelve month employees. Service refers to continuous Richmond County School System service.

Annual employees (12-month employees) earn vacation at a rate of twelve (12) days per year, accrued on a monthly basis. Employees may accrue a maximum of 20 vacation days per year. Any number of days over 20 will be forfeited on July 1 of each year. All vacation leave is subject to approval by the immediate supervisor.

OBSERVANCE OF RELIGIOUS HOLIDAYS

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. For additional information, please reference Policy GARH at www.rcboe.org under "Policies."

JURY AND SUBPOENA LEAVE

Each person employed by the Board shall be allowed leave with pay for the purposes of serving as a juror in any court or when subpoenaed to testify in a case arising out of the individual's duties as a school system employee. Jury and/or witness leave shall not be deducted from an individual's accumulated personal, professional or sick leave. No employee utilizing jury and witness leave shall be required to pay the cost of employing a substitute to serve during his or her absence for such leave. Employees who serve on juries or who are subpoenaed for reasons arising out of their employment with the school system may keep the jury/witness pay they receive.

Additionally, all employees must use the Jury Information telephone number provided on the subpoena immediately after 6:00 p.m. on the day preceding each day required to be absent from work. If these instructions dismiss the employee from court the following day or require the employee to report to court after 1:00 p.m., the employee should report to work and coordinate the details with his/her supervisor. For additional information, please reference Policy GARH at www.rcboe.org under "Policies."

MILITARY LEAVE

Every employee shall be entitled to absent himself or herself and shall be deemed to have a leave of absence from duties or service as a public officer or employee while engaged in the performance of ordered military duty and while going to and returning from such duty.

"Ordered military duty" means any military duty performed in the service of the state or of the United States including but not limited to attendance at any service school or schools conducted by the armed forces of the United States by a public officer or employee as a voluntary member of the National Guard or of any reserve force or reserve component of the armed forces of the United States pursuant to orders issued by competent state and federal authorities.

Every employee who is or becomes a voluntary member of any force of the organized militia or of any reserve force or reserve component of the armed forces of the United States shall be entitled to absent himself or herself and shall be deemed to have a leave of absence from duties or service as an employee while in attendance as a member of such force or reserve component at any service school or schools conducted by the armed forces of the United States for a period or periods up to and including six months and while going to and returning from the school or schools, notwithstanding that orders for such attendance are or may be issued with the consent of the employee. However, no employee shall be entitled to absent himself or herself in excess of a total of six months during any four-year period.

Time during which an employee is absent pursuant to O.C.G.A. § 38-2-279 shall not constitute an interruption of continuous employment and no such employee shall be subjected directly or indirectly to any loss or diminution of time, service, increment, vacation, holiday privileges, or any other right or privilege by reason of such absence or be prejudiced with reference to continuance in office or employment, reappointment to office, reemployment, reinstatement, transfer, or promotion by reason of such absence. Every employee shall be paid his or her salary or other compensation as such employee for any and all periods of absence while engaged in the performance of ordered military duty and while going to and returning from such duty, not exceeding a total of 18 days in any one federal fiscal year.

In the event the Governor declares an emergency and orders any employee to ordered military duty as a member of the National Guard, any such officer or employee, while performing such

duty, shall be paid his or her salary or other compensation as an or employee for a period not exceeding 30 days in any one federal fiscal year for such State active duty.

Legal Reference: O.C.G.A. § 38-2-279, as may be amended from time to time. For additional information, please reference Policy GARH at www.rcboe.org under “Policies.”

BEREAVEMENT (DEATH) LEAVE Death in Immediate Family

In the event of a death in the immediate family of a benefits-eligible employee, a leave-of-absence of no more than three sick leave days will be granted for the death of an immediate family member in state and up to five days for the death of an immediate family member out of state. Any absence due to the death of a person other than on the list below must be taken from personal leave.

For the purpose of this policy provision, immediate family members are defined as: husband, wife, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, granddaughter, grandson, grandfather, grandmother, aunt, uncle, niece, nephew, and any relatives living in the immediate household of the employee.

Exceptions to the above must be approved by the Superintendent or designee.

Request for such leave shall be made in writing (Leave Form) to the employee’s immediate supervisor or designee.

FAMILY & MEDICAL LEAVE ACT

Eligibility Requirements: Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours during the prior twelve-month period.

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

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

Employees must provide a 30-day advance notice of the need to take FMLA leave when the need is foreseeable. When a 30-day notice is not possible, the employee must provide notice as soon as possible.

The appropriate FMLA forms are required to request FMLA leave. Additionally, an approved health care provider’s release to return to work will be required for all employees who were on leave due to their own health condition. In the event of the birth, adoption or foster placement of a child, all leave must be completed within twelve months after the birth, adoption or foster placement.

The district requires that any leave request based on a family member’s health condition, the employee’s own health condition, or military caregiver status, be supported by the appropriate FMLA form and doctor’s note. Additionally, an approved health care provider’s release to return to work will be required for all employees who were on leave due to their own health condition.

For additional information, please reference Policy GARH and GBRIG at www.rcboe.org under “Policies” or contact the Benefits Office, Central Offices – Suite 208, 864 Broad Street, Augusta, Georgia 30901, (Phone) 706-826-1000.

MATERNITY LEAVE

A leave of absence for maternity reasons shall be granted to a female employed by the School System in a capacity specified as follows:

1. Any such employee who is pregnant shall be entitled to a leave of absence to begin at a time to be determined by the employee, the physician, and the local school superintendent between the commencement of pregnancy and the anticipated date of delivery. The employee shall notify the superintendent in writing of her desire to take such leave and, except in case of emergency, shall give such notice at least 60 calendar days prior to the date on which her leave is to begin. This notice shall include a doctor's statement of anticipated date of physical disability. The employee may continue in active employment as late into her pregnancy as she desires provided she is able to perform properly the required functions of her job. Final determination of ability to perform properly the required job functions shall be made by the local board of education. An employee wishing to work to the date of physical disability shall be entitled to the use of all accumulated sick leave credited to her, not to exceed the doctor's estimated length of physical disability. An employee wishing to discontinue work prior to the date of physical disability shall be governed by the same sick leave provisions as apply to employees on leave for other reasons;
2. An employee who has been granted leave for the period of physical disability only shall be entitled to return to active employment upon presentation of a doctor's statement of physical ability to perform the required functions of the job and shall be assigned to a substantially equivalent position to be approved by the superintendent. An employee who has been granted leave for a period longer than the period of physical disability, but not to exceed one full school year, shall be entitled to return to active employment upon written request for reassignment and contingent on a vacancy for which the employee is qualified. Such employee shall be given preference equal to any other applicant returning from a period of physical disability for a vacancy for which she is qualified. In any instance, the employee's return to active employment may be delayed until the beginning of a quarter, or semester, in order to maintain continuity of classroom instruction; and
3. If the Local Board disagrees with any doctor's statement of disability or ability, it may appoint a physician of the same medical specialty as the employee's physician for the purpose of receiving independent medical judgment.

Legal Reference: O.C.G.A. § 20-2-852, as may be amended from time to time.

ABSENCE WITHOUT ACCUMULATED LEAVE

Employees absent without accumulated leave will have a full day's pay deducted from their salaries for each such absence.

The formula for determining a day's pay is as follows:

Ten month employees, annual salary divided by 190;
Eleven month employees, annual salary divided by 210; and
Twelve month employees, annual salary divided by 248

AUTOMATED SUBSTITUTE TEACHER MANAGEMENT SYSTEM (ABSENT REPORTING)

As of July 1, 2018, Kelly Services provides our school system with substitutes for Teachers, Paraprofessionals and Media Specialist (daily only). Long term absences for Media Specialists should go through the RCSS Substitute Operator.

RCSS Operator: (8:15 AM-4:15 PM) 706-826-1308

KES Local Office: (8:00 AM-5:00PM) 706-210-2538

KES Scheduling Team: (8:00 AM-5:00 PM) 866-535-5998

KES Website: www.kellyeducationalstaffing.us Go to the upper right corner and click on employee log in...their Absence Management/Frontline will open.

Teachers, Paraprofessionals and Media Specialists:

1. **IT IS THE DESIGNATED EMPLOYEE'S RESPONSIBILITY TO** call the automated system or enter online with ABSENCE MANAGEMENT each time you are absent, whether or not you need a substitute.
2. **OBTAIN A CONFIRMATION NUMBER WHEN REPORTING AN ABSENCE.** If an employee calls the system and does not receive a confirmation number, the call **has not** been recorded in the computer; therefore, a substitute will not be called.
3. **DESIGNATED EMPLOYEES ARE REQUIRED TO "VOICE IN" or "TEXT" SPECIAL INSTRUCTIONS,** even if prior arrangements are made. Specific information about the location of lesson plans, subject and grade, planning time and the like plays an important role in subs accepting jobs. Many subs will not accept jobs if the grade and subject are not known. Remember ABSENCE MANAGEMENT requires you to state your name and title – the school will be recorded by ABSENCE MANAGEMENT.
4. **DESIGNATED EMPLOYEES MUST CALL THE SYSTEM PHONE NUMBER** to register. You will receive an email with instructions on how to state your name. The email will be from 541B@kellyservices.com. Since January 2017, Google Chrome is no longer user-friendly with ABSENCE MANAGEMENT. Please use Internet Explorer or another browser when trying to log in to ABSENCE MANAGEMENT.
5. **DESIGNATED EMPLOYEES ALREADY REGISTERED IN THE SYSTEM** should call no later than pre-planning week to review the recorded information from last year. This is the time to update your voice, check your title, school and hours in the system. Notify your substitute operator by mail should corrections be needed.
6. **IMPORTANT:** Substitutes assigned through ABSENCE MANAGEMENT are entitled to the job even if prior arrangements were made by the teacher or school. If two subs report for the same job, the sub with the job confirmation number and whose NAME is entered for the job is the one who should be reported on the payroll. The school should attempt to place the additional substitute in a vacancy at the school or contact the substitute operator for location still in need.

Designated employees entered into the system will have their telephone number of record as their user ID. ABSENCE MANAGEMENT will configure and provide a 4 to 5-digit pin. ABSENCE MANAGEMENT allows you to change your telephone number and pin by phone and online. Your email address may only be changed online.

EMPLOYEE RIGHTS

COMPLAINTS AND GRIEVANCES: CERTIFIED EMPLOYEE (GAE)

1. PURPOSE; INFORMAL RESOLUTION PREFERRED

It is the purpose of this policy to implement the provisions of the Act of the General Assembly of 1992, O.C.G.A. § 20-2-989.5 et seq. In accordance with the foregoing, it is the policy of the 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.

2. DEFINITIONS

"Administrator" means the principal of a school with respect to teachers and other certificated personnel assigned to that school. With respect to central office certificated personnel, the Superintendent shall be the "Administrator". In any case not covered by this paragraph, the "Administrator" should be some supervisory certificated person designated by the Board or in the absence thereof, by the Superintendent. "Central Office Administrator" means the local school system superintendent.

"Complaint" means any claim or grievance by a certificated employee of this school system which is filed pursuant to this policy; which comes within the scope of the policy; and is not excluded here from as hereinafter provided.

3. SCOPE OF COMPLAINT; 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 State Board of Education 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 system or with which the system 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 § 20-2-210;
 2. Job performance;
 3. Termination, non-renewal, demotion, suspension, or reprimand of any employee, as set forth in Code § 20-2-940;
 4. The revocation, suspension, or denial of certificates of any employee, as set forth in Code § 20-2-984.5;
 5. Any complaint which has already been the subject of a hearing under the tribunal statute, O.C.G.A. § 20-2-1160, regardless of whether any appeal was taken to the State Board of Education or to the courts.

4. HEARING RIGHTS; EVIDENCE; REPRESENTATION; DECISIONS; RECORDS

- a. Hearing, Evidence. The Complainant shall be entitled to an opportunity to be heard, to present relevant evidence, and to examine witnesses at each level, but the Complainant may not present additional evidence at the Second or Third Hearing levels unless it is 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 all appeals de novo.
- b. Representation. The Complainant and the administrator 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 any lower level is prohibited.
- 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 participate in the presentation of the case for either party.
- d. Overall Hearing Time Schedules; Automatic Referral to Next Level. 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. 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.
- e. 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, 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.
- f. Decisions. Each decision shall be made in writing and dated, and shall contain findings of fact and reasons for the particular decision reached.
- g. Service. The decision at each level shall be sent to the Complainant by certified mail or statutory overnight delivery or hand delivered by a person designated by the Superintendent or his designee within five (5) days of the decision.

5. FIRST LEVEL; PRESENTATION; TIME; CONTENTS

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

- a. The mailing address of the Complainant to which all notices and other documents may be mailed;

- b. The intent of the Complainant to utilize this complaint procedure, clearly stated;
- c. A reference or description of the statute, policy, rule, contract provision or regulation that is alleged to have been violated, misinterpreted or misapplied and;
- 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;
- e. A statement of the relief desired.

The Superintendent is authorized to have prepared forms for use hereunder in accordance with the foregoing requirements.

6. FIRST LEVEL HEARING AND DECISION

The Level One Administrator shall stamp the date of filing on the complaint, and shall give notice to the Complainant of the time and place of the hearing, either by mail or hand delivery. When notice is given by mail, it shall be sent by first class mail to the address set forth in the complaint. If no address was included in the complaint, then the notice shall be sent to the last known address of the Complainant on file with the Board of Education. The decision shall be made on the complaint within six (6) calendar days of the hearing; shall be dated, and shall be rendered and a copy shall be sent to the Complainant in the manner provided in Section 4 hereof.

NOTE: For certified personnel such as principals and central office personnel, the Level One Administrator is the Superintendent. Where the initial hearing is before the Superintendent as the first level, any appeal would be taken directly to the Board of Education in the manner provided in Section 8 hereof.

7. SECOND LEVEL; APPEAL FROM FIRST LEVEL TO LEVEL TWO ADMINISTRATION

A Complainant dissatisfied with the decision of the first level shall be entitled to appeal to the Level Two 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 date of the decision from Level One. The Level Two Administrator shall stamp the date of the filing on the appeal and shall notify the Complainant in writing of the time and place of the hearing by mail or hand delivery. The Level Two 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 Level Two Administrator who shall promptly submit his or her recommendations and findings to the Level Two Administrator for final decision. The decision shall be rendered and served on the Complainant and his attorney in accordance with Section 4 hereof.

8. THIRD LEVEL, APPEAL TO THE BOARD OF EDUCATION

A Complainant or Level One Administrator dissatisfied with the decision of the Level Two Administrator may appeal to the Board of Education by filing written notices of appeal with the Office of the Superintendent. The appeal must be filed within ten (10) calendar days after the date of the decision. The Superintendent shall stamp the date of

filing on the appeal, and shall promptly give notice to the Complainant in writing of the time and place of hearing by mail or by hand delivery. The Complainant and Administrators shall be entitled to appear before the Board of Education, or any hearing officer designated by it, 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 render its decision in writing within ten (10) calendar days after the hearing, and perfect service thereof on the Complainant and his attorney, all in accordance with Section 4 hereof.

9. APPEALS TO STATE BOARD

Appeals from the decision of the local Board to the State Board of Education shall be governed by the State Board policy governing appeals and O.C.G.A. § 20-2-1160.

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 Practices Commission.

11. COLLECTIVE BARGAINING DISCLAIMER

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

12. REPEALS

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

COMPLAINTS AND GRIEVANCES: CLASSIFIED EMPLOYEE (GAE-3)

It is the policy of the Board that classified employees should have a reasonable and fair means of addressing their working conditions and employment requirements. To this end, an individual classified employee of the Board of Education who, after informally attempting to resolve a complaint, considers himself unjustly treated shall have the right to the following grievance procedures where the classified employee is substantially affected in his or her employment relationship by an alleged violation or misapplication of statute, policies, rules or regulations governing the school system.

1. Within ten working (10) days (as defined by the Board of Education calendar and work schedule) of the cause of complaint said employee shall make a written complaint to his/her immediate supervisor who shall then make such investigation and interview has a legitimate cause for grievance and if so shall take such steps as are within the authority of such superior to settle said grievance. Such supervisor or superior shall render his decision in writing within ten working (10) days after the investigation is completed and shall furnish the complaining party and the Superintendent a copy of said letter.
2. If said grievance is not satisfactorily settled with the employee's immediate supervisor, the employee shall have the right to appeal to the Superintendent or his designee, provided the request is given in writing to the Superintendent within ten working (10) days after a decision has been rendered by the immediate supervisor. If the employee fails to comply with this provision, the matter will be considered closed.

3. If said grievance is not satisfactorily settled by the Superintendent, or his designee, following investigation, the employee shall have the right to appeal to the Board of Education. The Board's personnel committee may hear the appeal, as determined by the Board President provided the request is made in writing by said employee within ten working (10) days after a decision has been rendered by the Superintendent or his designee. The Board, or designated member, shall issue the decision in writing to the employee within ten working (10) days of the investigation and/or hearing.
4. During all steps of the proceeding, employees shall have the right to request the appropriate supervisor or administrator to interview any and all witnesses having pertinent information concerning the grievance, or in the event a hearing is held, to have such witnesses testify in such matter.
5. A copy of any transcript of the investigation will be furnished the employee, although there is no requirement that a transcript be made. However, an electronic recording shall be made. The need for an actual transcript will be determined by the Board on a case by case basis.
6. This policy is intended to grant classified employees a fair and reasonable method to address a job related grievance. It is not intended to address terminations, resignations or related issues. This policy will not under any circumstances, be used to address termination, resignations, renewals, demotions or suspensions of teachers, principals, or other employees who have a written contract for a definite term. Such employees' rights, responsibilities and recourse shall be governed by and limited to that provided for in §20-2-940, et seq., O.C.G.A.

PROCEDURES FOR GRIEVANCE HEARINGS

7. All grievance hearings actually heard before the Board of Education or Personnel Committee shall be conducted as follows:
 - a. There is no burden of proof. The school administration generally has the right to administer school employees. The Board or Personnel Committee will determine whether or not the administrative action was fair or unfair and whether or not to uphold, modify or reverse the decision. All witnesses will be sworn.
 - b. The employee in his/her own words will present the grievance to the Board or Personnel Committee. There will be no cross examination of the employee, although Board members shall have the right to ask limited questions for clarification purposes.
 - c. If the employee, in accordance with the grievance procedure, earlier requested the Superintendent or appropriate supervisor to interview any particular witnesses, then the employee shall have the right to have such employees testify. Similarly, the Board or Personnel Committee can hear from any witness or employee who was in fact interviewed by the supervisor or consulted by the Superintendent. In all instances, these witnesses shall tell in their own words what they know and shall not be subjected to cross examination by anyone, but Board members shall have the right to ask questions for clarification.
 - d. No other witnesses will be allowed.

- e. No attorney shall be allowed to cross examine. Furthermore, such attorney shall not take part in the actual hearing proceedings, once the preliminaries are finished, other than to advise their client. The Board Attorney shall advise the Board unless instructed to take a different role by the Board.
 - f. The Superintendent or other administrators in responding to the grievance shall have the right to explain why he/she took the action he did.
 - g. The hearings will not be formal, but informal for the Board or Personnel Committee to review whether or not the employee was treated unfairly.
8. The handbook for employees shall specifically designate that the Board has the right to abolish, modify or amend this procedure at the sole discretion of said Board.

Classified employees who have less than 24 months of continuous uninterrupted employment with the School System do not have the right to a termination review hearing. However, in the event of a termination or formal resignation, such classified employee with less than 24 months of continuous uninterrupted employment with the Board of Education may request the Board hear a discretionary appeal as follows:

This Grievance Policy is not designed to address terminations. Notwithstanding this, however, the Board in limited and appropriate cases may consider the following:

For classified employees, who do not have written contracts for a definite term, and are therefore employees at will, there is no right under the grievance policy to have the Board of Education review termination or resignation decisions, as this policy is intended to grant employees a fair and reasonable method to address a job related grievance. Notwithstanding this, such employees at will or those without written contracts, may request in writing that the Board of Education consent to review termination, or resignation decisions under this grievance policy. The terminated

employees shall make written request to the President of the School Board within ten working (10) days of such resignation or termination, requesting the school board to hear such grievance. The written request shall set forth precisely and in clear language the issue and the facts supporting the employees' grievance, as well as the names of witnesses and documentary evidence supporting the employee's claim. The written request must be in enough detail to fairly allow the Superintendent to clearly respond. The Superintendent or his designee shall be given a copy of the written request and ten working (10) days to present a written rebuttal. The Board members will privately review the written request and administration rebuttal and determine within a reasonable time whether or not to hear the grievance. Such decision shall be final. The Board will grant such reviews only sparingly and only upon very good cause shown.

In those rare cases where the Board grants such reviews, the procedure for the hearing will be the same as in all other grievance hearings. However, it is clearly pointed out that this procedure will only be sparingly used upon good cause shown and is subject to modification, amendment or banishment by the Board at any time. It is designed simply to give the Board a chance to equitably consider such action but no rights are granted to the review complaint.

Classified employees who have no less than 24 months of continuous uninterrupted employment with the Board shall have the right to have their termination or forced resignation to be reviewed by the Board of Education in accordance with the following procedures.

The affected employee shall make written request to the President of the School Board within ten working (10) days of such forced resignation or termination, requesting the school board to hear such grievance. The written request shall set forth precisely and in clear language the issue and the facts supporting the employees' grievance, as well as the names of witnesses and documentary evidence supporting the employee's claim. The written request must be in enough detail to fairly allow the Superintendent or designee to clearly respond. The Board President shall decide whether to have an appeal review heard by the Board or the Personnel Committee of the Board.

Such termination review will follow the same procedural format as contained in Items 7 and 8 of this policy entitled "Procedures for Grievance Hearings". Nothing in this policy shall grant the right to continued employment nor change the legal status from at-will employees. The policy is simply designed to give classified employees a fair means to have terminations fairly and informally reviewed.

TEACHER DUTIES AND RESPONSIBILITIES

ATTENDANCE REPORTS

Every teacher is to keep a daily attendance report. Pupils enrolled in school are either present or absent and shall be marked accordingly. Teachers must follow Richmond County Student Attendance Protocol which states the following:

TRUANT

Truant is defined as any child who has more than five days of unexcused absences during the academic year.

ATTENDANCE POLICY-INTRODUCTION

Students who are absent from school are required to bring a written excuse for the absence their first day back at school. An absence is either excused or unexcused. Absences which are lawful and therefore excusable shall be governed in accordance with the laws of the State of Georgia and the rules and regulations of the State Department of Education and local policy.

ABSENCE(S)- DEFINITION

Excused Absence

An absence shall be declared excused for:

- A. Personal illness.
- B. Family death and funeral.
- C. Medical or dental appointments that cannot be scheduled outside school hours.
- D. Attendance of non-school activities or functions authorized by the superintendent or designee.
- E. Special and recognized religious holidays observed by the student's faith.
- F. Mandate or order of government agency.
- G. Extreme circumstances that cannot be resolved outside school hours; parent or guardian must request and receive approval from the principal or designated representative.
- H. Any other absence not explicitly defined herein, but deemed by the local school board of education to have merit based on the circumstances.

(Note: A foster care student, who attends Court proceedings relating to the student's foster care, shall be counted as present by the school.)

Unexcused Absence

Any absence not covered in (a)-(h) above, shall be declared unexcused. It is the policy of the Richmond County Board of Education that no unexcused absences are allowed. If parents keep their child out for other reasons, such absence shall be deemed unlawful and therefore unexcused. For any absence beyond five (5), the parent shall be required to provide a physician's note or other excuse from an acceptable or official third party justifying the absence. For additional information, please refer to Policy JBD), which is located at www.rcboe.org under "Policies."

CONDITIONS OF CLASSROOMS

The teacher shall be careful that no part of the school building, furniture, or apparatus is defaced or injured. Each teacher shall also keep the assigned room thoroughly clean and orderly.

CONTROVERSIAL ISSUES

Sectarian and partisan questions shall be kept out of schools.

STUDENTS WITH DISABILITIES

It is the policy of the Richmond County School System to provide a free and appropriate public education to each qualified student with a disability within its jurisdiction, regardless of the nature or severity of the disability. Consequently, it is the intent of the System to ensure that eligible students with a disability according to the Individuals with Disabilities Education Improvement Act (IDEA) as well as Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. The due process rights of students with disabilities and their parents under IDEA and Section 504 will be adhered to and enforced.

It is the responsibility of each teacher to identify and conduct child find for students who are entitled to consideration for special services or interventions. It is further the responsibility of each teacher working with children with disabilities, either as defined under IDEA or Section 504 to:

- a. Recognize the requirements of the law and the relationship between the evaluation of the student and his/her instruction.
- b. Make appropriate accommodations in the instructional program and/or classroom environment to make it possible for the student to accomplish the educational objectives of his/her program. Such accommodations could include but are not limited to:
 1. Preparation of alternate lesson plans;
 2. Modification of schedules;
 3. Rearrangement of students;
 4. Guidance of the student on appropriate behaviors and development of an appropriate discipline plan, when necessary;
 5. Frequency and type of communication with parents;
 6. Alternate methods of instruction; and
 7. Reasonable accommodations to meet individual physical needs of the students, such as toileting, feeding, transportation, etc.
- c. Understand the needs of the students that must be met through appropriate instruction.

Overview of Section 504

Section 504 of the Rehabilitation Act of 1973 is major federal legislation that impacts entities that receive federal funding. It is a civil rights legislation for persons with disabilities, which is designed to prevent any form of discrimination based on disability. Individuals with disabilities, who are otherwise qualified, are protected.

Section 504 States:

“No otherwise qualified person with a disability in the United States... shall, solely on the basis of disability, be denied access to, or the benefits of, or be subjected to discrimination under any program or activity provided by any institution receiving federal assistance.”

Under Section 504, a person is considered “disabled” if that person

1. has a physical or mental impairment which substantially limits one or more of such person's major life activities,
2. has a record of such an impairment, or
3. is regarded as having such an impairment.

A "physical or mental impairment" is defined as:

(A) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or (B) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The second part of the definition relates to the impact of the disability or condition on a "major life activity" as: "... functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working."

Eligibility for Services

Section 504 applies to persons considered to have a disability as defined in the Act. As a result, the question of eligibility is a critical issue. When determining the eligibility of individuals for Section 504 protections and services, the following questions must be addressed:

- A. Is there a physical or mental disability?
- B. If so, does that specific disability significantly impair a major life activity?

Student Identification and Referral Procedures

- A. Students who are in need or are believed to be in need of services under Section 504 may be referred by a parent/guardian, teacher, other school personnel, or medical or mental health professional.
- B. The System will consider the referral, and based upon a review of student records, including academic, social, testing, and behavioral records, determine whether an evaluation under this procedure is appropriate. Any student, who because of disability, needs or is believed to need special services will be referred for evaluation.

Student Evaluation and Placement

- A. The purpose of student evaluation shall be to determine eligibility for accommodations as a person with a disability.
- B. For students who have been identified as having a disability under Section 504, the System shall determine what special general education accommodations are needed to ensure that the student receives a free, appropriate education.
- C. In interpreting evaluation data and in making educational decisions, the System shall:
 1. Draw upon information from a variety of sources including achievement testing, anecdotal records and teacher recommendation, social and cultural background, and adaptive behavior.
 2. Ensure that all valuation data is documented and carefully considered.

3. Ensure that decisions are made by a group of persons knowledgeable about the student, the meaning of evaluation data, and placement and accommodation options.
 4. Ensure that the student is educated with non-disabled students to the maximum extent appropriate to meet the student's individual needs.
- D. With regard to a student who is determined to have a disability under Section 504 of the Rehabilitation Act of 1973, but who is not determined to be disabled under IDEA, the System shall periodically conduct a re-evaluation of the student:
1. Prior to any significant change in placement, including grade-to-grade and level-to-level;
 2. If the student's parent or the teacher reasonably requests a re-evaluation; or
 3. More frequently if conditions warrant.
- E. Parents will be notified in writing of:
1. The intent to evaluate;
 2. Their rights under Section 504;
 3. Notice of meeting to discuss eligibility decisions and create or review accommodation plan;
 4. Intent to re-evaluate; or
 5. Change in placement.
- F. The System may also determine that no special education or 504 accommodations are appropriate

Procedural Safeguards

With respect to actions regarding the identification, evaluation, or educational placement of a person who, because of a disability, needs or is believed to need special instruction or related services, the following procedural safeguards shall be provided:

- A. Notice of any decision regarding the identification, evaluation, or educational placement of the student.
- C. An opportunity for the parents or guardian of the student to examine relevant educational records.
- C. A formal grievance procedure.

ALL teachers working with students with disabilities are required by law to implement the IEP or 504 plans for all eligible students.

For more information, please refer to the information contained on the System's website regarding Section 504, which can be found at www.rcboe.org under "Parent Information/Section 504 Materials."

DISCIPLINE

The teacher should in general take care of discipline problems with the realization that the inability to do so will weaken the teacher's position of leadership in the classroom. However, the teacher should consult the principal about any unusual, chronic or severe disciplinary issues or problems requiring corporal punishment or other measures. Additionally, teachers are expected to assist in monitoring student behavior before and after school, between classes, at lunch and at school events and to redirect students as necessary as well as report inappropriate student conduct to the principal or other administrator.

DISTRIBUTION OF CLASS ROLLS

All employees shall not use names from class rolls for the purpose of selling or other materials. Employees are not to provide names of pupils for commercial purposes.

DUTY TOWARD STUDENTS

It shall be the duty of all employees conscientiously, to the utmost of their capacity, to instruct the youth committed to their charge, to impart to them knowledge of their studies embraced in the curriculum of the school, to install into their minds and hearts the eternal principals of right and truth, as well as to endeavor to inspire their natures with courage, love of country, and reverence for the great and good.

GRADING SYSTEM

The Richmond County Board of Education will adopt a grading system in accordance with O.C.G.A. § 20-2-989.20, as now written or hereafter amended, regarding Grade Integrity and the role of the Teacher in the grading process. The Richmond County Board of Education authorizes the Curriculum, Instruction and Assessment Division of the Richmond County School System (System) under the authority of the Superintendent to devise such Grading System, which shall be used to report student progress toward academic standards to parents/guardians and to record this progress in each student's educational record.

This Grading System will also include District procedures for adherence to State Board Rules 160-3-1-.07, 160-4-2-.11 and 160-4-2-.13

The administration is also authorized to establish differentiated quality points based upon the academic demands of specified high school courses. See www.rcboe.org - Policies

LESSON PLANS

The teacher shall provide, one week in advance, tentative plans for his or her work. Teachers should follow their respective school procedures when submitting lesson plans.

NOTIFICATION OF ANTICIPATED ABSENCE

Any teacher who is unable to attend to school duties either from sickness or other cause MUST notify the principal a minimum of one hour before the school opening hour. The building principal may establish additional rules in this regard. The teacher is responsible for notifying the principal or designee of impending absence and registering such absence with the computerized system known as ABSENCE MANAGEMENT. All certified personnel shall document each absence with ABSENCE MANAGEMENT.

PROFESSIONAL CONDUCT

All employees shall refrain from using language that tends to humiliate or embarrass pupils and colleagues. Additionally, profanity is to be avoided. The Code of Ethics for Georgia Educators sets forth professional standards of conduct for educators, which can be found at www.gapsc.com.

ELECTRONIC COMMUNICATION

The Board of Education recognizes an expanding reliance on electronic communication due to the convenience, speed, cost-effectiveness, and environmental advantages it provides. As role models, teachers and other staff should be conscious of their electronic communication with staff members, students and parents. The following expectations are necessary: Only use electronic communication on a professional level. Notify supervisor of your plans and always copy them. Should a student communicate inappropriately, notify your supervisor immediately. If your school site provides an electronic platform like Remind 101, stick to that platform. When

communicating electronically, it is required to protect confidentiality and privacy in communications and ensure compliance with The Code of Ethics for Georgia Educators.

CELL PHONE USE

Teachers may bring their cellular phone in the classroom. However, it is required that the cellular phone be turned off when students are present, during instruction or when on duty so that incoming calls cannot be received. The cellular phone may only be used in emergencies where the life or health of a student or staff member is in present danger, before or after school and during planning time for official business only. Each teacher will be required to sign a Cell Phone Agreement which can be found at www.rcboe.org under “Human Resources.”

PUBLIC RELATIONS

Each educator and administrator is expected to be courteous to parents at all times and grant conferences as often as desired so long as such conferences are not held during a teacher’s scheduled instructional time. Teachers and administrators should work as closely as possible with parents at all times, especially in cases where a student is experiencing difficulty. As soon as the teacher or administrator has determined that the child presents a problem in his school work or environment, the parents should be requested to visit the school for a conference. Mutual collaboration with parents and the public is vital to the success of the educational process. One of the best means for contact with the public is through active membership in the Parent Teacher Association (PTA) or Parent Teacher Organization (PTO), which afford a great opportunity for parents and teachers to meet in order to share and discuss a mutual interest, the education of children.

SOLICITATION

Employees are not to use school system time, materials, facilities, or employees to distribute materials nor solicit aid or contributions for any private, charitable, or non-profit cause, entity or institution without the prior, formal approval of the Board of Education, unless a specific prior written policy of the Board covers the subject matter.

SUPERVISION OF STUDENTS

The teacher is responsible for the constant supervision of students. At no time during the school day should students be left unsupervised.

Student Interactions

The Board of Education is committed to fostering an environment that promotes academic and professional success in students and staff. The achievement of such success is dependent on an environment free of behaviors which can undermine the goals of our school system. The following are necessary when interacting with students: Be friendly, but not a friend. Choose appropriate settings. Avoid electronic communications outside of school site platforms. Keep interactions at school or at school related events. When interacting with students, employees must be mindful of their interactions and remain in compliance with The Code of Ethics for Georgia Educators.

TEXTBOOK RECORDS

Each school is required to keep an accurate individual record of all books, including electronic devices, issued to pupils. Whenever a pupil is transferred from one school to another or from one grade to another, he or she is to receive a form showing that he or she has returned all books and that he or she has paid for loss and damage, if any.

CONFLICT OF INTEREST

District employees are prohibited from engaging in any activity which may conflict with or detract from the effective performance of their duties. No employee will attempt, during the school day or on school property, to sell or endeavor to influence any student or school employee to buy any product, article, instrument, service or other items which may directly or indirectly benefit the school employee. No school employee will enter into a contract for remuneration with the district other than a contract for employment.

USE OF CELLPHONES WHILE OPERATING A RCBOE VEHICLE

The Board of Education recognized the hands free, which prohibited motorists from handling their cellphones or other electronic devices while driving. Motorists could still use their phones, as long as they use hands-free technology.

The following acts are prohibited: Holding or supporting, with any part of the body, a wireless telecommunications device or stand-alone electronic device (for example, an iPod). Writing, sending or reading any text-based communication, including a text message, instant message, e-mail or internet data while holding your device. Watching a video or movie other than watching data related to the navigation of your vehicle (i.e., your mapping app or GPS screen). Recording a video.

DRESS AND APPEARANCE OF EMPLOYEES STATEMENT OF POLICY

The Board of Education recognizes that teachers and other professional educators are role models for the students with whom they come in contact during and after school hours. As role models, teachers and other staff should be conscious of their dress and grooming and how it may affect students and parents. Teachers and staff are expected to dress in a professional and appropriate manner that will be most conducive to the educational environment. Employees should be clean, neat, well-groomed and dressed in an appropriate manner for their individual work assignments. A wide variety of teaching styles and activities occur between age and grade levels. Therefore, activities and/or assignments planned for the day will dictate, to a degree, the style of dress considered appropriate attire. Good judgment and common sense should be used in choosing appropriate attire. The responsibility for determining appropriate grooming and dress shall be placed under the supervision of district and school level administrators. As a general rule, shorts, sweats, and warm up suits are not appropriate dress. Exceptions would be physical education, field days, special dress days and field trips when special attire is required

MINIMUM DRESS AND GROOMING STANDARD

The minimum dress and grooming standard for employees shall meet or exceed the standard required for students in the Uniform Code of Student Conduct. Employees are expected to be familiar with student dress code, to enforce it and to meet or exceed its standard in their professional dress and grooming. The following items are considered appropriate attire:

Men

Shoes with socks
Ties
Slacks
Short/long sleeve collared shirts
Sports jackets/suits
Crew/Mock/Turtleneck shirts
Polo/Golf shirts

Women

Shirts/blouses tucked in when appropriate
Skirts/dresses (**appropriate length)
Slacks
Suits
Knit shirts
Denim dresses/skirts
Coordinated Capri Pant Suits (mid-calf)

**Length guideline - Length not more than 2 1/2" above knee (mandatory)

The following dress is NOT considered appropriate attire:

Shirts not tucked in (men)
Jogging/sweat suits (permitted for physical education ONLY)
Leotard type/stirrup pants
Miniskirts/dresses
Leggings/leotards
Shorts or dress shorts (men/women)
T-shirts (men/women)
Revealing garments
Flip flops of any kind
Tight fitting clothing
Skorts
Blue jeans (pants)

Note:

The site supervisor may make general exceptions regarding proper attire for special areas of instruction and events, such as physical education instruction, field trips or spirit days. Athletic shoes are NOT allowed to be worn during PTA/PTO or any activity leaving school site unless receiving prior permission from site supervisor (*e.g.*, field trip to Phinizy Swamp). Ties are preferred at scheduled parent/teacher conferences, PTA/PTO and formal activities at the school or in the community. Failure to adhere to this policy will be reflected on the teacher's evaluation instrument.

INTERNET ACCEPTABLE USE POLICY

It is the policy of the Richmond County Board of Education that employees and students should be furnished educational opportunities and resources to have access to Internet-based instructional programs and administrative services. The primary purpose and mission of the Richmond County Board of Education is to educate students to become lifelong learners and productive citizens in the 21st Century. Technology plays a role in this mission by providing quality programs,

and enhance instructional and administrative effectiveness. The instructional use of interactive computer and web-based technology will prepare students for the future. Technology includes computer hardware, software, local and wide area networks and access to the Internet. Due to the complex nature of these systems and the magnitude of information available via the Internet, the Richmond County Board of Education has adopted procedures regarding acceptable use to ensure that the technology users share in the technology resources in an effective, efficient, ethical and lawful manner. Particular attention should be given to ensuring that students are not granted access to anything other than educational and instructional materials and resources.

The Richmond County Board of Education is committed to: (a) preventing user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) preventing unauthorized access and other unlawful online activity; (c) preventing unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) complying with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)]. Each user must follow the Richmond County School System Internet Acceptable Use Procedures found in the Richmond County Board of Education Code of Student Conduct and Discipline.

Procedures have been adopted to address Internet safety, which include:

- a) Access by minors to inappropriate matter on the Internet and World Wide Web
- b) Safety and security of minors when using electronic mail, instant messaging, chat rooms and other forms of direct electronic communications
- c) Unauthorized access, including so-called "hacking," and other unlawful activities by minors online
- d) Unauthorized disclosure, use and dissemination of personal information of minors
- e) Restricting minors' access to materials harmful to them

The Superintendent is authorized to designate certain persons in the School System who will be allowed to disable the blocking or filtering measure placed on the computer system during the use by an adult to enable access for bona fide research or other lawful purposes.

All employees are to adhere to the Internet Acceptable Use Policy found at www.rcboe.org under "Policies".

HARASSMENT

It is the policy of this school system to prohibit any act of harassment of students or employees by other students or employees based upon race, color, sex, 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. Harassment may include, but is not limited to, 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. All employees are to adhere to the Board Harassment Policy GAEB found at www.rcboe.org under "Policies." Any employee who believes they are subject to harassment or discrimination should follow the procedures found in Policy GAAA found at www.rcboe.org under "Policies."

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. All employees are to adhere to the Drug Free Workplace Policy GAMA found at www.rcboe.org under "Policies."

DRUG SCREENING OF BUS DRIVERS

The Board of Education 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.

In order to meet this goal, the Board hereby endorses the U.S. Department of Transportation, Federal Highway Administration's anti-alcohol and controlled substances policies, regulations and procedures for transportation workplace drug and alcohol testing programs. The Board shall require testing for alcohol and controlled substances by employees engaged in safety sensitive functions in accordance with federal and state law, which shall include pre-employment, post-accident, random, follow-up and reasonable suspicion testing.

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 of Education to operate safety-sensitive vehicles include, but are not limited to: mechanics, school bus drivers, substitute school bus drivers, maintenance workers, coaches, teachers, and other staff and faculty who as part of their official duties occasionally operate a school bus.

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 blood 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 blood alcohol concentrations of at least 0.02, but less than

0.04, and individuals who engage in other conduct prohibited by the regulations may, in the Board of Education's discretion, be terminated.

Drivers must inform their immediate supervisor of any therapeutic drug use, whether by prescription or "over the counter", and must provide a statement from their treating physician that the substance does not adversely affect the driver's ability to operate the bus. The Superintendent or designee shall establish the administrative processes needed to ensure that all employees engaged in safety sensitive functions who are subject to the alcohol and drug testing requirements of this policy are provided information that explains the testing requirements with which they must comply.

505-6-.01 *The Code of Ethics for Educators*

Effective January 1, 2018

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.

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 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 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 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 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 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 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 Professional Standards Commission through contact with the educator and his or her employer. As a condition of monitoring, an educator may be required to submit a criminal background check (GCIC). The Commission specifies the length of the monitoring period.
- m. "No Probable Cause" is a determination by the Professional Standards Commission that, after a preliminary investigation, either no further action need be taken or no cause exists to recommend disciplinary action.

Standards:

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.

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

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

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.)

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.

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.

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;
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.

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.

Standard 8: Required Reports - An educator shall file reports of a breach of one or more of the standards in the Code of Ethics for Educators, child abuse (O.C.G.A. §19-7-5), or any other required report. Unethical conduct includes but is not limited to:

1. failure to report all requested information on documents required by the Commission when applying for or renewing any certificate with the Commission;
2. failure to make a required report of a violation of one or more standards of the Code of Ethics for educators of which they have personal knowledge as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner; and
3. failure to make a required report of any violation of state or federal law soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. These reports include but are not limited to: murder, voluntary manslaughter, aggravated assault, aggravated battery, kidnapping, any sexual offense, any sexual exploitation of a minor, any offense involving a controlled substance and any abuse of a child if an educator has reasonable cause to believe that a child has been abused.

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.

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

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.).

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

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

1. unethical conduct as outlined in The Code of Ethics for Educators, Standards 1-~~11~~ -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-~~11~~ -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.

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