

## ACKNOWLEDGEMENT

### ORIGINAL COMMITTEE FOR STUDY OF SCHOOL POLICIES

Mrs. Loyce D. Whitson, Chairman, Double Springs  
Mr. Wayne L. Tidwell, Co-Chairman, Arley  
Mrs. Letha Weaver, Recorder, Double Springs  
Mr. J. H. Herron - Lynn                      Mrs. Betty C. Porter - Addison  
Mr. Jimmie C. Lott - Addison              Mr. Carlos L. Radford - Lynn  
Mr. Morris M. Nix - Pebble                 Mrs. Elizabeth S. Smith - Haville  
Mr. Farris C. Southern - Addison

The 1985  
Revision Committee

Appreciation is extended to the members of the Personnel Policy Committee for their valuable contribution to the development and revision of written school board policies for the School District. Many hours of work by the members of this committee are represented by the personnel policies that follow. Members of the 1985 Personnel Committee were as follows:

Mr. Ralph Bailey                              Mrs. June Mobley  
Mr. James Blackwood                        Mrs. Wilma Patterson  
Mrs. Dean Elliott                              Mr. Walter Peck  
Mr. Jack Herron                                Dr. Gary Rye  
Mrs. Elizabeth C. Horsley                    Mrs. Lisa Whitaker  
Mrs. Sherrill Williams

The 1997  
Revision Committee

Appreciation is extended to the members of the Personnel Policy Committee for their valuable contribution to the development and revision of written school board policies for the School District. Many hours of work by the members of this committee are represented by the personnel policies that follow. Members of the 1997 Personnel Committee were as follows:

Ms. Ellan Cobb                                 Mr. Bobby Daniels  
Mr. Quinton Humphries                      Mr. William L. Self  
Ms. Sherry Morgan Smothers              Mr. Danny Springer  
Ms. Sandra Thomaston                      Ms. Casandra Tingle

## G-- PERSONNEL

### FILE

GAAA	Equal Opportunity Employment
GAE	Grievances
GAIA	Solicitations by and of Staff Members
GAJB	Gifts to Staff Members
GAJD	Political Activity
GAJDBH	Sexual Harassment
GAK	Recruitment of Personnel
GAKA	Employment of Personnel
GAKB	Employment Criteria
GAKBD	Job Vacancies
GAKC	Applications for Employment
GAKCD	Employment Interviews
GAKF	Job Description Development
GAKFB	Personnel Qualifications
GAKG	Orientation of Personnel
GAKH	Assignment of Personnel
GAKHA	Assignment of Coaching Duties
GAKI	Personnel Records
GAKJ	Public Use of Personnel Records
GAL	Salary Deductions (Also DJCB)
GAL-R2	Regulations for Handling Payroll Deductions (Also DJCB-R2)
GALA	Fair Labor Standards Act: "Comp Time" and Overtime Pay (Also DJCF)
GALAD	Fringe Benefits for Personnel (Also DJCG)
GALB	Sick Leave for Personnel
GALBA	Sick Leave for Job-Related Injuries
GALBAG	Bereavement Leave for Personnel
GALBB	Sick Leave for Retirement Purposes
GALBBC	Sick Leave Bank for Personnel
GALBD	Military Leave for Personnel
GALBE	Maternity Leave for Personnel
GALBE-F1	Maternity Leave Request Form
GALBEA	Family and Medical Leave for Personnel
GALBEA-F1	Family and Medical Leave Request Form
GALBF	Legal Service Absences for Personnel
GALBF-F1	Legal Service Leave Request Form
GALBG	Temporary Professional Leaves of Absence for Personnel
GALBG-F1	Temporary Professional Leave Request Form
GALBGA	Temporary School Activity Leaves of Absence for Personnel
GALBGA-F1	Temporary School Activity Leave Request Form
GALBH	Annual Leaves of Absence for Personnel
GALBJ	Vacation Leave for Personnel
GALC	Retirement of Personnel
GALD	Salary Schedules for Personnel (Also DJCAG)

## FILE

GALDC	Payroll Checks for Personnel (Also DJCA)
GALE	Travel Expenses for Personnel (Also ECCHB)
GALE-F1	Travel Reimbursement Request Form (Also ECCHB-F1)
GAM	Possession of Firearms by Personnel
GAMA	Health Examinations for Personnel
GAMAA	Communicable Diseases
GAMAA-R1	Protocol for Communicable Diseases
GAMAA-R2	Routine Procedures for Sanitation and Hygiene When Handling Body Fluids
GAMB	Guidance for Pandemic Preparedness (Also JGCAA)
GAMAB	Initial Tuberculosis Test for Personnel
GAMBC	Drug-Free Workplace
GAMBCD	Drug and Alcohol Testing Program for Bus Drivers (Also TBC)
GAMBCD-R1	Drug/Alcohol Testing Procedures for Bus Drivers (Also TBC-R1)
GAMBCD-F1	Bus Driver Drug/Alcohol Test Consent-Release Form (Also TBC-F1)
GAMBCD-F2	Bus Driver Consent Form (Also TBC-F2)
GAMC	Tobacco Use by Personnel
GAN	Suspension for Disciplinary Purposes
GAO	Dress Code for Personnel
GAQ	Use of School District Owned Equipment and Materials (Also DICB, ECCJ)
GAR	Conferences and Visitations
GAT	School Volunteers
GBA	Certified Personnel Defined
GBAA	Certified Personnel Contracts (also DJC)
GBBAA	Requirements for the Renewal of Professional Certificates
GBG	Probation of Certified Personnel
GBI	Evaluation of Certified Personnel
GBL	Tenure for Certified Personnel
GBM	Transfer of Certified Personnel
GBN	Separation of Certified Personnel
GBNA	Reduction in Force of Certified Personnel
GBO	Resignation of Certified Personnel
GBRB	Time Schedules and Work Loads for Certified Personnel
GBRD	Staff Meetings
GBRE	Extra Duties
GBRG	Non-school Employment for Certified Personnel
GBRGB	Tutoring for Pay by Certified Personnel
GBRI	Personal Leaves and Absences for Certified Personnel
GBRIB-R1	Sick Leave Bank Guidelines for Certified Personnel
GBRIB-F1	Sick Leave Bank Enrollment Form
GBRIB-F2	Sick Leave Bank Loan Form
GBRIB-F3	Sick Leave Bank Withdrawal Form
GBRIB-F4	Catastrophic Sick Leave Approval Form
GBRIB-F5	Catastrophic Sick Leave Transfer Authorization Form

FILE

GBRJA	Substitute Teachers (Also IKH)
GBRJD	Teacher Aides (Also IKHB)
GBS	Professional Organizations for Certified Personnel
GBT	Professional Development Plan and Professional Growth Criteria
GBT-F1	Individual Professional Improvement Plan Form
GBT-F2	Five-Year Individual Record of College/Equivalency Credit Form
GBT-F3	Educational Activity Attendance Request Form
GBT-F4	Proof of Educational Activity Attendance Form
GCA	Non-certified Personnel Defined
GCAA	Contracts for Non-certified Personnel
GCH	Supervision of Non-certified Personnel
GCI	Probationary Period for Non-certified Personnel
GCL	Non-Probationary Status for Non-certified Personnel
GCM	Transfer of Non-certified Personnel
GCMA	Evaluation of Non-certified Personnel
GCN	Separation of Non-certified Personnel
GCNA	Reduction in Force of Non-certified Personnel
GCRB	Time Schedules and Work Loads for Non-certified Personnel
GCRI	Personal Leaves and Absences for Non-certified Personnel
GCRIB-R1	Sick Leave Bank Guidelines for Non-Certified Personnel

## **EQUAL OPPORTUNITY EMPLOYMENT**

The Board recognizes that an effective educational program in the School District depends on the quality of the personnel employed in the District. Therefore, every effort will be made to employ the most qualified personnel available.

It is the policy of the Board that applicants for positions will be selected on the basis of their qualifications, merit, and ability. Furthermore, it is the official policy of the Winston County School System that no person in the system shall, on the grounds of race, color, disability, sex, religion, creed, national origin, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, activity, or employment.

### Special Provisions

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

1. The Superintendent shall appoint a designee(s) to serve as the reporting officer(s) for discrimination complaints related to the Acts noted above. The name(s) and business phone number(s) of the reporting officer(s) shall be made known to employees throughout the School District. Any complaint covered by the Acts noted above, including sexual harassment, should be reported promptly to the reporting officer(s).
2. The Grievance Procedure (filed GAE under this cover) shall be used to ensure employees prompt and equitable action on grievances brought under the noted Acts.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: Nov. 20, 1990; July 7, 1998; Nov. 16, 1999

LEGAL REF.: Civil Rights Act of 1964 and Amendments, U. S. Const. XIV, 1; 42 U.S.C. 20003-1 to -17; 20 U.S.C. 1681, et. seq; 29 U.S.C. 794; 29 U.S.C. 621 et. seq., Section 504 of the Rehabilitation Act of 1973, Singleton v. Jackson Municipal Separate School District, 419 F 2d 1211 (5th Cir. 1969).

## **GRIEVANCES (Procedures)**

### SECTION I - Purpose

The purpose of this procedure is to provide an orderly and systematic method whereby the Board and its employees can resolve differences that might develop between them in an equitable and expeditious manner.

### Section II - Definitions

(a) Grievance

Grievance shall mean a claim submitted by an employee of a violation, misinterpretation or inequitable application of local Board policy, local school rules and regulations, or District administrative procedures. The term "grievance" shall apply to matters that fall within the discretionary powers of the Board but shall not apply to areas where the Board has no authority to act.

(b) Employee

Employee shall mean any staff member employed by the Board to perform services, either on a full or part-time basis.

(c) Immediate Supervisor

Immediate Supervisor is the employee possessing administrative authority next in rank above any grievant.

(d) Days

Days shall mean working days exclusive of Saturday, Sunday, or official holidays, as established by the school calendar or work schedule.

(e) Parties In Interest

Any persons involved in the processing of the grievance.

Section III - Informal Procedure

Hopefully, most grievances can be resolved informally and at the most immediate administrative level. With this objective in mind, simple, honest and straightforward communication is encouraged between the employee, the principal and the Superintendent. An employee who feels he/she has a grievance should present the matter orally to his/her immediate supervisor. The immediate supervisor to whom the grievance is presented shall hear and attempt to resolve the grievance within five (5) days from the time presented and advise the grievant of the decision within two (2) days thereafter. If the grievance is resolved, or if no further action is needed, the matter is closed.

If an employee feels his/her grievance has not been resolved, he/she may resort to the formal procedure as outlined in Section IV.

Section IV - Formal Procedure

To resolve grievances in the most appropriate fashion and in the shortest time possible, each grievant should start at the most immediate level of administration (level one in most cases) and progress to the next level until the matter is resolved. If level one does not apply to a particular grievant, such as a supervisor in the central office, that level should be omitted from the process.

The grievance, including relief sought, must be filed in writing at each level and the grievant shall indicate with his/her filing at each level who will accompany or represent him/her in any meetings or hearings that might be conducted.

All decisions rendered at each level shall be set forth in writing and promptly transmitted to all parties in interest.

All meetings and hearings shall be conducted at a specified time that does not interfere with the employee's workday or the normal operation of the schools. Scheduled meetings or hearings can be changed with mutual consent of the parties in interest. All records of meetings and hearings shall be maintained in confidence; however, this shall not be interpreted to prevent a full and complete accounting of the proceedings and the final decision from becoming a part of the grievant's personnel file.

Level One - Principal or Immediate Supervisor

Representation --The grievant must present the grievance but may be accompanied by a fellow employee.

If the grievance is not resolved to the satisfaction of the aggrieved at the informal level, the aggrieved party may file the grievance, including relief sought, in writing, with the principal or immediate supervisor. The written communication will be signed by the grievant. The principal or immediate supervisor shall set a time to discuss the grievance that is mutually convenient for the parties in interest and shall seek an amicable solution to the problem. Within five (5) days after receipt of the grievance, the immediate supervisor shall hear the grievance and within two (2) days after hearing the grievance shall notify the aggrieved party in writing of the final decision. If the grievance is not resolved by the principal or immediate supervisor to the satisfaction of the aggrieved at level one, the grievant may appear within ten (10) days to the Superintendent.

Level Two - Superintendent

Representation --The grievant must be present to present the grievance and proposed remedy initially, but may be represented by a fellow employee or by anyone of his/her choosing. However, the grievant must be present at all meetings where his/her grievance is discussed.

Within ten (10) days after receipt of the decision at level one, the aggrieved party may appeal to the Superintendent of Schools. The Superintendent of Schools shall, within a ten- (10) day period following the appeal, do one or more of the following as he/she may deem appropriate:

1. Review written decisions at level one with all other documentary evidence that may be submitted.
2. Conduct a hearing with all persons whom he/she may choose to invite, including the principal parties. The principal parties shall be provided with a list of hearing participants before said hearing.
3. Designate such person or persons as he/she deems appropriate to investigate the grievance and to offer recommendations before making his/her final decision.

The Superintendent will decide the matter within seven (7) days from the review or hearing and advise the parties concerned within two (2) days thereafter. All parties, grievant, principal or supervisor shall be notified of the decision in writing.



Level Three -- Board of Education

Representation --The grievant must be present but may be represented by a fellow employee or by anyone of his/her own choosing.

Within ten (10) days after the receipt of the decision at level two, the aggrieved party may appeal to the Board. The Board shall conduct a hearing which may be an open or closed session as requested by the grievant, and all parties having direct interest shall be permitted to attend. All hearings and appeals shall be conducted according to the following procedures:

1. The aggrieved party shall file a written request with the Superintendent of Schools for a hearing before the Board. The request shall contain a detailed description of the grievance and the relief sought, as well as the previous action or inaction on the grievance.
2. Within fifteen (15) days following the receipt of the written request, the Board shall set a time, date and place for the hearing. All parties in interest shall be given written notice of the time, date and place for the hearing. After written notice is given, the time, date and place can be changed only by mutual consent of the Board and the aggrieved party. If a quorum of the Board is not present at the hearing, the hearing will be rescheduled within seven (7) days.
3. All parties and the Board shall have the right to legal counsel, to present witnesses and documentary evidence and to cross-examine witnesses offered by other parties.
4. All parties shall be given an opportunity to present oral arguments and written briefs within reasonable time limits (30 minutes). All such arguments and briefs shall be made available to the opposing parties.
5. The Board shall reach a decision concerning the grievance within ten (10) days after the hearing and shall convey the decision to all parties in interest within two (2) days.

The decision of the Board shall be final unless the grievant decides to appeal to the courts or to utilize any other duly recognized procedure as established by law.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVIEWED: Nov. 16, 1999

LEGAL REF.: The Code of Alabama, 16-1-30, 16-8-9, 16-9-13; Pickering v. Board of Education, 88 S. Ct. 1731 (1968); Givhan v. Western Line Consolidated School 99 S. Ct. (1979).

## **SOLICITATIONS BY AND OF STAFF MEMBERS**

### By Staff Members

Staff members shall not solicit or sell any goods or services on school property except as may be approved by the local school principal and the Superintendent of Schools.

All fund-raising campaigns conducted by school employees in the community or away from school premises to obtain funds for the school, student body, class or club must have prior approval by the local school principal, with notification to the Superintendent of Schools. Such fund-raising campaigns shall not be conducted during regular school hours.

Staff members shall not sell educational material or reference books for monetary gain in the attendance area served by his/her school.

Staff members shall not furnish the names and addresses of students or parents to any commercial firm without written consent by the parent or guardian.

### Of Staff Members

The School District shall not solicit funds from or attempt to sell goods or services to employees. All charity or fund-raising campaigns shall be participated in on a voluntary basis by employees of the School District.

The School District shall not allow commercial advertising or selling on school property during school or office hours. (This does not apply to those commercial firms that supply goods and services for school use.)

The School District or schools within the School District shall not furnish lists of staff members or students to any commercial firm.

Membership in professional organizations shall be on an individual basis; however, the Board encourages certified personnel to affiliate with professional organizations.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 16-8-8 to -9, 36-25-1(9), 36-25-2(a), 36-25-2(b), 36-25-2(d), 36-25-5(a), 36-25-6 to -7.

## **GIFTS TO STAFF MEMBERS**

### From Students

Staff members may accept gifts from students on special occasions, provided the gift is not unduly elaborate or expensive. Staff members should always use good taste and follow the code of professional ethics when accepting gifts from students.

In no case shall a staff member accept a gift from a student group, school organization, etc., over a nominal value. The purchase of such gifts with school funds must have prior approval by the school principal.

### From Staff Members

Staff members may accept gifts from other staff members provided the gifts are not unduly elaborate or expensive and are given on a voluntary basis.

### From Outside Agencies or Individuals

Staff members shall not accept gifts from outside agencies or individuals that are a result of or a precondition to business transactions between the School District and said agency or individual.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 16-1-30, 16-8-8.

## **POLITICAL ACTIVITY**

School District personnel engaging in political activity shall make it clear that their statements and actions are theirs as individuals and that they in no manner represent the views of the School District. No partisan political activity shall be permitted by any school employee any time during regular school hours.

School District or national personnel may participate in city, county, state political activities to the same extent as any other citizen, including the endorsement of candidates and contributing to political campaigns. In addition, employees of the School District have the same rights as any citizen to publicly support issues and circulate petitions.

School District personnel seeking public office may continue to hold their employment positions since all political activities are conducted on their personal time, i.e. not during the workday.

School District personnel are forbidden from soliciting funds or contributions for political purposes from subordinate employees at any time.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 16-1-30, 16-8-8, 17-1-17; Attorney General's Ops., July 24, 1978, May 19, 1985 (85-00265), July 13, 1988 (88-00358).

## **SEXUAL HARASSMENT**

### **I.**

#### **POLICY**

- A. It is the policy of the Board to maintain a learning and working-environment that is free from sexual harassment. No employee of the School District shall be subjected to sexual harassment.
- B. It shall be a violation of this policy for any employee of the School District to harass another staff member or student through conduct or communications of a sexual nature as defined in Section II below.
- C. Each administrator shall be responsible for promoting understanding and acceptance of, and assuring compliance with, state and federal laws and board policy and procedures governing sexual harassment within her or his school or office.
- D. Violations of this policy or procedure will be cause for disciplinary action.

### **II.**

#### **DEFINITION**

- A. Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
  - 1) submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or advancement or of a student's participation in school programs or activities; or
  - 2) submission to or rejection of such conduct by an employee or student is used as the basis for decisions affecting the employee or student; or
  - 3) such conduct has the purpose or effect of unreasonably interfering with an employee's or student's performance or creating an intimidating, hostile, or offensive work or learning environment.
- B. Sexual harassment, as set forth in Section II-A, may include, but is not limited to, the following:
  - 1. verbal harassment or abuse; 2. pressure for sexual activity; 3. repeated remarks with sexual or demeaning implications; 4. unwelcome touching; and 5. sexual jokes, posters, etc. suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, job, etc.

### **III.**

#### **REPORTING PROCEDURES**

- A. Any employee who feels he/she has been sexually harassed by another employee(s) or student(s) of the School District should present the complaint directly to the School District Title IX Coordinator. The complaint should be filed as soon as possible after the incident or the latest occurrence if a series of incidents are involved.
- B. The complaint should be made to the Title IX Coordinator and may be made in person or in writing. If the initial complaint is made in person, the

complainant will then be responsible for preparing a signed, written complaint detailing the events/occurrences giving rise to the sexual harassment charge.

- C. Such complaint of sexual harassment will not reflect upon the complainant's status, nor will it affect future employment, or work assignments.

#### IV. INVESTIGATION - HEARING PROCEDURES

- A. The Title IX Coordinator or the Superintendent's designee will promptly initiate an investigation of the allegation. Due process shall be accorded to all parties involved in the allegation throughout the investigation. The person(s) accused will be given an opportunity to present a written, signed statement detailing his/her recall of the events/occurrences leading to the sexual harassment complaint against him/her.
- B. When the investigation is completed the person conducting the investigation shall report the findings to the Superintendent of Schools. The findings of the investigation shall then be reduced to writing and copies presented to the complainant and the accused employee(s). The Superintendent of Schools and investigating officer shall meet with the complainant and accused employee to attempt to resolve the complaint.
- C. If the complaint cannot be resolved as noted above, the Superintendent shall report the matter to the Board. The Board, at its discretion, may conduct a hearing in accordance with applicable laws and attempt to resolve the complaint.
- D. If the complaint cannot be resolved by the Board, the complainant may seek redress in an appropriate court.
- E. In all situations, the confidentiality of the complainant and the accused will be respected consistent with the School District's legal obligations and with the necessity to investigate fully any allegations of misconduct and to take corrective action when it is determined that sexual harassment has occurred.

#### V. SANCTIONS

A substantiated charge against an employee of the School District shall subject that employee to disciplinary action, up to and including discharge.

#### VI. NOTIFICATION

This policy will be placed in the School District policy manual.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jan. 20, 1994; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama: 16-8-23; Meritor Savings Bank FSB v. Vinson, 477 U.S. 57 (1986); Civil Rights Act of 1964, Title VII; EEOC Guidelines. Equal Employment Opportunities Commission (EEOC), Minnesota Department of Education; and Programs for Educational Opportunity (PEO), Univ. of Michigan, Ann Arbor, Michigan;

FILE: GAK

## **RECRUITMENT OF PERSONNEL**

It shall be the duty of the Superintendent of Schools to ensure that all certified and noncertified employees satisfactorily meet requirements of State Law, State Board of Education rules and regulations, and School District job-description qualifications. In addition, the Superintendent of Schools shall always seek to employ the best-qualified personnel for employment positions without regard to sex, age, marital status, race, religion, national origin, ethnic group, or disability. The Superintendent of Schools shall establish and maintain a plan for actively recruiting promising personnel for employment by the School District.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-8-23, Civil Rights Act of 1964, Title VII, and amendments.

## **EMPLOYMENT OF PERSONNEL**

When the Superintendent is notified and determines that a job vacancy exists in the School District, he/she and other appropriate personnel will conduct a review of the applications on file to determine the most qualified applicants for the position. The most qualified applicants will be determined by reviewing, analyzing, and comparing the non-prioritized employment criteria (see policy GAKB) data shown on the employment application forms. The applicants found to be best qualified will then be scheduled for interviews by the Superintendent and/or the applicable principal/work site supervisor(s) and other person(s) designated by the Superintendent. Interviews will be scheduled and conducted, writing sample (if applicable) collected, and references contacted. All information from the employment application form, interviews, writing sample analyses (when applicable), and reference contacts will be reviewed and analyzed to determine the top candidate(s) to be considered for employment.

The Superintendent will recommend the employment of all perspective employees to the Board for review and approval. In order to be employed by the School District, all applicants must be recommended by the Superintendent and receive a majority vote of the whole Board.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-4-9, 16-8-23, 16-9-23 to 24; Attorney General's Op., July 7, 1960.



## **EMPLOYMENT CRITERIA**

The selection of personnel in the School District shall be made without regard to sex, age, marital status, race, religion, national origin, ethnic group, or disability. The following criteria shall be used in selecting new personnel for employment within the schools of the School District:

### Certified Personnel

1. College transcript
2. Type of teaching certificate and areas of endorsement on certification
3. Rank and class of teaching certificate
4. Number of years of teaching experience within the School District
5. Number of years of teaching experience in public elementary or secondary education
6. Number of years work experience outside of education
7. Number of years of teaching experience outside of public education
8. Physical and mental health
9. Grades, subjects or positions in which professional experience has been gained
10. Student teaching level
11. Number of hours earned above highest degree held
12. Number of hours held in current (past 5 years) participation in seminars and workshops
13. Placement file data
14. Analysis of written material submitted

### Noncertified Personnel

1. High school transcript
2. Business school transcript
3. Junior college transcript
4. Trade school transcript
5. College transcript
6. Hours completed in apprenticeship or training program
7. Job related courses or training
8. Number of years worked within the School District
9. Number of years of job related work experience
10. Physical and mental health

After use of the employment criteria above, a subjective evaluation in each of the following categories shall be made: 1. Past performance, 2. Character, 3. Ability, 4. Leadership, and 5. Personality. The subjective evaluation shall be based upon a personal interview and information obtained in individual references.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: U.S. Const. Amend. XIV, S.1.; 42 U.S.C. SS. 2000e-3 to -17; 20 U.S.C. S. 1681; 19 U.S.C. S. 794; 29 U.S.C. S. 621.

## **JOB VACANCIES**

When vacancies occur in new or existing certified or noncertified employment positions, such vacancies shall be made known to employees of the School District. Except that, in extreme emergencies, classroom teachers may be employed promptly to protect the educational interest of students.

Such notice shall be posted by each principal and/or work area supervisor in a designated location in each school and central office work site. Furthermore, the notice shall be printed on standardized forms and shall include but not be limited to the following:

1. the school or work site where the vacancy exists,
2. the position title of the vacancy,
3. The grade level and/or work area of the vacancy,
4. the minimum certificate or qualifications required,
5. the minimum experience required to qualify,
6. a space to designate other important qualification criteria,
7. the procedure(s) for making application for said position, and
8. salary range for position.

Any person who believes he/she possesses the qualification for an advertised vacancy may apply. It shall be the policy of the Board to employ personnel based upon the intent of the Equal Opportunity Employment policy filed GAAA under this cover. In keeping with the intent of said policy, job vacancies in the School District may be made known to persons outside the School District.

No vacancy as noted above shall be filled until such vacancy shall have been posted in the prescribed manner for not less than fourteen (14) calendar days except emergencies as noted above.

## **APPLICATIONS FOR EMPLOYMENT**

### Application Forms

Employment Application Forms shall be standard throughout the School District and shall be designed to gather only information permitted by various laws. Employment Application Forms for certified and non-certified employment positions shall be available at the Central Office.

### Completion Requirements

All certified and non-certified personnel seeking employment with the School District must complete an approved Employment Application Form. Applicants are responsible for providing all credentials required for employment purposes and for any costs associated with providing such materials. Employment Application Forms are considered complete when the listing of required information and credentials specified on the Form are provided by the applicant. The employment process cannot and will not be continued until the Employment Application Form is fully completed, including the submission of references, teaching certificate or letter of completion from a college or university, if applicable, etc. In every case, applicants must specify on the Employment Application Form the type of position for which they are applying (example: elementary teacher, principal, supervisor, bus driver, etc.).

### References

References from persons knowledgeable of the applicant's abilities, qualifications, character, physical condition, etc. are important to the selection process. It shall be the responsibility of the applicant to include the names of not less than three (3) such references on the Employment Application Form. The Superintendent or designee may, at his/her discretion, secure additional references from appropriate sources not listed on the Employment Application Form by applicants.

### Active Status Period for Application Forms

Completed application forms will remain on file and active for not less than 12 calendar months. Following the minimum 12-month active period, all active application forms will be placed in inactive status. On January 1 each year, all application forms that have been on inactive status for one (1) calendar year will be discarded. Prospective employees may keep application forms active by submitting a written request to the Superintendent of Schools or personally updating said forms at the central office. It shall be the responsibility of the Superintendent of Schools to establish appropriate procedure to implement the intent of this policy.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-8-38, 16-9-27.

## **EMPLOYMENT INTERVIEWS**

Employment interviews are an important part of the process for the selection of persons to be employed by the School District. Such interviews shall be used to gather vital information that cannot be obtained from the application and personal references. Information relative to applicants' character, personality, ability, prior job-related experiences, leadership potential, etc. may be obtained best through personal interviews.

### General Provisions

The following provisions shall apply to employment interviews conducted by School District personnel:

1. Interviews will be conducted only when a vacancy(ies) has been determined and confirmed and, if applicable, posted.
2. Only applicants seriously considered for employment based on Employment Application Form data and references shall be interviewed. In such instance, the Superintendent or designee will conduct the interview.
3. Applicants seriously considered for employment shall also be interviewed by their prospective principal, coordinator, or work site supervisor. The Superintendent or designee shall be responsible for arranging such interviews.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-8-23, 16-8-24, 16-9-23, 16-9-24.

FILE: GAKF

## **JOB DESCRIPTION DEVELOPMENT**

It shall be the duty of the Superintendent of Schools and representative personnel to prepare or cause to be prepared job descriptions for all certified and non-certified employment positions in the School District. The Superintendent of Schools shall periodically review and update job descriptions. Further, he/she or his/her designee(s) shall familiarize said personnel with their duties and responsibilities as defined by job descriptions.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 16-8-8 to 10, 16-9-15, 16-9- 23 to 24.

## PERSONNEL QUALIFICATIONS

All personnel employed by the School District shall meet requirements of State Law, State Board of Education rules and regulations, and qualifications specified in respective job descriptions.

In an effort to provide maximum educational opportunities for students and comparable working arrangements for employees, it is expected the employees will meet the minimum conditions and qualifications spelled out in job descriptions at the time of employment, and will continue to maintain the ability to perform the job-related responsibilities during the course of employment. However, reasonable accommodations for employees who are unable to perform certain duties delineated in their job descriptions due to illnesses, surgeries, etc. will be made on a temporary basis.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-3-16, 16-8-23, 16-23-1 to -3, 16-23-5, 16-23-9, Harrah Independent School District v. Martin, 99 S. Ct. 1062 (1979).

## **ORIENTATION OF PERSONNEL**

It shall be the responsibility of the Superintendent or designee to conduct annual orientation programs for personnel regarding policies of the Board and such other topics as may be necessary for the effective operation and improvement of the School District.

### **Newly Appointed Employees**

The Board hereby directs the administrative staff of the School District to develop and implement annual orientation and inservice programs for all newly appointed personnel in the following categories: Teachers, Administrators, Substitute Teachers, Aides, Local School Volunteers, and all categories of non-certified personnel

Such orientation and inservice programs should serve to orient said personnel with the policies of the Board, rules and regulations of the Board, and other matters that will assist them in becoming better acquainted with School District procedures and operational methods and in having a better understanding their employment responsibilities.

Such orientation and inservice programs shall be conducted prior to the opening of or during the school year.

### **On-Going Orientation and Inservice Opportunities**

In addition, the Board encourages the administrative staff to develop orientation and inservice programs on an as-needed basis for all categories of employees for the purpose of enhancing and updating skills and competencies, acquainting employees with any newly adopted programs, curricula, etc.

### **Local School Orientation**

The principal is directed to develop, early in the school year, an orientation program for his/her staff. Emphasis should be made to inform each member of the staff of the school's rules and regulations, of their particular assignment, and of their duties and responsibilities. Each first-year teacher should be assigned a consulting teacher whose duty it shall be to assist the probationary teacher in acclimating to the teaching profession, the school, and the School District.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: JUN. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-1-30, 16-8-8, 16-9-13, 16-23-7 to 9.

## **ASSIGNMENT OF PERSONNEL**

The Superintendent has the authority to make the initial assignment of certified and non-certified personnel as the needs of the School District shall require, with the advice and counsel of respective local school principals, work site supervisors, and appropriate members of the administrative staff. However, certified personnel are generally certified or qualified in specialized fields of study and in all possible cases shall be assigned to employment positions based upon certification and other qualifications. Non-certified personnel generally shall be employed for specified positions and shall be assigned initially to such positions.

Certain reassignment may be considered as a transfer and, if so, should be handled in accordance with applicable transfer policies related to certified and non-certified personnel.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-8-8 to 9, 16-9-23 to 24, 16-24-1 to 13, 36-26-100 to 108.



## ASSIGNMENT OF COACHING DUTIES

Coaching assignments for all sports for the upcoming school year shall be presented for Board approval at its May meeting each year. Additional assignments for personnel newly hired after the May meeting will be made on a case-by-case basis subject to approval by the Board. Effective January 1, 2007, full-time administrators will not be assigned new coaching duties.

### Full-time Employees

Coaching supplements shall be paid through the payroll process only to the positions on the board approved supplement schedule. Full-time administrators are not eligible to receive a coaching supplement. Coaching supplements will be paid according to the following schedule

Fall Sports –	September through August –	12 monthly payments
Winter Sports –	November through August-	10 monthly payments
Spring Sports –	February through August -	7 monthly payments

### Community Members

Community members who are contracted by the Board to work in the Board-supplement coaching assignments shall be paid at least the current federal minimum hourly wage for hours worked as indicated on their monthly timesheet.

- Work hours for community members are limited to 19 hours per week.
- Time worked will be paid monthly through the payroll process.
- Board approved supplements are calculated as a % of the base salary for the degree and experience of the teacher's contract. Should a community member coach not hold a valid teaching certificate, the bachelor's degree, zero experience salary will be used for the base salary. Should a community member hold a valid teaching certificate, the highest degree/experience cell worked in the Winston County School System, or zero if no experience, will be used for the base salary.
- Wages and employer matching benefits earned in excess of the Board supplement amount for the sport will be the responsibility of the school who recommended the community member act in the role of the coach to forward to the Central Office for payment to the community member.
- Head football coach will be calculated and divided over 12 months. All other community member coaches will be calculated and paid in full each month as earned. In August, all coaching supplements will be reviewed to insure that the total supplement has already been paid or will be paid on the August check.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: January 24, 2007 REVISED: March 24, 2011

**VOLUNTEER COACHES' GUIDELINES**

1. All Volunteer Coaches must be under the direct supervision of a Head Coach. A volunteer may not represent the school in any official capacity.
2. All Volunteer Coaches must be accompanied by a Board employee at any competition event that he/she is assigned for coaching duties.
3. Volunteer Coaches conduct is the responsibility of the Head Coach in respective sports and both are subject to Board discipline.
4. No workouts are to be conducted at practice sessions by Volunteer Coaches unless direct supervision is provided by a certified Board employee.
5. Volunteer Coaches must complete courses required by the ALABAMA HIGH SCHOOL ATHLETIC ASSOCIATION (SEE ATTACHED).
6. All Volunteer Coaches must be approved by the Superintendent and Board prior to beginning duties.
7. Volunteer coaches in Winston County School System are not paid from Board of Education funds.
8. Forward original signed copy to Central Office – Payroll, and keep a copy on file at the local school.

Note#1: Items #1 and #2 PER AHSAA HANDBOOK-PAGES 48, 49, and 50 (Attached).

Note#2: Fair Labor Standards Act regulates that volunteer coaches may not receive any stipend or reimbursed expense exceeding 20% of what a coach would normally be paid in the same position. This also applies to current employees who volunteer to coach outside of their regular work duties. Volunteer football coaches may at no time be paid more than the assistant football coach. Any locally-paid stipend or compensation must be paid through the payroll system.

\_\_\_\_\_  
Signature/Volunteer Coach

\_\_\_\_\_  
Signature/Head Coach

\_\_\_\_\_  
Signature/Principal

Date: \_\_\_\_\_

SOURCE: Winston County Board of Education  
ADOPTED: May 3, 2007, REVISED: March 25, 2010

## PERSONNEL RECORDS

The Superintendent of Schools or his/her designated representative shall have responsibility to initiate and maintain a current personnel record file at the central office on each employee of the Board. Such records shall be considered as confidential and shall not be transmitted to other persons or agencies without the written consent of employee involved.

All information regarding certified and non-certified personnel shall be collected, maintained, and disseminated under such safeguards of privacy as may be obtained through informed consent, verification of accuracy, limited access, selective discard, and appropriate use.

Employees shall have the right to examine, after having signed appropriate request forms in the central office, the contents of their personnel file, except application references. Such reference shall not be made available to employees or other persons or agencies.

Any material, except application references, derogatory to an employee's conduct, service, character, or personality, shall be placed in his/her personnel file and subject to review by said employee.

The following documents must be on file for all employees of the School District:

### **Certified Personnel**

1. An Application Form
2. A current Alabama Teaching Certificate
3. A record of previous teaching experience (if applicable)
4. Tax Exemption Forms (W-4)
5. A Sick Leave Transfer Form (if applicable)
6. An Alabama Teacher Retirement Form
7. A Social Security Number
7. College Transcripts (2)
9. Writing Sample
10. Negative Tuberculin Skin Test or X-Ray
11. Employment Verification Form (I-9 Form)
12. Insurance Enrollment Forms
13. Background Check

### **Non-Certified Personnel**

1. An Application Form
2. A Social Security Number
3. Tax Exemption Forms (W-4)
4. A Sick Leave Transfer (if applicable)
5. An Alabama Teacher Retirement Form
6. Transcripts (if applicable)
7. Negative Tuberculin Skin Test or X-Ray
8. Employment Verification Form (I-9 Form)
9. Insurance Enrollment Forms
10. Background Check

SOURCE: Winston County Board of Education, Double Springs, AL  
ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998; Nov. 23, 2010

LEGAL REF.: The Code of Alabama, 16-8-7, 16-23-1 to -13.

FILE: GAKJ

## **PUBLIC USE OF PERSONNEL RECORDS**

All employees' personnel records shall be considered as confidential, and the School District shall not release information from said records unless approved in writing by the employee or subpoenaed by legal authorities.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 16-8-7, 16-23-1 to -13; Family Educational Rights and Privacy Act, 1974 (P.L. 93-380).

## **SALARY DEDUCTIONS**

The School District shall make all salary deductions required by law. In no cases will the School District make other deductions unless approved, in writing, by the employee or pursuant to court order.

### Federal and State Income Tax Deductions

The School District will deduct federal and state income tax from all employees in accordance with law. Each employee of the School District shall file with the Superintendent of Schools all necessary income tax withholding forms when initially employed and when adjustments are necessary.

### FICA - Social Security Deductions

The School District will deduct FICA tax from all employees in accordance with law.

### Teacher Retirement Deductions

The School District will deduct teacher retirement contributions from all employees eligible for participation in the State Teacher Retirement System. Said deduction shall be made in accordance with law.

### Professional Dues and Political Deductions -

The School District will withhold dues for membership to the national, state, and local education association as a service to employees. Said dues and state political deductions shall not be made without initial authorization, in writing, by each employee. Deductions shall be withheld in not less than 9 equal payments, with September and January enrollment and/or authorization periods.

### Other Deductions

The School District shall at its discretion make other deductions in compliance with various laws. In compliance with Legislative Act 83-207, the Board approves the following payroll deduction policy:

1. Payroll deductions for a Cafeteria Plan will be added and must meet the following requirements:
  - a. One company will be selected by an employee committee appointed by WCEA and approved by the Board to provide administrative services.
  - b. The plan date is September 1 through August 31 with all insurance going into effect October 1. All insurance deducted under the cafeteria plan shall remain in effect for a minimum of twelve (12) months except for changes in family status as defined in Section 125.

2. Any other requests presented for payroll deductions must meet the following requirements:
  - a. New authorizations of dues, voluntary contributions, or employee savings plans must be submitted to the payroll office and deductions shall begin with the succeeding pay period after receipt of the authorization. Such deductions may be for but not limited to, savings plans, tax-sheltered annuities, the Public Employees' Individual Retirement Account Fund, membership dues, voluntary contributions and group insurance premiums. Deductions for membership dues and voluntary contributions shall be made based upon membership lists and forms provided by the employees' organization and will remain in effect for each succeeding year unless the employee revokes the deductions in writing on or before September 15 of that year. Deductions will be made from salaries earned in not less than 9 different periods. Voluntary contributions may be revoked by giving a 30-day notice in writing. Terminated employees, whether voluntarily or in voluntarily, will have the remaining amount of the annual membership dues deducted from the final paycheck.
  - b. Existing authorizations for deductions can be changed only in January or September of a given year for all plans other than those offered by the largest membership organization in the state which may be made at any time. The cutoff date for payroll changes to the payroll department is the 5<sup>th</sup> of the month.
  - c. Companies approved for payroll deduction will be recommended to the Board for approval by an employee committee appointed by the WCEA. No company may be selected that enrolls or pre-enrolls less than 10% of the employees of the Board.
  - e. An employee committee approved by WCEA will meet in April of each year to review payroll deductions.

The Board will further comply with Act 83-207 that states, "Upon termination, amounts owed under the authorization of an employee shall be deducted from employee's final pay due."

The Board shall not be liable for any error when acting in good faith under provisions of the Act 83-207.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 28, 1998; Nov. 2, 2000; Aug. 19, 2002; Aug. 6, 2008

LEGAL REF.: The Code of Alabama, 16-22-6; Legislative Act 83-207; Act 2001-960.1

## **REGULATIONS FOR HANDLING PAYROLL DEDUCTIONS INSURANCE AND ANNUITY PLANS**

Effective this adoption date, the regulation governing the handling of insurance and annuity plans for employees of the Board through payroll deduction shall be according to the following procedures:

1. All insurance and annuity companies given the privilege to participate in payroll deductions will invoice for payment in twelve (12) equal monthly installments.
2. Each company will prepare one (1) invoice for each plan that the company has on the payroll system. (Example: Franklin Life Insurance Company should prepare one (1) invoice for life insurance and one (1) invoice for tax-sheltered annuities.) The invoice must be received at the office no later than the 20th of the month in order that payment can be made by the first.
3. The insurance year shall be considered to be the same as the state fiscal year (October through September).
4. In order to be given the privilege of being placed on the payroll deduction plan, all companies must agree in writing to the requirements of these procedures and must secure a minimum of 10% of eligible employee's contracts for each plan prior to that plan's being approved for payroll deductions.
5. New applications must be turned in by the insurance representative to the Payroll Department no later than the 15th of the month in order for deductions to be taken from checks paid on the last day of the month. A personal check from the employee to the company will provide coverage if this deadline is missed.
6. Cancellations must be turned in to the Payroll Department no later than the 15th of the month in order for the deduction to be canceled for that month.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 28, 1998, Oct. 12, 2000

LEGAL REF.: The Code of Alabama, 16-22-6; Legislative Act 83-207; Attorney General's Op., Aug. 15, 1975, Apr. 18, 1984.



## **FAIR LABOR STANDARDS ACT: “COMP” TIME AND OVERTIME PAY**

The Board recognizes the requirements of the Fair Labor Standards Act of 1938 and its amendments. The Board expresses its intent to comply with the Act and authorizes the Superintendent to take the necessary steps to insure that the Board is in compliance with the Act.

### Applicable Provisions

As authorized by the Board, the Superintendent shall determine the need for overtime work, discuss with supervisors and employees the amount and timing of overtime work, and compensate the employees for that overtime work. All employees eligible for overtime pay shall be compensated by:

- 1) Payment to the employee for working additional hours beyond the forty- (40) hour workweek at the rate of 150% of regular pay, or
- 2) Release time in the form of "comp time" at the rate of 1.5 hours for each hour worked beyond the forty- (40) hour workweek. Note: "comp time" earned in accordance with FLSA must be used within the pay period immediately following the pay period in which it was earned.

### Eligibility

In accordance with Title 29, Part 541 of The Code of Federal Regulations, revised June, 1983, certain employment categories/ positions are defined as being "exempt." Exempt positions are not entitled to overtime pay or compensatory release time. As outlined in The Code, exempt employees are those that meet one (1) or more of the following criteria:

- 1) Executive, administrative, and professional (certified) employees including teachers and academic administrative positions (e.g., "director," "supervisor").
- 2) Non-certified employees (a) whose primary duties consist of the management of the enterprise in which they are employed, (b) who customarily direct the work of two or more employees, (c) who have the authority to hire or fire or whose suggestions and recommendations as to the hiring, firing, or other change of status decision for other employees will be given particular weight, and (d) who customarily and regularly exercise discretionary powers.

Employees not meeting one (1) of the above criteria are defined as "nonexempt" and subject to the provisions of the FLSA and as such are eligible for additional compensation or "comp time" at the individual employee's discretion for work performed in excess of forty (40) hours per week.

Approval to Work Overtime

Only the Superintendent has the authority to approve overtime work. When possible, all work requiring overtime by employees must be approved in advance. All overtime pay must be initialed by the Superintendent on the monthly payroll form. Any such approval for overtime work shall be based on emergency situations only; in all cases, work requiring overtime wages shall be kept to a minimum.

Responsibility

All administrative personnel are expected to give due consideration to employee workloads and effective scheduling of the workday. The responsibility to see that guidelines are followed and that locally approved overtime requests are essential rests with principals, supervisors, and directors.

Guidelines are appended to this policy.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: July 7, 1998 REVISED: March 24, 2011

LEGAL REF.: The Code of Alabama, 16-22-6; Legislative Act 83-207; Attorney General's Op., Aug. 15, 1975, Apr. 18, 1984; Fair Labor Standards Act of 1938, as amended.

### **Fair Labor Standards Act Guidelines Effective- 3/1/11**

The Fair Labor Standards Act (FLSA) is a federal law that governs an employee's work hours and reporting requirements. According to FLSA each position is classified as "Exempt" or "Non-Exempt". The following are necessary guidelines developed after attendance at a recent conference which addressed the Fair Labor Standards Act and the interpretation of that Act which will be applied during 2011 to workers in each category.

#### **NON-EXEMPT: Community/Booster Paid Coaches, Gatekeepers, Concession Workers, Clean-Up Workers, Clock Workers, and All Other Community Workers:**

- 1.) Any community/booster-paid worker, who is not a regular employee of the WCBOE, must be under a contract with the WCBOE which states the services being rendered and the hourly rate of pay for the services.
- 2.) No person can perform work for the WCBOE at an hourly wage that is less than minimum wage (currently \$7.25/hr.)
- 3.) The contract which should be used may be found on the winstonk12 website.
- 4.) The contract must be in place and signed/approved by the Superintendent BEFORE any work may begin. In order for proper turn-around time for an approved contract to reach the school for work to begin, all contracts must be sent to the central office at least 48 hours before work is to begin.
- 5.) The pay-scale is approved at an hourly wage. Effective 3/1/11, no person may contract to do work for the Board of Education for a "lump-sum" or "one-time" payment.
- 6.) All community workers must keep a time-sheet which reflects actual hours worked. This timesheet should be turned in with payroll every month from the local school or work site and will be paid at the same time as regular payroll for the contracted hourly wage. Timesheets must be turned in to the central office monthly and must not be held until the end of a sports season.
- 7.) The timesheet which must be used may be found on the winstonk12 website.
- 8.) No community/booster paid workers may work more than 19 hrs. per week, including game times, practice hrs., and any other hrs. paid by the WCBOE combined.

#### **EXEMPT: Certified Workers Contracting to Perform Work Outside Regular Daily Work:**

\*\*IE: Teacher working in 21<sup>st</sup> CCLC, taking up money at a gate, or contracting as a coach.

- 1.) Any certified worker doing work outside of regular daily duties, not as a *bona-fide* (*unpaid*) volunteer, must be under a contract with the WCBOE for the work outside regular duties.
- 2.) The contract which should be used may be found on the winstonk12 website.
- 3.) The certified worker must keep a timesheet for any contracted work performed outside regular, daily duties.
- 4.) The timesheet to be used for the contracted work is the support timesheet that is emailed to all workers by Sandra Lester every month.

- 5.) There is no limit to the number of hours a certified worker may perform since they are exempt from the FLSA overtime pay laws; however, no employee can perform contract work for the WCBOE at an hourly wage that is less than minimum wage (currently \$7.25/hr.)
- 6.) No “lump-sum” or “one-time” payment contracts will be approved by the WCBOE.
- 7.) Exempt employees (for example, teachers and administrators) may be required to work over 40 hours, without overtime pay, if necessary to perform their job duties.

**NON-EXEMPT: Non-Certified Workers Contracting to Perform Work Outside Regular Daily Work:**

\*\*IE: Aide working in 21<sup>st</sup> CCLC, taking up money at a gate, or contracting as a coach  
Any non-certified worker doing work outside of regular daily duties, not as a bona-fide (unpaid) volunteer, must be under a contract with the WCBOE for the work outside regular duties. It should be noted that non-certified workers CANNOT volunteer for any service to the WCBOE unless their child is involved in the activity (This is not a WCBOE policy. This is a law outlined in the Fair Labor Standards Act.)

- 1.) The contract which should be used may be found on the winstonk12 website.
- 2.) No non-certified worker may work over 40 hours in a work-week (midnight Sunday through 11:59 pm Saturday), even with a separate contract and regardless of the work being done, without receiving overtime rate.
- 3.) Overtime Rate is calculated utilizing the following formula:

(All Wages Earned in the Week / No. of Hours Worked in the Week) \*1.5 = Overtime Rate

IE: An aide works 37.5 hours during school day and then contracts to work 6 hours at basketball gates. This is a total of 43.5 hours of work for one week. The aide’s regular daily rate is \$94.57 and she is going to be paid \$7.25 for each hour of ballgame work. Her total weekly earnings are \$516.35 (94.57\*5 days + 7.25\*6 hours) and her overtime rate is \$17.81/hr. for hours over forty (516.35/43.5=11.87; 11.87\*1.5=17.81). For working ballgames at the 3.5 hrs. over 40, this aide would receive at least \$62.34 (17.81\*3.5) for 3.5 overtime hours, \$18.13 (7.25\*2.5) for the 2.5 hours up to 40. Therefore the organization requesting the overtime must send \$80.47 (62.34+18.13) plus the required employer match for retirement, social security, medicare, and unemployment compensation. Presently the employer matches would be \$16.32. The organization must send a total of \$96.79 (80.47+16.32) for the contract work of gatekeeping for the week.

- 4.) Since this rate can change based on the work performed each week, the Central Office will create an invoice for contract work upon receiving the monthly timesheets. The invoices will be sent to the school by the 10<sup>th</sup> of the month. The school will then send payment by the 15<sup>th</sup> of the month so that the contract work can be paid on the monthly payroll check. The school should give the employee a copy of the invoice so the amount of pay to be on the check will be known by the employee.

- 5.) All overtime must be approved in advance by the Superintendent and must be paid by the organizations through the payroll process requesting the overtime at the rate required by law.
- 6.) All work done by non-certified workers must be recorded accurately on the timesheet sent out by Sandra Lester every month. Daily work (primary job) and contract work (secondary jobs) must all be on the same timesheet. Only time recorded on this approved timesheet will be paid at the end of the month on the employee's paycheck. No separate timesheets will be accepted.

***TIMESHEET INSTRUCTIONS:***

- 1.) Complete the entire timesheet in DARK INK. Record on a daily basis the exact time worked. DO NOT use whiteout. Cross through incorrect entries, correct, and initial.
- 2.) Primary Job – Full-time Job  
 Morning Sign In – Sign in for the day  
 Time In – Time you begin work  
 Out Lunch – Time you sign out for lunch when duty free. Do not enter if not duty free.  
 Afternoon Sign In – Sign in after lunch  
 In Lunch – Time you return to work after lunch.  
 Time Out – Time you stop work.  
  
Secondary Job(s) – Contracted Jobs, Extra Curricular Bus Trips, Substituting, etc.  
 Time In – Time you begin work  
 Time Out – Time you stop work.  
 If more than 2 secondary jobs are performed, use a second timesheet and staple together indicating on the top sheet there is an attachment. The total hours for both sheets combined should be entered on the top sheet only.
- 3.) Leave – If you are absent, record the type of leave for the day.
- 4.) Total the hours for that day in hours and minutes. Using the chart below, convert minutes to quarter hours.

<b>Minutes</b>	<b>Weekly Quarter Hours</b>
0-7	0
8-22	.25
23-37	.50
38-52	.75
53-59	Next Hour

- 5.) Repeat for each week of the month.
- 6.) If the final week of the month is not a full week, calculate the time worked so far during the week. Write the total in the first week's block on the next month's timesheet indicating that this was from the previous month. Example – worked 8 hours on Monday February 28. On March timesheet, enter P-8 in the weekly block. Then, you will add the total from the previous sheet with the remainder of the week on the new month's timesheet to get the total hours for the week so that the 40 hour threshold can be monitored.
- 7.) Sign your timesheet and submit to your supervisor for approval.

**General Supervisor Rules:**

1. The Principal/Supervisor at the local school/work site is required to closely monitor work hours and leave of an FLSA, non-exempt employee.
2. All overtime for non-exempt employees must be pre-approved by the Superintendent.
3. Overtime cannot be held and taken during a later week. Overtime is to be looked at weekly and is not paid on a monthly average.
4. No one has the authority to require or suggest that an employee falsify a timesheet.
5. Timesheets are due to Central Office with monthly payroll.
6. Review each employee's timesheet. The timesheet is a legal document, and by signing it the employee and supervisor certify that it is a true and accurate record of actual times and hours worked.

## **FRINGE BENEFITS FOR PERSONNEL**

### **FULL-TIME PERSONNEL: CERTIFIED AND NON-CERTIFIED**

Currently the School District provides the following fringe benefits for full-time (20 or more hours per week and adult bus drivers) personnel:

#### Insurance

1. The Public Education Employee Health Insurance Program (PEEHIP) and Complete Health insurance are offered to employees in accordance with rules and regulations of the plan provider.
2. Supplementary insurance is available at a fixed monthly rate per supplement. The supplemental dental, vision, cancer and indemnity coverages are offered at no cost to employees who are not applying their state PEEHIP insurance allocation toward hospitalization insurance. Those employees who are applying their state PEEHIP insurance allocation toward hospitalization insurance may purchase any or all of the supplemental insurance coverages by paying applicable costs.

#### Retirement

1. All full-time employees are eligible for and required to participate in the Teachers' Retirement System of Alabama. Employees contribute five (5) per cent of their salary or wages each month, with the state contributing an actuarially determined amount. Part-time employees are not eligible to participate in the Retirement program.

#### Leave Days and Vacation

1. Sick Leave -- Each full-time employee will accrue sick leave at the rate of one (1) day per month of contract (the 12-month employee will earn 12 sick leave days per year; the 9-month employee will earn 9 days, etc.). Accumulated sick leave days may be used for retirement purposes (see GALBB). In addition, other sick leave days may be available for on-the-job injuries (see policy GALBA) and catastrophic illness (for those participating in one of the School District's sick leave banks, see policies GBRIB-R and GCRIB-R).
2. Family and Medical Leave -- Each full-time employee may be eligible for up to 12 weeks of family and medical leave in accordance with provisions of the policy (see policy GALBEA).
3. Other Medically Related Leave -- Each full-time employee may be eligible for other medically-related leave in accordance with policy provisions (see policies GALBA, On the Job Injury Leave; GALBAG, Bereavement Leave; GALBE, Maternity Leave).
4. Personal Leave -- Each full-time employee may accrue up to five (5) personal leave days per year in accordance with applicable policies (see policies GBRI and GCRI). Personal leave days are noncumulative from year to year based on policy provisions.

5. Professional Leave -- Certified employees may request professional leave days for educationally related purposes. These requests must be approved by the principal/work site supervisor and the Superintendent. Any such days approved may be with or without pay, with or without pay for any needed substitute personnel, and/or with or without travel or lodging expenses based on funds available (see policy GALBG).
6. Vacation Leave -- Full-time, twelve-month employees may earn up to ten (10) days of paid vacation each year. Vacation days must be earned and taken in accordance with provisions of policy GALBJ.

**PART-TIME PERMANENT PERSONNEL: CERTIFIED AND NON-CERTIFIED**

Part-time (employed for less than 20 hour per week) permanent (employed on a continuing/regular basis by the Board) personnel are eligible only for the following benefits:

Insurance

Part-time permanent employees will be eligible for insurance benefits in accordance with the following provisions:

**Certified Personnel** -- Working at least 1/4 time will be eligible for the applicable insurance benefits provided by the state insurance plan (PEEHIP) in effect at the time of and during employment. Such personnel working less than 1/4 time will not be eligible for insurance benefits.

**Non-certified Personnel** -- Working at least 5 hours weekly will be eligible for the applicable insurance benefits provided by the state insurance plan (PEEHIP) in effect at the time of and during employment. Such personnel working less than 5 hours per week will not be eligible for insurance benefits.

Part-time permanent employees meeting the work hour requirement noted above may purchase one (1) or more of the supplemental insurance policies depending on the number of hours worked or apply the credit(s) towards hospital insurance and pay the difference. A pre tax cafeteria-type plan is available for the purchase of hospital and supplemental insurance through American Fidelity Assurance Company. (All of the above costs are subject to change from year to year.)

Leave Days and Vacation

Part-time employees will not be eligible to earn leave days or vacation days. The term leave days includes any leave days available to full-time employees.

**FRINGE BENEFITS WHILE ON APPROVED LEAVE WITHOUT PAY**

All fringe benefits end when an employee goes on approved leave without pay, except that;

- (1) employees currently participating in the Public Education Employee Health Insurance Program (PEEHIP) with a projected return date from the approved



leave may retain the PEEHIP coverage by paying the total cost of the plan.

Payments for such coverages must be made through the Payroll Office.

Employees without a projected return date from the approved leave may continue their current insurance coverages through PEEHIP based on COBRA provisions.

Payments for such coverages must be made directly to PEEHIP.

- (2) employees currently participating in the one (1) of the supplemental insurance policies (dental, vision, cancer, indemnity) with a projected return date from the approved leave may continue their current insurance coverage by paying the total cost of the plan on a quarterly basis. Payments for such coverages must be made through the Payroll Office. Employees without a projected return date from the approved leave may continue their current insurance coverages through PEEHIP based on COBRA provisions. Payments for such coverages must be made directly to PEEHIP.
- (3) employees on an approved Family and Medical Leave will receive a PEEHIP insurance allocation provided such leave is taken during the time they are working to fulfill the terms of their contract. Example: a teacher on a nine-(9) month contract is eligible to receive the PEEHIP insurance allocation during the period of time they are fulfilling their 180 day of contract (generally, mid to late August through May) based on the School District's annual school calendar. However, such insurance allocation will not be available to such personnel during the period of time they are not working to fulfill their contract, i.e. summer months (normally, June, July, and part of August).

#### Leave Days

Employees on an approved leave without pay will not earn any leave days (sick, vacation, personal, etc.) while on such leave.

#### Placement on the Salary Schedule

Employees on an approved leave without pay will not receive a yearly experience credit for placement on the salary schedule unless they work at least one-half (1/2) of their respective contract days during that year.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: July 7, 1998; Oct. 23, 2007

LEGAL REF.: The Code of Alabama, 16-1-30.

## **SICK LEAVE FOR PERSONNEL**

Leave with pay may be granted employees of the School District for absences from their assigned duties due to illness or some other unavoidable cause which prevents such employees from discharging their duties. Authorization is granted under provision of State Law, rules and regulations of the State Board of Education, and policies of the Board.

### Definition

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

1. Personal illness
2. Bodily injury which incapacitates an employee.
3. Attendance upon an ill member of the immediate family (husband, wife, father, mother, son, daughter, brother, sister) of the employee, or a person standing in loco parentis.
4. Death in the immediate family of the employee (husband, wife, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece, granddaughter, grandson, grandfather, grandmother, uncle and aunt).
5. Where unusually strong personal ties exist, due to an employee having been supported or educated by a person of some relationship other than those listed, this relationship may be recognized for sick leave purposes. In each such case the employee concerned shall file with the Superintendent a written statement of the circumstances which justify an exception to the general rule.

### Authorization

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

1. One day of sick leave per month is allowed for the total months of full-time employment per scholastic year (July 1 through June 30).  
Certified personnel, i.e., teachers, administrators, etc., and non-certified personnel, i.e. bus drivers, custodians, etc., shall be allowed one (1) day per month for each month of full-time employment, and may carry over unused sick leave to the next consecutive year or years of employment.
2. Authorization for, and verification of, sick leave shall be the responsibility of the employee's immediate supervisor.
3. The Superintendent based on reasonable cause to believe that sick leave day usage is being abused, may require an employee to provide a physician's statement and/or other acceptable documentation, and may, at the Board's expense, designate a physician to render a second opinion verifying absences related to the five (5) conditions stated above.

4. Each employee shall receive an accounting of accrued sick leave days monthly with the payroll check.

Restrictions

The following restrictions shall apply to sick leave in the School District:

1. Sick leave days will not be granted in increments of less than one-half (1/2) day.
2. Full pay for sick leave shall be allowed only if the absences fall within the definition of sick leave as defined in this policy and the employee has sufficient accumulated sick leave/personal leave days.
3. Using the balance of accrued sick leave at the time of retirement will not be permitted, unless an employee meets the conditions of illness as defined by the Alabama State Board of Education as stated above. In such instance where an employee seeks to use the balance of accrued sick leave days based on an illness claim, not less than two (2) medical opinions as to the health condition of the employee will be required. The employee shall be required to furnish, at his/her expense, a detailed analysis in written form of his/her health condition from a licensed medical doctor. The second medical opinion and detailed analysis in written form will be from a licensed medical doctor designated and paid by the Board. If the medical opinions of the employee's medical doctor and the opinion of the medical doctor designated by the Board conflict, the Board at its discretion and expense may require a third medical opinion by a medical official jointly designated by the Board and the employee. However, an employee who is eligible for a service retirement is entitled to use the unused accrued sick leave toward retirement service credits.
4. No cash payments for unused sick leave days will be made by the School District.

Transfer of Sick Leave

The following provisions shall apply to the transfer of sick leave into the School District:

1. Unused sick leave days may be transferred into the School District provided employees seeking to have such days transferred earned the sick leave days at schools/agencies/institutions covered by either The Teachers' Retirement System of Alabama or The Employees' Retirement System of Alabama. Sick leave days will not be transferred into the School District from any other sources, i.e. out-of-state, private schools, business and industry, etc.
2. Sick leave days transferred into the School District from other schools/agencies/institutions must be available to the individual for illnesses and retirement.
3. It shall be the responsibility of individual employees to request any eligible previous employers to supply the Central Office with written verification of the number of unused sick leave days earned with such employers. Such verification papers must be on file prior to the sick leave days being accepted for transfer by the School District.
4. Annual leave days may not be converted to sick leave days.

The following provisions shall apply to the transfer of sick leave days within the School District:

1. Sick leave days may not be given, loaned, or transferred, etc. by one employee to another employee except as provided for in the guidelines specified in a duly approved sick leave bank.
2. Employees working in two (2) different full-time positions (i.e. teacher/bus driver) may not transfer accumulated sick leave days from one position to the other.  
Neither may sick leave days earned in one position be taken for the other position.

Physician's Release

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

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998; Oct. 23, 2007

LEGAL REF.: The Code of Alabama, 16-1-18, 16-3-36, 16-8-25, 16-25-11.1; Legislative Acts, 84-251; 84-253; and 84-383; Attorney General's Op., Mar. 3, 1969, Mar. 7, 1973, Nov. 3, 1986, May 20, 1988.

## **SICK LEAVE FOR JOB-RELATED INJURIES**

Based on State Board of Education regulations (February 9, 1984), School District personnel may be granted up to ninety (90) days of sick leave for job-related injuries. The following provisions shall apply:

1. The Superintendent of Schools must recommend such leave and the Board must approve.
2. During such leave, personnel shall not receive salary in excess of 100% of regular salary.
3. Such leave may be granted only for temporary disabilities.
4. Personnel shall be made aware of their rights to go before the Alabama State Board of Adjustment.

Provided such leave is granted by the Board, said employee's salary shall continue as if he/she were performing regular duties and said sick leave days shall not be deducted from his/her regular accumulated sick leave days. Regular sick leave days may be earned while out of service due to job-related injuries.

Job-related injuries are defined as those injuries occurring during the normal school day, at school-sponsored activities when responsibility is assigned, or when conducting school business at the request of supervisory personnel.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: State Board of Education regulations, Feb. 9, 1984.

## **BEREAVEMENT LEAVE FOR PERSONNEL**

### Immediate Family

Personnel may receive leave for bereavement of members of the employee's immediate family. Such leave will be with pay provided the employee has sufficient accrued sick leave and/or personal leave days. Such leave shall be chargeable to sick leave or personal leave.

Normally, absence for bereavement will not exceed three-(3) working days; however, additional days may be granted upon request to the Superintendent of Schools when exceptional circumstances exist. Provided said personnel has not accrued sufficient sick leave and/or paid personal leave days, said leave shall be without pay.

The immediate family is defined as: husband, wife, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece, granddaughter, grandson, grandfather, grandmother, uncle and aunt.

### Non-Member of Immediate Family

When unusually strong personal ties exist due to an employee's having been supported or educated by a person other than those defined as immediate family, such relationship may be recognized for bereavement leave purposes. In each case, said employee shall file with the Superintendent of Schools a written statement of the circumstances that justify an exception of the general rule. When approved, such leave shall be chargeable to sick leave and/or personal leave.

Provided the deceased is not a member of the employee's immediate family, said employee may receive up to three (3) day's leave for bereavement with pay. Such leave is subject to the approval by the Superintendent of Schools and is chargeable to personal leave. Provided said employee does not have personal days, said leave shall be without pay.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 16-1-18 to 18.1.

## **SICK LEAVE FOR RETIREMENT PURPOSES**

Based on The Code of Alabama, 16-25-11.1 personnel of the School District, who are members of the Alabama Teachers' Retirement System and whose retirement date is on or after June 1, 1984, may use unused accrued sick leave for retirement purposes. The following provisions shall apply:

1. Those eligible to receive credit for accrued sick leave for retirement purposes are those retiring on service.
2. Accrued sick leave may be used to satisfy number of year service requirements.
3. An employee participating in the program shall not attain vested status (10 years) or eligibility for disability retirement nor add service credit to one retiring on disability .
4. All sick leave days to be used toward retirement must be certified by the School District (each employee receives an accounting of accumulated sick leave days each month on payroll check).

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: May 10, 2005

LEGAL REF.: The Code of Alabama, 16-1-18 to 18.1; 16-25-11.1.

### **SICK LEAVE BANK FOR PERSONNEL**

The Board, upon request of a minimum of 10 percent of its full-time certified or non-certified personnel may, at its discretion, establish a sick leave bank for such personnel. Any sick leave banks established shall be separate, one for certified and one for non-certified personnel. The plan(s), if established, shall allow each employee to deposit into the bank an equal number of his/her earned sick leave days, not to exceed five (5) days. These days shall be available for loan to any other participating certified or non-certified employee whose sick leave has been exhausted.

The accounting and administration of the sick leave bank shall be the responsibility of the Board. Guidelines for the operation of the sick leave bank shall be developed by a committee consisting of five (5) members as follows: one (1) representative for the Board appointed by the Superintendent (subject to Board approval) and four (4) members representing the participating members of the SLB. Names of two (2) nominees per school will be placed on a ballot. The election of committee members by secret ballot of the SLB members will take place at the beginning of each scholastic year. Vacancies occurring on the committee shall be filled by the respective parties. No representative on the committee shall serve for a term longer than five (5) years.

The following minimum regulations will apply to the sick leave bank:

1. No employee's borrowed time shall exceed 10 days more than the employee has on deposit to the sick leave bank, unless over 50% of the participating members of the bank vote to extend said limit.
2. Application for sick leave loans shall be developed by the committee.
3. Procedures for sick leave loans relative to catastrophic illness are defined in GBRIB and GCRIB.

See GBRIB for certified personnel sick leave bank guidelines.

See GCRIB for non-certified personnel sick leave bank guidelines.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998; Oct. 26, 1999

LEGAL REF.: The Code of Alabama, 16-1-18 to 18.1; 16-22-9; Attorney General's Op., Apr. 9, 1985, Oct. 24, 1985; Legislative Act 99-581.



## **MILITARY LEAVE FOR PERSONNEL**

### General Policy

All employees are entitled to military leave of absence when ordered to active duty for training as members of the Alabama National Guard or any component of the U. S. Armed Forces. Employees who volunteer or are drafted, or are ordered to extended active duty with any component of the U. S. Armed Forces, shall be entitled to reinstatement to their former positions or comparable positions.

### Military Leave for Training or Short-Term Duty

Employees who are required to attend annual summer training or special active duty for training shall not suffer any loss of salary during the first 168 hours of such absence in any calendar year. Such employees who are ordered for such duty shall provide one (1) copy of their orders to the Superintendent of Schools. Such leave will be without loss of benefits. Such arrangements shall apply to any "military call-ups."

### Reinstatement to Positions After Extended Duty

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

1. They must not have remained on active duty beyond their first opportunity for honorable release, and
2. They must report to claim reinstatement within ninety (90) days after completion of such service (31 days in case of individuals who undergo only 6 months' active training or less).

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: Feb. 24, 2003

LEGAL REF.: The Code of Alabama, 16-24-13, 31-2-13 (d); Title 38 U.S.C. 2024 (d) and 2021 (d) (3); Lee v. City of Pensacola, 634 F. 2d 886 (5th Cir, Unit B. 1981), Dewey v. City of Eufaula, 79-149-N (M.D. Ala. Oct 31, 1979); Attorney General's Op., May 13, 1974, Mar. 4, 1986; Alabama Law Chapter 31, Section 2

## MATERNITY LEAVE FOR PERSONNEL

An employee of the School District shall be eligible for maternity leave in accordance with the following provisions:

1. Maternity leave shall be without pay, except that, accumulated sick leave days may be utilized for illnesses associated with pregnancy, and/or when the attending physician notified the Board that the employee is no longer able to perform assigned duties.
2. Maternity leave normally shall not extend over a period of time exceeding 12 calendar months.
3. Maternity leave shall become effective under ordinary circumstances when,  
--the employee requests and has such leave approved by the Board, and/or  
--the attending physician notifies the Board that it is in the best interest of the teacher to take such leave.
4. Maternity leave ends under ordinary circumstances when,  
--the employee requests to return to work, and/or  
--when the attending physician states that the employee is able to resume normal duties.
5. Maternity leave shall not be counted as experience in the determination of placement on the salary schedule, except that an employee who has served at least 90 days during that scholastic school year shall be placed on the salary schedule on the step she would have reached had she completed the full year.
6. A certified employee on returning from maternity leave shall be restored to her exact former position. Non-certified employees returning from maternity leave shall be restored to her former position or a position of like nature. Both categories of employees shall maintain tenure status and all accruable benefits, except that days are not to be accrued for sick leave or annual leave while on maternity leave without pay.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-1-30, 16-9-8, 16-24-13; Board of Education v. LaFleur, 414 U.S. 632; P.L. 103-3 -- Feb. 5, 1993; Scott v. Opelika City Schools, 63 F.R.D. 144; Bravo v. Chicago Board of Education, 345 F.Supp. 501; Attorney General's Op., Mar. 21, 1971, Mar. 7, 1973.

**MATERNITY LEAVE REQUEST FORM**

**WINSTON COUNTY BOARD OF EDUCATION  
Double Springs, Alabama**

\*\*\*\*\*

**To:** Superintendent

**From:** \_\_\_\_\_

**Subject:** Maternity Leave

**School:** \_\_\_\_\_ **Date:** \_\_\_\_\_

I hereby request a maternity leave from my official duties due to pregnancy. The expected date on which I would like to begin such leave is

\_\_\_\_\_.  
month day year

The expected delivery date is \_\_\_\_\_.  
month day year

I expect to use \_\_\_\_\_ day(s) of my accumulated sick leave and \_\_\_\_\_ day(s) of personal leave.  
no. days no. days

The date on which I expect to resume my regular duties is: \_\_\_\_\_.  
month day year

I have read the Maternity Leave policy, filed GALBE, and I am making this request being fully cognizant of its terms and conditions.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
employee

**Approved:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
Superintendent

**FAMILY AND MEDICAL LEAVE FOR PERSONNEL**

It is the policy of the Board to make available to eligible employees of the School System family and medical leave in accordance with the Family and Medical Leave Act (FMLA). The leave will be without pay for up to 12 weeks in any 12-month period, will be gender-neutral, and may be taken for one or more of the following reasons:

1. Birth of a child.
2. Adoption of a child or placement of a foster child.
3. Care of a sick spouse, child, or parent.
4. Serious health condition of the employee.

**A. DEFINITIONS**

1. **Eligible employee** - Means one employed with the School System for at least 12 months during which time the employee worked at least 1,250 hours.
2. **Health Care Provider** - Means a state licensed medical doctor.
3. **Family Member** - Means a legal spouse, biological parent(s), and a biological son or daughter, an adopted or foster child, or stepchild, or a legal ward, or a child of a person standing in loco parentis who is under 18 years of age or 18 years of age or older and incapable of self-care.
4. **Parent** - Means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter.
5. **Serious Health Condition** - Means an illness, injury, impairment, or physical or mental condition involving inpatient or continuing treatment by a health care provider.
6. **Spouse**- Means a husband or wife, as the case may be.
7. **Week** - Means a work week

**B. ELIGIBILITY FOR FAMILY AND MEDICAL LEAVE**

1. The employee must have been employed by the Board for at least 12 months and for at least 1,250 hours during the prior 12-month period.
2. Upon the birth of a child, the mother is eligible for up to 12 weeks of leave under the FMLA. The law provides that when the mother's leave period is over, the child's father is eligible for up to 12 weeks of leave. However, if both parents are employees of the Board, the aggregate amount of leave granted to both parents during any 12 months is limited to a total of 12 weeks. The mother may utilize any of her accrued sick leave, accrued personal leave, and/or accrued vacation leave in conjunction with the 12 weeks of FML. If such accrued leave is requested, the reason(s) for such leave must meet the requirements noted in the respective leave policy(ies), i.e., Sick Leave policy filed: GALB; Vacation Leave policy filed: GALBJ; and the Personal Leave policies filed: GBRI and GCRI. Any accrued leave used in conjunction with FML must be taken immediately prior to or immediately after FML and may not be used intermittently during an approved FML.
3. In the event a child is placed in an employee's home for adoption or foster care, the employee is eligible for up to 12 weeks of leave under the FMLA. In such case, the employee may request

to use any of his/her available accrued personal leave and/or any authorized paid vacation in conjunction with FML. If such accrued leave is requested, the reason(s) for such leave must meet the requirements noted in the respective leave policy(ies), i.e., Vacation Leave policy filed: GALBJ; and the Personal Leave policies filed: GBRI and GCRI. Any such accrued leave used in conjunction FML must be taken immediately prior to or immediately after FML and may not be used intermittently during an approved FML.

4. In the event of a serious health condition of an employee or a family member as determined by a licensed physician(s), the employee is eligible for leave under the FMLA for up to 12 weeks. In such case, the employee may request to use any of his/her available accrued sick leave, personal leave, and/or any authorized paid vacation in conjunction with FML. If such accrued leave is requested, the reason(s) for such leave must meet the requirements noted in the respective leave policy(ies), i.e., Sick Leave policy filed: GALB; Vacation Leave policy filed: GALBJ; and the Personal Leave policies filed: GBRI and GCRI. Any accrued leave used in conjunction with FML must be taken immediately prior to or immediately after FML and may not be used intermittently during an approved FML.

Note: The birth or placement of a child for adoption or foster care entitlement to leave expires at the end of the 12 month period beginning on the date of the birth or placement. However, if both parents are employed by the Board, the aggregate amount of leave granted to both parents in such instances shall not exceed 12 weeks in any 12-month period.

Note: The Board will not permit the use of sick leave, personal leave, and/or vacation leave in relation to FMLA leave when such leave is not permitted by state statute, State Board of Education Policy, or Board policy.

#### C. INTERMITTENT LEAVE OR REDUCED LEAVE TIME

Leave granted for the birth of a child or placement of a child for adoption or foster care may not be taken on an intermittent or reduced leave basis unless agreed to by Board and the employee. However, when leave is taken to care for a sick family member or due to the employee's own serious health condition, leave may be taken intermittently or on a reduced leave basis when medically necessary.

If an employee requests intermittent leave or leave on a reduced leave basis due to the serious health condition of the employee or of a family member and the leave is foreseeable based on planned medical treatment, the Board may require the employee to transfer to a temporary alternative job (where available) for which the employee is qualified and which better accommodates the leave than the employee's regular job. However, the temporary job will have the equivalent pay and benefits of the employee's regular job.

#### D. NOTICE OF LEAVE AND INITIAL CERTIFICATION

An employee requesting leave under the provisions of the FMLA is required to give notice to the Board as to when leave is to be taken.

1. **Birth or Placement of a Child, Adoption, or Foster Care** - a 30-day written notice of intent to take FMLA leave is required. If the date of birth or placement requires leave to begin in less than 30 days, the employee must provide such notice as soon as practicable.
2. **Serious Health Conditions of the Employee or Family Member** - Where the necessity for FMLA leave is due to the serious health condition of a family member or of the employee and is foreseeable based on planned medical treatment, the employee must give at least 30 days written notice or notice as soon as practical, if treatment starts in less than 30 days.
3. **Certification** - For any leave requested based on the serious health condition of the employee or of a family member, the employee must provide certification from a state licensed medical doctor supporting the request for leave. The employee must provide a copy of the certification to the Board in a "timely manner." The certification must contain the following information:
  - The date the serious health condition began.
  - The probable duration of the condition.
  - The appropriate medical facts regarding the condition.
  - If the leave is based on the care of the spouse, child, or parent, a statement that the employee is needed to provide the care and an estimate of the amount of time the care will need to be continued.
  - If the leave is based on the employee's own serious health condition, a statement that the employee is unable to perform the functions of the job.
  - In the case of intermittent leave or leave on a reduced schedule for planned medical treatment, the dates the treatment is expected to be given and the duration of the treatment.

#### E. PROCEDURE FOR GIVING NOTICE

The employee will give written notice on the Family and Medical Leave Form to the employee's immediate supervisor in accordance with criteria outlined under the "Notice of Leave and Initial Certification Section" of this policy. Failure to give notice may lead to denial of the request for leave.

#### F. MEDICAL TREATMENT

The employee must make a reasonable effort to schedule the medical treatment so as not to unduly disrupt the operations of the Board, subject to the approval of the health care provider. Where the need for leave is unforeseeable, notice as soon as practical is required.

**G. RECERTIFICATION OF HEALTH CONDITION**

The Board may at its discretion require:

1. The employee to provide later certification "on a reasonable basis" as to the status of the health condition for which leave was granted.
2. The employee to report periodically on his/her health status.
3. The employee's intention to return to work.
4. The employee to obtain certification from an authorized health care provider verifying that the employee is able to resume work when the employee is taking leave due to the employee's serious health condition.

**H. SUBSEQUENT (SECOND & THIRD) MEDICAL OPINIONS**

The Board at its discretion and expense may require the employee to get a second medical opinion. In such instance, the second health care provider will be designated by the Board; but that provider will not be an employee of the Board. If the medical opinions of the employee's health care provider and the opinion of the medical official designated by the Board conflict, the Board at its discretion and expense may require a third medical opinion by a medical official jointly designated by the Board and the employee. The opinion of the third provider will be final.

**I. MAINTENANCE OF BENEFITS**

Health insurance coverage must be maintained under any group health plan for any employee requesting and being granted leave under FMLA. The coverage will be continued for the duration of the leave at the same level and under the same conditions coverage would have been provided no leave had been taken. However, if an employee fails to return to work after the period of leave expires, the Board may recover any premium the Board may have paid for coverage during the leave period.

**J. ENTITLEMENT TO REEMPLOYMENT AND BENEFITS**

With limited exceptions, an eligible employee who take leave will be entitled to be restored to his/her old job or to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment. No employment benefits that accrued before the date leave began will be lost. An employee is not entitled to an accrual of any seniority or employment benefits (sick leave, personal leave, vacation leave, etc.) that would have occurred during the leave period.

**K. FAIR LABOR STANDARDS ACT**

Providing unpaid leave will not affect an employee's status as an exempt employee under the Fair Labor Standards Act provisions governing overtime pay.

**L. UNEMPLOYMENT COMPENSATION**

During the FMLA leave period the employee is not entitled to unemployment compensation, even if the leave is unpaid.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: July 7, 1998

LEGAL REF.: Federal Family and Medical Leave Act of 1993

FAMILY AND MEDICAL LEAVE REQUEST FORM

WINSTON COUNTY BOARD OF EDUCATION
Double Springs, Alabama

\*\*\*\*\*

To: Superintendent

From: \_\_\_\_\_

Subject: Family and Medical Leave

ELIGIBILITY: To be eligible for Family and Medical Leave an employee must have been employed with the Board for at least 12 months and have worked for at least 1,250 hours during the past 12 months.

REASONS: Family and Medical Leave may be requested only for the following reasons, a) Birth of a child, b) Adoption or placement of a child, c) Care of a sick spouse, child, or parent, and d) Serious health condition of an employee.

Date: \_\_\_\_\_

Sch/Work Site: \_\_\_\_\_

\*\*\*\*\*

I hereby request Family and Medical Leave from my official duties due to the following reason:

- ( ) Birth of a child ( ) Adoption of a child
( ) Placement of foster child ( ) Care of a sick spouse
( ) Serious personal health condition ( ) Care of a sick child
( ) Care of a sick parent

The expected date on which I would like to begin such leave is

\_\_\_\_\_ month day year

The date on which I expect to resume my regular duties is

\_\_\_\_\_ month day year

Use of accrued leave days

CONDITIONS: For the birth of a child, care of a sick spouse, child, or parent, or serious health condition of the employee an employee may use accrued sick leave, personal leave, or vacation days in conjunction with FMLA leave...

I would like to use the following accumulated leave in conjunction with my approved Family and Medical Leave :

- ( ) Sick leave -- Number of days to be used \_\_\_\_\_
( ) Personal leave -- Number of days to be used \_\_\_\_\_
( ) Vacation days -- Number of days to be used \_\_\_\_\_

NOTE: Use of accrued leave days must be approved in advance of beginning Family and Medical Leave.

I have read the Family and Medical Leave policy, filed GALBEA, and I am making this request being fully cognizant of its terms and conditions.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Employee

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

Superintendent

7/7/98



## **LEGAL SERVICE ABSENCES FOR PERSONNEL**

### Jury Service

Personnel may be excused without loss of pay for jury service. To be eligible for jury service leave with pay, personnel must present the jury summons to their immediate supervisor as far in advance of the leave date as possible in order to secure appropriate substitute personnel.

### Court Appearance

Personnel may be excused without loss of pay for serving as a witness under a subpoena in a court of law. To be eligible for court appearance leave with pay, personnel must present the subpoena to their immediate supervisor as far in advance of the leave date as possible in order to secure appropriate substitute personnel.

### Voting Service

Personnel may not be excused with pay for serving as a voting official.

Personnel are not required to reimburse the School District for expense allowances paid for jury or court service.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: Legislative Act, 1977 No. 759; Attorney General's Opinion dated February 23, 1979.

**LEGAL SERVICE LEAVE REQUEST FORM**

**WINSTON COUNTY BOARD OF EDUCATION**

**Double Springs, Alabama**

\*\*\*\*\*

Request for leave with pay for Jury Service or Court Appearances (Jury Summons or Subpoenas must be attached). The Board does not provide leave with pay for court appearances as the plaintiff.

Name \_\_\_\_\_

School/Work Site \_\_\_\_\_

I hereby request leave from my official job duties based on the following: (explain in full)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Day(s) employee expects to be absent: \_\_\_\_\_ Date(s): \_\_\_\_\_

Signature: \_\_\_\_\_ Date \_\_\_\_\_  
Employee

Approved: \_\_\_\_\_ Date \_\_\_\_\_  
Principal/Supervisor

Note: Upon returning to work, personnel must submit a court attendance form to verify attendance.

## **TEMPORARY PROFESSIONAL LEAVES OF ABSENCE FOR PERSONNEL**

### Professional Leave

The Board authorizes the Superintendent to grant release time for personnel to participate in short-term study, conferences, and general educational development activities related to common goals and objectives held by personnel and the School District.

### Detached Duty Leaves

The Board authorizes the Superintendent to grant release time for personnel to perform extended duty directly related to the goals and objectives of the School District. Such duty would include but not be limited to such activities as System-wide curriculum-related work, serving on System-wide committees, System-wide administrative-related matters, etc.

### Accreditation Visits

School District personnel may be permitted to serve on only one (1) accreditation or one (1) business/industry certification review visit per year, unless special permission is granted by the Superintendent and Board.

### Conditions of and Approval for Professional Leaves

All professional leave as noted above must be approved in advance by the Superintendent and/or the principal/work site supervisor. Such leave time shall be at the discretion of the Superintendent based on available finances, number of other personnel on leave, and educational value to the School District and may be with or without pay, with or without pay for any needed substitute personnel, and/or with or without travel or lodging expenses based on funds available.

### Application Procedure

Employees must complete and submit a copy of the Temporary Professional Leave Request Form (Filed GALBG-F1) to their principal/work site supervisor for approval and then to the Superintendent for approval.

### Board Approvals for Leave Over Three Days

Any requests for leave under this policy for more than three (3) days must be recommended by the Superintendent and approved by the Board.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: July 7, 1998; REVISED: Jan. 18, 2001

LEGAL REF.: The Code of Alabama, 16-8-10, 16-8-25, 16-23-12 to 13, 16-24-13.

**TEMPORARY PROFESSIONAL LEAVE REQUEST FORM  
WINSTON COUNTY BOARD OF EDUCATION**

**Double Springs, Alabama**

\*\*\*\*\*

NOTE: Request for temporary professional leave must be submitted at least 10 days prior to the anticipated leave date. Temporary leave request for more than three (3) days must be submitted 20 days prior the anticipated leave date.

Name \_\_\_\_\_

School/Work Site \_\_\_\_\_

I hereby request leave from my official duties based on the following information: (explain in full) \_\_\_\_\_

\_\_\_\_\_

Number of Day(s) employee to be absent: \_\_\_\_\_ Date(s): \_\_\_\_\_

Signature: \_\_\_\_\_ Date \_\_\_\_\_

Employee

\*\*\*\*\*

**TO BE COMPLETED BY THE PRINCIPAL/WORK SITE SUPERVISOR**

Leave Approved: \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, is substitute requested? \_\_\_\_\_ Yes \_\_\_\_\_ No

Substitute will be paid from:(Check one) \_\_\_\_\_ Local School Fund Activity # \_\_\_\_\_  
\_\_\_\_\_ State Professional Development Funds  
\_\_\_\_\_ Federal Professional Development Funds  
\_\_\_\_\_ Employee Personal Funds to Central Office

Travel expenses will be reimbursed from: \_\_\_\_\_ Local School Fund \_\_\_\_\_ State PD \_\_\_\_\_ Federal PD  
\_\_\_\_\_ Other (specify) \_\_\_\_\_

Professional Development Chairperson's Signature \_\_\_\_\_ Date \_\_\_\_\_

Principal/Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_

\*\*\*\*\*

**SUPERINTENDENT APPROVAL**

Leave Approved: \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes,

Approved with substitute to be paid as stated above. \_\_\_\_\_ Yes \_\_\_\_\_ No

Approved with travel to be paid as stated above. \_\_\_\_\_ Yes \_\_\_\_\_ No

Approved with the following exceptions to the methods of payment stated above:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Superintendent's Signature \_\_\_\_\_ Date \_\_\_\_\_

For Central Office Use Only

Payroll Code for Substitute \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

## **TEMPORARY SCHOOL ACTIVITY LEAVES OF ABSENCE FOR PERSONNEL**

### School Activity Leave

The Board authorizes the Superintendent to grant release time for personnel to participate in school-related activities pertaining to the personnel's area of responsibility when there is no professional development associated with the activity.

### Detached Duty Leaves

The Board authorizes the Superintendent to grant release time for personnel to perform extended duty directly related to the goals and objectives of the School District. Such duty would include but not be limited to such activities as scholar's bowl meets, extra-curricular sports events, scholarship tournaments, etc.

### Conditions of and Approval for School Activity Leaves

All school activity leave as noted above must be approved in advance by the Superintendent and/or the principal/work site supervisor. Such leave time shall be at the discretion of the Superintendent based on number of other personnel on leave and educational value to the School District. The local school will assume all responsibility for any costs incurred for substitute personnel and/or travel or lodging expenses.

### Application Procedure

Employees must complete and submit a copy of the Temporary School Activity Leave Request Form (Filed GALBGA-F1) to their principal/work site supervisor for approval and then to the Superintendent for approval.

### Board Approvals for Leave Over Three Days

Any requests for leave under this policy for more than three (3) days must be recommended by the Superintendent and approved by the Board.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: August 22, 2005

**TEMPORARY SCHOOL ACTIVITY LEAVE REQUEST FORM  
WINSTON COUNTY BOARD OF EDUCATION**

**Double Springs, Alabama**

\*\*\*\*\*

NOTE: Request for temporary school activity leave must be submitted at least 3 days prior to the anticipated leave date. Temporary leave request for more than three (3) days must be submitted 20 days prior the anticipated leave date and must be recommended by the Superintendent and approved by the Board.

Name \_\_\_\_\_

School/Work Site \_\_\_\_\_

I hereby request leave from my official duties based on the following information: (explain in full) \_\_\_\_\_

Number of Day(s) employee to be absent: \_\_\_\_\_ Date(s): \_\_\_\_\_

Signature: \_\_\_\_\_ Date \_\_\_\_\_

Employee

\*\*\*\*\*

**TO BE COMPLETED BY THE PRINCIPAL/WORK SITE SUPERVISOR**

Leave Approved: \_\_\_ Yes \_\_\_ No If yes,

Is substitute requested? \_\_\_\_\_ Yes \_\_\_ No

Will local school funds pay for substitute? \_\_\_\_\_ Yes \_\_\_ No If yes, Activity # \_\_\_\_\_

Will employee pay Central Office for substitute? \_\_\_\_\_ Yes \_\_\_ No

Will travel be paid from local school funds? \_\_\_\_\_ Yes \_\_\_ No If yes, Activity # \_\_\_\_\_

Substitute will be paid from other funds: (Specify) \_\_\_\_\_

Principal/Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_

\*\*\*\*\*

**SUPERINTENDENT APPROVAL**

Leave Approved: \_\_\_\_\_ Yes \_\_\_ No

If yes,

Approved with substitute to be paid as stated above. \_\_\_\_\_ Yes \_\_\_ No

Approved with travel to be paid as stated above. \_\_\_\_\_ Yes \_\_\_ No

Approved with the following exceptions to the methods of payment stated above:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Superintendent's Signature \_\_\_\_\_ Date \_\_\_\_\_

For Central Office Use Only

Payroll Code for Substitute - - - - -

## **ANNUAL LEAVES OF ABSENCE FOR PERSONNEL**

The ability to take an annual unpaid leave of absence is a benefit which may be provided school district employees at the discretion of the Board of Education. Employees may apply for an annual leave of absence by addressing a letter to the Superintendent, as Secretary to Board of Education, detailing the specific reason for the requested leave, in the semester before the requested leave. The reasons for which annual leaves of absence may be granted are as follows:

- To study college-level courses for professional development (for tenured personnel only).
- To teach in a foreign country, in a teaching position that relates to the curriculum area and subject matter taught presently within the school district, and for which the foreign teaching position is specifically identified upon application for the leave (for tenured personnel only).
- For illness (for tenured and non-tenured employees).
- For pregnancy (for tenured and non-tenured employees).
- For military service (for tenured and non-tenured employees).
- Other good causes, as specified by the employee upon application for the leave, and accepted by the Board of Education as a legitimate purpose for the leave (for tenured and non-tenured employees).

Employees who use the annual leave for a purpose other than that for which they originally applied and for which the Board of Education granted the leave may be subject to disciplinary action for misrepresenting the intended purpose of the leave. Such disciplinary action may include any adverse employment action, including contract termination.

Annual leaves of absence are granted for a period of up to one school year. If, in the opinion of the Board of Education, there is a valid reason to extend the leave, the leave may be extended for one additional school year. Employees who have received a leave of absence for a school year under this policy must notify the Board of Education in writing by April 1 concerning the employee's intent to return for the coming school year. Employees who have received a leave of absence for less than a school year under this policy must notify the Board of Education in writing thirty (30) days prior to the official end of the leave concerning the employee's intent to return at the end of the leave. Failure of the employee to provide written notification within the prescribed time period will provide the Board of Education with evidence that the employee does not plan to return to the position and has thus abandoned the position.

In granting annual leaves of absence, the Board of Education recognizes the applicability of relevant federal and state legislation and regulations, including the Family and Medical Leave Act of 1993, 29 U.S.C. §2601 et seq., the Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. §4301-4333, and state teacher retirement law. Employees on leave under this policy are unpaid and do not accrue movement on the salary schedule nor credit

FILE: GALBH

(continued)

toward teacher retirement. However, other employment rights continue, such as the status of tenure, if already earned. Upon completion of an approved leave and timely notice of intent to return, the employee is entitled to return to a position in the school system for which the employee is certified or qualified.

Provision of annual leave of absence under this policy may, at the discretion of the Board of Education, supplement short-term, temporary leaves of absence described in Policy GALBG.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: June 24, 1986 REVISED: July 7, 1998; May 24, 2004; July 7, 2007

LEGAL REF: Code of Alabama (1975) §§ 16-8-25, 16-24-13, 36-26-100 et seq., FMLA, 29 U.S.C. §2601 et seq., and USERRA, 38 U.S.C. §4301-4333.



## VACATION LEAVE FOR PERSONNEL

### **Vacation Days Earned by Twelve - Month Employees Only**

Vacation days may be earned only by 12-month employees at a rate of one (1) day per month up to a maximum of ten (10) days per school year. A maximum of two (2) days may be carried over from school year to school year.

All eligible employees with direct supervisory responsibilities for students (i.e., principals, 12-month vocational teachers, etc.) are encouraged to take their vacations during the months of June and July. The Superintendent of Schools may approve alternative vacation times for such personnel as necessary

Employees working less than full-time but at least half time for their employment position class earn vacation days at one-half (1/2) the rate of full-time employees. Employees working less than half time do not earn vacation days.

NOTE: All vacation days must be used prior to an effective resignation date. The School District shall not make cash payments for unused vacation days.

### **Vacation Schedule**

All vacations leave dates must be approved in advance by principals/work site supervisors and the Superintendent of Schools.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-1-30, 16-9-23.

## **RETIREMENT OF PERSONNEL**

By state law there is no mandatory retirement age; however, the Board encourages retirement by age seventy (70). In accordance with state law, employees seventy (70) years of age and older shall be required to make an annual application, to include evidence of physical and mental fitness to the Board for review and approval. In addition, the Board reserves the right to require physical and/or mental examinations of any employee, regardless of age, to determine fitness for assigned responsibilities.

Personnel shall be subject to and retired in accordance with Alabama Law pertaining to retirement (See The Code of Alabama, 16-25-14 .

All personnel employed by the School District shall be covered by the Social Security Program. All employees shall be eligible for benefits in accordance with the rules and regulations as may be developed by said Agency.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-22-9, Title 16, Chapter 25; Legislative Act, 85-208.

## **SALARY SCHEDULES FOR PERSONNEL**

### General

The Board, in compliance with state law, directs the Superintendent or designee to develop salary schedules for all regular and temporary categories of employees of the School District. Such salary schedules shall be based on training, qualifications, job-related experiences, and other fair and equitable criteria as may be determined by the Board. The salary schedules shall be presented to the Board for review and approval and shall be available at each school and work site.

When System-wide changes occur in the general salary schedules, the Superintendent or designee shall prepare or cause to be prepared new salary schedules for all personnel employed by the School District.

### Initial Placement on Salary Schedule - Certified Personnel

The number of years of acceptable experience for initial placement on the salary schedules shall be determined and agreed upon prior to employment. Job applicants must provide verification of all past job-related experience from their former employers. The determination of such credit shall be based on the following criteria:

1. All teaching/administrative experience gained in all public elementary and secondary schools and/or state or regionally accredited public institutions of higher learning shall be approved as credit for placement on the salary schedule.
2. Teaching/administrative experience gained in private elementary and secondary schools will not be considered for credit for placement on the salary schedule.
3. Credit for military service will not be granted for placement on the salary schedule. (See policy GALBD).
4. In determining experience for placement on the salary schedule, credit shall be given for whole and parts of a year greater than one-half of the total annual contract days for the School District.

### Initial Placement on Salary Schedule – Non-Certified Personnel

The number of years of acceptable experience for initial placement on the salary schedules shall be determined and agreed upon prior to employment. Job applicants must provide verification of all past job-related experience from their former employers. The determination of such credit shall be based on the following criteria:

1. Employees shall be placed on the salary schedule on October 1, 2007, at the number of years of service listed on the June 30, 2007, Alabama Retirement System Report with the exception of employees holding dual full-time positions. The years of service for salary schedule placement for the first hired position will be those listed on the June 30, 2007,

FILE: GALD  
DJCAG  
(Continued)

Alabama Retirement System Report and the years of service for placement on the salary schedule for the second hired position will be calculated from payroll records for that position.

2. Personnel employed after June 30, 2007, will be placed on the salary schedule based on their work experience gained in a public school system as evidenced by former employer records.
3. Experience gained in private schools, other non-public educational or governmental agencies will not be considered for credit for placement on the salary schedule.
4. Credit for military service will not be granted for placement on the salary schedule. (See policy GALBD).
5. In determining experience for placement on the salary schedule, credit shall be given for whole and parts of a year greater than one-half of the total annual contract days for the School District.

SOURCE: Winston County Board of Education, Double Springs, AL  
ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998; April 26, 2007  
LEGAL REF.: Legislative Act, 90-325.

## **PAYROLL CHECKS FOR PERSONNEL**

Effective school year 2004-2005, payroll checks for personnel are due and available on the last calendar day of each month or earlier with Board approval. Should the last calendar day of the month fall on Saturday or Sunday, payroll checks for personnel are due and available on Friday prior to the last calendar day of the month.

The principal/work site is required to furnish the Payroll Department a payroll report containing the names of his/her staff. This payroll report must show the number of days worked by each certified employee and the number of days absent, as well as the cause of absences. The payroll report must show the number of days worked by each non-certified employee and the number of days absent, as well as the cause of absences. It must also show the names of any substitute teachers/ workers used, the dates they served, and for whom they taught/worked.

All personnel shall be paid over a twelve-(12) month period. Personnel's salaries are earned in nine (9), ten (10), eleven (11) or twelve (12) months, but shall be distributed over twelve (12) months. The employee's initial check amount will be divided into two payments-one half paid in August and the other half paid in September. Provided an employee misses a work day(s) and does not have accrued leave days to cover such absence(s), a day's pay shall be deducted for each such absence.

All supplementary remuneration for unused state paid personal leave days shall be paid by a supplemental check to be issued with the July payroll.

The Board reserves the right to hold payroll checks of employees who fail to furnish required data such as teachers' certificates, transcripts, retirement forms, etc. Checks will be held only after the employees have been requested to complete their files and have failed to comply.

### Final Pay-Off

**Prior to Completing Contract** - An employee who for any reason (retirement, disability, termination, etc.) leaves the School District prior to completing his/her annual contract period shall be "paid off" on the last working day of the month following the last active payroll period. The payoff shall include all remuneration owed said employee by the School District minus any funds owed to the School District.

**After Completing Contract** - An employee who leaves the School District after completing his/her annual contract period shall have his/her final "pay off" extended over the months of his/her contract, normally June, July, and August.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998; Nov. 6, 2003; May 15, 2006; Oct. 23, 2007; Sept. 30, 2008

LEGAL REF.: The Code of Alabama, 16-8-24, 16-13-147.

## **TRAVEL EXPENSES FOR PERSONNEL**

Personnel shall be reimbursed for travel expense incurred while performing duties related to their jobs, when such travel is at the request of or approved by the Superintendent of Schools and said employee's immediate supervisor.

### Travel Within the School District

Employees who are required to travel on a continuing basis from school to school or work site to work site shall be paid mileage (no expenses) as specified below from School District funds. An employee assigned to teach classes at two (2) (or more) different campuses, (example - mornings at one campus, afternoons at a second campus), may claim one-way only mileage for travel between the campuses. Employees may not claim mileage when they are assigned to work all day at different schools or work sites on alternate days, (example - Mondays at one school, Tuesdays at a second school or any like combinations). Reimbursement for such mileage shall be paid monthly, based on travel claim forms signed by the employee and principal/work site supervisor.

When principals exclusively are required to travel in their private automobile within the School District to attend meetings called by the Superintendent of Schools, they shall be eligible to claim mileage (no expenses) from the School District funds at the rate shown below. All claims for such mileage shall be made monthly on forms approved by the Board. Said forms must be signed by the principal and Superintendent of Schools.

When principals are required to travel in their private automobile within or outside the School District to transact business directly associated with their school, they may claim mileage and expenses at the rates shown below from local schools funds with written prior approval by the Superintendent of Schools. When claiming such travel funds, the principal shall complete travel forms approved by the Board, sign the form, transmit it to the Superintendent of Schools for his/her signature prior to issuing a local school check for such claim.

When teachers or other employees are required to travel in their private automobile within or outside the School District at the request of the local school principal, they shall be eligible to claim mileage and expenses at the rates shown below from local school funds. All claims for such mileage shall be on forms approved by the Board and shall be signed by the employee and local school principal prior to issuing a local school check for such claim.

### Travel Within the State

Reimbursement for travel expenses in the state shall not exceed actual, itemized expenses. Prior approval for all travel must be obtained from the Superintendent of Schools before any travel expenses can be incurred. All travel expense claims must be made on forms approved by the Board. All expense claims for travel in the state must be supported by receipts for meals, lodging, parking, etc. All in-state travel must be by automobile. The cost of in-state

travel and lodging should be shared with other employees when possible. Provided a person not employed by the School District shares a room with an employee, the School District employee shall be eligible for reimbursement at single room rate only. Reimbursement for personal items and entertainment will not be made. The rate per mile for reimbursement to the employee shall be the current rate for the State of Alabama.

#### Travel Outside the State

Reimbursement for travel expenses outside the state shall not exceed actual, itemized expenses. Prior approval for all travel must be obtained from the Superintendent of Schools before any travel expenses can be incurred. All travel expense claims must be made on forms approved by the Board. All expense claims for out-of-state travel must be supported by receipts, airline ticket, parking stub, etc. All out-of-state travel must be by automobile or tourist class air travel and will be based on the most economical mode of transportation. The cost of out-of-state travel and lodging should be shared with other employees when possible. Provided a person not employed by the School District shares a room with an employee, the School District employee shall be eligible for reimbursement at single room rate only. Reimbursement for personal items and entertainment will not be made.

#### Travel Expense Advances

Employees with approved, budgeted travel funds may have certain expenses associated with travel paid in advance provided the expenses submitted for advance payment meet the following criteria:

1. They are related to hotel lodging, conference registrations, meals, and/or air fare, etc. where payment(s) can be made directly to the hotel, conference, air line, etc, and
2. They are approved by the Superintendent for advance payment, and
3. The requests for such travel and advances are submitted to the Payroll office in a timely manner.

NOTE: No cash advances or checks shall be issued to individual employees to cover travel expenses.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: Aug. 30, 1988; Dec. 16, 1992; July 7, 1998; March 7, 2002

LEGAL REF.: The Code of Alabama, 16-8-8 and 9, 16-13-3; Attorney General's Op., May 30, 1968, Jul. 28, 1980.

**TRAVEL REIMBURSEMENT REQUEST FORM**  
**WINSTON COUNTY BOARD OF EDUCATION**  
**Double Springs, Alabama**

\*\*\*\*\*

DATE \_\_\_\_\_

STATEMENT OF TRAVEL OF \_\_\_\_\_  
(Name of person to whom paid)

IN CONNECTION WITH \_\_\_\_\_  
(Type of service performed for the Winston County Board of Education)

DATE	TRAVEL DESTINATION	NO. MILES	RATE PER MILE	TOTAL
____/____/____	_____	____/____	____/____	____/____
____/____/____	_____	____/____	____/____	____/____
____/____/____	_____	____/____	____/____	____/____
____/____/____	_____	____/____	____/____	____/____
____/____/____	_____	____/____	____/____	____/____
____/____/____	_____	____/____	____/____	____/____
____/____/____	_____	____/____	____/____	____/____
____/____/____	_____	____/____	____/____	____/____
____/____/____	_____	____/____	____/____	____/____
TOTAL MILES			\$	

DATE	HOTEL AND MEALS **	AMOUNT
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

SIGNED \_\_\_\_\_ TOTAL AMOUNT \_\_\_\_\_

ADMINISTRATOR APPROVAL \_\_\_\_\_

The above is an accurate report of the travel and expense done by me as stated above.

\*\*Please attach copies of paid invoices for hotel bills and meals to this report.



## **POSSESSION OF FIREARMS BY PERSONNEL**

No employee shall be permitted to have a firearm in his/her bodily possession or attendant belongings while on school property or in School District buildings or facilities during regular employment hours or at any scheduled school function or activity when parents, students, or teachers are present.

Parents and other persons with the exception of law enforcement while on duty are hereby notified that they are prohibited from bringing firearms or other weapons on school property at any time.

Personnel violating this policy may be subject to disciplinary action by the Board. Criminal penalties may also be imposed on personnel, parents, and other persons violating this policy.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Aug. 14, 1995; May 15, 2006; May 25, 2010

LEGAL REF.: The Code of Alabama, 16-1-30, 16-8-10, 16-9-15; Sec. 1702; Gun-Free School Zone Act of 1990, 18 U.S. Code 921; Public Law 103-382; "Improving America's Schools Act of 1994"; Part F, Section 14601, Gun-Free Requirements: Legislative Acts 94-820, 94-817.

FILE: GAMA

## **HEALTH EXAMINATION FOR PERSONNEL**

The Board reserves the right to require employees of the School District at any time at the Board's expense to submit to a physical or mental examination by a physician or physicians to be designated, or approved by the Board. The Board may terminate the employment of any person whose condition of health as disclosed by such examination and physicians make further retention of such employee detrimental to the best interest of the School District.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-1-30, 16-22-3.

## COMMUNICABLE DISEASE

The School District will work cooperatively with local and state health agencies to enforce and comply with applicable health codes for the prevention, control, and containment of communicable diseases in schools.

1. Certificate of Immunization

A certificate of immunization against diseases designated by the state health officer shall be required before a person is employed initially in the schools of the School District.

2. Authority to Exclude Student or Staff Member

The Superintendent of Schools shall have the authority to exclude any employee with a communicable disease or parasite known to be spread by any form of casual contact\* and is considered a health threat to the school population. Such employee shall be excluded from schools in the School District for a period of time as may be prescribed by the Public Health Department or a physician. In all cases, a statement of clearance from the Department of Health or a physician shall be required before the employee may re-enter school or return to work.

3. Due Process

When reliable evidence or information from a qualified source confirms that an employee is known to have a communicable disease or infection that is known not to be spread by casual contact\*, i.e. AIDS, Hepatitis B and other like diseases, the decision as to whether the affected person will remain in the employment setting will be addressed on a case by case basis by a review panel to ensure due process. (Protocol and review panel membership outlined in FILE: GAMAA-R1).

4. Mandatory Screening for Communicable Diseases

Mandatory screening for communicable diseases that are known not to be spread by casual contact is not warranted as a condition for employment or continued employment.

5. Procedures for Handling Blood or Body Fluids

Irrespective of the disease presence, routine procedures shall be used and adequate sanitation facilities will be available for handling blood or body fluids within the school setting. Employees will be trained in the proper procedures for handling blood and body fluids and these procedures will be strictly adhered to by all school personnel. (FILE: GAMAA-R2 Routine and Standard Procedures for Sanitation and Hygiene-Handling Body Fluids)

6. Confidential Information

All persons privileged with any medical information that pertains to employees shall be required to treat all proceedings, discussions and documents as confidential information. Before any medical information is shared with anyone in the school setting a "Need to Know" review shall be made which may include the employee or his/her representative.

7. Instructions Regarding Communicable Diseases

Instruction on the principal modes by which communicable diseases, including, but not limited to, Acquired Immunodeficiency Syndrome (AIDS) are spread and the best methods for the restriction and prevention of these diseases shall be taught all employees.

\*For a clearer understanding of the phrase "spread by casual contact" refer to The New England Journal of Medicine, February 6, 1986, P. 346.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: July 7, 1998; REVISED: July 11, 2002

LEGAL REF.: The Code of Alabama, 16-29-1 to-30; State Department of Public Health Guideline, Jan. 3, 1983; State Department of Education Memorandum, April 14, 1978; Michigan Department of Education Model Communicable Disease Policy; The New England Journal Medicine, Feb. 6, 1986 Pg.346.

## **PROTOCOL FOR COMMUNICABLE DISEASES KNOWN NOT TO BE SPREAD BY CASUAL CONTACT**

Rationale for Protocol Concerning Employees Who Have Contracted Acquired Immune Deficiency Syndrome (AIDS)

In adults, the Human Immunodeficiency Virus (HIV) which may eventually cause AIDS is transmitted primarily through sexual contact and direct blood to blood exposure to infected blood or blood products.

All known cases of persons who have acquired the AIDS virus have become infected: (1.) Perinatally from infected mothers; (2.) From receiving a transfusion of blood or blood products that contained the virus; or (3.) in older children who have acquired the disease sexually or from contaminated needles during intravenous drug abuse.

None of the identified cases of HIV infection in the United States are known to have been transmitted in the school, day-care, or foster care setting or through other casual person-to-person contact. Based on current evidence, casual person-to-person contact as would occur among school employees is not considered an unusual risk.

The Center for Disease Control (CDC), in consultation with several health associations as well as the National Association of Elementary School Principals and the Board of Directors of the National Congress of Parents and Teachers recommend that:

Generally school employees, including personal service and food service staff, do not need to be restricted from work if HIV infected unless there is evidence that other infection or illness exists that may be spread by casual contact in the school setting or the illness precludes them from performing the functions for which they were employed. Both Federal and State law require reasonable accommodation.

### A. The Review Panel

1. Communicable diseases that are known not to be spread by casual contact, e.g. AIDS, Hepatitis B and other like diseases will be addressed on a case by case basis by a review panel.
2. Panel Membership
  - a. The physician treating the individual.
  - b. A health official from the Public Health Department who is familiar with the disease.
  - c. An employee advocate (e.g., nurse, counselor, child advocate, social worker, employee representative, etc. from in or outside the school setting) approved by the infected employee.

- d. A school representative familiar with the employee's work situation (the building principal or the appropriate work supervisor).
  - e. Either the employee or his/her representative.
  - f. A School District administrator other than the Superintendent.
3. The panel chairperson will provide minutes of the meeting.
  4. The Superintendent will designate the chairperson of the panel. The chairperson is responsible for assuring a due process hearing that is fair and just. The chairperson shall ensure an impartial hearing for all interests concerned.
  5. The Superintendent will be present during the testimony process but will be excused when the panel is deliberating towards the "Proposal for Decision".
  6. The chairperson of the review panel will designate the panel member who will write the "Proposal for Decision".

#### B. Case Review Process

1. Upon learning of an employee within the School District who has been identified by a qualified source as having a communicable disease that is known not to be spread by casual contact, the Superintendent shall:
  - a. Immediately consult with the physician of the employee and/or the health official from the Public Health Department to obtain information as to whether the employee is generally well enough to remain on the job during the panel review process. The Superintendent will confirm whether the employee has evidence of a present or temporary condition that could be transmitted by casual contact in the school setting.
    - (1) If the employee's physician or the health department physician indicates the employee is well enough to remain on the job and poses no immediate health threat through casual contact to the school population because of illness, the employee shall be allowed to remain in the school setting while the review panel meets.
    - (2) If the employee's physician or the public health department official indicates the employee is currently not well enough to remain on the job and/or that the affected individual currently has evidence of an illness or infection that poses a potential health threat through casual contact to the school population because of the illness, the employee shall be excluded from the work setting while the review panel meets. If the health department official recommends

- (3) exclusion from the work setting because a public health threat exists, the review panel will discuss the conditions under which the individual may return to work.
- b. Immediately contact the review panel members to convene a meeting to explore aspects of the employee's case.
- c. Submit to the infected employee in writing a notice of his/her rights as a review panel member and the method of appeal.

## 2. The Review Panel Process

- a. The Review Panel shall meet within 48 hours to review the case. The following aspects should be considered in that review:
  1. The circumstances in which the disease is contagious to others.
  2. Any infections or illnesses the employee could have as a result of the disease that would be contagious through casual contact in the work environment.
  3. The expected type of interaction with others in the work setting and the implications to the health and safety of those involved.
  4. The psychological aspects for both the infected employee and others concerning the employee remaining in the work setting.
  5. Consideration of the existence of contagious diseases occurring within the work population while the employee is on the job.
  6. Consideration of a potential request by the employee with the disease to be excused from work.
  7. The method of protecting the employee's right to privacy, including maintaining confidential records, and who in the school/work setting "needs to know" the identity of the affected employee.
  8. Recommendations as to whether the employee should continue in the work setting or if currently not working under what circumstances he/she may return to work.
  9. Determination of whether an employee would be at risk of infection through casual contact when delivering an alternative educational program.
  10. Any other relevant information.
- b. Proposal For Decision
  1. Within three (3) business days after convening the panel, the Superintendent shall be provided with a written record of the proceedings and the "Proposal For Decision." The Proposal serves

as a recommendation to the Superintendent. It is based on the information brought out in the review panel process and will include the rationale for the recommendation concerning continuation of employment for the employee. If there is a minority viewpoint by panel members following the review process, that should also be included in the report.

2. If the Proposal For Decision is to exclude the affected employee from the work setting because of the existence of a temporary or present condition that is known to be spread by casual contact and is considered a health threat to the work setting, the Proposal For Decision shall include the conditions under which the exclusion will be reconsidered.
3. The affected employee will be given a copy of the proposal.

c. The Superintendent's Decision

1. The Superintendent shall affirm, modify, or take exception to the Proposal For Decision within three (3) business days after receipt of the Proposal For Decision unless a rehearing request on that Proposal has been made. (See Appeal Process, Rehearing Request.)
2. In the event the Superintendent takes exception to the Proposal For Decision, he/she shall prepare a written statement to the panel that sets forth the reasons for the exceptions and the basis for that decision.
3. The affected employee and the Health Department official will be given a copy of the Superintendent's decision.

C. Appeal Process

1. Rehearing Request

- a. The affected employee who considers the Proposal For Decision unjust may request a rehearing, in writing, directed to the chairperson of the review panel within three (3) days of Proposal For Decision. Grounds for requesting a rehearing are limited to: (1.) new evidence or information that is important to the decision; or (2.) substantial error of fact.
- b. The chairperson, within three (3) business days from the date of receipt of the request for rehearing shall either grant or deny the request for rehearing. If the request for rehearing is denied, the chairperson shall immediately submit the Proposal For Decision to the Superintendent. If



the request for rehearing is granted, the chairperson shall reconvene the same panel that originally heard the matter within five (5) business days of the date the hearing is granted.

c. Within three (3) business days after the rehearing the chairperson shall submit proposal for decisions to the Superintendent. The affected employee and panel members will be given a copy of the Proposal.

2. Request for Reconsideration of Superintendent's Decision

a. The affected employee may request a reconsideration of the Superintendent's Decision within three (3) business days of the date the Superintendent's Decision was issued. The request shall be in writing and shall allege that the Decision contains a substantial error of fact or that the Decision is against the great weight of the evidence as set forth in the Proposal For Decision.

b. An oral presentation by the affected employee or his/her representative may be granted by the Superintendent.

c. The Superintendent shall grant or deny the request for reconsideration within three (3) days after receipt of the request or within three (3) business days following the oral presentation, whichever is applicable.

3. Request for a Board Decision

The affected employee or his/her representative may make a final written appeal to the president of the Board of Education within five (5) business days after the Superintendent's Decision. The Board shall meet within three (3) business days and hear the employee's appeal along with the Proposal for Decision and Superintendent's Decision. Within two (2) business days of the hearing, the Board shall render its decision in writing with copies sent to the Superintendent, health department health official, and affected employee.

4. Review Panel Request for Appeal

If the Proposal for Decision or the Superintendent's Decision is contrary to the majority opinion of the review panel, a majority of the panel has the right to appeal either decision in the same manner stated in the "Appeal Process".

D. General

1. The review panel member who is serving as the advocate for the infected employee (or another person designated by the panel and approved by the employee) will serve as the liaison between the employee and attending physician as it relates to the work setting.

2. The rights of an infected employee shall fall under the same guidelines concerning any medical illness or condition that are outlined in board policy.
3. Employees of the School District shall be expected to perform all job-related duties and to provide other normal personal contract services with other school employees and/or students determined to have a disease known not to be communicable by casual contact unless a determination to the contrary has been made by the review panel.

E. Confidentiality

All persons involved in these procedures shall be required to treat all proceedings, deliberations, and documents as confidential information. Records of the proceedings and the decisions will be kept by the Superintendent in a sealed envelope with access limited to only those persons receiving the consent of the infected employee as provided by Act 88-983, and the Family Education Rights and Privacy Act.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-29-1 to 16-30; State Department of Public Health Guideline, Jan. 03, 1983; State Department of Education Memorandum, April 14, 1978; Michigan Department of Education Model Communicable Disease Policy; The New England Journal of Medicine, Feb. 06, 1986 p. 346.

## **ROUTINE PROCEDURES FOR SANITATION AND HYGIENE WHEN HANDLING BODY FLUIDS**

### Purpose

To insure that body fluids involving blood, vomitus, urine, feces, semen, saliva and nasal discharges are handled properly.

### Those Affected

All school staff should be alerted to dangers of infections (see chart on page 14) from body fluids. School nurses, custodians and teachers should be particularly alert to the proper techniques in handling and disposal of materials.

### Equipment Needed

Soap, Disposal Bags, Water, Dust Pans, Paper Towels, Buckets, Disposable Gloves, Mops  
Disinfectants- should be one of the following classes:

- a. Phenolic germicidal detergent in a 1% aqueous solution (e.g. Lysol\*)
- b. Sodium hypochlorite solution (household bleach),
- c. Quaternary ammonium germicidal detergent in 2% aqueous-solution.  
(e.g., Tri-quat\*, Mytar\*, or Sage\*).
- d. Iodophor germicidal detergent with 500 ppm available iodine (e.g., Wescodyne\*).
- e. Sanitary absorbing agent (Chlora Sorb\*, X-O Oder Away\*)

### Procedures

1. General
  - a. Wear disposable gloves before making contact with body fluids during care, treatment, and all cleaning procedures.
  - b. Discard gloves after each use.
  - c. Wash hands after handling fluids and contaminated articles, whether or not gloves are worn.
  - d. Discard disposal items including tampons, used bandages and dressings in plastic-lined trash container with lid. Close bags and discard daily.
  - e. Do not reuse plastic bags.
  - f. Use disposable items to handle body fluids whenever possible.
  - g. Use paper towels to pick up and discard any solid waste materials, such as vomitus or feces.
2. Handwashing
  - a. Use soap and running water. Soap suspends easily removable soil and microorganisms allowing them to be washing off.
  - b. Rub hands together for approximately 10 seconds to work up a lather.
  - c. Scrub between fingers, knuckles, backs of hands, and nails.
  - d. Rinse hands under warm running water. Running water is necessary to carry away debris and dirt.
  - e. Use paper towels to thoroughly dry hands.
  - f. Discard paper towels.

3. For washable surfaces
  - a. For tables, desks, etc.:
    - (1) Use Lysol, or household bleach solution of 1 part bleach to 10 parts water, mixed fresh.
    - (2) Rinse with water if so directed on disinfectant.
    - (3) Allow to air dry.
    - (4) When bleach solution is used, handle carefully.
      - (a) Gloves should be worn since the solution is irritating to skin, b) Avoid applying on metal since it will corrode most metals.
  - b. For floors:
    - (1) One of the most readily available and effective disinfectants is the bleach solution (1-1/2 cups bleach to one (1) gallon water).
    - (2) Use the two-bucket system, one bucket to wash the soiled surface and one bucket to rinse as follows:
      - (a) In bucket #1, dip, wring, mop up vomitus, blood, (b) Dip, wring and mop once more, (c) Dip, wring out mop in bucket #1, (d) Put mop into bucket #2 (rinse bucket) that has clean disinfectant (such as Lysol, bleach solution), (e) Mop or rinse area, (f) Return mop to bucket #1 to wring out. This keeps the rinse bucket clean for second spill in the area, and (g) After all spills are cleaned up, proceed with #3.
    - (3) Soak mop in the disinfectant after use.
    - (4) Disposable cleaning equipment and water should be placed in a toilet or plastic bag as appropriate.
    - (5) Rinse non-disposable cleaning equipment, dustpans, buckets in disinfectant. (6) Dispose disinfectant solution down a drainpipe.
    - (7) Remove gloves, if worn, and discard in appropriate receptacle.
    - (8) Wash hands as described in #2.
4. For non-washable surfaces (rugs, upholstery)
  - a. Apply sanitary absorbing agent, let dry, vacuum.
  - b. If necessary, use broom and dustpan to remove solid materials.
  - c. Apply rug/upholstery shampoo as directed. Re-vacuum according to directions on shampoo.
  - d. If a sanitizing carpet cleaner only available by water extraction method is used, follow the directions on the label.
  - e. Clean dustpan and broom, if used. Rinse in disinfectant solution.
  - f. Air dry.
  - g. Wash hands as described in #2.
5. For soiled washable materials (clothing, towels, etc.)
  - a. Rinse item under running water using gloved hands if appropriate.
  - b. Place item in plastic bag and seal until item is washed. Plastic bags containing soiled, washable material must be identified if outside laundry service is used.

- c. Wash hands as described in #2.
- d. Wipe sink with paper towels, discard towels.
- e. Wash soiled items separately, washing and drying as usual.
- f. If material is bleachable, add 1/2-cup bleach to the wash cycle.
- g. Discard plastic bag.
- h. Wash hands as described in #2 after handling soiled items.

TRANSMISSION CONCERNS IN THE SCHOOL SETTING  
BODY FLUIDS SOURCE OF INFECTIOUS AGENTS BODY FLUIDS

*ORGANISM OF CONCERN		TRANSMISSION CONCERNS
Blood cuts and abrasions nosebleeds menses contaminated needle	Hepatitis B. virus AIDS virus Cytomegalovirus	Bloodstream Inoculation through cuts and abrasions on hands Direct blood stream inoculation
**Feces incontinence	Salmonella bacteria Shigella bacteria Rotavirus Hepatitis A virus Cytomegalovirus	Oral inoculation from contaminated hands
**Urine incontinence		Bloodstream, oral and and mucus membrane inoculation from hands
**Respiratory Secretions saliva nasal discharge	Mononucleosis virus common cold virus influenza virus Hepatitis B virus	Oral inoculation from contaminated hands Bloodstream inoculation through bites
**Vomit	Gastrointestinal viruses, e.g. (Norwalk agent Rotavirus)	Oral inoculation from contaminated hands
Semen	Hepatitis B AIDS virus Gonorrhea	Sexual contact

\*This is not an all inclusive list of organisms of concern for transmission in the school setting.  
\*\*Possible transmission of AIDS is currently thought to be of little concern from these sources.

SOURCE: Winston County Board of Education; Double Springs, AL

ADOPTED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-29-1 to 16-30; State Department of Public Health Guideline, Jan. 3, 1983; State Department of Education Memorandum, April 14, 1978; Michigan Department of Education Model Communicable Disease Policy; The New England Journal of Medicine, Feb. 6, 1986 p.346.

## INITIAL TUBERCULOSIS TESTING FOR PERSONNEL

The following provisions shall apply to employees of the School District with respect to testing for Tuberculosis:

1. Only newly-employed personnel, including teachers, janitors, bus drivers, food handlers, aides, and other persons who have direct contact with, children are recommended for an initial examination for tuberculosis.
2. New employees should be tuberculin-skin tested initially at the time they are employed. If the skin test is negative, no further skin testing or examinations are required. If the tuberculin test is positive, a chest x-ray is recommended. If the chest x-ray is essentially negative, INH preventive therapy will be highly recommended for persons under 35 years of age, unless there are medical contradictions. c. Persons over 35 with a positive skin test and negative chest x-ray will be considered for INH preventive therapy on an individual basis, depending upon other risk factors and the clinical judgment of the physician. d. After the initial examination of all new employees for tuberculosis, no further annual skin testing or x-raying is recommended unless the local health officer or physician considers it necessary. Further procedures, such as sputum examinations, may be requested by the local health officer or clinician as deemed necessary.
3. If a female employee is employed in the first trimester of her pregnancy and is found to be skin-test positive and asymptomatic, she may be x-rayed on the anniversary date of her employment or within a calendar year.
4. The State Committee of Public Health recommends that routine measures of supervision, as indicated by the Tuberculosis Control Program Guidelines, should be followed where a case is found in a school. The contacts should be investigated, examined, and considered for preventive therapy in accordance with the tuberculosis program guidelines.
5. Educational programs relating to respiratory diseases, including tuberculosis, for students and employees should be encouraged at both the local and state levels.

Approved by the State Tuberculosis Medical Advisory Council and the State Committee of Public Health, August, 1980.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-22-3; State Department of Public Health recommendation, dated July 1, 1982.

FILE: GAMB  
JGCAA

## **GUIDANCE FOR PANDEMIC PREPAREDNESS RESPONSE**

**See separate policy on this CD named – Pandemic Policy**

## **DRUG-FREE WORKPLACE POLICY**

Drug abuse and use at the workplace are subjects of immediate concern in our society. These problems are extremely complex and ones for which there are no easy solutions. From a safety perspective, the users of drugs may impair the well being of all employees, the public at large, and result in damage to School District property. Therefore, it is the policy of the Board that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the schools or on school property by any employee is prohibited. Any employees violating this policy will be subject to discipline up to and including termination. The specifics of this policy are as follows:

1. The Board does not differentiate between drug users and drug pushers or sellers. Any employee who gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the job or on Winston County Board of Education premises will be subject to discipline up to and including termination.
2. The term "Controlled Substance" means any drug listed in 21 U.S.C.S. 812 and other federal regulations. Generally, these are drugs that have a high potential for abuse. Such drugs include, but are not limited to, Heroin, Marijuana, Cocaine, PCP, and "Crack". They also include "legal drugs" which are not prescribed by a licensed physician.
3. Each employee is required by law to inform the Board within five (5) days after he or she is convicted for violation of any federal or state criminal drug statute where such violation occurred on Board premises. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal or state court.
4. The Board must notify the U.S. Government Agency with which the contract was made within ten (10) days after receiving notice from the employee or otherwise receives actual notice of such a conviction.
5. If an employee is convicted of violating any criminal drug statute while on the workplace, he or she will be subject to discipline up to and including termination. Alternately, the Board may require the employee to successfully finish a drug abuse program sponsored by an approved private or governmental institution.
6. As a condition of further employment on any federal government contract, the law requires all employees to abide by this policy.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Nov. 15, 1994; REVISED: Jan. 5, 1995

LEGAL REF.: Drug Free Workplace Act of 1988, 34 CRF Part 85, Subpart F.49 C.F.R. Part 40; The Omnibus Transportation Employee Testing Act of 1991.



## **DRUG AND ALCOHOL TESTING PROGRAM FOR BUS DRIVERS**

The Board recognizes that our employees are our greatest assets. Our employees are the key to our goal of providing the best possible education program for our students. To achieve our goal, and to maximize the skills and talents of our employees, it is important that every employee of our School District understand the dangers of drug and alcohol abuse and be aware of the new state and federal requirements concerning substance abuse. This policy statement is offered to clarify our position on employee drug and alcohol use. This policy and procedure should not be construed as contractual in any nature.

### **POLICY OBJECTIVES:**

1. To create and maintain a safe, drug-free working environment for all employees.
2. To encourage any employee with a dependence on or addiction to, alcohol or other drugs to seek help in overcoming the problem.
3. To reduce problems of absenteeism-tardiness, carelessness and/or other unsatisfactory matters related to job performance.
4. To reduce the likelihood of incidents of accidental personal injury and/or damage to students, employees, visitors or property.
5. To meet the requirements of 49 C.F.R. Part 40 and the Omnibus Transportation Employee Testing Act of 1991.
6. To reduce the likelihood that school property will be used for illicit drug activities.
7. To protect the reputation of the School District and its employees within the community.

Substance abuse is a serious threat to the School District, its employees and students. Though the percentage of substance abusing employees may be relatively small, practical experience and research indicate that appropriate precautions are necessary. It is the belief of the Board that the benefits derived from the policy objectives outweigh the potential inconvenience to employees. The Board earnestly solicits the understanding and cooperation of all employees in implementing this policy.

The Board requires that all employees report to work without any alcohol or illegal or mind altering substance in their systems. No employee shall report for work or remain on duty requiring the operation of a motor vehicle, other hazardous equipment or performing job duties in a hazardous environment when the employee is using any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to perform in a safe manner. No employee shall use alcohol while on duty. No employee shall perform any job-related duties within four hours after using alcohol. Further, outside conduct of a substance abuse-related nature which; affects an employee's work, the School District's relationship with the government or reflects badly on the School District is prohibited.

Employees must inform their supervisor when they are legitimately taking medication that may affect their ability to work, in order to avoid creating safety problems and violating the Drug and Alcohol Policy.

The School District also prohibits employees from using, possessing, manufacturing, distributing or making arrangements to distribute illegal drugs while at work or on company property.

#### ENFORCEMENT

In order to enforce these rules, the School District reserves the right to require all employees (defined as all employees subject to 49 C.F.R. Part 40 and the Omnibus Transportation Employee Testing Act of 1991 as well as other employees subject to testing under the authority of the Board) to submit to drug tests to determine the presence of prohibited substances at any time an employee is on duty or at any time an employee may normally be called to be on duty. The Board is required to and will develop, implement and enforce a drug and alcohol policy for their employees as a condition of compliance with the Omnibus Transportation Employee Testing Act of 1991.

Pursuant to Board policy and regulations, applicant testing may be required. All current employees may be required to undergo testing at scheduled physical examinations, and/or in circumstances where the Board has reasonable suspicion to believe an employee has violated its Alcohol and Drug Policy, and/or on a random basis without advance notice. Employees are required to report all accidents involving school property or personnel or accidents that occur during school hours or on school-related activities. Employees involved in such accidents may be required to submit to alcohol screening within two (2) hours and to drug screening within 32 hours of a reportable accident. Employees who return to work following rehabilitation will be required to undergo return to duty/follow up testing in addition to the general School District testing requirements.

The Board also reserves the right to search desks, cabinets, tool boxes, vehicles, including personal vehicles brought on the School District's property, bags or any other property at the school or in vehicles when the Board has reasonable cause to believe an employee has violated its Alcohol and Drug Policy.

Violation of these rules, including testing positive will subject the employee to discipline, including discharge. Refusal to cooperate with the Board in any test investigation will result in discipline, including discharge as appropriate under the applicable state and federal laws.

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the employer through its drug and alcohol testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings except in accordance with the Policy Consent/Release Form.

Any questions should be directed to the person assigned by the Superintendent and/or Board as its Drug Program Coordinator.

SOURCE: Winston County Board of Education, Double Springs AL  
ADOPTED: July 7, 1998

**BUS DRIVER DRUG/ALCOHOL TEST CONSENT-RELEASE FORM**

**WINSTON COUNTY BOARD OF EDUCATION**

**Double Springs, Alabama**

\*\*\*\*\*

I have read the above statement of policy and agree to abide by the School Board's drug and alcohol testing rules. I agree to submit to drug or alcohol tests at any time as a condition for my initial or continued employment. I authorize any laboratory or medical provider to release test results to the Winston County Board of Education and its Medical Review Officer (MRO).

I expressly authorize the Board or its MRO to release any test-related information, including positive results, to the Unemployment Compensation Commission, or any other relevant government agency.

I understand that this agreement in no way limits my right to terminate my employment or be terminated in accordance with federal and state law.

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

## **BUS DRIVER DRUG/ALCOHOL TEST PROCEDURES**

### **I. General Policy**

Practical experience and research has proven that even small quantities of narcotics, abused prescription drugs or alcohol can impair judgment and reflexes. Even when not readily apparent, this impairment can have serious results, particularly for employees operating vehicles or potentially dangerous equipment. Drug-using employees are a threat to students, co-workers and themselves, and may make costly errors. For these reasons, the School District has adopted a policy that all employees must report to work completely free from the effects of alcohol and/or the presence of drugs, unless used as prescribed by a physician.

### **II. Drug Use/Distribution/Impairment/Possession**

All employees are prohibited from using, possessing, distributing, manufacturing, or having controlled substances, abused prescription drugs or any other mind altering or intoxicating substances present in their system while at work or on duty.

### **III. Alcohol Use/Possession/Impairment**

All employees are prohibited from possessing, drinking or being impaired or intoxicated by alcohol while at work or on duty. While employees are prohibited from having any alcohol present in their system while on duty, a Breath Alcohol Concentration (BAC) of .04 will be accepted as presumptive evidence of intoxication. Additionally, mandated employees (employees subject to provisions of 49 C.F.R. Part 40 and the Omnibus Transportation Employee Testing Act of 1991) with a BAC of .02-.039 will be placed out-of-service for a period of no less than 24 hours. Evidential breath testing devices (EBT's) on the National Traffic Highway Safety Administration Conforming Products List will normally be used to determine BAC.

### **IV. Off-Duty Conduct**

Off-the-job use of drugs, alcohol or any other prohibited substances which results in impaired work performance, including, but not limited to, absenteeism, tardiness, poor work product, or harm to the School District's image or relationship with the government is prohibited. Employees should realize that these regulations prohibit all illicit drug use -- on and off duty.

### **V. Prescription Drugs**

The proper use of medication prescribed by a physician is not prohibited; however, the School District prohibits the misuse of prescribed (or over-the-counter) medications and requires all employees using drugs at the direction of a physician to notify the Board's Medical Review Officer (MRO), or their supervisor prior to beginning work where these drugs may affect their job performance, such as by causing drowsiness.

An employee or job applicant (with the exception of mandated employees) shall be allowed to provide notice to the School District of currently or recently used prescription or nonprescription

drugs at the time of the taking of the specimen to be tested, and such information shall be placed in writing upon the employer's drug and alcohol testing custody and control form prior to initial testing.

## VI. Substance Screening

### A. Applicants

Substance screening may be required for all final applicants. Such testing may be required either alone or as part of a pre-employment physical examination. Applicants are required to sign a consent/release form before submitting to screening. Applicants will be disqualified for hire if they test positive, refuse to submit to a test, or refuse to execute the required consent/release form.

### B. All Current Employees

#### 1. Reasonable Suspicion

All employees may be required to submit to screening whenever a supervisor observes circumstances which provide reasonable suspicion to believe an employee has used a controlled substance or has otherwise violated the substance abuse rules. The supervisor's determination that reasonable suspicion exists to require the employee to undergo an alcohol and drug test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee.

The required observations for alcohol and/or controlled substance reasonable suspicion testing shall be made by a supervisor or designee who has been trained for at least 60 minutes on alcohol misuse and an additional 60 minutes on controlled substance misuse.

The supervisor or supervisors requesting drug and alcohol testing shall prepare and sign written documents explaining the circumstances and evidence upon which they relied within 24 hours of the testing, or before the results of the tests are released, whichever is earlier. While one supervisor may request a reasonable suspicion test, when feasible, supervisors are encouraged to obtain a second supervisor as a witness.

#### 2. Random Testing

The Board may conduct random unannounced screening of all employees. Tests of employees for illicit drugs will be conducted in a number equal to or greater than 50 percent of the affected work force--without advance notice--in any given 12-month period. Tests of employees for alcohol will be conducted in a number equal to or greater than 10 percent of the affected work force--without advance notice--in any given 12-month period. There will be no maximum number of samples that any one individual will be required to provide during the testing schedule. Subsequent testing will be conducted at levels equal to or greater than the initial testing level. Employers Drug Program Management, Inc. will provide computerized random sample lists to the

Drug Program Coordinator. The list of employees in the random pool will be updated on a monthly basis. Employees will be required to report to the School Board designated collection site for testing as soon as possible but in no case later than 2 hours following notification. Annually, the tests will be spread reasonably over 12 months.

All employees may be tested during the initial implementation of the program.

### 3. Post Accident Testing

Employees are required to immediately notify the Drug Program Coordinator of any accident resulting in injury or damage to School District property. The Department of Transportation (DOT) requires post accident drug and alcohol testing following any accident which result in the: (1) loss of human life, or (2) receipt of a citation under State or local law for a moving traffic violation arising from the accident.

The School District will require an employee involved in any accident resulting in injury that requires more than simple first aid or results in damage to property, to undergo alcohol and drug screening within two (2) hours of the occurrence of the accident. The School District will discipline any employee who fails to report an accident or submit to substance screening where required by law or by this policy. The Drug Program Coordinator shall complete an Accident Report in compliance with School District policy and applicable laws and regulations.

### 4. Return to Duty/Follow up-Testing

All employees referred for rehabilitation through administrative channels, or suspended for violation of this policy, may be subject to unannounced testing following return to duty for a period of 12 to 60 months. Such employees shall be tested at the frequency stipulated in the abeyance contract or as scheduled by the MRO. The employee will be tested a minimum of six (6) follow up tests during the first 12 months. Testing will be on a daily, weekly, monthly or longer basis at the discretion of the MRO and will be in addition to the other types of tests provided in this policy.

Employees testing at a level 0.04 BAC for alcohol or positive for drugs must be assessed by a Substance Abuse Professional (SAP), satisfy the recommendations of the assessment, test negative for drugs and below 0.02 BAC for alcohol and be released as drug free by the MRO prior to returning to duty.

### 5. Recertification Physical Examinations

All mandated employees may be required to undergo urinalysis as part of a recertification physical examination.

## C. Testing Procedures

### 1. General Guidelines

The Board and its lab shall rely, when practical, on the guidance of the federal Department of

Transportation, Procedures For Transportation Workplace Drug Testing Programs, 49 C.F.R. Parts 40.1 through 40.39, and on the further guidance of the Omnibus Transportation Employee Testing Act provided in 49 C.F.R. Parts 382, 391, 392 and 395.

## 2. Substances Tested For

### All Employees

Employees may regularly be tested for: amphetamines, cannabinoids, cocaine, opiates, phencyclidine and alcohol. Testing for alcohol will also be conducted subject to the final provisions of the Omnibus Transportation Employee Testing Act of 1991. Employees may be tested for other substances without advance notice as part of a separate test performed by the School District for safety purposes. Such tests will be coordinated with the Drug Program Coordinator.

## 3. Testing Procedure

The Board reserves the right to utilize blood, hair, breath, saliva or urinalysis testing procedures. Only urinalysis and breath tests will be utilized in the pre-employment and random testing. All initial positive urine specimens will be confirmed by gas chromatography/mass spectrometry (GC/MS).

### D. Collection Sites

The School District will designate collection sites in areas where it maintains facilities or job sites where individuals may provide specimens.

### E. Collection Procedures

The Board, Employers Drug Program Management, and the laboratory have developed and will maintain a documented procedure for collecting, shipping and accessing urine specimens. The School Board, EDPM and the laboratory will utilize a standard Urine Custody and Control Form for all employee drug testing. The School Board, EDPM and the laboratory will utilize a standard Breath Alcohol Testing Form for all employee alcohol testing. A tamper-proof sealing system, identifying numbers, labels, and sealed shipping containers will also be used for urine sample transportation. Alcohol results will use approved tamper evident tape.

Collection sites will maintain instructions and training emphasizing the responsibility of the collection site personnel to protect the integrity of the specimen and maintain as proper a collection procedure as reasonable. A person who collects or takes a specimen for a drug test pursuant to this policy shall collect an amount sufficient for two (2) drug tests as defined by the Department of Transportation. Where the School District has an employee collect the specimen, the Board will provide instruction and training to that employee. All alcohol testing will be performed by a certified Breath Alcohol Technician (BAT).

All employees will also be required to execute the School District Applicant/Employee Consent Form.

**F. Occasions when the Collection Personnel Should Directly Observe the Specimen Being Provided**

The School District has adopted the direct observation procedures as set out in Section 40.25 of the Department of Transportation regulations. An Employer or Medical representative at the collection site may directly observe an employee provide the specimen where there is reason to believe that an individual may alter or substitute the specimen. Section 40.25 (e)(2) sets out the only four (4) circumstances where direct observation is appropriate:

- (1) The employee has presented a urine specimen that falls outside the normal temperature range, and the employee declines to provide a measurement of oral body temperature by sterile thermometer, as provided in paragraph (f)(23) of this part, or the oral temperature does not equal or exceed that of the specimen.
- (2) The last urine specimen provided by the employee (i.e., on a previous occasion) was determined by the laboratory to have a specific gravity of less than 1.003 and a creatinine concentration below .2 g/L.
- (3) The collection site person observes conduct clearly and unequivocally indicating an attempt to substitute or adulterate the sample (e.g., substitute urine in plain view, blue dye in specimen presented, etc.).
- (4) The employee has previously been determined to have used a controlled substance without medical authorization and the particular test is being conducted as a part of a rehabilitation program or on return to duty after any required rehabilitation.

A second specimen should be obtained under direct observation wherever there is reason to believe that the individual may have altered or substituted the specimen.

Where necessary, a School District representative or medical personnel may obtain a specimen outside of a designated collection site (such as, at a public restroom at an accident investigation).

**G. Evaluations and Return of Results to the School District**

The laboratory will transmit (by fax, mail, or computer, but not orally over the telephone) the results of all tests to the School District's MRO. The MRO will be responsible for reviewing the quantified test results of employees and confirming that the individuals testing positive have used drugs in violation of School District policy. Prior to making a final decision, the MRO shall give the individuals an opportunity to provide a medical explanation for the positive test result either face to face or over the telephone.



The MRO shall then promptly report to the Drug Program Coordinator which employees or applicants test positive.

#### H. Request for Retest

Where a split specimen has been collected, an employee may request a retest of the split specimen within 72 hours of notification of the final test result. Where only one sample is submitted for testing the employee may request a retest of the original sample within 72 hours after notification of the final test result. Requests must be submitted to the Drug Program Coordinator.

The employee may be required to pay the associated costs of retest in advance.

#### I. Release of Test Results

All Information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the employer through its drug and alcohol testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings except in accordance with the Policy Consent/Release Form.

Test results shall not be released by the School Board, beyond the MRO and School District's management without the individual's written authorization. However, all employees will be required to execute a consent/release form permitting the Board to release test results and related information to the Unemployment Compensation Commission, or other relevant government agencies.

The MRO shall retain the individual test results for five (5) years.

#### VII. Discipline

The Board will discipline, including discharge, employees for any violation of the policy, including refusing to submit to screening, to execute a release, or otherwise cooperate with an investigation or search by the School District. Disciplinary measures will be instituted in accordance with state and federal laws.

All employees who test positive in a confirmative substance test will be subject to discipline up to and including discharge. Rehabilitation, at a pre-approved treatment provider may be available to individuals who violate the policy. However, unless other provisions are available to the affected individual, assistance will be limited to the degree of treatment provided within the School District's Employee Benefits Plan. The Drug Program Coordinator should be contacted for guidance.

No employee may be returned to regular duties after any rehabilitation or testing positive unless released for duty by the School District's MRO. Any employee returned to duty after

violating the policy or testing positive will be subject to aftercare and random testing as set out in a written Probation Agreement.

#### VIII. Employee Assistance Program (EAP)

The Board's EAP shall include education and training for supervisors who are authorized to determine reasonable suspicion testing. These supervisors must receive a minimum of 60 minutes on alcohol abuse and an additional 60 minutes of training on controlled substance use and abuse.

The training shall cover the physical, behavioral, speech and performance indicators of probable use and misuse of alcohol and controlled substances. Documentation of training attendance must be maintained.

The Drug Program Coordinator should be contacted for further guidance.

#### IX. Investigations and Searches

Where a supervisor has reasonable cause to suspect that an employee has violated the substance abuse policy, he or she may inspect vehicles which an employee brings on the School Board's property, lockers, work areas, desks, purses, briefcases, tool boxes or other belongings, and at locations where school related activities are being conducted without prior notice in order to ensure a work environment free of prohibited substances. An employee may be asked to be present and remove a personal lock. Where the employee is not present or refuses to remove a personal lock, the Drug Program Coordinator will do so for him/her. The Board may release any illegal, or controlled drugs, or paraphernalia to appropriate law enforcement authorities.

All searches should be coordinated with the Drug Program Coordinator

#### NOTE

These procedures should not be construed as contractual in any nature. They represent the Board's current guidelines in dealing with a developing problem under evolving laws and facts, and may be changed in accordance with School District policy and state and federal law.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Nov. 15, 1994; REVISED: Jan. 5, 1995

LEGAL REF.: 49 C.F.R. Part 40 and the Omnibus Transportation Employee Testing Act of 1991.

**BUS DRIVER CONSENT FORM**

**WINSTON COUNTY BOARD OF EDUCATION**  
**Double Springs, Alabama**

\*\*\*\*\*

I, \_\_\_\_\_, do hereby give my consent to the Winston County School Board of Education to collect a urine and/or breath sample from me on this date, and I further give my consent to the School District to forward the sample(s) to the testing laboratory for its performance of appropriate tests thereon to identify the presence of drugs and/or alcohol. I further give the laboratory my permission to release the results of such tests to the School District's Medical Review Officer. I understand that the refusal to submit to testing or a positive test result will affect my initial or continued employment and result in disciplinary action as described in the School District's Drug and Alcohol Policy. I also understand that it is not the purpose of this test to identify any disability I may have.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

7/7/98

## **TOBACCO USE BY PERSONNEL**

**PHILOSOPHY:** The Board believes that all persons have the right to be in a school environment that promotes, enhances, strives to become, and maintains a drug-free School District.

The Board, in recognition of the high degree of evidence available, views the use of prohibited substances as being detrimental to health and as being a significant contributor to mouth, lung, heart, and other diseases. The Board also considers the area of personal health as being a primary objective of education. It is also the belief of the Board that School District employees should, by example, demonstrate to the students they serve their concerns for the dangers inherent in the use of these products.

Smoking and/or use of tobacco, in any form, by all employees, both certified and non-certified, and all other persons, is hereby prohibited on, or in, all Board properties at all times, including extracurricular activities. Extracurricular activities are those activities that occur at any time and place that are school related and/or supervised. They include, but are not limited to, all athletic events, proms, field trips, class trips, academic competitions, riding of school buses for any purpose, etc.

### **DISCIPLINARY ACTIONS FOR BOARD EMPLOYEES**

#### **1st Offense:**

Supervisor and/or principal will inform the Superintendent, in writing, of violation. Superintendent will write a letter of reprimand, with a copy given to the employee and the original to the employee's personnel folder in the Central Office.

#### **2nd Offense:**

Supervisor and/or principal will inform the Superintendent, in writing, of violation. The employee will be asked to come before the Board in executive or public session (employee's choice) to explain why he/she is unable to comply with the Tobacco Use Policy.

#### **3rd Offense:**

Supervisor and/or principal will inform the Superintendent, in writing, of violation. The Superintendent will recommend to the Board to start termination procedures in compliance with Title 16, The Code of Alabama.

**SOURCE:** Winston County Board of Education, Double Springs, AL

**ADOPTED:** Aug. 14, 1995

**LEGAL REF.:** The Code of Alabama, 16-8-10, 16-9-15; Alabama Administrative Code 290-030-010-.06 Passed by State Board of Education, July 11, 1995

## **SUSPENSION FOR DISCIPLINARY PURPOSES**

As circumstances require, an employee may be suspended for disciplinary purposes by the Superintendent of Schools. Due process shall be a part of the procedure and shall include the following:

1. The Superintendent of Schools shall conduct an investigation to determine the facts of the case. If the employee involved is not found to be a threat to the health and/or safety of the School District, said investigation shall be concluded in advance of any suspension. The investigation shall be conducted in a manner that insures parties of interest an opportunity to be heard.
2. If suspension without pay for disciplinary purposes is a consideration and the employee involved is not found to be a threat to health and/or safety, the Board shall conduct a fair and impartial hearing with appropriate due process, prior to any suspension without pay. The Board, based on the facts of the hearing, shall determine if the suspension for disciplinary purposes shall be with or without pay.
3. If the employee is considered to be a threat to the health and/or safety of the School District, said employee may be suspended forthwith for disciplinary purposes by the Superintendent of Schools with pay, with the hearing to be held before the Board to determine if suspension is to continue with or without pay.
4. If an employee is to be suspended pending a hearing before the Board to terminate said employee's contract, said suspension may be invoked by the Superintendent of Schools and shall be without pay.

SOURCE: Winston County Board of Education, Double Spring, AL

ADOPTED: Jun. 24, 1986 REVOKED: July 9, 2009

LEGAL REF.: The Code of Alabama, 16-1-30; 16-24-9; 36-26-100 to 108.

## **DRESS CODE FOR PERSONNEL**

The Board considers all employees to be vital to the success of the School District and to be its most important link with the community and students. It is through qualified, professional, and dedicated staff members that the School District is able to reach its educational goals and objectives and to establish and maintain positive relationships with the total educational community. To this end, it is important that all personnel of the School District follow standards of dress that promote the education profession and the School District and that serve as positive models for students and the community.

In general, the Board expects all personnel to dress in a manner appropriate for their employment positions. This expectation is predicated on the desire of the Board to encourage and foster a spirit of professionalism and pride in the educational profession and in the School District.

The dress code restrictions are as follows:

No revealing and/or tight-fitting attire

No ragged attire

No shorts (exemptions are dress shorts, dress skorts, split skirts, and similar type knee-length attire)

Dresses and skirts should be approximately knee-length

Further, jeans are considered unprofessional attire for administrators, teachers, teacher aides, substitute teachers, secretaries, and bookkeepers on a daily basis in the normal work setting.

However, alternative attire may be approved by the principal/worksite supervisor for special occasions and/or special activities. Such occasions/activities may include but are not limited to the following: field trips, spirit days, field days, work days, shop classes, laboratory sessions, physical education classes, etc.

Attire which disrupts the educational environment will be reviewed on an individual basis.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: July 7, 1998

FILE: GAQ  
DICB  
ECCJ

## **USE OF SCHOOL DISTRICT-OWNED EQUIPMENT AND MATERIALS**

### General

All equipment and materials owned by or purchased in the name of the School District shall be used exclusively for educational purposes as defined by the Board. Employees are authorized to use such equipment and materials while performing assigned job-related duties at their respective work sites/classrooms during regular work hours.

### Use of Equipment Away From School Work Sites/Classrooms

The use of School District-owned equipment away from work sites/classrooms shall be limited to items that are directly related to completing instructional/teaching-oriented work assignments.

**Fixed Asset Equipment and Certain Electronic Equipment** -- Under no circumstances are School District employees authorized to take equipment shown on the Fixed Asset Inventory List or electronic equipment with a per unit cost of \$50.00 or more away from their work sites/classrooms without the prior written approval of their immediate supervisor/principal. When an employee is approved to use such equipment away from the work site/classroom, the equipment must be checked out by serial number or other appropriate identification and returned to the work site/classroom on a daily basis. However, when the schools are not in session, the principal may approve the use of such equipment away from the classroom/work site for longer periods of time.

**Non-Fixed Asset Equipment and Certain Electronic Equipment** -- Employees may be authorized to take School District equipment not shown on the Fixed Asset Inventory List or electronic equipment with a per unit cost of \$50.00 or less away from their classrooms /work sites to complete school related tasks with the verbal approval of the principal.

### Use of School District-Owned Equipment for Personal Gain

Under no circumstances shall an employee lend, rent, or lease School District-owned equipment to a nonemployee or use such equipment for personal gain.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-1-30.

FILE: GAR

## **CONFERENCES AND VISITATIONS**

Personnel holding primary offices (President or President's designee) or other similar offices in WCEA and the local ESPO may be granted a reasonable number of days leave (not to exceed three (3) per year) to attend meetings related to the organization in which said office is held. Application to and approval by the principal and Superintendent of School must be made in adequate time for arrangements to be made to protect the interest of students. The salary of said personnel will not be reduced for approved leave time.

SOURCE: Winston County Board of Education, Double Springs, AL  
ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998



FILE: GAT

## **SCHOOL VOLUNTEERS**

The Board encourages the use of appropriately selected and directed school volunteers to assist with various school activities; however, the Board hereby directs school principals utilizing school volunteers to organize and maintain an organized inservice program to acquaint such persons with the duties and legal responsibilities. The principal/work site supervisor should approve the use of all volunteers in his/her school/work site prior to invitations being extended.

SOURCE: Winston County Board of Education, Double Springs, AL  
ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

FILE: GBA

## **CERTIFIED PERSONNEL DEFINED**

Certified personnel are defined as persons employed by the Board who are regularly certified by the teacher certifying authority of the State of Alabama.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 16-23-1, 16-24-1.

## **CERTIFIED PERSONNEL CONTRACTS**

All work shall be in accordance with the Annual School Calendar approved by the Board. The contract serves as a legal agreement to protect the interest of both said personnel and the School District. The contract periods for certified personnel shall conform to the following schedule:

1. Nine-Month Personnel's work period shall encompass 187 workdays and normally shall begin each year on the date set for Institute Day. The work period normally shall conclude after 187 workdays. Beginning with the 2005-2006 school year, all new teacher contracts will be nine-month work periods.
2. Ten-Month Personnel's work period shall encompass 202 workdays and normally shall begin 10 workdays prior to the date set for Institute Day. The work period normally shall conclude 5 workdays after the last contract day for 9-month personnel. Based upon the needs of the School District, the Superintendent of Schools shall be authorized to establish alternate work periods for 10-month personnel.
3. Twelve-Month Personnel's work period shall begin on July 1 each year and conclude on June 30, with provisions for two-(2) weeks vacation.

### Contracts for Part-Time Personnel

The School District, upon issuing written contracts to part-time temporary personnel, shall ensure that the following forms are specified:

1. the date the contract begins,
2. the date the contract ends,
3. that only those fringe benefits required by law shall be paid by the Board and,
4. the rate of pay.

### Other

All employees who do not plan to be in service the subsequent year should give written notice to the Superintendent of Schools as soon as possible, but not later than June 15th, so that the best replacement can be found.

The School District shall notify, in writing, non-tenured certified personnel on, or before, the last day of the school term if their contract is to be non-renewed by the Board.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 6, 2000; July 21, 2005; July 10, 2006; Sept. 25, 2007; Dec. 20, 2007

LEGAL REF.: The Code of Alabama, 16-8-10, 16-13-51,16-13-147,16-13-196,16-24-4.

## **REQUIREMENTS FOR THE RENEWAL OF PROFESSIONAL CERTIFICATES**

### **Application Procedures**

To apply for the renewal of a professional certificate, all applicants must submit a complete application packet as directed on Form APP, Application for Alabama Certification. Educational experience must be verified on Supplement EXP, and CEUs must be verified as indicated on Form APP. Both forms are available from the Teacher Education and Certification Office, the offices of local superintendents or headmasters, and the teacher certification office of the Alabama institutions with state-approved programs. Individuals applying credit hours toward the renewal of their certificate(s) must submit official transcript(s) to the Teacher Education and Certification Office. College credits submitted for the original issuance of the certificate for which renewal is sought remain on file and should not be resubmitted.

A nonrefundable \$20.00 application fee is required for the renewal of a certificate and must be paid by cashier's check or money order made payable to the State Department of Education. The fee must accompany the application. No personal checks can be accepted.

Professional certificates may be renewed through continuation or reinstatement as follows:

- Continuation
- To continue a certificate is to update it without allowing it to lapse by meeting requirements prior to September 1 of the year of its expiration.
- Professional certificates may be continued with verification of:
  - 3 years of satisfactory educational experience and either 5 allowable Continuing Education Units (CEUs), which equate to 50 clock hours of professional development.
  - or 3 semester/4 quarter hours of allowable credit-, OR
  - 5 allowable CEUs and 3 semester/4 quarter hours of allowable credit; OR
  - 6 semester/9 quarter hours of allowable credit.
- All educational experience, CEUs, and credit hours applied toward the continuation of a certificate shall be completed during the valid period of the current certificate but no later than September 1 of the year of expiration of the certificate.
- Professional certificates continued on or after July 1, 1997 shall be valid for five years.
- Professional certificates shall not be continued prior to the calendar year of their expiration.
  
- Reinstatement
- To reinstate a lapsed certificate is to validate it by meeting requirements on or after September 1 of the year of its expiration.

- Expired certificates may be reinstated, except those designated as not eligible for reinstatement in the current issue of the Department's Bulletin No. 42 Subject and Personnel Codes.
- With verification of 9 semester/14 quarter hours of allowable credit earned within five years prior to the beginning date of the reinstated certificate. A maximum of 5 allowable CEUs, which equate to 3) semester/4 quarter hours, may be applied to this requirement- OR
- If, within the ten years immediately preceding the submission date of the renewal application, the individual verifies having met the continuation requirements as previously listed for each of the two five-year periods. Professional certificates that expired prior to July 1, 1997 shall be reinstated for a valid period of 5 years.

NOTE: All renewable professional certificates that expire prior to July 1, 1997, may be continued or reinstated on the basis of rules in effect prior to July 1, 1997, if all requirements are met prior to September 1, 1997, and the application is received in the Teacher Education and Certification Office by October 31, 1997. In this event, the certificate will be continued or reinstated with the appropriate valid period of 8, 10 or 12 years.

#### **Allowable Credits and Continuing Education Units**

- Semester or quarter hours of credit submitted for renewal shall be:
  - Earned through regionally accredited senior institutions with state-approved teacher education programs, and shall be part of one of those programs;
  - Earned in the upper division or on the graduate level for renewal of bachelor's level certification and on the graduate level for renewal of master's or sixth-year level certification;
  - Completed in teaching field coursework, professional education coursework, or coursework applicable toward meeting requirements for additional certification;
  - Earned prior to September 1 of the year for which the certificate's new valid period is to become effective,

Limited to course credit in which a grade of C or above has been earned for bachelor's level certification and a grade of B or above has been earned for master's or sixth-year level certification; and

- Verified on official transcript(s).
- Continuing Education Units submitted for renewal shall be-
  - Based on the individual's professional growth needs as identified through performance evaluations, if employed; or related to professional education with consideration given to the sponsoring organization, the professional qualifications of the presenter and the purposes, goals and evaluation of the activity;
  - Earned prior to September 1 of the year for which the certificate's new valid period is to become effective; and

- Verified on Supplement EXP for CEUs earned through Alabama school systems, or by photocopies of completion certificates for CEUs earned through school systems outside of Alabama, OR official transcripts or certificates of completion for any CEUs earned through a college or university.

### **Nonrenewable Certificates**

All professional certificates designated as nonrenewable when they were issued based on rules in effect prior to July 1, 1997, shall become renewable and shall bear a valid period of 5 years when they are continued or reinstated.

### **Educational Experience**

Educational experience is teaching experience and instructional support experience in full-time educational work in (a) any state or local public school, regionally accredited postsecondary school, educational agency, or educational association; (b) an accredited, state registered, state-approved, and/or church-related nonpublic school; and (c) rehabilitation facilities for P-12 students. Educational experience as an intern, graduate assistant, student teacher or in positions such as substitute teacher, aide, or clerical worker, shall not be considered appropriate.

### **Fingerprint Requirements for Renewal**

Applicants will be required to obtain background clearance through a fingerprint review conducted by the Alabama Bureau of Investigation (ABI) unless they hold or have held an Alabama professional certificate or Career/Technical Certificate which was issued on the basis of an application submitted prior to July 1, 1997. Individuals who obtain background clearance through the ABI will not be required to obtain another background clearance for additional certification as long as they hold a valid Alabama certificate. Individuals who obtain background clearance for the issuance of an Alabama certificate and allow their certificates to lapse for more than 90 days (holding no Alabama certificate for that 90-day period) will be required to obtain another background clearance for the issuance of any certificate or license.

Applicants must meet requirements in effect on the date the application is received in the Teacher Education and Certification Office. Certification regulations contained in this information sheet are subject to change.

### **SDE Effective date: JULY 1, 1997**

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-8-7 to -9, 16-12-3, 16-12- 15, 16-23-7.

## **PROBATION OF CERTIFIED PERSONNEL**

In accordance with The Code of Alabama, all certified personnel eligible for tenure shall be considered as on probationary status until continuing service status (tenure) is attained. Continuing service status is attained when a person serves in the School District for three (3) consecutive school years and is re-employed for the next succeeding school year.

The Board may non-renew the contracts of probationary certified personnel upon the completion of annual contractual agreements on the written recommendation of the Superintendent of Schools. If certified personnel are not notified, in writing, by the Board at the expiration of the probationary period that their contracts have been non-renewed, said personnel shall automatically gain continuing service status.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, Title 16,-Chapter 24; Attorney General's Op., Apr. 19, 1976, Feb. 2, 1982, Feb. 12, 1986..

FILE: GBI

## **EVALUATION OF CERTIFIED PERSONNEL**

The Board adopts the State Board of Education adopted evaluation plan as the evaluation plan for the School District. The Board approves this plan as a formative evaluation process with the primary goal of the program being the improvement of teaching and learning.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: June 24, 1986; REVISED: July 7, 1998; Jan. 18, 2000; July 6, 2000; April 26, 2001; Feb. 13, 2003; Aug. 6, 2008; June 25, 2009

LEGAL REF: Professional Education Personnel Evaluation Program of Alabama Evaluation Manuals, State Department of Education, Montgomery, AL ; Legislative Act No. 2000-733; EducateAlabama Guidelines 2009.



FILE: GBL

## **TENURE FOR CERTIFIED PERSONNEL**

All eligible certified personnel shall attain tenure in accordance with applicable provisions of The Code of Alabama.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama, Title 16 - Chapter 24; Attorney General's Op., Apr. 19, 1976, May 3, 1979, Feb. 2, 1982, Feb. 12, 1986, Jan. 15, 1987, Jul. 30, 1987. .

## **TRANSFER OF CERTIFIED PERSONNEL**

In accordance with The Code of Alabama, certified personnel on continuing service status may be transferred for any succeeding year from one position, school or grade to another by being given a written notice of such intention to transfer based upon the written recommendation of the Superintendent of Schools and approval of the Board, except that such transfer may not be for political or personal reasons.

Certified personnel may contest a proposed transfer in accordance with provisions set forth in Title 16-24-5, 6 and 7 of The Code of Alabama.

Certified personnel may request transfer to other employment positions for which they are qualified. Such written request shall be submitted to the Superintendent of Schools through the immediate supervisor. Request for transfer will be given consideration by the Superintendent of Schools and the Board in consultation with the local principal/supervisor involved.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 16-24-5 to -7; Attorney General's Op., Mar. 21, 1967.

## SEPARATION OF CERTIFIED PERSONNEL

Non-tenured certified employees may have their contract nonrenewed, based upon the recommendation of the Superintendent of Schools and a majority vote of the Board, by being given written notice on or before the last day of the school term. Tenured employees shall be terminated from employment in accordance with the provisions of The Code of Alabama, Title 16, Chapter 24.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 16-4-8, 16-8-8, 16-8-23, 16-9-23, 16-10-9, 16-24-1 to -13, Foster v. Blount County Board of Education, 340 So. 2nd 751 (1976); Singleton v. Jackson Municipal Separate School District, 419 F 2d 1211 (5th Cir. 1970); Pickens Co. Bd. of Ed. v. Keasler, 82 So. 2d, 197 (Ala. 1955); Robinson v. Brown, 328 So. 2d 291 (1976).

## **REDUCTION IN FORCE OF CERTIFIED PERSONNEL**

In the event it becomes necessary to reduce the number of certified staff employed by the School District due to a decrease in student enrollment, financial crisis, changes in curriculum, consolidation or reorganization, the following procedure shall be followed to determine staff members to be affected:

### Procedure

1. Attrition by resignation, retirement or voluntary leaves of absence shall be the first method used to reduce the force.
2. Based on the philosophy of maintaining the best educational program possible, the Board, upon recommendation of the Superintendent of Schools, shall identify the grade level(s) and discipline area(s) from which staff members are to be reduced in force at respective times. For the purpose of reduction in force the following terms are defined:
  - a. Grade Level - Kindergarten, elementary grades 1-8, secondary grades 9-12, administration and supervision, special education, counseling and guidance, vocational programs, and federal programs.
  - b. Discipline area - Certificate endorsement area(s) including "highly-qualified" status and current major teaching or administration/supervisory assignment(s) within the School District.
3. Following the identification of the grade level(s) and discipline area(s), the number of staff to be reduced from each area(s) will be determined by the Board, based on a recommendation by the Superintendent of Schools. All staff members within the identified area(s) will be rank ordered from the greatest amount of service time to least amount of service time within the School District. The staff member(s) with the least amount of continuous service time (seniority), based on actual date of employment as reflected in the Board minutes, shall be the first to be reduced in force. In the event two (2) or more staff members have the same amount of continuous service time within the School District based on Board minutes, the following additional criteria will be used to determine the order of reduction in force:

- a. Degree(s) held by the staff member (the staff member with the lower degree to be reduced first).
  - b. Total years of experience in education (the staff member with the least amount of time to be reduced first).
4. In order for a staff member selected to be reduced in force by these procedures to displace a staff member in another discipline area with less service time, said staff member must be certified to handle the entire position of the employee they seek to displace. No tenured teacher will be reduced in force when a position is either vacant or occupied by a nontenured teacher and for which the tenured teacher is certified.
  5. The above procedure shall not violate any applicable Court Order.
  6. The names of personnel reduced in force shall be placed in a School District employment pool. Said personnel shall be given the opportunity in reverse order of their lay off to fill the first comparable employment vacancies for which they are qualified.
  7. Provided personnel in the employment pool are recalled, they shall be issued a letter of reappointment by registered mail at least fifteen (15) work days prior to the date of re-employment. Said personnel must accept the offer of re-employment in writing by registered letter within five (5) working days of receipt of the offer. Failure to accept the offer in the manner and time stipulated above will be construed to be a rejection of the offer.
  8. It is understood that reduction in force constitutes termination of employment and all benefits provided by the School District ceases on the effective date.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: April 24, 2008

LEGAL REF.: May v. Alabama Tenure Commission, Civ. 4801 (1985); Woods v. Board of Walker County, 67 So. 2d 840 (1953); Pickens County Board of Ed. v. Keasler, 82 So. 2d 197 (1968); Civil Actions, 604-E and 3098-N; Attorney General's Op., Jul. 1, 1986.

## **RESIGNATION OF CERTIFIED PERSONNEL**

Certified personnel shall resign in accordance with provisions of The Code of Alabama.  
The Code states:

No teacher, whether in continuing service status or not shall be permitted to cancel his/her contract during the school term or for a period of forty-five (45) days prior to the beginning of the next school term, unless such cancellation is mutually agreed upon by the Board and teacher. Any teacher shall be permitted to cancel his/her contract at any other time by giving five (5) days written notice to the employing board.

A certified employee canceling his/her contract in any other manner shall be deemed unprofessional and subject to have certificate revoked or suspended.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 16-24-11.

## **TIME SCHEDULES AND WORK LOADS FOR CERTIFIED PERSONNEL**

### Time Schedules

Time schedules for certified personnel may be designated by the Superintendent and/or the immediate supervisor of said personnel. Certified teaching personnel are generally required to be on duty 15 minutes before the time set for the opening of their respective school and 15 minutes after the close of the school day, Monday through Friday, and the time necessary to transact successfully school tasks and activities such as: faculty meetings, bus duty, extra curricular activities, parent-teacher conferences, the safe and orderly dismissal of students, etc. Consequently, hours of the certified teaching personnel in the School System may vary, but all such personnel work essentially the same minimum number of hours. The Principal is charged with the responsibility of seeing that the minimum standard is met.

### Work Loads

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

### Planning Time

Each teacher shall be provided a minimum of thirty (30) consecutive minutes each day free from instructional or supervisory responsibilities. In accordance with law, this time is to be used for instructional planning.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998

LEGAL REF.: The Code of Alabama, 16-1-30, 16-9-23.

FILE: GBRD

## **STAFF MEETINGS**

All certified personnel are required to attend staff meetings as may be called by the Superintendent of Schools and/or principal/ immediate supervisor, except that when said personnel are exempted by the Superintendent of Schools and/or principal/immediate supervisor.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 16-1-30.



## **EXTRA DUTIES**

Extra duties may be assigned to and/or requested by certified personnel employed by the School District. When extra duties are assigned to certified teaching personnel, the following provisions shall apply:

1. Extra duties shall not be assigned during regular school hours that require certified teaching personnel to be removed on a continuing basis from teaching responsibilities.
2. Extra duties for certified teaching personnel shall not be compensated for by the assignment to positions that take teachers out of the classroom.
3. Extra duties that are assigned shall be made on a fair and equitable basis, taking into consideration the nature of such duties and the teachers involved.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 16-1-30.

FILE: GBRG

## **NONSCHOOL EMPLOYMENT FOR CERTIFIED PERSONNEL**

Part-time employment that interferes with teaching or other duties as assigned by the Board or negatively reflects upon the image of the School District is looked upon with disfavor.

In the event the regular work of an employee suffers because of part-time employment, the employee will be requested to eliminate the part-time work. In the event the employee does not give up the part-time work, the Board will exercise its prerogative in declaring that the quality of work performed for the Board does not meet the required standards and may initiate dismissal proceedings against said employee.

SOURCE: Winston County Board of Education, Double Springs, AL  
ADOPTED: Jun. 24, 1986

**TERMINATION FOR CONSIDERATION**

FILE: GBRGB

**TUTORING FOR PAY BY CERTIFIED PERSONNEL**

Certified personnel shall not receive pay or its equivalent for out-of-school tutoring of students in their classes when the outside tutoring is in subject areas taught during the regular school day by said employee.

The Board will allow members of the school faculties to participate in tutorial programs sponsored and coordinated by recognized post-secondary institutions. Such tutorial programs may involve regular students of the teacher's academic classes. Tutoring for any form of remuneration shall not be done during the regular school hours.

SOURCE: Winston County Board of Education, Double Springs, AL  
ADOPTED: Jun. 24, 1986

## **PERSONAL LEAVES AND ABSENCES FOR CERTIFIED PERSONNEL**

Each certified teacher and other certified staff members shall be entitled to five [5] days of non-cumulative personal leave annually, to be granted upon the request of the teacher or staff member. The following provisions shall apply:

1. In order to protect the educational interest of students, it is suggested that personal leave not be taken during the first or last two (2) weeks of school, or immediately before or after a school holiday.
2. The first two (2) days granted will be at no cost to the employee and shall be considered as the days paid by the State. The remaining three (3) days are granted by the Board, based on the number of years of experience in the Winston County School District and will be effective for employees as of October 1, 1989 and each October hereafter.
  - a. Employees with less than 10 years of experience will be granted three (3) days by the Board, with employees required to pay only the cost of the substitute employees.
  - b. For employees with 10 years of experience, the Board of Education will pay the substitute for one (1) additional day.
  - c. For employees with 15 years of experience, the Board of Education will pay the substitute for two (2) additional days.
  - d. For employees with 20 years of experience, the Board of Education will pay the substitute for three (3) additional days.
3. Reimbursement for unused State paid personal leave days and unused county paid personal leave days shall be included in the July payroll check. Such days shall be reimbursed at the rate paid regular substitute teachers in the School District. The date for determining the number of days to be reimbursed shall be June 30 each year. No reimbursement shall be made for any of the unused personal leave days granted by the Board where its employee pays for the substitute.
4. Teachers and other staff members must notify their principal or supervisor prior to taking a personal leave.

5. Teachers and other staff members are encouraged to notify their principal or supervisor as far in advance as possible before taking personal leave, although it is recognized that advance notification is not always possible. Teachers and other staff members are expected to ensure that adequate and complete lesson plans are available when such leave is taken.
6. A teacher or staff member's annual entitlement to the paid personal leave is not fully gained unless the teacher or staff member serves throughout the school year. If a teacher or staff member does not work the entire year, he/she shall be entitled to days of leave based on a percentage of the contract days worked while the remaining days of personal leave would be available to the person replacing the teacher or staff member.
7. Personal leave days are to be reported as personal leave; no other explanation is required. Such leave is at the discretion of the employee and may be for personal, business, professional or any other reason(s).
8. Unused personal leave days may be converted to regular sick leave days at the end of the scholastic school year (June 30) upon the written request of the employee.

SOURCE: Winston County Board of Education, Double Springs, Alabama

ADOPTED: Jun. 24, 1986 First Revision Dec. 18, 1989; REVISED: July 7, 1998; July 6, 2000; Aug. 10, 2006

LEGAL REF.: The Code of Alabama, 16-8-8, 16-8-26; Legislative Acts, 84-251, 85-644, 95-314, 97-444; Attorney General's Op., Aug. 22, 1984, Oct. 31, 1985, Jun. 4, 1992.

## **SICK LEAVE BANK GUIDELINES FOR CERTIFIED PERSONNEL**

I. Purpose

The School District Sick Leave Bank for certified personnel (hereinafter referred to as SLB) is established to provide a loan of leave days for participating members after their accumulated sick leave days have been exhausted. This action is authorized by The Code of Alabama and the Official Resolution of the Board.

II. Sick Leave Bank Committee

- A. The SLB Committee shall consist of five (5) members as follows: one (1) representative for the Board appointed by the Superintendent (subject to Board approval) and four (4) members representing the participating members of the SLB. Names of two (2) nominees per school will be placed on a ballot. The election of committee members by secret ballot of the SLB members will take place at the beginning of each scholastic year . Vacancies occurring on the committee shall be filled by the respective parties. No representative on the committee shall serve for a term longer than five years.
- B. Members of the SLB committee will serve a term of one (1) year . The term shall be from October 1 until September 30.
- C. The SLB committee is charged with advising the administration and operation of the SLB in keeping with adopted policies and guidelines. Guidelines shall be approved by a secret ballot vote of the participating members of the SLB.
- D. Duties of the SLB Committee
  - 1. The SLB will elect by majority vote a chairperson from among its members at the beginning of each year.
  - 2. Meetings of the SLB committee shall be scheduled on a regular basis as determined by the committee. Additional meetings may be called by the chairperson or by a majority of the committee members.
  - 3. The SLB committee shall have the authority to reopen the bank in case of emergency or need and/or take any other action deemed necessary for the effective and efficient operation of the SLB.
  - 4. The SLB committee shall develop all necessary forms for the orderly operation and administration of the sick leave bank and catastrophic leave.
  - 5. Forms for requesting loans from the SLB shall be available at the Central Office and in the principal's office at each school.
  - 6. The SLB shall write guidelines and administrative procedures of the sick leave bank, including the catastrophic leave.

III. Eligibility and Participation in the Sick Leave Bank

- A. Any full-time, certified employee of the Board who has completed a Sick Leave Bank Authorization Form contributing five (5) days to the SLB or committing five (5) days to the SLB is eligible to borrow up to 15 days from the SLB in accordance with State Board of Education guidelines regulating sick leave.
- B. No employee shall be allowed to owe more than 15 days to the sick leave bank, unless over 50 percent of the members of the bank vote to extend the limit for all members.
- C. The contribution of leave days into the SLB must take place before the end of the current payroll period.
- D. At the beginning of the scholastic year, or upon employment of a new employee, the appropriate number of sick leave days shall, upon application of the employee, be credited to the employee's account to enable the employee to join the sick leave bank even though the employee does not have the minimum number of sick leave days to enable him or her to join the bank.
- E. To be eligible for a loan from the SLB, a participating member must have exhausted all accumulated sick leave in his/her personal account.
- F. Those days that a contributing employee has placed in the SLB are to be counted toward the cumulative total of the maximum days allowable under law.
- G. The Board Payroll Department shall maintain records of all members' contributions to the SLB, withdrawals from the SLB, and the status of the SLB. Reports shall be provided on a timely basis and at the request of the SLB committee, Superintendent of Schools, or Board.
- H. In cases where the contributor has been incapacitated, his/her designated agent may apply to the SLB committee on the contributor's behalf.
- I. Contributions of days must have been authorized prior to the occurrence of any illness or disability for which the individual seeks a loan of days for the SLB.
- J. An individual cannot leave the School District without repaying any outstanding debt of leave days to the SLB. If the employee has no sick leave days remaining, then his/her final check shall be garnished at the employee's prevailing rate of pay for the number of days owed to the SLB. Any monies collected from employees as a result of the SLB operation shall be held by the Board as other funds. In turn, the Board shall notify the SLB committee of the number of days due to be credited in the SLB as a result of the receipt of such funds. It is expected that the Board shall take such action as is appropriate to recover from any employee or

ex-employee those sums of money as would equate the value of sick days advanced or borrowed for which the employee did not earn a sick day or otherwise compensate the Board.

- K. Upon retirement or transfer of the sick leave bank member, days on deposit with the sick leave bank shall be withdrawn and transferred with the employee or made accessible for retirement credit, as applicable.
- L. Any individual wishing to end his/her participation in the SLB may do so only at the end of the school year or upon departure from the School District. Resignation from the SLB must be made by submitting the official form to the SLB committee and the Board Payroll Office.

IV. Procedures for Sick Leave Due to Catastrophic Illness

- A. Catastrophic Illness Defined -- Legislative Act 99-581 defines catastrophic illness as any illness, injury, or pregnancy or medical condition related to childbirth, certified by a licensed physician which causes the employee to be absent from work for an extended period of time. The extended period of time will be determined on a case-by-case basis by the Board.
- B. The recipient employee may use catastrophic sick leave days for himself or herself or for other covered persons as provided in Section 16-1-18.1.
- C. Eligibility -- In order for an employee to participate in the Catastrophic Sick Leave plan as defined in Legislative Act 99-581, he/she must meet the following eligibility criteria:
  - 1. Be a member of the Winston County School Board's Sick Leave Bank.
  - 2. Have used all regular sick and personal leave days.
  - 3. Have borrowed and utilized up to 15 days from the SLB.
  - 4. Be a full-time employee.
    - a. Beneficiary Employee Eligibility -- In order for an employee to receive and use donated catastrophic sick leave days from employees of the Winston County School District or from employees of another Alabama school system, the beneficiary employee must be a member of the SLB.
    - b. Donating Employee Eligibility -- An employee of the Winston County School District must be a member of the SLB to donate catastrophic sick leave days to another employee of the Winston County School District. In order for an employee of the Winston County School District to donate catastrophic sick leave days to an employee in another Alabama school system,



he/she must be a member of the SLB and the beneficiary employee must be a member of his/her school system's sick leave bank. The transfer of such days must be from the SLB to and through the beneficiary's school system sick leave bank.

- D. Donating Limits -- An employee, at his/her discretion, may donate up to 30 days to be used by an employee of the Winston County School District. If the employee is a member of the SLB, he/she may also donate such sick leave days to an employee in another Alabama public school system.
- E. Beneficiary Limits -- There is no limit on the number of sick leave days a beneficiary employee may receive under the catastrophic sick leave plan. However, a Winston County School District employee who uses catastrophic sick leave days is required to reapply (completion of Catastrophic Sick Leave Approval Form and attending physician statement) at the end of 90 school days. In the event reasonable cause exist to believe that illegal use is being made of catastrophic sick leave days, the School District may require the employee to submit to an examination by a physician chosen and paid for by the Board.
- F. Donated Days Defined -- The sick leave days donated by an employee to the SLB or an employee in another Alabama public school system for catastrophic illness purposes are regular sick leave days and are deducted from the donating employee's state accumulated sick leave days. Therefore, individual employee donating such days will not be able to recover the donated days. However, if the beneficiary employee is employed in the Winston County School District and does not use all sick leave days donated to him/her, the days will revert to the credit of those employees who donated the days in accordance with the following guidelines: (1) Any remaining days will be totaled, prorated, and restored in one-half (1/2) or one-(1) day increments to the account(s) of the donating employee(s). (2) Increments of less than one-half days will not be restored.
- G. Procedures for Obtaining Approval: Inter-District – Prior to participating in the catastrophic sick leave plan, employees of the Winston County School District must receive approval from the Board. To initiate the approval process, employees must:
  - 1. Complete Sections I and II of the Catastrophic Sick Leave Approval Form.
  - 2. Have the attending physician complete Section III of the Catastrophic Sick Leave Approval Form.
  - 3. Transmit the completed Catastrophic Sick Leave Approval Form to the Superintendent of Schools for review, approval and submission to the Board for approval.

Where emergency situation arise, the Superintendent of Schools may canvass Board members individually to secure approval, with formal approval accomplished at the next subsequent Board meeting.

- H. Procedures for Donating: Inter-District -- To donate catastrophic sick leave days to another employee of the Winston County School District an employee should:
    - 1. Determine if the employee to whom the days are to be donated has been approved for catastrophic leave by the Board.
    - 2. Complete Sections I, II, and III, on the Catastrophic Sick Leave Transfer Authorization Form. All items should be completed to include dates, signatures of the donating employee, and the witness.
    - 3. Transmit the completed form to the Superintendent's Office.
  - I. Procedures for Obtaining Approval and donating: Intra-system -- All sick leave days transferred or use by an employee in another Alabama public school system must be transferred through the Winston County School District SLB, i.e. no days may be transferred employee to employee. An employee of the Winston County School District desiring to transfer catastrophic sick leave days to an employee in another Alabama public school system he/she:
    - 1. should contact the Superintendent of Schools to discuss the matter.
    - 2. should contact the recipient to have his/her superintendent or other appropriate official in the Alabama public school system where he/she is employed to transmit a completed copy of their catastrophic sick leave approval form to the Superintendent of the Winston County School District.
    - 3. After receipt to the above verifying information, the Superintendent of Schools or designee will notify the Winston County School District Employee of receipt of verifying forms. The employee desiring to transfer days to the person should complete the state form provided by the State Board of Education. The total number of days donated will then be transferred by the Superintendent of Schools or designee to the school system's sick leave bank where by the beneficiary person is employed.
  - J. Earning Sick Leave Days While on Such Leave – A beneficiary employee on catastrophic sick leave will earn regular sick leave days while on such leave at the rate of one per month; however, the earned sick leave day must be used each month as it is earned.
- V. Application Procedure for Loans from the Sick Leave Bank
- A. Members who wish to borrow days from the bank must complete the standard application for loan form and a physician statement and submit them to the Central Office.

- B. Application for loan forms will be available at the Central Office and in the principal's office at each school.
  - C. Any individual who disagrees with the decision of the SLB committee may appeal that decision in writing to the Board.
- VI. Paying Back Days Owed to the Sick Leave Bank
- A. Sick leave days owed to the sick leave bank shall be paid back at the rate of one per month beginning with the next sick leave day earned after the loan was granted by the sick leave bank and continuing until the days loaned have been completely repaid.
  - B. If a member of the SLB later qualifies for catastrophic sick leave, donated catastrophic sick leave days may be used to repay days owed to the sick leave bank to the credit of the affected member.

SOURCE: Winston County Board of Education, Double Springs, AL  
ADOPTED: Jun. 24, 1986; REVISED: Jan. 22, 1990; Aug. 2, 1994; Nov. 15, 1994; Jun., 20, 1995 & Oct. 24, 1991; July 7, 1998; Oct. 26, 1999; Feb. 26, 2009  
LEGAL REF.: The Code of Alabama, 16-1-18, 16-8-25, 16-22-9; Title 16, Chapter 25; Legislative Acts, 84-251; 84-253; 84-383; and 99-581 Attorney General's Op., Mar. 3, 1969, Mar. 7, 1973, Nov. 3, 1986, May 20, 1988; State Board of Education regulations (February 9, 1984).

**SICK LEAVE BANK ENROLLMENT FORM**  
**WINSTON COUNTY BOARD OF EDUCATION**  
**Double Springs, Alabama**

\*\*\*\*\*

Enrollment period no later than the 15th of each month.

Employee Name: \_\_\_\_\_ Social Security #: \_\_\_\_/\_\_\_\_/\_\_\_\_\_  
Please Print

Name of School/Work Site: \_\_\_\_\_

Position: \_\_\_\_\_

- I wish to deposit five (5) days of my earned sick leave in the  Certified  Non-Certified Sick Leave Bank.
- I do not wish to participate in the Sick Leave Bank

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE

**SICK LEAVE BANK LOAN FORM**

**WINSTON COUNTY BOARD OF EDUCATION  
Double Springs, Alabama**

\*\*\*\*\*

Employee Name: \_\_\_\_\_ Social Security #: \_\_\_\_/\_\_\_\_/\_\_\_\_\_  
Please Print

Name of School/Work Site: \_\_\_\_\_

Position: \_\_\_\_\_

I hereby request \_\_\_\_\_ day(s) to be borrowed from the ( ) Certified ( ) Non-Certified

Sick Leave Bank for the \_\_\_\_\_ payroll period.

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE

**SICK LEAVE BANK WITHDRAWAL FORM**

**WINSTON COUNTY BOARD OF EDUCATION**

**Double Springs, Alabama**

\*\*\*\*\*

Withdrawal Period - End of school year with May payroll.

Employee Name: \_\_\_\_\_ Social Security #: \_\_\_\_/\_\_\_\_/\_\_\_\_\_  
Please Print

Name of School/Work Site: \_\_\_\_\_

Position: \_\_\_\_\_

( ) I wish to withdraw all of my earned sick leave days from the School District Sick Leave Bank and terminate my affiliation with the Bank.

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE

**CATASTROPHIC SICK LEAVE APPROVAL FORM**

**WINSTON COUNTY BOARD OF EDUCATION**

**Double Springs, Alabama**

\*\*\*\*\*

**Section I: Employee Information**

Name of Employee \_\_\_\_\_

Home Address \_\_\_\_\_

Home Address \_\_\_\_\_

S. S. No. \_\_\_\_\_ Schl/Work Site Phone No. \_\_\_\_\_

Note: The employee must be a member of the Winston County School District SLB.

**Section II: Description of Illness/Injury**

Note: This section should be completed by the employee requesting to be granted approval for catastrophic sick leave.

A description of my illness/injury is as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

**Section III: Attending Physician's Statement (Required)**

Note: A statement from the attending physician attesting to the need for the employee requesting catastrophic leave to be placed on extended leave.

Name of Physician \_\_\_\_\_

Business Address \_\_\_\_\_

Business Address \_\_\_\_\_

Business Phone Number \_\_\_\_\_

Physician's Statement (may be attached or written) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Based on my professional opinion, I estimate that the person whose name is shown in Section I above will need to be away from his/her employment for \_\_\_\_\_ days, weeks (circle one).

\_\_\_\_\_  
Physician's Signature

\_\_\_\_\_  
Date

**Section IV: Board Action**

Recommended by Superintendent: Yes \_\_\_\_ No \_\_\_\_ Date \_\_\_\_\_

Approved by Board: Yes \_\_\_\_ No \_\_\_\_ Date \_\_\_\_\_

Directions: Complete and return this form to the Superintendent's Office.

**CATASTROPHIC SICK LEAVE TRANSFER AUTHORIZATION FORM  
WINSTON COUNTY BOARD OF EDUCATION  
Double Springs, Alabama**

**Section I: Donating Employee Information**

Name of Employee \_\_\_\_\_

Home Address \_\_\_\_\_

Home Address \_\_\_\_\_

S. S. No. \_\_\_\_\_ Schl/Work Site Phone No. \_\_\_\_\_

Employer \_\_\_\_\_

Employer Address \_\_\_\_\_

Note: The donating employee must be a member of his/her local SLB to donate to an employee of the Winston County School District.

**Section II: Beneficiary Employee Information**

Name of Employee \_\_\_\_\_

Home Address \_\_\_\_\_

Home Address \_\_\_\_\_

S. S. No. \_\_\_\_\_ Schl/Work Site Phone No. \_\_\_\_\_

Employer \_\_\_\_\_

Employer Address \_\_\_\_\_

Note: The beneficiary employee must be a member of the SLB or a member of the sick leave bank in the public school system where he/she is employed.

**Section III: Number of Days Donated**

I certify that I hereby donate \_\_\_\_\_ days of my regular state sick leave days to the beneficiary employee whose name is listed above in Section II. My employer has my permission to transfer the indicated number of sick leave days to the employer of the beneficiary for his/her use due to catastrophic illness/injury as defined in The Code of Alabama, 16-22-9. I understand that my accumulated sick leave balance will be reduced by the specified number of days I have authorized to be transferred and that such days will not be returned to me.

\_\_\_\_\_  
Donating Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

Note: Not more than 30 days may be donated by any one employee.

**Section IV: School District Authorizations**

I hereby certify that the donating employee is employed by the Winston County Board of Education and has an accumulated balance of sick leave days equal to or greater than the number of days authorized for transfer. I further certify that the provisions of the SLB have been followed in authorization of this transfer of sick leave days.

\_\_\_\_\_  
Superintendent

\_\_\_\_\_  
Date



## **SUBSTITUTE TEACHERS**

### Qualifications

To qualify as a substitute teacher, a person must be a high school graduate or hold a G.E.D. certificate (some college preferred), possess an Alabama Substitute Teacher's Certificate or a Professional Alabama Teacher's Certificate, have the results of a Tuberculin (Payne Test) skin test on file with the Board, and be 21 years of age or have completed at least two (2) years of college.

### Employment

All substitute teacher candidates must make application for employment by completing an application form at the Central Office and have all required documents on file prior to being approved to substitute in the schools of the School District.

A list of eligible substitute teachers shall be compiled annually by the Superintendent of Schools or designee. Upon being placed on the list, potential substitute teachers should contact the principals in the schools where they are willing to substitute. Local school principals shall have the authority to call substitute teachers from the list at his/her discretion.

### Plan for Calling Substitute Teachers

Each local school principal is responsible for developing an approved plan for calling substitute teachers from the approved Substitute Teacher's List as he/she needs them. Principals may call substitute teachers from the list at his/her discretion.

### Pay for Regular Substitute Teachers

The pay for substitute teachers shall be at least state scale and shall be paid by the Superintendent of Schools from appropriate leave funds if absences are covered by sick leave, personal leave or other approved leave provisions.

### Substitute Pay for Extended Periods of time: Teacher On Payroll

In the event a certified teacher goes on leave with pay for an indefinite period of time, any substitute teacher employed to substitute for the teacher on leave will be paid at the rate set by the Board for substitute teachers in the School District.

Substitute Pay for Extended Periods of time: Teacher Off Payroll

In the event a certified teacher is be unable to perform his/her assigned duties for an extended period of time and goes on leave without pay, the Superintendent of Schools is authorized to employ a certified teacher (if available) and pay him/her regular teacher pay based on the current School District salary schedule. NOTE: To be paid regular teacher pay, the substitute must possess an Alabama Professional Teaching Certificate. Non professionally certified substitutes will be paid based on the Board approved substitute teacher rate.

Paying for Own Substitute

By law certified personnel shall not under any circumstances be permitted personally to pay for a substitute to assume their duties for any length of time. All days that certified personnel are away from their jobs must be reported by the local principal and charged to respective employee as sick, personal leave, etc.

Provided funds are available, the Board, upon the recommendations of the Superintendent of Schools may employ temporary substitute teachers for a specific period of time. Said substitute teachers must have at least a bachelor's degree and a valid professional teachers certificate. In order to meet the widest range of teaching situations, said temporary substitute teachers should be certified in a broad field of study. Said teachers shall be employed on a short-term basis and be paid a monthly pay scale. Substitute teachers employed on a monthly basis shall be considered as a temporary employee and shall not be eligible for fringe benefits except as provided by law.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: July 7, 1998; Oct. 23, 2007; Nov. 20, 2008

LEGAL REF.: The Code of Alabama, 16-25-26; The State Department of Public Health recommendation, dated July 1, 1982.

## **TEACHER AIDES**

The Board recognizes that teacher aides increase the effectiveness of the teacher in the classroom. To be eligible for employment as an aide, one must meet the following criteria:

1. Have at least a high school diploma or a G.E.D.(some college preferred).
2. Have a valid Alabama Substitute Teacher Certificate or a professional Alabama Teacher's Certificate.
3. Have the results of a Tuberculin Skin Test on file with the Board.
4. Have attained the age of 21 years or have completed at least two (2) years of college.
5. Have the academic competency in written and spoken language and mathematical skills.
6. Have the aptitude for work to be performed.
7. Have alternatives to specified qualifications as deemed necessary by the Board.

### Employment

Persons interested in employment as a teacher aide must complete an application form at the Central Office, be recommended for employment by the Superintendent of Schools and receive a majority vote of the Board.

### Inservice Training

Inservice training is recognized as a vital vehicle for the improvement of instruction and as such shall be required of all personnel, including teacher aides associated with the teaching and learning process. All teacher aides shall receive a minimum of thirty (30) hours of inservice training as mandated by the State Department of Education and additional inservice as determined by the Board. Inservice education shall be planned, implemented and conducted by competent, certificated personnel authorized by the Board to perform said services.

Inservice education shall be offered to teacher aides in accordance with provisions of the School District's approved inservice plan and other requirements of the Alabama State Department of Education.

### Duties and Responsibilities

The teacher aide shall function under the direct supervision of the teacher(s) to whom he/she is assigned. The teacher aide will assist the teacher in performing instructional duties and noninstructional duties in the classroom and on the school premises. Teacher aides may be assigned direct supervisory responsibility for students provided they possess a valid Alabama

FILE: GBRJD  
IKHB

(Continued)

Substitute Teacher's Certificate or a professional Alabama Teacher's Certificate; however, they may not administer punishment of any kind to students, conduct parent conferences or assume any other similar unassigned duties.

Specific Program Aides

Teacher Aides assigned to and paid for by specific programs shall not be removed from such assignments on a continuing basis, i.e., teacher aides assigned to kindergarten, special education classes, etc. must remain in such assignments until officially reassigned.

SOURCE: Winston County Board of Education, Double Springs, AL  
ADOPTED: Jun. 24, 1986

FILE: GBS

## **PROFESSIONAL ORGANIZATIONS FOR CERTIFIED PERSONNEL**

Certified personnel of the School District shall respect each other's rights to choose for themselves the professional organizations with which they affiliate. Membership in professional organizations shall be on a voluntary basis. Administrators of the School District or local schools shall not take punitive action against employees because of their membership in professional organizations or because of their failure to affiliate with said organizations.

SOURCE: Winston County Board of Education, Double Springs, AL  
ADOPTED: Jun. 24, 1986

**PROFESSIONAL DEVELOPMENT PLAN**

The Winston County Board of Education believes that all personnel should be involved in a Professional Improvement Plan. A Staff Improvement Plan will enable personnel to keep pace with teaching styles, materials, equipment, etc.

According to the Southern Association of Colleges and Schools, all school personnel, regardless of degree held or years of experience are required to have professional development.

Specifically, the Southern Association Standard reads each (certified staff member) shall earn at least six- (6) semester hours of credit or the equivalency as approved by the State Committee during each five-year period of employment. The six- (6) semester hours of credit or the equivalency shall be designed to increase competency in the areas of responsibility.

**SOUTHERN ASSOCIATION OF COLLEGES AND SCHOOLS:**

Equivalent credit earned through any activity, as outlined above, shall be determined in accordance with the following point allocation table based on clock hours.

1-2 hours	.1 credits	11-12 hours	.7 credits
3-4 hours	.2 credits	13 hours	.8 credits
5 hours	.3 credits	14-15 hours	.9 credits
6-7 hours	.4 credits	16 hours	1.0 credits
8 hours	.5 credits	32 hours	2.0 credits
9-10 hours	.6 credits	48 hours	3.0 credits

**CONTINUING EDUCATION UNITS (CEU's):**

For each hour of contact, the participant will receive .1 hour of credit.

1 hour	.1 credit	7 hours	.7 credits
2 hours	.2 credits	8 hours	.8 credits
3 hours	.3 credits	9 hours	.9 credits
4 hours	.4 credits	10 hours	1.0 credits
5 hours	.5 credits	20 hours	2.0 credits
6 hours	.6 credits	30 hours	3.0 credits

Please note the difference in CEU Credit and Southern Association Credit.

Thus, each certified staff member needs to be aware of these standards. Each staff person should make a point to collect CEU Credits when attending workshops and turn in the credit forms to the building level supervisor.

## PROFESSIONAL GROWTH CRITERIA

The following criteria are provided by the Southern Association for the use of schools and school systems in the implementation of these standards.

- A. The requirements of continuing professional growth can be met by earning six (6) semester hours of credit for administrative personnel, supervisory personnel, guidance counselors and other certified personnel or six (6) semester hours of credit for instructional staff members during each five (5) year period of employment.
- B. Equivalent professional activities may be used to fulfill all or part of the professional growth requirement. It is the responsibility of each certified employee to maintain evidence of equivalency credits which are summarized on the appropriate local form. These forms provide for documentation of all professional growth activities approved at the system-wide and school level.

Decisions concerning final approval of equivalency credit rest with the Superintendent or his designee.

Guidelines outlined below must be adhered to in approving equivalent professional activities:

- 1. Educationally related activities are defined as activities which are conducted by any college, school system or professional organization which are of high quality, extended over a stated period of time and in which the following specific conditions exist:
  - a. the sponsoring organization has an identifiable educational interest
  - b. professionally qualified persons organize and direct the activity
  - c. there is evidence of clearly defined purposes and goals and a means of evaluation
  - d. the material covered in the activity is relevant to the educational position held by the participant
- 2. Examples of acceptable educationally related activities are:
  - a. college coursework
  - b. workshop, seminars, conferences, conventions, clinics, etc.
  - c.. professional readings
  - d. curriculum planning
  - e. accreditation studies
  - f. educationally oriented extra-curricular activities
  - g. educational travel
  - h. attendance at professional organization meetings
  - i. educationally-oriented community activities
  - j. in-service education

3. Equivalent credit earned through any activity, as outlined above, shall be determined in accordance with the following point allocation table based on clock hours:

1-2 hours .1	8 hours .5	14-15 hours .9
3-4 hours .2	9-10 hours .6	16 hours 1.0
5 hours .3	11-12 hours .7	3,2 hours 2.0
6-7 hours .4	13 hours .8	48 hours 3.0

4. Auditing of college courses may be accepted as equivalency credit. Conditions and procedures for approval of courses to be audited are the same as outlined above for equivalency activities.
5. Equivalency credit may be obtained for educational travel if, prior approval is obtained. The amount of credit awarded will depend on the degree to which the travel experiences provide educationally related information that is directly applicable to fulfilling one's teaching assignment. No more than 1 equivalency 'credit is permitted for travel over a five (5) year period.
6. No more than one (1) equivalency credit is permitted for Professional Readings over a five (5)-year period.
7. No more than one (1) equivalency credit is permitted for workshops, seminars, conferences, conventions, clinics, etc., over a five (5) year period that is attended during the regular working hours (employee contracted days.)
8. The requirements for meeting the five-(5) year cycle of professional growth begin with the individual's date of employment in an accredited school.



**INDIVIDUAL PROFESSIONAL IMPROVEMENT PLAN  
WINSTON COUNTY BOARD OF EDUCATION  
Double Springs, Alabama**

\*\*\*\*\*  
NAME \_\_\_\_\_ SCHOOL \_\_\_\_\_

DEGREE \_\_\_\_\_ MAJOR \_\_\_\_\_ MINOR \_\_\_\_\_

TEACHING ASSIGNMENT \_\_\_\_\_ SCHOOL YEAR \_\_\_\_\_

**I. SELF-SELECTED ACTIVITIES:**

<b>A. COLLEGE COURSE WORK</b>			
<u>NAME OF COURSE</u>	<u>COLLEGE</u>	<u>HRS. EARNED</u>	<u>YEAR</u>
_____	_____	_____	_____
_____	_____	_____	_____
<b>B. WORKSHOPS, SEMINARS, CONFERENCES, CONVENTIONS, CLINICS, ETC.</b>			
<u>ACTIVITY (DESCRIBE)</u>	<u>LOCATION</u>	<u>DURATION</u>	<u>CREDITS</u>
_____	_____	_____	_____
_____	_____	_____	_____
<b>C. PROFESSIONAL READINGS:</b>			
<u>ACTIVITY (DESCRIBE)</u>	<u>LOCATION</u>	<u>DURATION</u>	<u>CREDITS</u>
_____	_____	_____	_____
_____	_____	_____	_____
<b>D. DEVELOPMENT OF RESOURCE MATERIALS:</b>			
<u>ACTIVITY (DESCRIBE)</u>	<u>LOCATION</u>	<u>DURATION</u>	<u>CREDITS</u>
_____	_____	_____	_____
_____	_____	_____	_____
<b>E. CURRICULUM IMPROVEMENTS: (STUDY AND USE OF TEST DATA, IMPROVING INDIVIDUAL EDUCATION PLANS, DEVELOPING LEARNING CENTERS, LEARNING AND IMPLEMENTING LEVELING AND CONTINUOUS PROGRESS, DEVELOPING OBJECTIVES FOR INDIVIDUALS, GRADE OR SUBJECT AREA, ETC.)</b>			
<u>ACTIVITY (DESCRIBE)</u>	<u>LOCATION</u>	<u>DURATION</u>	<u>CREDITS</u>
_____	_____	_____	_____
_____	_____	_____	_____

<b>F. PROFESSIONAL DEVELOPMENT RELATED TO MAINSTREAMING IN REGULAR CLASSROOM (BOOKS OR ARTICLES READ, COURSES TAKEN, WORKSHOPS OR CONFERENCES, RESOURCE EQUIV. CREDITS, WORK, ETC.)</b>

**II. SCHOOL ACTIVITIES:**

ACTIVITY	DATE	HOURS OR DAYS	EQUIV. CREDIT, WORK, ETC.

**III. TRAVEL: (FOR PROFESSIONAL DEVELOPMENT OR CLASSROOM USE)**

TRIP	PURPOSE	EQUIV. CREDIT, WORK, ETC.

**IV. COMMUNITY RELATIONS:**

EQUIV. CREDIT, WORK, ETC.

**V. PROFESSIONAL ORGANIZATIONS:**

EQUIV. CREDIT, WORK, ETC.

**VI. OTHERS:**

EQUIV. CREDIT, WORK, ETC.

**FIVE-YEAR INDIVIDUAL RECORD OF  
COLLEGE/EQUIVALENCY CREDIT  
WINSTON COUNTY BOARD OF EDUCATION**

Double Springs, Alabama

\*\*\*\*\*

Each professional staff member must complete six (6) hours of college credit or equivalency per each five-year span of employment-regardless of degree held.

NAME \_\_\_\_\_ SCHOOL \_\_\_\_\_

<u>Year</u> _____	<u>College Course # and Description</u>	<u>Semester</u>	<u>Hours Credit</u>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
<u>Prin.</u> _____	<u>Approved Equivalency Activity</u>	<u>Clock Hrs.</u>	<u>Equiv. Credit</u>
	_____	_____	_____
	_____	_____	_____
<b>Total Credits</b>	_____	_____	_____

<u>Year</u> _____	<u>College Course # and Description</u>	<u>Semester</u>	<u>Hours Credit</u>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
<u>Prin.</u> _____	<u>Approved Equivalency Activity</u>	<u>Clock Hrs.</u>	<u>Equiv. Credit</u>
	_____	_____	_____
	_____	_____	_____
<b>Total Credits</b>	_____	_____	_____

Year ____	<u>College Course # and Description</u>	<u>Semester</u>	<u>Hours Credit</u>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
Prin. ____	<u>Approved Equivalency Activity</u>	<u>Clock Hrs.</u>	<u>Equiv. Credit</u>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
<b>Total Credits</b>	_____	_____	_____

Year ____	<u>College Course # and Description</u>	<u>Semester</u>	<u>Hours Credit</u>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
Prin. ____	<u>Approved Equivalency Activity</u>	<u>Clock Hrs.</u>	<u>Equiv. Credit</u>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
<b>Total Credits</b>	_____	_____	_____

**EDUCATIONAL ACTIVITY ATTENDANCE REQUEST FORM**

**WINSTON COUNTY BOARD OF EDUCATION**

**Double Springs, Alabama**

\*\*\*\*\*

Name \_\_\_\_\_ School \_\_\_\_\_

Title of Activity \_\_\_\_\_

Place held \_\_\_\_\_ Date(s) held \_\_\_\_\_

Number of Activity hours \_\_\_\_\_ Semester Equivalency Credit \_\_\_\_\_

Reason for request \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Relatedness to field \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Approved

Not Approved

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Building Level Administrator

\_\_\_\_\_  
Date

**PROOF OF EDUCATIONAL ACTIVITY ATTENDANCE**

**WINSTON COUNTY BOARD OF EDUCATION  
Double Springs, Alabama**

\*\*\*\*\*

Name \_\_\_\_\_ School \_\_\_\_\_

Title of Activity \_\_\_\_\_

Place held \_\_\_\_\_ Date(s) held \_\_\_\_\_

Number of Activity hours in attendance \_\_\_\_\_

Number of Semester Equivalency Credits \_\_\_\_\_

"I do hereby sign that said employee of the Winston Co. Board of Education did attend the above mentioned Activity at the time and date stated."

\_\_\_\_\_  
Signature of Attendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Activity Official

\_\_\_\_\_  
Date

**NON-CERTIFIED PERSONNEL DEFINED**

The term "non-certified personnel"; is deemed to mean all persons employed full-time by the Board who are employed as bus drivers, lunchroom or cafeteria workers, custodial aides and janitors, custodians, maintenance personnel, secretaries and clerical supervisors and all other persons not otherwise certified by the State Board of Education. Full-time employed personnel include:

1. adult bus drivers, and
2. other personnel whose duties require twenty (20) or more hours in each normal working week.

Substitute teachers and other employees are excluded from this personnel category.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; July 31, 2003

LEGAL REF.: The Code of Alabama, 16-25-1, 36-26-100 to 108.

## **CONTRACTS FOR NON-CERTIFIED PERSONNEL**

The Board and its non-certified employees shall enter into contracts for fixed compensation. Such fixed compensation may be changed for any succeeding year in accordance with the Board's approved salary schedule. The Superintendent shall issue contracts in the form of employment letters to non-certified employees initially at the time of employment. A written acknowledgement of acceptance of the terms of the employment letter shall be obtained from the prospective employee prior to completing formal employment procedures.

### Contract Periods

The contract periods for non-certified personnel shall conform to the provisions agreed upon and stipulated in the initial employment letter. Any succeeding letters of employment issued in the name of the Board shall be acknowledged in writing by employees. The Superintendent has the authority to determine the number of days to be worked by 12-month employees during holiday periods defined by the Annual School Calendar (examples, Christmas, Spring break, etc.)

### Full and Part-time Contracts

Contracts for non-certified personnel shall be based on either full-time or part-time letters of employment. Full-time and part-time employment is defined in The Code of Alabama, Section 36-26-100. The School District, upon issuing written letters of employment to part-time temporary personnel, shall insure that the following minimal terms are specified: (1) the date the contract begins, (2) the date or conditions upon which the contract ends, (3) the fringe benefits to be accorded/paid by the Board, and (4) the rate of pay.

### Other

All non-certified employees who do not plan to remain in service with the School District must give a fifteen-day notice of resignation. The School District shall give written notice to nonpermanent, full-time non-certified personnel fifteen (15) days prior to termination of employment. Part-time and temporary non-certified personnel may be dismissed at any time by the Board upon the recommendation of the Superintendent.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 36-26-100 to 108.



FILE: GCH

**SUPERVISION OF NON-CERTIFIED PERSONNEL**

Upon employment, all non-certified personnel shall be assigned duties and responsibilities in accordance with job descriptions. In all cases, said employees shall be placed under the direct supervision of an immediate supervisor. Employees shall be directly responsible to their immediate supervisor and shall initiate all complaints, grievances, requests, etc. through said supervisor.

SOURCE: Winston County Board of Education, Double Springs, Al

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 36-26-100 to 108.

FILE: GCI

**PROBATIONARY PERIOD FOR NON-CERTIFIED PERSONNEL**

All personnel as defined under GCA of this manual shall be employed on probationary status for a period not to exceed three (3) consecutive calendar years from the date of his/her initial employment. During probationary years, the Board shall cause said personnel's performance to be evaluated. During the probationary period, the Board, upon the recommendation of the Superintendent of Schools, may terminate said personnel's employment by furnishing said personnel written notification at least fifteen (15) days prior to the termination date.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 36-26-100 to 108.

FILE: GCL

**NON-PROBATIONARY STATUS  
FOR NON-CERTIFIED PERSONNEL**

The Board shall grant non-probationary status to eligible non-certified personnel as defined in policy GCA, i.e. adult bus drivers, cafeteria workers, custodians, secretaries, and all other persons not certified by the State Board of Education who are employed full-time by the Board and who have successfully served a probationary term of three (3) calendar years from the date of initial employment.

Upon successfully completing the probationary period, said employee shall be deemed to be employed on a non-probationary status. Termination of an employee on non-probationary status shall only be undertaken for the reasons and in accordance with the procedures outlined in The Code of Alabama.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: July 7, 1998

LEGAL REF.: The Code of Alabama, 36-26-100 to 108.

FILE: GCM

## **TRANSFER OF NON-CERTIFIED PERSONNEL**

The Superintendent of Schools shall have the authority to transfer non-certified personnel from one position to another when such transfers are in the best interest of the School District. All transfers shall be in accordance with the provisions outlined in Legislative Act, 83644.

All non-certified personnel shall have the right to request transfer of other positions for which they are qualified. Such requests shall be made to said personnel's immediate supervisor. Such requests will be given consideration by the Superintendent of Schools.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 16-9-23, 36-26-100 to 108.

## **EVALUATION OF NON-CERTIFIED PERSONNEL**

The evaluation of non-certified personnel shall be the responsibility of said employees' immediate supervisor and appropriate support personnel. The evaluation of an employee's effectiveness is a difficult task and subjective in nature. However, the effectiveness of the total school program is dependent upon effective and competent personnel. Evaluation of non-certified personnel should be carried out by the School District in a systematic, uniform and honest manner. In order to ensure and promote the welfare of non-certified personnel, the evaluation of said personnel shall always encompass the provisions that follow:

1. Evaluation for re-employment purposes shall be completed after not less than two (2) work area visitations and conferences by the evaluator for all non-permanent employees. Evaluations shall be completed after not less than one- (1) work area visitation and conference by the evaluator for all permanent employees.
2. The evaluator shall reduce the findings of each visitation to writing and transmit a copy to the employee not less than five (5) days following each visitation. Said findings shall be written on Board-approved forms that outline a set of predetermined evaluation criteria. Employees will acknowledge having reviewed the evaluation summary by signature. Said personnel shall always retain the right to disagree with the evaluation. In such cases, said personnel shall request the Superintendent of Schools to appoint an evaluator in addition to said employee's immediate supervisor.
3. When, in the opinion of the evaluator, the employee needs to improve certain skills required in his/her work, the evaluator and employee shall cooperatively develop a plan through which such skills might be acquired.
4. Every effort shall be made by the School District to provide meaningful job improvement opportunities for said personnel. Specialists and supervisors shall be made available to work with employees needing and desiring their services. Evaluators should make every effort to help non-certified personnel become a contributing member of the School District's staff.
5. However, when attempts to assist employees through the cooperatively developed skills' improvement plan have failed, the best interest of the School District must be considered.

6. A copy of the evaluation report shall be submitted to the Superintendent of Schools, one kept in the principal's/work site office, and one given to the employee. The evaluation shall be signed by the principal/work site supervisor and employee. The first evaluation report on nontenured personnel shall be completed by December 15, with the additional report for all non-certified personnel completed by April 1 each year.
7. Principals/work site supervisors shall be responsible for giving confidential ratings on employees and making recommendations to the Superintendent of Schools concerning the retention or termination/nonrenewal of employees. Such ratings and recommendations shall be supported by appropriate and adequate documentation.

**SEPARATION OF NON-CERTIFIED PERSONNEL**

A non-certified employee who wishes to terminate his/her services with the Board shall at least fifteen (15) days prior to date of termination notify in writing his/her immediate supervisor, who shall notify the Superintendent of Schools or his/her designated representative.

A non-certified probationary employee whose service is to be terminated by the Board shall be notified in writing fifteen (15) days prior to the date of termination. Non-certified employees on permanent status shall be terminated from employment in accordance with the procedures outlined in The Code of Alabama, 36-26-100 to 108.

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986

LEGAL REF.: The Code of Alabama, 36-26-100 to 108.

## **REDUCTION IN FORCE OF NON-CERTIFIED PERSONNEL**

In the event it becomes necessary to reduce the number of non-certified staff employed by the School District due to a decrease in student enrollment, financial crisis, changes in curriculum, consolidation or reorganization, the following procedure shall be followed to determine staff members to be affected:

### Procedure

1. Attrition by resignation, retirement or voluntary leaves of absence shall be the first method to reduce the force.
2. Based on the philosophy of maintaining the best educational program possible, the Board, upon recommendation of the Superintendent of Schools, shall identify the work area(s) and work site(s) from which staff members are to be reduced in force at respective times. For the purpose of reduction in force, the following terms are defined:
  - a. Work Areas - Child nutrition personnel, custodian and custodial aides, bus drivers, secretaries/bookkeepers, building maintenance, automotive mechanics and teacher aides.
  - b. Work Sites - Central office to include: Child nutrition personnel, bus drivers, secretaries/bookkeepers, building maintenance and automotive mechanics. Local schools to include: Child nutrition personnel, custodians and custodial aides, secretaries/bookkeepers and teacher aides.
3. Following the identification of the work area(s) and work site(s), the number of staff to be reduced from each area(s) and site(s) will be determined by the Board, based on a recommendation by the Superintendent of Schools. All staff members within the identified work area(s) and site(s) will be rank ordered from greatest amount of service time to least amount of service time within the School District. The staff member(s) with the least amount of continuous service time (seniority), based on actual date of employment as reflected in the Board minutes, shall be the first to be reduced in force. In the event two (2) or more staff members have the same amount of continuous service time within the School District based on Board minutes, the following additional criteria will be used to determine the order of reduction in force:
  - a. Formal education attained by the staff member (the staff member with the least amount of formal education to be reduced first).



- b. Total years of work related experience (the staff member with the least number of years of experience to be reduced first).
4. In order for a staff member selected to be reduced in force by these procedures to displace a staff member in the same work area at another work site with less service time, said staff member must be capable of handling the entire position of the employee they seek to displace and must submit a written request for such transfer within five (5) days after receipt of the notice of reduction in force.
5. The names of non-certified personnel reduced in force shall be placed in a School District employment pool. Said personnel shall be given the opportunity in reverse order of their lay offs to fill the first comparable employment vacancies for which they are qualified.
6. Provided personnel in the employment pool are recalled, they shall be issued a letter of reappointment by registered mail at least 15 work days prior to the date of re-employment. Said personnel must accept the offer of re-employment in writing by registered letter within five (5) working days of receipt of the offer. Failure to accept the offer in the manner and time stipulated above will be construed to be a rejection of the offer.
7. It is understood that reduction in force constitutes termination of employment and all benefits provided by the School District ceases on the effective date.

SOURCE: Winston County Board of Education, Double Spring, AL

ADOPTED: Jun. 24, 1986; REVISED: July 31, 2003, April 24, 2008

LEGAL REF.: The Code of Alabama, 16-1-30, 36-26-100 to 108; Attorney General's Op.,  
Jul. 1, 1986.

## **TIME SCHEDULES AND WORK LOADS FOR NON-CERTIFIED PERSONNEL**

### Time Schedules

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

### Work Load

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

### **Invasive Procedures**

Tasks that require the exercise of independent nursing judgement or intervention may **not** be delegated to unlicensed personnel. Examples of tasks that are **not to be delegated** include, but are not limited to the following:

- Catheterization, clean or sterile
- Administration of injectable medications
- Administration of rectal or vaginal medication
- Tracheotomy care, including suctioning
- Gastric tube insertion, replacement, or feedings
- Invasive procedures or techniques
- Ventilator care

SOURCE: Winston County Board of Education, Double Springs, AL

ADOPTED: Jun. 24, 1986; REVISED: Feb. 24, 2003

LEGAL REF.: The Code of Alabama, 16-1-30, 16-9-23; Fair Labor Standards Act of 1938, as amended.; Alabama State Department of Education letter, dated Dec. 12, 2001, Ed Richardson, author.

**PERSONAL LEAVES AND ABSENCES FOR  
NON-CERTIFIED PERSONNEL**

Each non-certified employee shall be entitled to five [5] days of noncumulative personal leave annually, to be granted upon request of the employee. The following provisions shall apply:

1. In order to protect the educational interest of students, it is suggested that personal leave not be taken during the first or last two (2) weeks of school, or immediately before or after a school holiday.
2. The first two (2) days granted will be at no cost to the employee and shall be considered as the days paid by the State. The remaining three (3) days are granted by the Board, based on the number of years of experience In the Winston County School District and will be effective for employees as of October 1, 1989 and each October hereafter.
  - a. Employees with less than 10 years of experience will be granted three (3) days by the Board, with employees required to pay only the cost of the substitute employees.
  - b. For employees with 10 years of experience, the Board of Education will pay the substitute for one additional day.
  - c. For employees with 15 years of experience, the Board of Education will pay the substitute for two (2) additional days.
  - d. For employees with 20 years of experience, the Board of Education will pay the substitute for three (3) additional days.
3. Reimbursement for unused State paid personal days and unused county paid personal leave days shall be included in the July payroll check. Such days shall be reimbursed the rate paid regular substitutes in the School District. The date for determining the number of days to be reimbursed shall be June 30 each year. No reimbursement shall be made for any of the unused personal leave days granted by the Board where its employee pays for the substitute.
4. Non-certified personnel must notify their immediate supervisor prior to taking personal leave.

5. Non-certified personnel are encouraged to notify their immediate supervisor as far in advance as possible before taking personal leave, although it is recognized that advance notification is not always possible.
6. A non-certified employee's annual entitlement to paid personal leave is not fully gained unless the employee serves throughout the school year; therefore, if an employee does not work the entire year, he/she shall be entitled to days of leave based on a percentage of the contract days worked, while the remaining days of personal leave would be available to the person replacing the employee.
7. Personal leave days are to be reported as personal leave; no other explanation is required. Such leave is at the discretion of the employee and may be for personal, business, professional or any other reason.
8. Unused personal leave days may be converted to regular sick leave days at the end of the scholastic school year (June30) upon the written request of the employee.

SOURCE: Winston County Board of Education, Double Springs, Alabama

ADOPTED: Jun. 24, 1986; REVISED: Dec. 18, 1989; July 7, 1998; July 6, 2000; Aug. 10, 2006

LEGAL REF.: The Code of Alabama, 16-8-8, 16-8-26; Legislative Acts, 84-251, 97-444;  
Attorney General's Op., Aug. 22, 1984, Oct. 31, 1985.

**SICK LEAVE BANK GUIDELINES FOR NON-CERTIFIED PERSONNEL**

I. Purpose

The School District Sick Leave Bank for non-certified personnel (hereinafter referred to as SLB) is established to provide a loan of leave days for participating members after their accumulated sick leave days have been exhausted. This action is authorized by The Code of Alabama and the Official Resolution of the Board.

II. Sick Leave Bank Committee

- A. The SLB Committee shall consist of five (5) members as follows: one (1) representative for the Board appointed by the Superintendent (subject to Board approval) and four (4) members representing the participating members of the SLB. Names of two (2) nominees per school will be placed on a ballot. The election of committee members by secret ballot of the SLB members will take place at the beginning of each scholastic year. Vacancies occurring on the committee shall be filled by the respective parties. No representative on the committee shall serve for a term longer than five years.
- B. Members of the SLB committee will serve a term of one (1) year . The term shall be from October 1 until September 30.
- C. The SLB committee is charged with advising the administration and operation of the SLB in keeping with adopted policies and guidelines. Guidelines shall be approved by a secret ballot vote of the participating members of the SLB.
- D. Duties of the SLB Committee
  - 1. The SLB will elect by majority vote a chairperson from among its members at the beginning of each year.
  - 2. Meetings of the SLB committee shall be scheduled on a regular basis as determined by the committee. Additional meetings may be called by the chairperson or by a majority of the committee members.
  - 3. The SLB committee shall have the authority to reopen the bank in case of emergency or need and/or take any other action deemed necessary for the effective and efficient operation of the SLB.
  - 4. The SLB committee shall develop all necessary forms for the orderly operation and administration of the sick leave bank and catastrophic leave.
  - 5. Forms for requesting loans from the SLB shall be available at the Central Office and in the principal's office at each school.
  - 6. The SLB shall write guidelines and administrative procedures of the sick leave bank, including the catastrophic leave.

III. Eligibility and Participation in the Sick Leave Bank

- A. Any full-time, non-certified employee of the Board who has completed a Sick Leave Bank Authorization Form contributing five (5) days to the SLB or committing five (5) days to the SLB is eligible to borrow up to 15 days from the SLB in accordance with State Board of Education guidelines regulating sick leave.
- B. No employee shall be allowed to owe more than 15 days to the sick leave bank, unless over 50 percent of the members of the bank vote to extend the limit for all members.
- C. The contribution of leave days into the SLB must take place before the end of the current payroll period.
- D. At the beginning of the scholastic year, or upon employment of a new employee, the appropriate number of sick leave days shall, upon application of the employee, be credited to the employee's account to enable the employee to join the sick leave bank even though the employee does not have the minimum number of sick leave days to enable him or her to join the bank.
- E. To be eligible for a loan from the SLB, a participating member must have exhausted all accumulated sick leave in his/her personal account.
- F. Those days that a contributing employee has placed in the SLB are to be counted toward the cumulative total of the maximum days allowable under law.
- G. The Board Payroll Department shall maintain records of all members' contributions to the SLB, withdrawals from the SLB, and the status of the SLB. Reports shall be provided on a timely basis and at the request of the SLB committee, Superintendent of Schools, or Board.
- H. In cases where the contributor has been incapacitated, his/her designated agent may apply to the SLB committee on the contributor's behalf.
- I. Contributions of days must have been authorized prior to the occurrence of any illness or disability for which the individual seeks a loan of days for the SLB.
- J. An individual cannot leave the School District without repaying any outstanding debt of leave days to the SLB. If the employee has no sick leave days remaining, then his/her final check shall be garnished at the employee's prevailing rate of pay for the number of days owed to the SLB. Any monies collected from employees as a result of the SLB operation shall be held by the Board as other funds. In turn, the Board shall notify the SLB committee of the number of days due to be credited in the SLB as a result of the receipt of such funds. It is expected that the Board shall take such action as is appropriate to recover from any employee or ex-employee

- those sums of money as would equate the value of sick days advanced or borrowed for which the employee did not earn a sick day or otherwise compensate the Board.
- K. Upon retirement or transfer of the sick leave bank member, days on deposit with the sick leave bank shall be withdrawn and transferred with the employee or made accessible for retirement credit, as applicable.
  - L. Any individual wishing to end his/her participation in the SLB may do so only at the end of the school year or upon departure from the School District. Resignation from the SLB must be made by submitting the official form to the SLB committee and the Board Payroll Office.

IV. Procedures for Sick Leave Due to Catastrophic Illness

- A. Catastrophic Illness Defined -- Legislative Act 99-581 defines catastrophic illness as any illness, injury, or pregnancy or medical condition related to childbirth, certified by a licensed physician which causes the employee to be absent from work for an extended period of time. The extended period of time will be determined on a case-by-case basis by the Board.
- B. The recipient employee may use catastrophic sick leave days for himself or herself or for other covered personas as provided in Section 16-1-18.1.
- C. Eligibility -- In order for an employee to participate in the Catastrophic Sick Leave plan as defined in Legislative Act 99-581, he/she must meet the following eligibility criteria:
  - 1. Be a member of the Winston County School Board's Sick Leave Bank.
  - 2. Have used all regular sick and personal leave days.
  - 3. Have borrowed and utilized up to 15 days from the SLB.
  - 4. Be a full-time employee.
    - a. Beneficiary Employee Eligibility -- In order for an employee to receive and use donated catastrophic sick leave days from employees of the Winston County School District or from employees of another Alabama school system, the beneficiary employee must be a member of the SLB.
    - b. Donating Employee Eligibility -- An employee of the Winston County School District must be a member of the SLB to donate catastrophic sick leave days to another employee of the Winston County School District. In order for an employee of the Winston County School District to donate catastrophic sick leave days to an employee in another Alabama school system,

he/she must be a member of the SLB and the beneficiary employee must be a member of his/her school system's sick leave bank. The transfer of such days must be from the SLB to and through the beneficiary's school system sick leave bank.

- D. Donating Limits -- An employee, at his/her discretion, may donate up to 30 days to be used by an employee of the Winston County School District. If the employee is a member of the SLB, he/she may also donate such sick leave days to an employee in another Alabama public school system.
- E. Beneficiary Limits -- There is no limit on the number of sick leave days a beneficiary employee may receive under the catastrophic sick leave plan. However, a Winston County School District employee who uses catastrophic sick leave days is required to reapply (completion of Catastrophic Sick Leave Approval Form and attending physician statement) at the end of 90 school days. In the event reasonable cause exist to believe that illegal use is being made of catastrophic sick leave days, the School District may require the employee to submit to an examination by a physician chosen and paid for by the Board.
- F. Donated Days Defined -- The sick leave days donated by an employee to the SLB or an employee in another Alabama public school system for catastrophic illness purposes are regular sick leave days and are deducted from the donating employee's state accumulated sick leave days. Therefore, individual employee donating such days will not be able to recover the donated days. However, if the beneficiary employee is employed in the Winston County School District and does not use all sick leave days donated to him/her, the days will revert to the credit of those employees who donated the days in accordance with the following guidelines: (1) Any remaining days will be totaled, prorated, and restored in one-half (1/2) or one-(1) day increments to the account(s) of the donating employee(s). (2) Increments of less than one-half days will not be restored.
- G. Procedures for Obtaining Approval: Inter-District – Prior to participating in the catastrophic sick leave plan, employees of the Winston County School District must receive approval from the Board. To initiate the approval process, employees must:
  - 1. Complete Sections I and II of the Catastrophic Sick Leave Approval Form.
  - 2. Have the attending physician complete Section III of the Catastrophic Sick Leave Approval Form.
  - 3. Transmit the completed Catastrophic Sick Leave Approval Form to the Superintendent of Schools for review, approval and submission to the Board for approval.



Where emergency situation arise, the Superintendent of Schools may canvass Board members individually to secure approval, with formal approval accomplished at the next subsequent Board meeting.

- H. Procedures for Donating: Inter-District -- To donate catastrophic sick leave days to another employee of the Winston County School District an employee should:
  - 1. Determine if the employee to whom the days are to be donated has been approved for catastrophic leave by the Board.
  - 2. Complete Sections I, II, and III, on the Catastrophic Sick Leave Transfer Authorization Form. All items should be completed to include dates, signatures of the donating employee, and the witness.
  - 3. Transmit the completed form to the Superintendent's Office.
- I. Procedures for Obtaining Approval and donating: Intra-system -- All sick leave days transferred or use by an employee in another Alabama public school system must be transferred through the Winston County School District SLB, i.e. no days may be transferred employee to employee. An employee of the Winston County School District desiring to transfer catastrophic sick leave days to an employee in another Alabama public school system he/she:
  - 1. should contact the Superintendent of Schools to discuss the matter.
  - 2. should contact the recipient to have his/her superintendent or other appropriate official in the Alabama public school system where he/she is employed to transmit a completed copy of their catastrophic sick leave approval form to the Superintendent of the Winston County School District.
  - 3. After receipt to the above verifying information, the Superintendent of Schools or designee will notify the Winston County School District Employee of receipt of verifying forms. The employee desiring to transfer days to the person should complete the state form provided by the State Board of Education. The total number of days donated will then be transferred by the Superintendent of Schools or designee to the school system's sick leave bank where by the beneficiary person is employed.
- J. Earning Sick Leave Days While on Such Leave – A beneficiary employee on catastrophic sick leave will earn regular sick leave days while on such leave at the rate of one per month; however, the earned sick leave day must be used each month as it is earned.
- W. Application Procedure for Loans from the Sick Leave Bank
  - A. Members who wish to borrow days from the bank must complete the standard application for loan form and a physician statement and submit them to the Central Office.

- B. Application for loan forms will be available at the Central Office and in the principal's office at each school.
  - C. Any individual who disagrees with the decision of the SLB committee may appeal that decision in writing to the Board.
- VI. Paying Back Days Owed to the Sick Leave Bank
- A. Sick leave days owed to the sick leave bank shall be paid back at the rate of one per month beginning with the next sick leave day earned after the loan was granted by the sick leave bank and continuing until the days loaned have been completely repaid.
  - B. If a member of the SLB later qualifies for catastrophic sick leave, donated catastrophic sick leave days may be used to repay days owed to the sick leave bank to the credit of the affected member.

SOURCE: Winston County Board of Education, Double Springs, AL  
ADOPTED: Jun. 24, 1986; REVISED: Jan. 22, 1990; Aug. 2, 1994; Nov. 15, 1994; Jun. 20, 1995 & Oct. 24, 1991; July 7, 1998; Oct. 26, 1999; Feb. 26, 2009  
LEGAL REF.: The Code of Alabama, 16-1-18, 16-8-25, 16-22-9; Title 16, Chapter 25; Legislative Acts, 84-251; 84-253; 84-383; and 99-581 Attorney General's Op., Mar. 3, 1969, Mar. 7, 1973, Nov. 3, 1986, May 20, 1988; State Board of Education regulations (February 9, 1984).