

Table of Contents

BEHAVIOR AND CONDUCT AT WORK

Attitude & Behavior	1
Code of Ethics	1
Employee Disclosure	3
Fraud Prevention	3
Student & Staff Relations	4
Professional Dress Code	4
Drug Abuse Standard of Conduct	4
Alcohol & Drug-free Workplace	5
Smoking/Tobacco Use	6
Political Activities	6
Solicitations by Staff Members	6
Workers' Compensation	6
Employee Workload	6

COMPENSATION AND BENEFITS

Tardiness & Attendance	7
Personnel Records & Compensation	7
Payday	7
Benefits	7
Deductions from Pay	7
Overtime	8
Universal Availability	8
End of Employment/Final Paycheck	8
Retirement & Social Security	8
Expenses & Reimbursement	8

LEAVE AND VACATION

Family and Medical Leave	8
Employee Leaves and Absences	11
Sick Leave	11
Maternity Leave	11
Paid Parental Leave	11
Sick Leave Donations/Employed Spouses	12
Personal Leave	12
Bereavement Leave	12
Jury and Witness Leave	12
Military Leave	12
Sick Leave Donation Bank	12
Vacation	14
Holidays	14

OPPORTUNITIES FOR CONTINUED IMPROVEMENT

Professional Learning & Staff Development	14
Guidelines for Requesting Approval for Conducting Research	14
Evaluation of Classified Employees	14
Evaluation of Certified Employees	14
Certification Renewal Requirements	15

PARAPROFESSIONAL PERSONNEL

Paraprofessional Qualifications	15
Responsibilities & Duties	16
Paraprofessional/Student Relationships	16
Working Relationship with Teacher	16

ELECTRONIC COMMUNICATION GUIDELINES

Technology/Internet Acceptable Use Agreement	16
Appropriate Use of Email	17
Appropriate Use of Internet Resources	17

Remote Use of Web-based Software	18
Bringing Computer Equipment to the Workplace	18
Hardware & Software Selection	18
Media / Web Site Publications Guidelines	18
System Security	18

CLASSROOM / STUDENT ISSUES

Care of Classroom	19
Discipline	19
Authority of the Teacher	19
Bullying	19
Corporal Punishment	19
Safety & Emergency Procedures	20
Student Welfare Child Abuse Report	20
Medication Administration at School	20
Field Trips	21
Funds Collected	22
Solicitations by Students (Fundraisers)	22
Non-discrimination Notice for Athletics	23
Gender Equity	23
Student Drug Abuse Prevention	23
Student Drug Testing Policy	24

RECORDS, REPORTING AND PARENT INVOLVEMENT

Parents' Right to Know Qualifications	27
School Councils	27
Attendance & Records	27
Reporting to Parents	27
Grade Books	27

TESTING OF STUDENTS

Testing Responsibilities	27
Test Preparation	28
Testing, Reporting & Review	29

DISCRIMINATION, HARRASSMENT AND STUDENT REPORTING

Equal Opportunity Employer	30
Sexual Harassment	31
Complaints & Grievances	35
Student Falsification of Reports	37
Student Reporting of Acts of Sexual Abuse or Sexual Misconduct	37

MISCELLANEOUS CONDITIONS AND PROCEDURES

Assignment, Reassignment & Transfer	38
Employee's Student Enrollment	38
Advertising	40
Health Examinations	40
Infectious Diseases	40
Tenure	41
Reduction in Workforce	41

The entire Board of Education policy manual can be viewed online at: www.effinghamschools.com/eBoard

BEHAVIOR AND CONDUCT AT WORK

ATTITUDE AND BEHAVIOR

All employees are expected to display proper attitudes and behaviors during their normal workday as they deal with parents, students, teachers, staff and administrators. All employees are expected to project a positive attitude toward their particular job and school. They are expected to show self-control, respect, cooperation, tact, and consideration for others in their actions and in their use of language. Poor attitudes or behavior may result in disciplinary measures for the employee.

- A. **Follows School Policies:** Accepts and follows school board policies as well as principal directives.
- B. **Commitment:** Strives to grow professionally and takes pride in teaching and his/her work.
- C. **Staff Relations:** Respects opinions of others, cooperates with the total operation of the school, and seeks and offers assistance when needed.
- D. **Out-of-Class Responsibilities:** Carries a fair share of out-of-class responsibilities, including advising extra-curricular activities, supervising hallways and other areas when and where necessary, observing required time schedule, etc.
- E. **Professional Growth:** Continually strives to improve his or her classroom methods and techniques and takes an active part in curriculum development.
- F. **Ethics:** Conducts self according to the accepted Code of Ethics for Educators.
- G. **Personal Characteristics:** Is poised and appears at ease; is neat and well groomed; has a pleasant mental attitude and a sense of humor; is tactful and considerate of pupils' feelings; uses effective oral expression in a well modulated voice; has a sincere desire to recognize and assist pupils in meeting their needs.
- H. **Employee Shows Self-Control:** Is even-tempered in response to pupils, avoids sarcasm and nagging; maintains composure in emergency situations; remains calm and collected in the face of frustrating or difficult situations.
- I. **Attitude:** Is constructive, positive, and a contributing member of the staff. The employee should have a sense of fair play and be enthusiastic about his/her work.
- J. **Judgment:** Adjusts constructively to frustration and unpleasant situations. Exhibits self-control and is calm and mature in his/her reactions.
- K. **Maintains Good Physical and Mental Health:** Observes good health practices.
- L. **Public Relations:** Promotes constructive relationships between the school district and the community; constructively interprets the school program and policies to the community when the occasion arises; is professionally ethical in all relationships; encourages good professional ethics in school programs.

CODE OF ETHICS FOR EDUCATORS

(Effective January 01, 2022)

(1) Introduction.

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

welfare of students and educators, and assuring the citizens of Georgia a degree of accountability within the education profession.

(2) Definitions.

- a. **"Breach of contract"** occurs when an educator fails to honor a signed contract for employment with a school/school system by resigning in a manner that does not meet the guidelines established by the Georgia Professional Standards Commission.
- b. **"Certificate"** refers to any teaching, service, or leadership certificate, license, or permit issued by authority of the Georgia Professional Standards Commission.
- c. **"Child endangerment"** occurs when an educator disregards a substantial and/or unjustifiable risk of bodily harm to the student.
- d. **"Educator"** is a teacher, school or school system administrator, or other education personnel who holds a certificate issued by the Georgia Professional Standards Commission and persons who have applied for but have not yet received a certificate. For the purposes of the Code of Ethics for Educators, "educator" also refers to paraprofessionals, aides, and substitute teachers.
- e. **"Student"** is any individual enrolled in the state's public or private schools from preschool through grade 12 or any individual under the age of 18. For the purposes of the Code of Ethics for Educators, the enrollment period for a graduating student ends on August 31 of the school year of graduation.
- f. **"Complaint"** is any written and signed statement from a local board, the state board, or one or more individual residents of this state filed with the Georgia Professional Standards Commission alleging that an educator has breached one or more of the standards in the Code of Ethics for Educators. A "complaint" will be deemed a request to investigate.
- g. **"Revocation"** is the permanent invalidation of any certificate held by the educator. A voluntary surrender is equivalent to and has the same effect as a revocation. A voluntary surrender shall become effective upon receipt by the Georgia Professional Standards Commission.
- h. **"Denial"** is the refusal to grant initial certification to an applicant for a certificate.
- i. **"Suspension"** is the temporary invalidation of any certificate for a period of time specified by the Georgia Professional Standards Commission.
- j. **"Reprimand"** admonishes the certificate holder for his or her conduct. The reprimand cautions that further unethical conduct will lead to a more severe action.
- k. **"Warning"** warns the certificate holder that his or her conduct is unethical. The warning cautions that further unethical conduct will lead to a more severe action.
- l. **"Monitoring"** is the quarterly appraisal of the educator's conduct by the Georgia Professional Standards Commission through contact with the educator and his or her employer. As a condition of monitoring, an educator may be required to submit a criminal background check (GCIC). The Commission specifies the length of the monitoring period.
- m. **"No Probable Cause"** is a determination by the Georgia Professional Standards Commission that, after a preliminary investigation, either no further action need be taken or no cause exists to recommend disciplinary action.
- n. **"Inappropriate"** is conduct or communication not suitable for an educator to have with a student. It goes beyond the bounds of an educator-student relationship.
- o. **"Physical Abuse"** is physical interaction resulting in a reported visible bruise or injury to the student.

Standards

Standard 1: Legal Compliance - An educator shall abide by federal, state, and local laws and statutes. Unethical conduct includes but is not limited to the commission or conviction of a felony or of any crime involving moral turpitude; of any other criminal offense involving the manufacture, distribution, trafficking, sale, or possession of a controlled substance or marijuana as provided for in Chapter 13 of Title 16; or of any other sexual offense as provided for in Code Section 16-6-1 through 16-6-17, 16-6-20, 16-6-22.2, or 16-12-100; or any other laws applicable to the profession. As used herein, conviction includes a finding or verdict of guilty, or a plea of nolo contendere, regardless of whether an appeal of the conviction has been sought; a situation where first offender treatment without adjudication of guilt pursuant to the charge was granted; and a situation where an adjudication of guilt or sentence was otherwise withheld or not entered on the charge or the charge was otherwise disposed of in a similar manner in any jurisdiction.

Standard 2: Conduct with Students -

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

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

Standard 3: Alcohol or Drugs -

An educator shall refrain from the use of alcohol or illegal or unauthorized drugs during the course of professional practice. Unethical conduct includes but is not limited to:

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

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

Standard 4: Honesty -

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

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

Standard 5: Public Funds and Property -

An educator entrusted with public funds and property shall honor that trust with a high level of honesty, accuracy, and Misusing public or school-related funds;

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

Standard 6: Remunerative Conduct -

An educator shall maintain integrity with students, colleagues, parents, patrons, or businesses when accepting es, gratuities, favors, and additional compensation. Unethical conduct includes but is not limited to:

1. Soliciting students or parents of students, or school or LUA/school district personnel, to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator unless approved by the local board of education/governing board or authorized designee;
2. Accepting gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest;
3. Tutoring students assigned to the educator for remuneration unless approved by the local board of education/governing board or authorized designee; and
4. Coaching, instructing, promoting athletic camps, summer leagues, etc. that involves students in an educator's school system and from whom the educator receives remuneration unless approved by the local board of education/governing board or authorized designee. These types of activities must be in compliance with all rules and regulations of the Georgia High School Association.

Standard 7: Confidential Information -

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

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

3. Violation of confidentiality agreements related to standardized testing including copying or teaching Identified test items, violating local school system or state directions for the use of tests or test items, etc.; and
4. Violation of other confidentiality agreements required by state or local policy

Standard 8: Required Reports -

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

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

Standard 9: Professional Conduct -

An educator shall demonstrate conduct that follows generally recognized professional standards and preserves the dignity and integrity of the education profession. Unethical conduct includes but is not limited to

a resignation that would equate to a breach of contract; any conduct that impairs and/or diminishes the certificate holder's ability to function professionally in his or her employment position; or behavior or conduct that is detrimental to the health, welfare, discipline, or morals of students; or failure to supervise a student(s).

Standard 10: Testing -

An educator shall administer state-mandated assessments fairly and ethically. Unethical conduct includes but is not limited to:

1. Committing any act that breaches Test Security; and
2. Compromising the integrity of the assessment.

(4) Reporting.

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

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

(5) Disciplinary Action.

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

1. Unethical conduct as outlined in The Code of Ethics for Educators, Standards 1-10 (GaPSC Rule 505-6-.01);
2. Disciplinary action against a certificate on grounds consistent with those specified in the Code of Ethics for Educators, Standards 1-10 (GaPSC Rule 505-6-.01);
3. Order from a court of competent jurisdiction or a request from the Department of Human Resources that the certificate should be suspended or the application for certification should be denied for non-payment of child support (O.C.G.A. §19-6- 28.1 and §19-11-9.3);
4. Notification from the Georgia Higher Education Assistance Corporation that the educator is in default and not in satisfactory repayment status on a student loan guaranteed by the Georgia Higher Education Assistance Corporation (O.C.G.A. §20-3-295);
5. Suspension or revocation of any professional license or certificate;
6. Violation of any other laws and rules applicable to the profession (O.C.G.A. §16- 13-111); and
7. Any other good and sufficient cause that renders an educator unfit for employment as an educator.

(c) An individual whose certificate has been revoked, denied, or suspended may not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher or, in any other position during the period of his or her revocation, suspension or denial for a violation of The Code of Ethics. The superintendent and the educator designated by the superintendent/Local Board of Education shall be responsible for assuring that an individual whose certificate has been revoked, denied, or suspended is not employed or serving in any capacity in their district. Both the superintendent and the superintendent's designee must hold GaPSC certification. Should the superintendent's certificate be revoked, suspended, or denied, the Board of Education shall be responsible for assuring that the superintendent whose certificate has been revoked, suspended, or denied is not employed or serving in any capacity in their district.

Authority O.C.G.A. 20-2-200

EMPLOYEE DISCLOSURE

All employees of the school district are required to notify their immediate supervisor and the Director of Human Resources by the end of the next business day following any arrest. Any misstatement or omission of required information may result in adverse employment action up to and including dismissal.

FRAUD PREVENTION - Policy DIE (Effective 3/23/2017)

The School District shall not tolerate fraud of any kind, and has an established system for the reporting of suspicious activities.

"Fraud" is defined as a false representation of a matter of fact, whether by words or by conduct, or by concealment of that which should have been disclosed, that is used for the purpose

of misappropriating property and/or monetary funds from federal, state, or local grants and funds.

Employees and parties maintaining a business relationship with the school district who suspect fraud, whether it pertains to federal, state, or local programs, should report their concerns to the superintendent or his/her designee. If fraud is suspected by the superintendent, such allegations should be reported to the chairperson of the Board of Education.

All reports of suspected fraud may be made in confidence and shall be handled under the strictest confidentiality. Informants may remain anonymous but are encouraged to cooperate with investigators and to provide as much detail and evidence of the alleged fraudulent act as possible.

Any and all reports of suspicious activity and/or suspected fraud will be investigated. Results of an investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate need to know until the results become subject to public disclosure in accordance with state and/or federal law.

STUDENT AND STAFF RELATIONS

Effingham County Board of Education recognizes that in order for professionally certified personnel and all other employees of the school system to be effective and remain effective, these employees must conduct themselves in a manner which will maintain authority and respect in the educational setting. Therefore, dating or other social relationships, which may be perceived as dating between staff members and students in this system, are strictly prohibited. All personnel are to maintain professional ethical relationships with students and refrain from improper fraternization or undue familiarity with students.

Employees shall not entertain students or socialize with students in such a manner as to reasonably create to students, parents, or the public at large the perception that a professional relationship has been compromised or does not exist. While the board encourages teachers and administrators to be warm and supportive to students, professional personnel may not allow students to regard them as peers.

Examples of unprofessional relationships include, but are not limited to: employees fraternizing or communicating with students as if employees and students were peers; writing personal letters or emails; "texting" students; calling students on cell phones or allowing students to make personal calls to them unrelated to homework or class work; sending inappropriate pictures to students; discussing or revealing to students personal matters about their private lives or inviting students to do the same (other than professional counseling by a school counselor); and engaging in sexualized dialogue, whether in person, by phone, via the Internet, or in writing. Employees are also prohibited from accessing social websites from their personal electronic devices during working hours.

An educator who posts information on social websites that includes personal information, provocative photographs, use of alcohol or drugs, and sexually explicit messages must understand that if students, parents or other employees obtain access to such information, the educator's professionalism is compromised which could ultimately result in adverse employment actions.

PROFESSIONAL DRESS CODE – (Revised 6/8/2022)

The Effingham County school system supports the belief that a well-dressed and groomed employee adds to the status and prestige of the profession. Therefore, the board of education expects its employees to maintain a professional, dignified appearance.

Employees shall adhere to the following principles for professional appearance as set forth by the Board of Education according to the various job responsibilities within the system. Extreme styles should be avoided. No visible body piercings, except for earrings, with a limit of three per ear in the ear lobe. Clear or covered body piercings are prohibited. Tattoos should not be visible and must be covered while employees are carrying out the duties and responsibilities of their positions. Hair must be a natural shade or tone and no extreme hair color such as blue, orange, pink, green, unnatural red, etc.

For all staff who are not issued uniforms:

Name Tags shall be worn. No t-shirts bearing advertising logos. No denim jeans, trousers or pants, regardless of color; shorts, skorts, or wind/jogging suits. Leggings are allowed when paired with a tunic no shorter than four inches above the fold of the knee. Acceptable leggings colors include: white, tan, black, brown, navy, or grey, in solid colors only. PE teachers may wear appropriate wind/jogging suits, shorts, and/or t-shirts to fulfill their responsibilities while teaching physical education classes. However, when teaching in a regular classroom setting (not PE) or when involved in a parent-conference or other professional conference, PE teachers shall wear appropriate professional attire. Appropriate and safe footwear should be worn. "Friday shirts" should be school spirit shirts.

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

Exceptions shall be discussed with site administrators prior to wearing any clothing stated in the previous paragraphs as not to be worn. The building principal may allow exceptions due to special days like field days, field trips, planning days, and/or school spirit days or based on job description, grade level, or subject taught.

In areas not covered by the above standards, each school's principal or supervisor shall have the authority to interpret the dress code and make case-by-case determinations for appropriate dress.

DRUG ABUSE STANDARD OF CONDUCT FOR EMPLOYEES

The Drug Abuse Prevention Program for the Effingham County school system is based upon an acceptance of the fact that the use of illicit drugs and the unlawful possession and use of alcohol are wrong and harmful. It is the intent of this program to educate all employees of the health hazards and other dangers, and of the unlawfulness of possession and use of these substances.

All employees of the Effingham County school system are required to perform assigned tasks in an orderly and efficient manner. While at work they are to avoid conversations and actions which reflect unfavorably on the school system or which have the potential of exerting negative influences on

fellow workers, students, other employees or patrons of the schools. To assist in maintaining this standard of conduct, the board of education prohibits the unlawful possession, use, and distribution of illicit drugs and alcohol on school buses, school premises, or as part of any of its activities.

Disciplinary sanctions consistent with local, state, and federal law will be imposed upon any employee found to be in violation of this standard of conduct. All suspected offenses will be thoroughly investigated. Possible sanctions include suspension without pay, termination of employment, and referral for prosecution. An employee who violates this standard may also be required to complete an appropriate rehabilitation program. Drug and alcohol counseling and rehabilitation and reentry programs are available. Several of the agencies in our general vicinity include:

Work Life Matters: Phone: 1-800-386-7055

Gateway Behavioral Health

P.O. Box 1086 – 275 1st Street Extension
Springfield, GA 31329 - Phone: 754-3030

Recovery Place of Savannah

835 E. 65th Street
Savannah, GA 31405 - Phone: 355-1440

Focus by the Sea Hospital

2927 Demere Rd.
St. Simons Island, GA 31522 - Phone: 800-821-7224

Center for Behavioral Medicine at Memorial Medical

5002 Waters Avenue
Savannah, GA 31404 - Phone: 350-5600

A copy of the standard of conduct and the disciplinary sanctions are included for each employee of the Effingham County Board of Education.

All employees are hereby notified that compliance with the standards of conduct is mandatory. No known violation can be overlooked or excused.

The Effingham County school system shall conduct a biennial review of drug abuse prevention programs to determine the program's effectiveness, and implement changes to the program if changes are needed. The review shall also ensure that disciplinary sanctions are consistently enforced.

***DRUG-FREE WORKPLACE - Policy GAMA
(Issued 3/23/2017)***

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

Any employee who is convicted for the first time, under the laws of this state, the United States, or any other state, of any criminal offense involving the manufacture, distribution, sale, or possession of a controlled substance, marijuana, or a dangerous drug shall be subject to disciplinary action. At a minimum, such an employee shall be suspended for a period of not less than two months and shall be required to complete, at his or her own expense, a drug abuse treatment and education program licensed under Chapter 5 of Title 26 of the Official Code of Georgia and approved by the Board.

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

If, prior to an arrest for an offense involving a controlled substance, marijuana, or a dangerous drug, an employee notifies the Superintendent or the Superintendent's designee that the employee illegally uses a controlled substance, marijuana, or a dangerous drug and is receiving or agrees to receive treatment under a drug abuse treatment and education program licensed under Chapter 5 of Title 26 of the Official Code of Georgia and approved by the Board, the employee shall be entitled to maintain his or her employment for up to one year as long as the employee follows the treatment plan. During this period, the employee shall not be separated from employment solely on the basis of the employee's drug dependence, but the employee's work activities may be restructured if practicable to protect persons or property. No statement made by an employee to the Superintendent or the Superintendent's designee in order to comply with this code section shall be admissible in any civil, administrative, or criminal proceeding as evidence against the public employee. The rights granted by this policy shall be available to an employee only once during a five year period and are intended to be and shall be interpreted as being the same as those minimum rights granted pursuant to the Georgia Drug-Free Workforce Act and any subsequent amendments thereof.

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

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

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

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

No certified employee or employee with a contract for a definite term shall be subject to suspension or termination pursuant to

this policy except in compliance with the provisions of the Fair Dismissal Act of Georgia, Official Code of Georgia Annotated 20-2-940 through 947. This policy is not intended and shall not be interpreted as prohibiting the school system from taking appropriate disciplinary action against any employee where there exists evidence that an employee uses, distributes or sells illegal drugs even though the employee has not been convicted of any criminal offense or where there exists evidence that an employee is under the influence of alcohol while on duty, except that the school system may not use the statement of any employee to the Superintendent requesting treatment as described in this policy.

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

EMPLOYEE TOBACCO USE – Policy GAN (Revised 3/23/2017)

The Effingham County School Board recognizes that the use of tobacco products is a health, safety, and environmental hazard for students, employees, visitors, and school facilities. The Board acknowledges that employees and visitors serve as role models for students and that the Board's acceptance of any use of tobacco products implies school approval, if not endorsement, of such use. In addition, the Board recognizes that it has an obligation to promote positive role models in schools and promote a healthy learning and working environment, free from unwanted smoke, for the students, employees, and visitors to the school campus. Finally, the board recognizes that it has a legal authority and obligation pursuant to the Georgia Smokefree Air Act of 2005, the federal Pro-Children Act, and the Georgia Youth Access Law.

Tobacco Use Prohibited

No student, staff member or school visitor is permitted to use any tobacco product (including electronic or vapor cigarettes) at any time, including non-school hours 24 hours per day, seven days per week while:

- In any building, facility, or vehicle owned, leased, rented or chartered by the Effingham County School System
- On any school grounds and property-including athletic fields and parking lots – owned, leased, rented or chartered by the Effingham County School System; or
- At any school-sponsored or school-related event on-campus or off-campus.

POLITICAL ACTIVITIES

The board of education encourages its employees to engage in all pursuits of good citizenship, including political activity; however, activities endorsing a particular candidate or cause must be conducted on the employee's own time and must not make any use of school property, materials, or services. The board has acted to prohibit school facilities, property, and equipment from being used to further any political issue and/or candidate in accordance with board policy.

SOLICITATIONS BY STAFF MEMBERS

School personnel cannot solicit sales of products or services to or through students or their immediate families during work hours. School personnel may not solicit sales or services to or through students or deliver merchandise to fellow employees

during work hours. The use of board materials to conduct business not related to the board of education is prohibited.

WORKERS' COMPENSATION Revised (6/20/2019)

Employees are covered by Workers' Compensation in accordance with Title 114 of the Code of Georgia. Whenever an employee is injured on the job, he/she must immediately notify his/her site supervisor. The necessary paperwork to assist in the reporting of the claim should be completed and sent to the human resources department within 24 hours. Failure to report an accident timely may result in the denial of the claim. Post-accident drug testing is required for all claims that incur medical costs.

If professional medical care is needed for the injury, the law requires the employee to select from an approved physicians' panel posted at the school or facility. Should an employee choose to receive medical care from a physician who is not on the approved panel, such care would be considered unauthorized and the school system would not be responsible for the cost.

Employees should not stand on chairs or desks or engage in such activities not commonly accepted as safe. Failure to follow proper safety procedures may result in adverse employment actions.

The injury must arise out of and in the course of employment during the normal workday or work year. Employees (with the exception of Physical Education (PE) teachers and Coaching staff) should avoid contact sports and 'rough housing' activities as a safety precaution. This means that employees should not participate in contact activities including but not limited to baseball, basketball, dodgeball, kickball, football, soccer, tug-of-war, volleyball and other field day events. Employee participation in the above mentioned events (which would normally be considered outside of their normal scope of employment responsibilities) will be considered to be voluntary and will not be covered by worker's compensation should an injury occur. Absences related to Workers' Compensation will run concurrently with leave under the Family and Medical Leave Act (FMLA).

EMPLOYEE WORKLOAD

School principals or the supervisor of classified (non-exempt) personnel shall determine the hours of the workday for the classified employee. In accordance with state board policy, a teacher's minimum work day is defined as eight hours and the minimum work week is defined as 40 hours with the school board specifying the hours to be at school. As part of their workday, professional (exempt) employees are expected to perform such duties as teaching and teacher preparation, attend staff meetings, conferences with students and parents, planning conferences, graduation, related school activities in the community, new employee orientation, and extra class responsibilities, whether or not these activities occur during the hours which employees are required to be on duty at their worksite. A number of extracurricular duties are required in each school such as bus duty, hall and/or restroom duty, student activities, assembly programs, etc. Teachers shall abide by the necessary assignments made by the school principal. All school personnel will observe school hours as approved by the board of education. Each teacher shall report to the school assigned no less than 30 minutes prior to the prescribed

starting time and shall remain in school until all buses clear the campus, at a minimum.

Individual school hours shall be set annually and shall meet accreditation requirements. Exceptions based on need may be made by the school principal, the superintendent and/or the Board of Education.

The payroll office shall develop the necessary forms and/or procedures for personnel to sign in and out. Each employee shall personally sign the logs daily. The principal or designee shall be responsible for verifying these records and shall certify to the superintendent that they are correct and accurate as reported. Hourly employees must sign in and out for lunch with the expectation that they will stay on campus during their lunch periods.

COMPENSATION & BENEFITS

TARDINESS and ATTENDANCE

1. All employees of the Effingham County Board of Education shall be required to report to work at the regularly scheduled time and place, except for a just and legal cause.
2. Current law does not prevent employers from "docking" salary of employees for excessive and/or illegal tardiness.
3. It shall be the responsibility of the principal of each school to determine the cause of tardiness of each employee assigned to his/her school as to the justification or legality of the tardiness. Tardiness shall be considered justified and/or legal when such delay could in no way be prevented by the employee, such as an accident, illness, injury, etc.
4. After three instances of tardiness by an employee that are determined to not be justified or legal by the school principal, the salary of the employee shall be docked for each additional instance of being tardy. The following procedure shall be used for salary deductions for excessive tardiness:
 - Employees shall be docked for a block of 15 minutes salary for each 15 minutes absent for each fraction thereof. (Example: tardiness by 10 minutes would require docking a block of 15 minutes; tardiness by 18 minutes would require docking two blocks of 15 minutes or 30 minutes, etc.)
5. Unless an employee is on approved leave, absences that result in docked pay are considered unsatisfactory attendance. Continued unsatisfactory attendance can result in adverse employment actions.
6. For the system to operate effectively, employees must keep their supervisors informed of their status when they are not at work for any reason. An employee who is absent from work and not on approved leave must notify her supervisor daily. Failure to notify a supervisor for three (3) consecutive days will be considered job abandonment, and the employee will be removed from the payroll. If an employee must leave work for any reason, she must inform her supervisor prior to leaving the work site.

PERSONNEL RECORDS AND COMPENSATION

It is the responsibility of each individual employee to see that his/her records accurately represent information that might be used to determine pay, and to confirm that salary is figured correctly. Up to three years active military experience can be used in determining certified and classified pay rates. Changes of address, name, phone numbers, marital status, certification, number of dependents, retirement plan,

beneficiaries, and/or information required to ensure the proper disposition of the employee's salary and benefits should be reported to the human resources office as soon as practical.

Employees' salaries shall be based on the type of certificate held and/or the number of years' experience verified by any public school system or other allowable entity plus any local supplement authorized by the Board of Education. Information on file in the human resources office must match that reported to the state for proper reimbursement and funding of salaries.

PAYDAY

Payday is considered to be the last working day of the calendar month. Exceptions are made during certain months, and a calendar is provided to each school detailing the changes. Checks will be issued at the school by the principal, except during summer months when direct deposit stubs will be mailed to employees; others must pick up checks from the BOE receptionist during summer months.

The payroll is generally based on the status of the employee on the 15th day of the month; therefore, any changes in status should be reported by that date each month.

Automatic deductions will be made for the following:

- Retirement
- State income tax
- Federal income tax
- Insurance premiums, when authorized
- Tax-sheltered annuities, when authorized
- Other types of deductions, when authorized in advance
- Social security, if applicable
- Deductions authorized by the court, such as garnishments

It is the duty and responsibility of the employee to keep current and correct tax forms on file in the payroll office and also to secure and send to the office retirement and social security numbers.

STAFF BENEFITS

All employees of the Effingham County Board of Education working one half time or more are eligible, subject to the rules and guidelines for participation, in benefit plans.

New employees who elect to enroll in any benefit plan will be covered according to the plan's guidelines.

DEDUCTIONS FROM PAY

As a condition of employment, the following items will be deducted from paychecks: federal income tax, Georgia income tax, social security, Medicare, and retirement.

An employee may have other deductions for benefits, such as health and dental insurance, from his or her pay. Questions regarding deductions should be referred to the payroll office (754-5618). Deductions from an employee's pay will be made when required by legal action against the employee (i.e., garnishment, child support, levies) or if a proper adjustment is necessary (i.e., overpayment).

If an employee should use more sick leave days than earned and/or accumulated, the pay for days missed in excess of earned or accumulated days will be docked during the pay period affected. If an employee should use more than three personal days during a school year, the pay for days missed in excess of three will be docked during the pay period affected.

OVERTIME

The Effingham County Board of Education adheres to the rules and regulations set forth in the Fair Labor Standards Act. This wage-hour law exempts executive, administrative and professional employees from the requirement that they receive an additional half-time "premium" for hours worked in excess of 40 per week.

Non-exempt employees shall be paid time and a half for all hours worked over 40. Non-exempt employees may work overtime only with the express permission of his/her principal, maintenance or transportation supervisor, manager, coordinator, director or superintendent, as the case may be. **Unauthorized overtime is prohibited.**

UNIVERSAL AVAILABILITY

All eligible employees of the Effingham County BOE are permitted to participate in a 403(b) tax deferred retirement program. A 403(b) plan is a tax-deferred retirement plan available to employees of educational institutions and certain non-profit organizations. In this plan, employees can make pre-tax contributions for retirement savings. Generally, distributions are only available when the employee reaches age 59 ½ or experiences a severance of employment.

END OF EMPLOYMENT AND FINAL PAYCHECK

Employees who are not returning for the next school year will receive a paycheck through August.

Continuation of state health insurance benefits is available for purchase through COBRA for non-returning employees. Details of COBRA coverage are forwarded to all former employees directly from the state health insurance offices once the Board of Education terminates benefits.

All employees must complete the Effingham County Schools Employee Checkout with their most immediate supervisors or administrators. This process includes, but is not limited to, returning keys, checking inventory, and turning in identification badges. Forwarding address information should be submitted to the payroll office. Final paychecks will not be issued until such details are complete.

RETIREMENT AND SOCIAL SECURITY

If you are considering retirement and have questions regarding Benefits, contact Benefits Manager, Vonda McDonald at vmcdonald@effingham.k12.ga.us or Mark Rahn, Payroll and Benefits Administrator at srhan@effingham.k12.ga.us.

For certified employees, membership in the Teacher Retirement System of Georgia is required as a condition of employment. At the present time, this requires that 6.00% of the gross salary of each member be deducted monthly and remitted to the retirement system. Members of the Public School Retirement System hired after July 1, 2012 will have \$10.00 deducted from their pay September through May. A \$4.00 deduction will remain for members hired prior to this date. The amount varies according to actions of the Georgia General Assembly.

An employee who is entitled by state law to participate in either the Georgia Teacher Retirement System or the Public School Employee Retirement System is required to choose to become a member of one immediately upon employment. A deduction according to state law will be made from his/her salary as a contribution for retirement purposes. The school system also

contributes an amount to the teacher retirement system for employees. If an employee does not continue to work until retirement, he may apply for withdrawal of all employee contributions, plus accrued interest, as soon as the last pay check is received. Forms for membership and for withdrawal may be obtained in the benefits office or online at www.trsga.com.

Please note that all rules and regulations pertaining to retirement are generated by the Retirement System of Georgia, not by the Board of Education.

Social Security will also be withheld on all personnel.

EXPENSES AND REIMBURSEMENT

Employees of the Board of Education shall be reimbursed for travel expenses at the rate approved by the state Board of Education. Reimbursements shall only be made for expenses incurred while the employee is performing duties assigned or authorized by the Board.

The Board of Education shall pay expenses for employee attendance at seminars, conferences, workshops, etc., only if the superintendent and/or Board of Education approve the employee's attendance in advance.

LEAVE AND VACATION

FAMILY AND MEDICAL LEAVE – Policy GBRIG (Revised 3/23/2017)

It is the purpose of this policy to set out in summary form the provisions of the Family and Medical Leave Act ("the Act" or "FMLA") and its implementing regulations. The Effingham County Board of Education ("Board") does not intend by this policy to create any additional rights to leave not provided by the Act; provided, however, the Board does wish to extend the rights of the Act to certain employees who have worked at least 12 months for the Board. The Board does intend to elect certain options as the Act authorizes. Any portion of this policy inconsistent or contrary to the Act is unintentional and shall not be given effect. As to the interpretation of this policy, the Board's employees should look to the Act itself and its regulations.

A. Eligible Employees

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

B. Definitions

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

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

years preceding the date on which the veteran undergoes such medical treatment, recuperation, or therapy.

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

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

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

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

"Parent of Covered Servicemember" means a biological, adoptive, step or foster parent or any other individual who acted in place of a parent of the covered servicemember. The term does not include parents "in law."

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

"Serious Injury or Illness" means, an injury or illness incurred by a covered servicemember in the line of duty on active duty (or that existed before active duty and was aggravated by line of duty active service) that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating. In the case of a veteran, "serious injury or illness" means a qualifying injury or illness, as defined by the Secretary of Labor, incurred during or aggravated by active duty during the five years before undergoing treatment, recuperation, or therapy, and that manifested itself before or after the member became a veteran.

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

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

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

C. Amount and Type of Leave Taken

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

1. Birth of a son or daughter and to care for the newborn child;
2. Adoption or foster placement with the employee of a son or daughter and to care for the newly placed child;
3. To care for the employee's spouse, son, daughter or parent, if that person has a serious health condition;

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

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

Except as provided below, an employee may take up to a total of 12 weeks leave during any twelve-month period. A "rolling year" shall be used to determine the twelve-month period during which the leave entitlement may occur. That is, each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the number of weeks that has not been used during the immediately preceding 12 months. See 29 C.F.R. § 825.200(b)(4).

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

An eligible employee is eligible to take up to 26 weeks of military caregiver leave during a "single 12-month period." The "single 12-month period" begins on the date the employee first takes military caregiver leave and ends 12 months after that date, regardless of the method used to determine the leave entitlement period for other FMLA reasons.

If both spouses work for the Board and both are eligible for FMLA leave, they are authorized to take only a combined total of 26 weeks during the "single 12-month period" described above for military caregiver leave or a combination of military caregiver leave and leave taken for other FMLA reasons.

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

D. Intermittent or Reduced Leave

An employee may take leave on an intermittent or reduced leave schedule where it is medically necessary due to the serious health condition of a covered family member, the employee, or the serious injury or illness of a covered servicemember, or when necessary because of a qualifying

exigency. The Board will require a certification, in the form designated by the Board, to document the necessity of such intermittent leave or reduced schedule leave.

E. Notification of Leave

If the need for FMLA leave is foreseeable, an employee requesting leave must provide at least 30 days advance notice to the Superintendent's Designee. If such advance notice is not possible, the employee must give notice as soon as practicable, which means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case. If an employee does not provide at least 30 days notice of foreseeable leave, he or she must explain why such notice was not practicable if so requested by the Board. When the need for leave is not foreseeable, an employee must provide notice as soon as practicable, which generally should be according to the Board's usual and customary leave requirements. When planning medical treatment, the employee should make a reasonable effort to schedule the treatment, subject to the approval of the health care provider, so that any corresponding leave will not disrupt the operations of the Board.

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

F. Benefits and Return to Work

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

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

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

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

economic injury to the Board's operation, as determined by the Board.

G. Required Certification and Reporting

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

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

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

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

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

H. Special Provisions

When an instructional employee seeks intermittent leave or leave on a reduced schedule in connection with a family or personal serious health condition or to care for a covered servicemember that would constitute at least 20% of the total number of working days during which the leave would extend, the Board may require the employee to elect to take leave in a block (not intermittently) for the entire period or to transfer to an available alternative position within the school system that

is equivalent in pay, for which the employee is qualified, and which better accommodates the intermittent situation.

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

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

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

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

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

EMPLOYEE LEAVES AND ABSENCES – Policy GARH (Revised 7/1/2021)

This policy shall apply to all benefits-eligible employees of the Board of Education ("the Board"). All employees are required to follow the appropriate work calendar established by the Board for their positions and may take leave from work only in accordance with this policy or other leave policies enacted by the Board. Unless otherwise provided by the Board, principals and other supervisors are not authorized to rearrange the work calendars of employees. Deductions in pay will be made for absences not covered by this policy.

SICK LEAVE

Sick leave is designed to cover absences that result from illnesses that make it impossible for employees to come to work. Each benefits-eligible employee of the Board shall be granted one and one-quarter (1.25) sick leave days for each completed month of service with the following provisions:

- A. Employees are entitled to claim sick leave for absences as a result of an illness of self, spouse, child, step-child, mother, father, step-mother, step-father, mother-in-law, father-in-law, or a blood or legal relative who is a member of the same household as the employee.
- B. Any employee who is absent more than three (3) days (when such days are consecutive) shall be required to provide a doctor's statement to verify said illness. All other days of absence due to illness shall be verified by the principal and/or supervisor.
- C. Unused sick leave shall be carried over (accumulated) from one (1) fiscal year to the next with the following provisions:
 1. Sick leave may be accumulated to a maximum of 45 days.
 2. If the employee is a member of the Teacher Retirement System, sick leave shall accumulate for retirement purposes subject to the TRS rules and regulations.
 3. Sick leave shall accumulate as follows:
 - a. Unused sick leave shall be carried forward to the next year.

- b. Leave shall continue to accumulate at the rate of one and one-quarter days per month worked until the maximum of 45 days is reached.
 - c. Upon reaching the maximum, no further accumulation shall be allowed until such time that a portion of the accumulated leave is used. When the employee uses part of his accumulated leave, said employee shall begin accumulating leave again. He/she shall continue to earn one and one-quarter (1.25) days per month worked until he/she reaches the 45 day maximum.
4. If an employee should use more sick leave days than earned and/or accumulated, the pay for days missed in excess of earned or accumulated days will be docked during the pay period affected.

Note: Sick leave cannot be used for routine medical or dental appointments. Employees should not use sick days for annual physicals, well child checkups and dental cleanings that can be scheduled during summer, winter or spring breaks or other days when school is not in session.

MATERNITY LEAVE

The employee should notify the principal or supervisor as soon as possible of the expected leave. An employee may use a maximum of six (6) consecutive calendar weeks of accumulated sick leave as maternity leave after the birth of a child, unless a doctor certifies a medical reason why the leave should be longer. If an employee is absent prior to the birth of the child (for example, on bed rest), the absences prior to the birth are considered sick leave and do not count toward the six (6) consecutive calendar weeks of maternity leave. The mother is responsible for providing a doctor's note to her principal or supervisor for the time she is out on leave prior to the birth of a child. The note should state the precise medical reason for the employee's absence. This note should be forwarded to the payroll office or a copy may be attached to the employee's timesheet. For eligible employees, maternity leave may be covered by the provisions of the Family Medical Leave Act. Please refer to Policy GBRIG - Family and Medical Leave Act.

PAID PARENTAL LEAVE

The Board of Education shall make paid parental leave equally available to all eligible employees of the Board of Education under the following terms:

1. An employee of the Board of Education shall be eligible for paid parental leave for qualifying life events upon satisfying the following criteria:
 - a. The employee is classified as full-time by the District and is eligible to participate in the TRS (Teacher Retirement System of Georgia) or the PSERS (Public School Employees Retirement System); and
 - b. The employee has six continuous months of employment with the Board, regardless of whether he or she is eligible for paid or unpaid leave under federal law. An employee paid on an hourly basis must have worked a minimum of 700 hours over the six-month period immediately preceding the requested paid parental leave date.
2. A qualifying life event means:
 - a. The birth of a child of an eligible employee; The placement of a minor child for adoption with an eligible employee; or
 - b. The placement of a minor child for foster care with an eligible employee.
3. The maximum amount of paid parental leave that may be taken by an eligible employee during a rolling 12 month period

is 120 hours, regardless of the number of qualifying life events that occur during such period.

- a. The rolling 12 month period shall be measured backward from the date an eligible employee first uses parental leave.
 - b. Parental leave may be taken as needed and may be taken in increments of less than eight hours. The smallest increment of parental leave that may be taken is two hours. (maximum 120 hours)
 - c. Any unused paid parental leave that remains 12 months after the qualifying event shall not carry over for future use.
 - d. Unused paid parental leave shall have no cash value at any time of the eligible employee's separation from employment with the Board of Education.
4. Paid parental leave under state law shall run concurrently with any maternity leave provided under this policy and any leave provided under federal law.
5. Eligible employees requesting paid parental leave must submit the district's designated form to the Human Resources office as soon as possible in advance of the requested leave start date.
6. The Human Resources office shall develop paperwork needed to administer paid parental leave, which shall specify the documentation required to establish the existence of a qualifying life event.

SICK LEAVE DONATIONS BETWEEN EMPLOYED SPOUSES

An employee may donate up to ten (10) sick leave days to his or her spouse if such spouse is also an employee of the Board of Education for purposes of maternity leave, illness, illness of a family member, or death of a family member. Refer to Policy GBRIB (1) – Sick Leave Bank.

PERSONAL LEAVE

Employees in positions that earn personal leave may use a maximum of three (3) days of accumulated sick leave during the school year for personal leave if prior approval is obtained. Employees do not earn additional leave time for personal leave beyond sick leave. Personal leave shall not be conditioned upon the specific purpose for which leave is sought but employees must state that the absence is sought under the category of "personal." Personal leave is subject to the following provisions:

- A. Personal leave must be approved by the principal at least two (2) days prior to the intended day of absence. The principal shall have the authority to make an exception based on sufficient justification and under unusual circumstances.
- B. Scheduled personal leave shall not be taken on the day before or the day after a holiday unless approved by the principal at least five (5) days in advance.
- C. Personal leave days cannot be carried over from one fiscal year to the next and not more than three (3) days of personal leave will be approved during any one school year.
- D. Employees will not receive pay for days absent for which provisions are not made in this policy.

BEREAVEMENT LEAVE

When employees are absent due to death in the immediate family, up to five (5) of bereavement leave will be charged against the employee's accumulated sick leave.

Employees do not earn additional leave time for bereavement beyond sick leave. Immediate family includes a spouse, child, step-child, mother, father, step-mother, step-father, mother-in-law, father-in-law, brother, sister, brother-in-law, sister-in-law, daughter-in-law, son-in-law, grandmother, grandfather, grandson, granddaughter, aunt, uncle, niece or nephew of the employee, or a blood or legal relative who is a member of the same household as the employee. Employees may use personal leave for absence due to the death of individuals other than immediate family members. If the employee desires to take bereavement leave for an immediate family member in excess of days available for personal leave, the employee may request to take unpaid leave subject to the approval of his/her supervisor.

JURY AND WITNESS LEAVE

Each employee shall be allowed leave with pay for the purposes of serving as a juror in any court or when attending a judicial proceeding in response to a subpoena or other court order or process that requires the employee's attendance at the judicial proceeding in a work-related matter. Jury and/or witness leave shall not be deducted from an individual's accumulated personal or sick leave. In order to receive regular pay for time spent on jury or witness leave, employees are to tender their checks from the court to the payroll office. An employee who is excused from jury duty or court is directed to return to his or her work location unless the normal workday schedule is completed.

MILITARY LEAVE

All employees are entitled to paid leave not to exceed eighteen (18) days in any one (1) federal fiscal year for the purpose of complying with ordered military duty with the armed forces of the United States or State of Georgia, including duty as a voluntary member of the National Guard or any reserve component of the United States or State of Georgia. In the event the Governor declares an emergency that results in an employee being ordered to military duty as a member of the National Guard, the employee is entitled to leave not exceeding thirty (30) days in any one (1) federal fiscal year. Employees who have military commitments shall inform their supervisors and the payroll office annually, provide a copy of the official military orders, and cooperate to the extent possible in scheduling such leave so as to minimize the disruption in those employees' duties and the mission of the Board of Education.

SICK LEAVE DONATION BANK - Policy GBRIB (1) (Effective 3/23/2017)

A sick leave bank shall be established and maintained from participating employees' voluntary contributions of accumulated sick leave. The bank shall be developed consistent with the requirements of state law and pursuant to guidelines and procedures developed by the Superintendent and modified from time to time by the Sick Leave Bank Committee, as approved by the Superintendent. All participating employees shall make equal contributions to the sick leave bank and all decisions of the Sick Leave Bank Committee shall be final and shall not be subject to appeal to the Board of Education.

Purpose

The purpose of the sick leave bank is to provide employees who suffer a catastrophic illness or the catastrophic illness of a family member with additional sick leave days when their own accrued sick leave has been exhausted.

Catastrophic is defined as a disabling injury, illness, or surgery requiring a disability period of longer than 20 continuous work days. Sick leave bank eligibility would begin at the end of the 20-day period, which is considered to be the qualifying period.

Establishment

In order for the bank to become operational, it must be approved by the Effingham County Board of Education and at least twenty-five percent (25%) of the eligible employees must, by application, join the bank.

Bank Administration

- The sick leave bank shall be administered by a system committee comprised of nine (9) employees; a building level administrator; an elementary teacher; a middle school teacher; a high school teacher; one employee from the transportation or maintenance departments; one employee who is clerical or paraprofessional; one employee from the payroll or benefits departments; a human resources manager; and one employee appointed as an at-large member. The committee members shall be appointed by the Superintendent for two-year terms. A group of five (5) members shall constitute a quorum to conduct the official business of the sick leave bank committee. The sick leave bank policy can only be changed through the recommendation of the committee and upon approval by the Superintendent.

Responsibilities of the committee shall be:

- Consider all applications to withdraw days from the bank.
- Shall meet as needed to rule on applications for withdrawal.
- Make the final decision in awarding sick leave days from the bank. Final decisions will be rendered in a timely manner from the receipt of a complete and properly submitted application.
- Recommend any additions, deletions, or modifications to the sick leave bank policy. Such recommendations shall be submitted to the Superintendent for approval.
- Determine when the bank should be replenished.

Bank Membership

All employees who earn sick leave and other benefits are eligible to become members of the sick leave bank. The employee must have been employed at least one (1) year by the Effingham County school system and have accrued no less than six (6) sick leave days at the time of effective membership.

The open enrollment period for the sick leave bank shall be the same as the designated State Health open enrollment period for the school system. Membership requests will be accepted only during the annual enrollment period. Membership, if accepted, will be effective the first working day of January. Membership requirements are:

- A completed membership application submitted to the employee benefits department.
- Contribution to the bank of one (1) day of the applicant's earned accrued sick leave. This leave must be actual earned leave, not projected earnings for the year.
- The system committee will determine when the bank needs to be replenished. At least 30 days notice will be

communicated to the active participants prior to transferring an additional day of leave from the employee's accrued sick leave.

- A waiver, signed upon application for membership, relieving the School District, Effingham County Board of Education and the Sick Leave Bank Committee of any liability resulting from action taken by the committee.

Membership in the bank is strictly voluntary. A person may resign from the bank by giving written notification to the human resources department. The resigning employee will not be eligible to withdraw days already committed to the bank.

If an employee resigns from the school system, he/she will be eligible for reinstatement in the bank upon re-employment by the school system. A new application must be submitted to the committee during the open enrollment period.

Withdrawal from the Bank

Applications for withdrawal of sick leave bank days may be made under the following conditions:

- A. Withdrawal of days from the bank is prohibited during the periods of eligibility for workers' compensation, short-term disability, long-term disability and retirement disability income. In other words, pyramiding (double-dipping) of income is prohibited. No withdrawal of days from the bank will be granted until all regular sick leave pay is depleted.
- B. The first 20 work days of continuous leave are not eligible but are considered to be a qualifying period. The employee may apply for benefits on the first day following the qualifying period.
 - a. In cases where the illness from the same diagnosis, over a period of time, has resulted in the depletion of the employee's accumulated leave, the committee may treat the 20 previous days in the past year as the qualifying period and deem eligibility for days immediately without satisfying the 20 day qualifying period.
- C. The maximum number of days which may be withdrawn from the bank in a three-year rolling period is 60 days.
- D. All applications shall include a physician's statement, which should indicate anticipated length of disability.
- E. Days shall be withdrawn from the bank in increments of 20 days or less. The committee has the discretion of granting additional increments at the time of approval if medical evidence so warrants. If additional bank days are needed beyond those granted in the original approval, an additional application must be submitted, including an updated physician's statement of disability.
- F. Any bank days remaining in the employee's account at the end of the disability period shall be returned to the bank.
- G. Maternity leave will not qualify for bank withdrawal unless medical complications arise from normal pregnancy.
- H. If the employee is incapacitated, a family member may make application.
- I. If there is no reasonable expectation that the employee will be able to return to work and the employee qualifies for disability or service retirement, the employee must apply for those benefits. Sick bank days shall not be granted for periods of time for which the employee is eligible for benefits.
- J. The transfer of sick days from the bank to the individual's payroll records must be made on a timely basis (to coincide with the normal payroll cycle that month) in order to receive sick leave pay for that month. Accordingly, application to the committee must be made in time to allow action by the payroll cycle of each month. Transfers

received after the payroll department's deadline will be processed the following payroll period.

- K. Bank leave days can only be used for the employee's normal workdays.
- L. Days withdrawn from the bank do not have to be replaced except as a general assessed contribution to the bank.
- M. Before approval for withdrawal is granted, the committee shall review the applicant's leave records for the past three (3) years. If it is determined that the employee has a history of sick leave abuse, the

committee shall deny the application for withdrawal. In order to provide the committee with the necessary information to make this judgment, the applicant may be required to furnish additional information as requested by the committee. Information may also be solicited from the employee's supervisor.

- N. Application for withdrawal from the bank may be based on the employee's own illness or that of a spouse, child, step-child, mother, or father.
- O. Alleged abuse of the sick leave bank will be investigated by the committee. If fraud or abuse is determined, the employee will be required to reimburse the bank and will be prohibited from future participation in the sick leave bank.
- P. Drug/Alcohol Rehabilitation: Sick leave days may be granted for drug/alcohol rehabilitation but only under the following conditions:
 - 1. The employee must voluntarily seek rehabilitation.
 - 2. The employee must not have committed infractions of system policy or regulations regarding drugs/alcohol, including warnings or reprimands.
 - 3. A one-time maximum of 20 days may be granted.
- Q. These rules are intended as guidelines and may not constitute the entire review procedure conducted by the committee for every individual application.
- R. All decisions of the Sick Leave Bank Committee are final and are excluded from appeal under any existing grievance procedures.
- S. An employee may donate up to ten (10) sick leave days to his or her spouse if such spouse is also an employee of the Board of Education for purposes of maternity leave, illness, illness of a family member, or death of a family member.

VACATION - (Revised 3/23/2017)

Full-time, classified, twelve-month employees (for example, maintenance, central office and bus shop) shall earn one day of vacation for each month worked. New employees shall earn their first day of vacation upon working three full calendar months, earning one day per month thereafter. Upon completion of eight years of employment the employee shall earn one and one half days of vacation for each month worked.

Any employee working more than 20 hours per week but less than 40 hours per week earns a prorated share equal to a percentage of the time worked as compared to 40 hours per week. Vacation time may be accumulated up to a maximum of 30 days.

Upon reaching the maximum, no further accumulation shall be allowed until such time that a portion of the accumulated vacation is used. However, employees who are needed and required to remain on the job, may request to have unused, accumulated vacation time paid at their normal hourly pay rate, if approved by the supervisor and the superintendent. Vacation time must be reasonably scheduled and approved in advance by the principal or supervisor.

HOLIDAYS

Full-time, twelve-month employees (for example, maintenance, central office and bus shop) have ten paid holidays per year to include: July 4th, Labor Day, Thanksgiving (two days), Christmas (three days), New Year's (two days), and Good Friday.

OPPORTUNITIES FOR CONTINUED IMPROVEMENT

PROFESSIONAL LEARNING AND STAFF DEVELOPMENT

Professional learning and staff development is considered a part of the regular workday and is assigned and approved by the site supervisor or principal. Approval of a staff development request does not commit the school district to payment of expenses. Attendance at workshops or professional activities not authorized as staff development by the supervisor or principal will be counted as personal leave if approval for the personal leave is granted by the supervisor or principal.

GUIDELINES FOR REQUESTING APPROVAL FOR CONDUCTING RESEARCH

The Effingham County School district recognizes the importance of valid and meaningful research in the field of education. At the same time, the first responsibility of the school system is the instruction and guidance of the children enrolled. Therefore, any research or evaluative endeavors must consider the protection of:

- Students and employees from risk of harm, violation of rights and loss of privacy;
- The educational process from unwarranted distractions and interruptions;
- Public resources including data from misappropriation for private or unjustified use.

Information regarding requests to conduct research may be found on the system intranet directory under Research Requests.

EVALUATION/SUPERVISION OF CLASSIFIED EMPLOYEES

Classified personnel shall be under the direct supervision of the school principal, maintenance or transportation supervisor, coordinators, directors, assistant superintendent and the superintendent, as the case may be.

The board of education requires that annual evaluations be made of each classified employee's performance. Evaluations are designed to identify strengths and weaknesses in job performance areas.

EVALUATION OF CERTIFIED PERSONNEL

The main purpose of supervision and/or evaluation is to improve areas of individual staff member's effectiveness and to improve student learning. To this end the state has made changes to O.C.G.A Title 20, Chapter 2 and has required all school systems and charter schools to use performance evaluations for teachers of record, principals, and assistant principals. The performance evaluation system for teachers of record is the Teacher Keys Effectiveness System (TKES) which includes the Teacher Assessment on Performance Standards (TAPS) component and uses classroom observations and documentation of teacher practice as measured against ten standards.

Principals and Assistant Principals are evaluated through the Leader Keys Effectiveness System (LKES) which includes the Leaders Assessment on Performance Standards (LAPS) component. Both TKES and LKES use measures of student growth such as Student Growth Percentiles (SGPs) for teachers with state assessments and other locally determined growth measures for teachers of courses that lack state assessments. LKES also includes a measure of achievement gap reduction. Both TAPS and LAPS include a Professional Learning and Goal Setting component that became effective for determining certificate renewal in 2017.

Employees certified by the Professional Standards Commission (PSC) who are not evaluated by TKES/LKES will be assessed by means of a Performance Narrative or by the appropriate Georgia Teacher Effectiveness Program (GTEP). Those employees not certified by the PSC (classified personnel) will be evaluated annually by a Performance Checklist directly related to the job description.

Georgia code section 20-2-200 subsection (c) requires local school systems and charter schools to report all unsatisfactory, ineffective, and needs development ratings of all performance evaluations of certificated personnel to the GaPSC. Anyone evaluated under TKES or LKES and receiving a Needs Development or an Ineffective rating on the TAPS or LAPS component must be reported to the GaPSC as having an "unsatisfactory" performance rating. School systems and charter schools will also continue to report "unsatisfactory" ratings for certificated personnel who are not evaluated under TKES or LKES.

Performance evaluations are consequential for educators' continued certification and licensure. No educator who has received any combination of two unremediated Needs Development, Ineffective, or Unsatisfactory annual summative performance evaluations in the previous five-year period is entitled to a renewable certificate. Loss of a certificate or license can render the educator unable to continue in a role that requires that credential.

TEACHER EVALUATION APPEALS - POLICY GBIA (Effective 7/1/2021)

The appeal process described in this policy shall be available to teachers who have accepted a full-time, full school year contract with the Board of Education for the fourth or subsequent consecutive school year. Such teachers may appeal summative performance ratings of "Unsatisfactory" or "Ineffective" contained in personnel evaluations conducted pursuant to Code Section 20-2-210, procedural deficiencies on the part of the school system in conducting an evaluation, and job performance.

No more than 5 school days after the summative evaluation conference, the teacher shall provide a written notice of appeal to the responsible evaluator detailing every factual basis for the appeal. If the principal is the responsible evaluator, the principal shall respond in writing within 5 school days after the principal receives the appeal; if the responsible evaluator is not the principal, the appeal shall be forwarded to the principal, who shall conduct the first level of review. In either circumstance, a written response shall be provided to the teacher within 5 school days after the principal receives the

appeal. The decision may be hand delivered to the teacher or sent by electronic mail.

If the teacher is dissatisfied with the principal's response, an appeal may be filed within 5 school days with a certified and TKES (Teacher Keys Evaluation System) trained administrator in the central office to be designated by the Superintendent (or in the discretion of the Superintendent, a qualified third party administrator from outside the District will be appointed). A written response shall be provided to the teacher within 5 school days of the appeal being received by the designated administrator. The decision may be hand delivered to the teacher or sent by electronic mail. The level two decision shall be final. The appeal at either level must include a review of the complete evaluation record, including all documentation on the electronic platform, the original appeal and the response of the principal. In the discretion of the reviewer, a meeting may be scheduled with the teacher and, in the discretion of the reviewer, with the principal or original evaluator. A teacher shall not be the subject of any reprisal as a result of filing an appeal under this policy. Any reprisal may be referred to the Professional Standards Commission.

CERTIFICATION RENEWAL REQUIREMENTS

The Georgia Legislature in its 2015 session revised the requirements for certificate renewal. It is no longer necessary for employees to collect Professional Learning Units (PLUs) or other coursework for renewal of the Professional certificates. Certificates expiring in 2018 and beyond will fall under the new Georgia PSC Rule:

505-2-.36

Renewal requirements for all educators will be achieved based on satisfactory completion of personal professional learning goals or professional learning plans that the individual and school leadership will devise based on job-embedded skills for the advancement of the school improvement plan and student achievement.

Additional information on certificate renewal is available at the Georgia Professional Standards Commission website at www.gapsc.com.

PARAPROFESSIONAL PERSONNEL

Paraprofessionals and aides are considered classified personnel and are expected to follow all the guidelines and procedures discussed in this handbook. The following pages include additional information that relates directly to these employees.

Paraprofessional - a person who relates in role and function to a professional and who does a portion of the professional's job or task under the supervision of a professional. The paraprofessional has some decision-making authority as limited and regulated by his or her relationship with the professional.

Aide - a person with less than professional training who takes no independent actions and has no decision-making authority but performs routine tasks assigned by personnel with higher certification.

PARAPROFESSIONAL QUALIFICATIONS

The Elementary and Secondary Education Act (ESEA), also known as the No Child Left Behind Act and its recently

reauthorized version entitled Every Student Succeeds Act (ESSA) established mandatory federal guidelines for hiring paraprofessionals in specified school settings.

Paraprofessionals must have one of the following:

1. Completion of at least two years of study (60 semester hours or 90 quarter hours) at a regionally accredited post secondary institution of higher education; or
2. An associate's (or higher) degree; or
3. Meet a rigorous standard of quality and demonstrate through a state approved or local assessment knowledge of and ability to assist in instruction, reading, writing and mathematics.

PARAPROFESSIONAL CERTIFICATION

Upon satisfactory completion of the hiring requirements for new paraprofessionals, the school system will request a certificate for the paraprofessional from the Georgia Professional Standards Commission. The clear renewable certificate is valid for five years, with the beginning date to be the date of employment and the ending date to be June 30 of the fifth certificate year.

MAJOR RESPONSIBILITIES AND DUTIES OF THE PARAPROFESSIONAL

Major responsibilities and duties of the paraprofessional are performed under the general supervision of the classroom teacher and may include, but not be limited to the following:

A. Instruction

1. Conduct small group or individual classroom activities based on lesson plans developed by the teacher.
2. Assist with supervision of students.
3. Assist with student assessment, grading work and tests, and collecting data on student performance.

B. Management

1. Assist with routine record keeping.
2. Assist with the preparation of materials for instruction (including the copying/duplicating of material and construction of displays/bulletin boards, learning centers, and manipulatives).
3. Locate, operate, and return needed equipment.
4. Assist with classroom housekeeping.
5. Assist in the ordering and inventory of classroom equipment and materials.
6. Assist with school wide supervision, such as loading/unloading buses.
7. Other duties assigned by the teacher.

PARAPROFESSIONAL/STUDENT RELATIONSHIPS

As a paraprofessional, you want to establish a warm, friendly rapport with the students. You should never speak to them in a harsh, angry voice.

Paraprofessionals are not responsible for discipline. You are never to administer corporal punishment. The type of discipline, if any, should be of a very general nature; for example, giving a child a check, writing his/her name on the board. Students need to know that they are to listen to you and respect you. Your teacher will be able to establish this fact in the classroom.

If a student is injured on the playground, you need to inform the teacher on the playground immediately. If a child has a broken bone or any situation in which the child should not be moved, you are to inform the principal and the office staff immediately.

If a student is involved in a minor accident, you should bring the child to the office and take care of the situation. You can always get assistance from the nurse.

Remember, any information about a child is confidential. You are not to discuss information about a child with individuals who do not have a need to know given rules of confidentiality. Paraprofessionals should not contact parents regarding the progress of a student unless directed to do so by the supervising teacher.

If a child has to use the restroom, you are to give that child permission to use the restroom. Please note that this is also true during recess time.

Remember, you cannot administer any medication to students. This must be done in the office and parents have to sign a consent form for this.

HOW TO DEVELOP A WORKING RELATIONSHIP WITH YOUR SUPERVISING TEACHER

First, become acquainted with your supervising teacher. Relate information to your supervising teacher about yourself and your work experience that you feel may have some bearing on the performance of your duties. Inquire about the teacher's previous experience. From this you may be able to determine areas in which the teacher may especially need your help. If the teacher is new to the area, you can acquaint him/her with school policies, traditions and customs. Communication and cooperation between teacher and paraprofessional are the two most pertinent factors leading to a successful paraprofessional program. Privately discuss things you do not understand or would like to have clarified.

You have been selected for the paraprofessional position because you have certain qualities desirable for the classroom. Try to do as much as you can to assist the teacher. When the teacher assigns you your duties, accept them cheerfully. Remember that he/she is the supervisor and you are the assistant.

ELECTRONIC COMMUNICATION GUIDELINES

TECHNOLOGY / INTERNET ACCEPTABLE USE - AGREEMENT AUA (REVISED 4/20/2017)

The Board of Education realizes the significant importance of access to the Internet and the wealth of information and educational resources that are made available through it. As such, staff and students shall be afforded equitable access to these resources to pursue the educational mission of the Effingham County School District. This access is provided contingent upon the following:

TERMS AND CONDITIONS

Acceptable Use: The purpose of providing access to the Internet is to promote learning through research and collaboration. The use of the Internet must be consistent with this and with the instructional objectives of the Effingham County School System. Internet use for professional development purposes is acceptable, as well, so long as it does not interfere with instructional use.

Privileges: The use of the Internet is a privilege, not a right. Inappropriate use will result in revocation of those privileges.

Building administrators may determine what is inappropriate use within the framework of this policy. Administrators and staff may request that Internet privileges be denied, revoked, or suspended, if the AUA is violated.

Users must agree to abide by the following guidelines:

- Users may not give out personal information such as names, phone numbers, or addresses of themselves or others, over the Internet, with the exception that staff may do so in conducting the business of the school.
- Users may not access or send material that is obscene, child pornography, or harmful to minors, and the Board of Education shall install and operate technology protection measures including commercial Internet blocking and filtering software that blocks or filters access to such material and any other materials that are determined to be inappropriate by school or system administrators. The terms "obscene", "child pornography" and "harmful to minors" have the meanings given such terms in section 1460 of Title 18, section 2256 of Title 18, and section 254 (h)(7)(G) of Title 47, United States Code, respectively.
- Users may not violate copyright laws of the United States or the established copyright policies of the local Board of Education.
- Users may not engage in any unauthorized access, including so-called "hacking", or other unlawful activities while using district computer resources.
- Users may not engage in non-educational games or waste valuable bandwidth (network capacity).
- Users may not download software (to include weather applications, browser toolbars, etc) from the Internet without the permission of the Information Technology Department.
- Users may not engage in acts of vandalism, including harming or destroying data of another user. This includes uploading, downloading, or creating computer viruses.
- Users may not harass others by persistent annoyance or interference while others are online. This includes, but is not limited to, sending unsolicited e-mail (SPAM).
- E-mail sent by district personnel, utilizing the district e-mail system should always be professional in nature. The district e-mail address you use identifies you as representing the district, and therefore should only be used to communicate matters related to the business of the school. At no time should the district email provided to personnel be used to sell goods or services or solicit funds or participation in any cause or activity not related to the business of the school unless prior approval is received from the Superintendent or the Superintendent's designee.
- Users must observe common rules of network etiquette such as politeness and allowing others ample online time.
- Users are not to bypass district protection measures via proxy or any other mechanism.

Security: Users are required to notify the classroom teacher, network administrator, school administrator, or Technology Services if they observe a security problem to include vandalism, theft, sharing of personal information, hacking, and any violation of the guidelines listed above. Use of the Internet, including e-mail, chat rooms, social networking, and other forms of direct electronic communications, are not private and for the safety and security of the users will be monitored. Inappropriate or unlawful messages will be reported to the appropriate authorities.

Social Networking: Employees may participate in social networking services (e.g. Facebook, Twitter, etc.) or internet based applications for personal use. Any communication between student and employee on these sites should exhibit the proper student/employee relationship and maintain professional etiquette. The title of "student" – according to the Georgia Professional Standards Commission Code of Ethics for Educators – is applicable until August 31 of the year the student has graduated.

Employees may not create a webpage, website, blog, social networking site or any other resource that represents a school-sponsored activity, club, team, organization, etc. without prior approval from the ECSD Communications Office (Emily Tabolt and Kim Larson.) Accepted Internet resources used to represent district programs, personnel and organizations shall be provided and maintained by the district. Personnel should utilize these resources as opposed to other freely available resources on the Internet. In the event a district-funded resource does not provide specific functionality seen within a non-supported resource, staff members should consult with the IT Department before integrating it into their instruction plans.

Publishing on the Internet: Student work will be published only under the direction of the supervising teacher(s) who will be responsible for verifying permission via the media release form submitted annually by the student's guardian(s). Copyright law should always be considered before posting teacher-created documents.

APPROPRIATE USE OF EMAIL

Effingham County School District provides email accounts to individuals for communicating with parents and colleagues pertaining to school related business. Personnel should refrain from using the email system for other purposes. For example, posting an advertisement about an automobile for sale to the email list is inappropriate and constitutes SPAM. Email of a personal nature should also not be sent using the school district email system. Additionally, personnel should not distribute their school district email address while doing personal business. All correspondence sent via the school district email system should reflect a professional manner consistent with all other communications from school personnel. Persons found to be in violation of this appropriate use may lose email privileges as well as receive adverse employment action consistent with the State of Georgia Code of Ethics for Educators and/or the Fair Dismissal Act.

APPROPRIATE USE OF INTERNET RESOURCES

Many resources are available via the Internet that are neither sponsored nor associated with the Effingham County School District. These include all Social Media sites. Personnel choosing to utilize these resources should do so in a manner that reflects the professional nature of their position. It is imperative that, as professionals, district personnel present themselves appropriately on the Internet. **Any representation or portrayal of an educator on a site that students have access to that could cause students to lose respect for the educator and compromise the educator's effectiveness and professionalism is prohibited.** Additionally, it is of paramount importance that as we correspond with students using the Internet, any potentially unsafe behavior should receive appropriate attention. Students should be counseled about the unsafe behavior and the student's parents should be advised of the situation as well. Unsafe behavior could include, but is not limited to, posting personal information on the

Internet that would allow potential predators to target and/or locate the student.

Personnel who post information on the Internet inconsistent with their duties and responsibilities as education professionals will be called in to discuss the situation with the administration and possibly face adverse employment action consistent with the State of Georgia Code of Ethics for Educators and/or the Fair Dismissal Act.

Bypassing Internet filtering or blocking software implemented by the district IT Department without authorization is not acceptable and could result in loss of Internet and/or e-mail privileges.

REMOTE USE OF WEB-BASED SOFTWARE

Many modern instructional and administrative software systems are accessible to authorized users remotely via Internet connection. Staff members wishing to utilize such systems from home or other remote locations must maintain an appropriate antivirus system on their personal computing devices and secure any wireless home networks with a minimum of WPA security and encryption in order to fully protect confidential data. The Information Technology Department maintains a listing of recommended antivirus programs on its Intranet site.

The Effingham County School District is not responsible for purchasing, repairing, or configuring the home computers and network devices of staff members who wish to utilize such software remotely.

School system employees are not required to utilize web-based instructional or administrative software packages from home or other remote locations. School system employees who choose to do so should have no expectation of compensation without specific, prior approval of a school or district administrator.

BRINGING COMPUTER EQUIPMENT TO THE WORKPLACE

Users are NOT to bring networked equipment to include Wi-Fi access points, home assistants such as *Amazon Alexa*, *Google Home*, etc. Additionally, mobile "hotspots" or "jet packs" should not be used in the schools. All personal devices should use the GUEST INET network for access to the district's network resources.

Also, personal computer equipment including printers and scanners should not be brought to school unless authorized by the Information Technology Department.

HARDWARE AND SOFTWARE SELECTION AND ACQUISITION

Any hardware or software purchased with school funds to run in the district should first be approved by the Information Technology Department. There are often infrastructure (e.g. server resources, network bandwidth, etc.) needs in addition to the hardware and software itself that must be satisfied before integrating the new product effectively. Any technology purchased without prior approval of Information Technology will become the responsibility of the individual who made the purchase. To request assistance in evaluating hardware or software, a Service Request should be placed by choosing the application category and the evaluation assistance sub category. Provide as much detail about the product as

possible (e.g. phone number of company, title of application, etc.).

MEDIA/WEBSITE PUBLICATIONS GUIDELINES

Effingham County Schools welcome the myriad media coverage of students, staff and programs, and provide access to all public information through cooperative efforts among representatives of media and district personnel, giving due consideration to the responsibilities and operating guidelines of both the schools and the media.

Effingham County Schools will not knowingly allow reporters to interview students under 18 years of age without parental consent. Site principals will determine the best time for any interviews, minimizing class time missed.

Appropriate information to include on teacher web sites might include:

- Class rules and expectations
- A copy of the class syllabus
- Assignments
- Links to subject area resources on the Internet

Teacher pages should be regarded as "virtual classrooms," places to support classroom instruction, NOT as personal web pages.

The following principles will apply to teacher web pages:

- No product advertising should appear, including inadvertent advertising through the use of decorative company logos representing computer systems, software products and the like.
- No copyrighted materials, text or graphics should be used without proper attribution.
- All published material and external links must clearly support and/or augment the curricular objectives.
- Campus maps, personal addresses or personal phone numbers should be excluded.

SYSTEM SECURITY

Confidentiality of Student Information

Any personal student information made available to teachers and staff through use of the Student Information System (SIS) or any other local, state, or federal information system should be accessed and revised only on a need to know basis. All student record information is confidential. Information should be used solely for educational purposes and should not be shared with others, including other BOE employees, without a specific "need to know," and school administrator approval.

Passwords

Passwords used to gain access to staff computers and/or software applications, including the student information system (SIS), must be memorized. If passwords must be written down, they should be stored in a locked filing cabinet with student access prohibited. Only school administrators and technology staff should be made aware of staff passwords, if requested. Passwords should never be shared with co-workers, students, or family members. Staff members are also prohibited from sharing their user credentials for the Portal component of the SIS with family members, as this is the same username and password used for access to the administrative and instructional management portions of the SIS. If a password ever becomes compromised, the Information Technology Department should be immediately notified so that a new password may be generated. Any personnel allowing

an unauthorized user access to any network resource, particularly the SIS, by sharing a confidential password, or by leaving a terminal unattended while actively logged on, is in violation of Standard 9: Professionalism in the Teacher Keys Effectiveness System and Leader Keys Effectiveness System (TKES/LKES) or the Georgia Teacher Duties and Responsibilities Instrument (GTDR) in the annual performance evaluation.

Passwords should be a minimum of eight characters and should contain uppercase, lowercase, numbers and symbols. They should not be names or words or significant dates (e.g. birthdates, anniversaries, etc.). You may consider using a passphrase to create a memorable password. For example, Red and green are My two favorite colors would give you the password R&gaM2fc. Users will be required to change their password twice annually. At the time of the change, users will not be allowed to use the previous three (3) passwords.

Users must not leave the computer unattended while they are logged on to the network. The computer screen should be locked or the computer should be logged off if it is unattended for any length of time.

PRIVACY

There should be no expectation of privacy regarding computing resources. E-mail, file storage, printed documents and the like can and may be revised from time to time. Internet activity is monitored and logged as well. Logs are maintained for future reference. Additionally, logs of printing activity as well as files stored on the servers and/or workstations can be examined to determine if personnel are abusing the network resources or using the resources in a manner that is not acceptable by the Acceptable Use Agreement.

CLASSROOM AND STUDENT ISSUES

CARE OF CLASSROOM

Custodians assigned to a school will do most of the cleaning work; however, much can and should be done by the teacher and students to keep paper off the floor and to give proper care to desks, walls, equipment, etc. Teaching children to be neat and have respect for public property is one of the professional duties of a teacher.

DISCIPLINE

Teachers shall be expected to maintain proper classroom discipline. Every effort should be made to handle discipline problems within the classroom before submitting such problems to administrators. Teachers do not have the authority to suspend a student from school.

All teachers have the authority and responsibility to maintain proper control over students under their direct supervision and to any student in the school guilty of misconduct, violation of school rules, board policy, etc. when not under the direct supervision of another teacher at the school. State law (O.C.G.A 20-2-737 and 738) mandates actions and procedures teachers and principals must follow in communicating with parents about inappropriate student behaviors, and in making referrals to have disruptive students removed from the classroom setting.

AUTHORITY OF THE TEACHER

The superintendent fully supports the authority of principals and teachers in the school system to remove a student from the classroom pursuant to provisions of state law.

Each teacher shall comply with the provisions of O.C.G.A. § 20-2-737 which requires the filing of a report by a teacher who has knowledge that a student has exhibited behavior that repeatedly or substantially interferes with the teacher's ability to communicate effectively with the students in his or her class or with the ability of such student's classmates to learn, where such behavior is in violation of the Student Code of Conduct. Such a report shall be filed with the principal or designee within one school day of the most recent occurrence of such behavior, shall not exceed one page, and shall describe the behavior. The principal or designee shall, within one school day after receiving such a report from a teacher, send to the student's parents or guardian a copy of the report and information regarding how the student's parents or guardians may contact the principal or designee.

The principal or designee shall notify in writing the teacher and the student's parents or guardian of the discipline or student support services which have occurred as a result of the teacher's report within one school day from the imposition of discipline or the utilization of the support services. The principal or designee shall make a reasonable attempt to confirm that the student's parents or guardian has received the written notification, including information as to how the parents or guardian may contact the principal or designee.

BULLYING

Any teacher or other school employee who, in the exercise of his or her personal judgment and discretion, believes he or she has reliable information that would lead a reasonable person to suspect that someone is a target of bullying is encouraged to immediately report it to the school principal. Any report will be appropriately investigated by the administration based on the nature of the complaint in a timely manner to determine whether bullying has occurred, whether there are other procedures related to illegal harassment or discrimination that should be implemented and what other steps should be taken. Any report of retaliation for reporting bullying will also be investigated and addressed as called for in board policy JCDAG and in accordance with school procedures.

CORPORAL PUNISHMENT Policy JDA (Revised 07/16/2020)

The Effingham County Board of Education authorizes corporal punishment to be used only as specified in the laws of the State of Georgia. In accordance with Georgia law, corporal punishment may be used under the following conditions:

1. Corporal punishment must never be the first line of punishment for misbehavior unless the pupil was informed beforehand that the misbehavior could result in corporal punishment, except when the misconduct is so anti-social or disruptive in nature that it shocks the conscience.
2. A principal may administer corporal punishment.
3. The witness must be informed beforehand in the presence of the pupil of the reason for the punishment.
4. The parents, upon request, must be provided with a written explanation of the reasons for the punishment and the name of the witness.

5. Corporal punishment shall not be administered to a child whose parent has filed a statement objecting to its use or who has a statement from a licensed medical doctor in Georgia on file with the principal stating that such punishment is detrimental to the child's mental or emotional stability.

If corporal punishment is administered in good faith and is not excessive or unduly severe, teachers and principals are immune from civil and criminal actions.

SAFETY AND EMERGENCY PROCEDURES

It is the duty and responsibility of all personnel to become familiar with their school-specific safety plans, and the county's Emergency Procedures. Each employee plays an integral role in maintaining our schools as safe and secure environments for learning and protecting the well-being of students and peers.

STUDENT WELFARE CHILD ABUSE REPORT – Policy JGI (Effective 4/20/2017)

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

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

Protocol to follow in Effingham County Schools

1. If abuse/neglect/exploitation is suspected, an immediate verbal report is to be made to the school counselor/principal. (No child should be questioned or interviewed regarding the suspected abuse.) These reports should be made as early as possible during the school day to enable the Department of Family and Children Services to respond in a timely manner.
2. The verbal report must be followed by the completion of the "Report to Investigating Authorities." This form is also to be faxed to the local police or sheriff's department (depending on the locations where the abuse/neglect/exploitation occurred). If additional information needs to be provided, an addendum can be included. A copy of this report is to be submitted to the school principal and the superintendent of schools.
3. Reporting child abuse is mandated and all information should be kept confidential between the reporter and investigative personnel.
4. Department of Family and Children's Services personnel sign in with the school receptionist and report to the school counselor. A room/office to interview the student will be provided. The counselor may remain with the student during the interview process.

If a school-based employee of another agency at the school makes discovery, the employee will follow the Effingham County Public Schools' Child Abuse/Neglect Reporting Policy as well as the agency protocol procedures.

All school personnel who have contact with students shall receive training in the identification and reporting of child abuse and neglect with annual updates in the form of memoranda, directives, handbooks, or other written information. Educators are exempt from prosecution for reporting suspected abuse/neglect in good faith even if it is not proven in court. Not reporting incidents of abuse/neglect/exploitation may result in prosecution.

ADMINISTERING MEDICATION TO STUDENTS

Only school health staff or designated trained persons may administer medicine to students in accordance with Policy JGCD. The school will only administer medication that is in the original container and will administer only the actual amount indicated on the label for that specific student. Under NO circumstances can medications be borrowed from another student or staff member.

Medication Administration at School Policy JGCD (Approved 6/18/2020)

In the interest of maintaining a healthy environment for student learning, and to provide for the welfare of students, the Effingham County Board of Education has established the following provisions for the administration of medication at school.

Students requiring medication for their medical condition should under normal circumstances take such medication either before coming to school or after they return home. It is essential that the parents or guardians of each student promptly advise the principal or the school nurse of any medical condition of the student which might reasonably require the services of the school nurse during the school day.

To the extent such medication must be taken during school hours or while school-related and extra-curricular events are on-going, it is the responsibility of the parent or guardian to follow this policy regarding administration of medication:

- All prescribed medication will require signed and dated physician's orders.
- Parent or guardian must sign and place on file with the nurse or school principal, a medication permission form available in the nurse's office;
- Parents or a guardian must deliver all medications to the school along with the signed medication form. In the event that a parent or guardian cannot deliver medication to the school, alternate arrangements must be made with the school principal.
- Students may NOT transport medication to the nurse.
- Nurses must receive medication in its original pharmaceutical container, clearly labeled as to the name of the student, name of medication, appropriate dosage, times of dosage and will administer only the actual amount as prescribed on the label.
- In the absence of a school nurse, the teacher, coach, or other supervising adult designated by the school principal shall administer medication, provided the written documentation permitting such is on file with the school, in accordance with board policy and state law.

The sole exception to these procedures allows students for whom the school has on file supporting medical documentation to carry at all times, with parental/guardian permission: inhalers for asthma, auto-injectable epinephrine for allergic reactions and all necessary supplies and equipment to perform monitoring and treatment functions authorized by the student's diabetes medical management plan. Students authorized to self-administer such medications shall be instructed not to permit any other student to handle, possess, or otherwise attempt to use his/her medication and shall be informed that violations of such instructions will be dealt with in accordance with the student code of conduct. In order for the student to carry and self-administer such medications, or in order for the school to store and administer the medication for students who are unable to self-administer because of age or any other reason, parents must provide a written statement from a licensed physician confirming that the student is able to self-administer the medication, if applicable, and written permission for the school nurse or designated employee to consult with the doctor regarding any questions that may arise concerning the medication. Such permission shall release the school district and its employees and agents from civil liability for administering such medication to students, or if the self-administering student suffers an adverse reaction as a result of self-administration of such medication. The terms of this paragraph may be met through a student's diabetes medical management plan developed and implemented pursuant to state law. The parent or legal guardian must provide to the school a:

1. signed, written authorization by the parent or legal guardian for such self-administration of asthma medication, auto injectable epinephrine (epi pen), or medical needs for diabetes, as well as permission to consult with the doctor regarding medication questions.
2. signed, written statement from a licensed physician or physician's assistant containing the following information:
 - a. the name and strength of the asthma medication, the auto injectable epinephrine (epi pen) for allergic reactions, or medical needs for diabetes;
 - b. prescribed dosage; and the time or times at which the medication is to be administered, and
 - c. confirmation that the student is able to self-administer the medication.

The information provided to a school in accordance with this policy will be kept on file in the office of the school nurse or, in the absence of a nurse, the school principal. Parents are encouraged to provide the schools duplicate medication and supplies in the event a student is unable to self-administer or fails to bring the medication or equipment to school.

Nurses or other school employees are authorized to administer an auto injectable epinephrine, if available, to a student who is having an actual or perceived anaphylactic adverse (allergic) reaction, regardless of whether the student has a prescription for epinephrine. Such persons are also authorized to administer levalbuterol sulfate (inhaler), if available, to a student in perceived respiratory distress, regardless of whether the student has a prescription for levalbuterol sulfate. Any school employee who in good faith administers or chooses not to administer an ~~epi pen~~ auto injectable epinephrine or levalbuterol sulfate to a student in such circumstances shall be immune from civil liability.

All students, parents and guardians are also expected to cooperate with the school in its Drug Abuse Prevention Program. In order to protect all students, especially those who may have a known or unknown reaction to certain drugs,

students who have in their possession prescription or over-the-counter medication not in accordance with these guidelines including aspirin, vitamins, cold medications*, etc., or controlled substances will be considered in violation of the school district's drug policy and shall be subject to the discipline set forth in the student code of conduct and student/parent handbook.

*Cough drops are allowed under this policy.

ADDITIONAL MEDICATION GUIDELINES

Herbal/Alternative/Complementary Medications or Dietary Supplements: Herbal medications/supplements are not to be given or self-administered at school. These products are not approved by the FDA; FDA regulates only product label information and often lacks data regarding safety, efficacy, and dosages in children. There may be side effects when mixing herbal medications/supplements with other medications the student may be taking. Use of these products should be managed at home. Students who carry these products to school will be violating the school drug policy.

Experimental (or Off Label) medications: Children requiring treatment of a condition with these medications will require written documentation from the prescribing physician including the name, dose, condition prescribed for, and current information on side effects and precautions, as well as any specific directions for administration at school.

Unanticipated exposure to blood or body fluids: If a staff member or student is exposed to blood or body fluids, the affected area is to be immediately washed with soap and water or the area flushed with water, and the following protocol followed and documented:

Report exposure to the school nurse immediately following washing the area. If there is a needle stick, the nurse will report to the Board of Education Director of Benefits/Worker Compensation immediately but not later than 2-4 hours after the exposure. Employees will follow the guidelines for Worker Compensation injuries. Students/visitors will be referred to the local ER for evaluation of needed treatment. School nurse will contact the local Public Health Office. The Board of Education may require permission of the person whose blood was exposed to be tested for any serious infectious disease such as Hepatitis B and/or HIV.

Any additional medication situations, not specifically addressed in this policy will follow the School Health Manual guidelines.

FIELD TRIPS – DURING THE SCHOOL DAY

All field trips must have a direct relationship to a course of study and must be adequately supervised by school personnel. Principals should submit a list of grade level day-field trip locations and dates on or before the last day of preplanning. Transportation trip requests must be submitted in Trip Tracker and approved 21 days prior to the departure date. The forms are available on the system intranet under "transportation." Teachers should be thoroughly familiar with the system's field trip guidelines on file on each campus with the instructional supervisor, assistant principal, athletic directors and principals.

Field Trips –Overnight (Effective 4/20/2017)

All overnight field trips must be carefully planned to accomplish predetermined goals and objectives, minimize loss of class time by students and teachers, and ensure the safety of students. **Information regarding field trips should not be disseminated to parents or students until after you have received BOE approval.**

1. **General Guidelines:** All overnight trips shall be approved in advance by the Superintendent or Superintendent's designee.
 - a. As a general rule, overnight field trips are limited to 200 miles one way. This does not include competition within the groups' by-laws such as GHSA, VICA, FFA, FBLA, GMEA, etc. There must be a stipulation for competition within the region to mandate such a trip.
 - b. Students are limited to 10 days (5 per semester) for overnight field trips and must meet eligibility requirements.
 - c. **The advisor/teacher/coach must submit a list of all requested trips (including projected trips) by the last day of preplanning at the beginning of each school year.** Trip requests must be submitted in Trip Tracker. All trips must be approved by the school principal prior to submission for the approval of the Superintendent or the Superintendent's designee.
 - d. Clubs/groups should combine with other groups from the school system, when possible, to attend field trips.
 - e. Overnight field trips for entertainment value only (except Grad Night) shall not be requested.
2. **Competitions:** Students representing the Effingham County School System in system sanctioned competitions (GHSA, VICA, FFA, FBLA, GMEA, etc.) who advance to and beyond the regional level of competition to compete at the state/national level, as well as leadership events as directed by program/industry certification, must be approved by the Superintendent or his designee. The normally expected competitions are included in these organizations.
3. **Extensive trips:** Trips in excess of 200 miles, other than competitions, should be taken on a rotational basis no more often than two to four years with a schedule for such being submitted and approved in advance by the principal and the Superintendent or his designee.
4. **Trips within a 100-mile radius:** Overnight field trips in the area, within a 100-mile radius, are not allowed unless deemed necessary by the Superintendent or Superintendent's designee.
5. **Camps, Clinics, Practices, Invitationals, Conventions and Similar Events:** Non-competition camps and/or trips must be conducted at home or within a radius of 150 miles with no expense to the Board of Education; however, such events may be scheduled as "extensive trips" under the provisions in number three above.
6. **Gifted:** All field trips are restricted to day trips except one overnight field trip may be taken once during the elementary grades and one overnight trip may be taken during the middle grades.
7. **Chaperones:** All extra-curricular activities must have adequate adult supervision (1:10 ratio). Students should never be left unsupervised. All Board of Education code of conduct/ethics policies, as well as state/organization rules, are in effect during field trips. All chaperones responsible for supervising a field trip must understand that their responsibility is effective monitoring and safety of students at all times. Chaperones must accompany students during

all aspects of the field trip, including meals. At least one advisor/coach per group is encouraged to obtain his/her CDL license.

FUNDS COLLECTED

Teachers are required to collect various monies and are responsible for safeguarding these funds until received by the principal. Teachers should not leave funds in their desks or other insecure places. All such funds shall be submitted to the principal or his/her designee daily for proper accounting and safeguarding.

State law requires that the principal account for all funds collected from any source. Therefore, teachers are required to deliver daily to the principal all monies collected in school or through fund raising projects. The principal shall give receipts for money turned in and will provide detailed accounting of these funds, in accordance with the Fiscal Management Handbook for Effingham County School Principals.

SOLICITATIONS BY STUDENTS – Policy JKB (Revised 4/20/2017)

Solicitations and other fund raising activities conducted by school-sponsored organizations and clubs shall not be permitted without prior approval of the superintendent or designee. The superintendent or designee is authorized to approve fund raising activities subject to the following provisions:

1. School sponsored organizations shall not conduct lotteries, raffles, or games of chance to raise money. Games of chance, raffles and lotteries, other than the Georgia Lottery, are prohibited by law except as provided for in O.C.G.A. 16-12-22.1 and are not appropriate for sponsorship by schools or the school system. Parent teacher associations or booster clubs that conduct raffles and other games of chance do so without approval of the Board of Education. Teachers, parent teacher associations, booster club members, or students who sell or distribute tickets, etc., shall not be permitted to conduct these activities on school campuses during school hours. No person under 18 years of age may participate.
2. Popularity type contests are prohibited as a means for raising funds.
3. There shall be no sales of candy or cookies on school buses or during regular school hours.
4. No school club or school sponsored organization shall conduct more than two fund raising activities during any school year.
5. Door-to-door fundraising activities by students are discouraged. ***(The school board strongly discourages door-to-door sales by students due to the fact that doing so can be dangerous and/or threaten the safety of children. Students who participate in door-to-door fundraising for a school-sponsored organization do so without the school board's permission.)***
6. All school clubs or organizations will submit a plan or schedule of the year's fundraising events, prior to the end of the first nine-weeks. The principal shall be responsible for developing a master plan for his/her school. This plan shall coordinate scheduled fund raising so that they do not interfere with each other or other school events. The master plan from each school shall be submitted to and approved by the superintendent or designee annually.

7. The school principal is responsible for the supervision of all school sponsored fundraising events and the proper accounting of all funds received.
8. Use of the school or system name or insignia or logos in fundraising are prohibited without the express authorization of the superintendent.

NON-DISCRIMINATION NOTICE FOR ATHLETICS

State law prohibits discrimination based on gender in athletic programs of local school systems (Equity in Sports Act, OCGA § 20-2-315). Students are hereby notified that the Effingham County school system does not discriminate on the basis of gender in its athletic programs. The Title IX Gender Equity Coordinator for this school system is: Mr. Timothy Hood, Effingham County Board of Education, 405 N. Ash St., Springfield, GA 31329; phone, 754-5630. Inquiries or complaints concerning the sports equity in this system may be submitted to the sports equity coordinator.

GENDER EQUITY IN SPORTS POLICY – Policy IDFA (Effective 4/20/2017)

In compliance with the Equity in Sports Act, OCGA § 20-2-315, no student in the Effingham County school system shall, on the basis of gender, be excluded from participation in, be denied the benefits of, be treated differently from another student, or otherwise be discriminated against in any inter-scholastic or intramural athletics offered by the school system, nor shall the school system provide any such athletics separately on such basis, except as specifically authorized by the act itself. As a part of achieving this goal, the school system annually shall notify all of its students of the name, office, address, and office telephone number of the Equity in Sports coordinator. This notification shall be included in the student handbook and distributed to all students, as well as being posted in the school.

An Equity in Sports grievance procedure will be developed, consistent with the requirements of state law and designed to implement the purposes of this policy. The grievance procedure will provide for prompt and equitable resolution of written student complaints, including those brought by a parent or guardian on behalf of his or her minor child who is a student, alleging any action that would be a violation of the Act.

The school system shall comply with all the requirements of state board rules concerning gender equity in sports, including records retention and the filing of any and all reports.

All donations of services or items, including booster club support, to any athletic program, shall be accepted or rejected in accordance with Effingham County Board of Education Policy DFK concerning donations to the school system.

STUDENT DRUG USE - DRUG ABUSE PREVENTION - Administrative Procedures for Student Drug Testing (Effective 4/20/2017)

Rationale: A top priority of the Effingham County school system is to provide a safe and secure environment for all students in order to protect the health and well-being of each individual. An appropriate learning climate must be maintained to ensure such an environment. Because alcohol and other drug use is illegal, hazardous to health, contagious, and interferes with effective learning and proper development of children and adolescents, the system has a legal and ethical obligation to prohibit drug possession or use and to maintain a

safe and drug-free educational environment. Effingham County schools maintain a “zero-tolerance” policy in regard to alcohol, illegal drug use, and possession of illegal drugs or imitation illegal drugs.

Standards of Conduct: No student shall possess, sell, use, distribute, or be under the influence of any legal or illegal drug in any form whatsoever, including, but not limited to alcohol, narcotics, cocaine, marijuana, depressants, stimulants, inhalants, hallucinogens, amphetamines, ecstasy, barbiturates, anabolic steroids, any additive or controlled substances, intoxicants of all kinds, or any substance represented to be or reasonably appearing to be any type of drug. Use of a drug authorized by a medical prescription from a licensed physician shall not be considered a violation of this rule provided it is handled properly through the school nurse office.

This rule applies to all students when:

- a. on the school grounds before, during, and after school hours, and at any time when the school is being used by any school group;
- b. off the school grounds while attending a school activity, function, or any other school related event;
- c. off the school grounds and in any manner subject to the jurisdiction of school officials, and
- d. engaged in travel to and from school.

Procedures in Reporting Drug-Related Activity:

1. Report the incident to the school principal or his/her designated representative.
2. Notify the student's parents or guardians and request them to come to school.
3. Notify the police.
4. Confer with parents or guardians to inform them of prescribed penalties.
5. Inform parents or guardians of community resources offering treatment or other assistance for drug/alcohol related problems.
6. Assist students who use drugs or abuse alcohol by providing school counseling and drug abuse education and work in cooperation with the county health department, and individual physicians in appropriate health education and health care, and by other appropriate means.

Requirement for Drug Curricula Teacher Training: The Effingham County School System offers students instructionally sound drug education units which are progressively reinforced from kindergarten through twelfth grade. Developmentally age appropriate-based, grade level curricula is measured by the following criteria:

- a. is well integrated into the traditional curricula;
- b. builds awareness of the harmful effects of alcohol, tobacco, marijuana, cocaine, and other mind altering drugs;
- c. contains a strong no-use message;
- d. sets positive standards of behavior for youth;
- e. contains current, accurate information, and scientifically researched based prevention strategies;
- f. reveals health consequences from latest research;
- g. provides multiple opportunities to build decision making, and peer refusal skills;
- h. projects parents, teachers, and other authority figures as reasonable and supportive allies in the decision to remain drug free, and

- i. teaches students that most people do not illegally use drugs.

All teachers responsible for instruction in the drug education curriculum shall be given in-service training to include essential information about drugs and their effects on physical growth, development, and emotional maturation; and hands-on work with various exercises initially presented by a qualified resource person.

Search and Seizure: The school principal or his/her representative may institute a search if there are reasonable grounds to believe that the search will reveal evidence that the student is in violation of the law or the rules of the school.

Searches based upon reasonable grounds may proceed without hindrance or delay, but must be conducted in a manner that is not excessively intrusive in light of the age and sex of the student.

If the search of the student's person, or of his/her possessions, locker, or vehicle reveals that the student is concealing a substance prohibited by federal, state, or local law, school officials may notify law enforcement authorities in order that they may take appropriate action.

Procedures for Handling Drug Abuse Violations: Any student who is under the influence of or has in his/her possession any legal or illegal drug in any form whatsoever, including but not limited to alcohol, marijuana, or any other illegal drug, or imitation controlled substances on the school grounds before, during, and after school hours, and at any time when the school is being used by any school group; off the school grounds while attending a school activity, function, or any other school related event; off the school grounds and in any manner subject to the jurisdiction of school officials; and engaged in travel to and from school, may be suspended from school for a minimum of five days and possibly referred to a disciplinary hearing.

The school administration shall conduct a complete investigation of the incident. Upon completion of the investigation, the school administration may report the incident to the Juvenile Court System.

The student shall be suspended from participating in any extra-curricular activities for one complete calendar year for drug related offenses. The student shall also be placed on probation for as long as he/she is a student in an Effingham County school.

Drug-Related Emergency: School administrators shall use their discretion to determine whether an event such as severe intoxication or drug overdose constitutes an emergency.

In the event the administrator determines there is an emergency, the school staff should follow these steps:

1. Call for medical assistance immediately (ambulance, rescue squad).
2. Contact parents immediately.
3. If parents cannot be reached, continue emergency medical assistance.
4. Attempt to obtain information about the ingested drug from the student.
5. Designate a faculty member to accompany the student to the medical facility.

Informing Faculty, Students, and Parents: All faculty members, students, and parents/guardians shall be informed of the contents of this administrative procedure through the receipt of the Student and Parent Handbook and the Employee Handbook and of their rights and responsibilities as set forth herein.

ADMINISTRATIVE PROCEDURES FOR STUDENT DRUG TESTING

Purpose and Intent

The Effingham County Board of Education encourages students to participate in school-sponsored extracurricular activities but believes that the opportunity to participate is a privilege offered to eligible students on an equal opportunity basis. The use of alcohol or other drugs by students participating in school-sponsored extracurricular activities presents a hazard to the health, safety, and welfare of the student participant. The Board recognizes that the unlawful use of alcohol and drugs seriously impairs the health, safety, education, and future success of students engaged in that use. The Board further recognizes that while the unlawful use of alcohol and drugs is a potential problem for all students, students engaged in school-sponsored extracurricular activities are confronted by special risks which make them particularly vulnerable to the harms presented by that use. Finally, the Board also recognizes that students engaged in school-sponsored extracurricular activities are often viewed by fellow students as holding or enjoying positions of notoriety, such that the unlawful use of alcohol and drugs by students engaged in school-sponsored extracurricular activities may impact or influence the attitudes and actions of other members of the student body. Thus, the Board believes that testing student participants in school-sponsored extracurricular activities serves the important purpose of detecting and preventing illegal drug and alcohol use among all students in the system.

This policy is intended to support the comprehensive educational policies and programs of the Effingham County School District in educating students and their parents or legal guardians as to the dangers inherent in the unlawful use of alcohol and drugs. The policy is further intended to provide incentives to high school students engaged in school-sponsored extracurricular activities to avoid such use and to strive for effective rehabilitation when such use has occurred. The results of any drug test administered under this policy will be used only to determine eligibility for participation in school-sponsored extracurricular activities. This policy is not designed to be used in any manner, voluntarily or involuntarily, to provide a source of information for law enforcement agencies or for the prosecution of the student.

Applicability

This policy applies to all high school students (grades 9-12) who participate in a school-sponsored extracurricular activity within the Effingham County School District. To be eligible to participate in any school-sponsored extracurricular activity, these students must agree to participate in a drug-testing program that includes random drug testing during the school year.

A "school-sponsored extracurricular activity" means, without limitation, all interscholastic athletics, cheerleading, band, drill team, academic clubs, special interest clubs, musical performances, dramatic productions, student government, fine arts organizations, industrial technology and agricultural

organizations, and any other activity or group that participates in contests, competitions or community service projects on behalf of or as a representative of the school system.
“School-sponsored extracurricular activity” also specifically includes parking a vehicle on school property.

Consent

All students wishing to participate in a school-sponsored extracurricular activity and their parent or legal guardian shall sign a consent form agreeing to participate in the drug-testing program established by this policy. If the student or his or her parent or guardian declines to sign the consent form, the student will not be permitted to participate in school-sponsored extracurricular activities. Consent forms are valid for the current school year only and must be renewed annually in order for the student to continue to participate in school-sponsored extracurricular activities.

Testing Program

Testing pursuant to this policy shall be accomplished by the analysis of urine specimens obtained from the student participant. Any student who refuses to be tested as required under this policy, or who alters or falsifies or attempts to alter or falsify a test, shall be removed from all school-sponsored extracurricular activities. Collections and testing procedures shall be established, maintained, and administered to ensure (a) randomness of selection procedures, (b) proper student identification, (c) that each specimen is identified with the appropriate student participant, (d) maintenance of the unadulterated integrity of the specimen, and (e) the integrity of the collection and test process as well as the confidentiality of test results.

The urine specimens of participating students shall be tested for all substances which are illegal to buy, possess, use, sell or distribute under state or federal law, including the following substances:

(a) amphetamines, (b) marijuana (THC), (c) cocaine and its derivatives, (d) opiates, (e) phencyclidine (PCP), (f) benzodiazepine, (g) barbiturates, (h) methadone, (i) methaqualone, (j) LSD, (k) alcohol, and (l) performance enhancing substances, including anabolic steroids.

Sanctions

Any participating student whose drug test administered pursuant to this policy renders a positive test result as indicated by the testing facility shall be subject to the following consequences:

First Positive Drug Test Result - The participating student and his or her parent or legal guardian will be required to attend a conference with a representative of the Effingham County School District designated by the Superintendent. The student and his or her parent or legal guardian shall be required to attend a program of counseling regarding substance abuse for a period of at least forty-five (45) days. The expense of said program of counseling shall be the responsibility of the student. The student will be subject to recurring drug tests, not random, at times not to be previously disclosed to the student to deter him or her from committing a subsequent violation of the policy for one (1) calendar year.

Second Positive Drug Test Result - The participating student will be suspended from participating in any school-sponsored extracurricular activity for one (1) calendar year. The student will be subject to recurring drug tests, not random, at times not

to be previously disclosed to the student to deter him or her from committing a subsequent violation of the policy for one (1) calendar year.

Third Positive Drug Test Result - The participating student will be prohibited from participating in any school-sponsored extracurricular activities for the remainder of the student's eligibility.

Drug Testing Procedures

Prior to giving a urine specimen, each student participant shall complete a medical history form (which shall include disclosure of all prescription drugs currently taken). This form shall identify the student participant only by a confidential number and shall be placed in a sealed package, which shall be forwarded to the testing laboratory along with the urine specimen. All students participating in school-sponsored extracurricular activities shall be subject to random drug testing at any time during the school year.

Students eligible for testing will be determined by a roster which compiles the names of all students who have completed the required consent form and notification of drug testing policy.

The participating student's parent or legal guardian shall be notified on any day the student is selected for testing.

Collection procedures for urine specimens shall be developed, maintained and administered by the testing laboratory in an effort to minimize any intrusion or embarrassment for each student, ensure the proper identification of students and the student's specimen, minimize the likelihood of the adulteration of a urine specimen and maintain complete confidentiality of test results. To that end, the procedures must require:

(A) The presence of a representative of the Effingham County School District immediately prior to the collection process to ensure proper student identification;

(B) The presence of one or more representatives of the testing laboratory when the specimen is taken;

(C) The testing laboratory shall provide each student present for the collection process a receptacle for the collection of urine. The student shall be provided absolute privacy during the collection process;

(D) Immediately prior to entering the secured room used for the collection process, the student shall be required to leave all personal belongings (including jackets, purses, book bags, pocket contents, etc.) in the custody of the school representative present for student identification; and

(E) Prior to entering the secured room utilized for the collection process, the testing laboratory shall treat the water in the secured room with a coloring substance (frequently referred to by testing laboratories as “blueing the water”) to prevent a student from attempting to dilute or otherwise adulterate the urine specimen.

The professional testing laboratory shall conduct all scientific analyses of the collected specimens. Each specimen shall initially be tested by using a highly accurate immunoassay technique known as “EMIT.” Initial positive results must be confirmed by gas chromatography / mass spectrometry “GC/MS.” If the initial presumptive positive result is not confirmed by the GC/MS technique, the test shall be deemed to be negative. Only after GC/MS confirmation shall a test result be reported as positive.

A portion of each urine specimen that tests positive for alcohol or drugs shall be preserved by the testing laboratory for at least six (6) months.

Written confirmation of all test results shall be forwarded by the testing laboratory to a representative of the Effingham County School District designated by the Superintendent.

In the event that a participating student's urine specimen produces a positive result, a representative of the Effingham County School District designated by the Superintendent shall meet with the student and the student's parent or legal guardian to disclose and discuss the test results. At this meeting, the designated school representative shall advise the student and his or her parent or legal guardian of further rights under this policy.

Any student participant who has tested positive, or the student's parent or legal guardian, may contest the test result by informing the representative of the Effingham County School District designated by the Superintendent of their wish to have a hearing within seventy-two hours of receipt of notice of the positive test result. The student participant and his or her parent or guardian shall be entitled to present any evidence they desire to defend the charge of violating this policy prior to the implementation of sanctions. The designated school representative before whom the hearing is conducted may require written documentation (such as a doctor's statement) of any evidence the student or his or her parent or legal guardian may wish to present. Failure to present written documentation to support the student's defense of the case shall result in the student being subject to the sanctions provided in this policy for a positive test result. Any further laboratory analysis shall be conducted with the student's remaining urine specimen preserved by the testing laboratory and shall be conducted at the student's expense. A final decision of the designated school representative shall be made within five (5) days of receiving notice to contest the test result.

If the student participant chooses to appeal the decision of the representative of the Effingham County School District designated by the Superintendent, the student may appeal it to the Effingham County Board of Education within three (3) days after it is rendered. The Effingham County Board of Education shall issue a final decision on the appeal within five (5) days after the next regularly scheduled meeting conducted after the notice of appeal is filed. The appealing student shall be ineligible to participate in school-sponsored extracurricular activities during the pendency of the appeal.

If a participating student is 18 years of age or turns 18 years of age during the school year, the student must agree to release all test results to the student's parent or legal guardian.

One (1) year after the participating student turns 18 years old or one (1) year after the student's graduation, whichever is later, all records in regard to this policy concerning each student shall be destroyed. At no time shall these results or records be placed in the student's academic file or be voluntarily turned over to any law enforcement agency, or used for any purpose other than those stated herein.

Confidentiality

The results of any drug test conducted pursuant to this policy will be kept confidential and disclosed only to the student, his or her parents or legal guardians, and school officials designated by the Superintendent. Said results shall be kept in a file separate from the student's other educational records and shall not be released to any person other than those

described within this policy or as required by law or a lawfully issued subpoena or court order.

Notice

All students wishing to participate in a school-sponsored extracurricular activity and their parent or legal guardian shall also sign a statement indicating that the student and the student's parent or legal guardian have received, read and understand this policy. If the student or his or her parent or guardian declines to sign the notification form, the student will not be permitted to participate in school-sponsored extracurricular activities. Notification forms are valid for the current school year only and must be renewed annually in order for the student to continue to participate in school-sponsored extracurricular activities.

Voluntary Participation

Any student who does not participate in a school-sponsored extracurricular activity may participate in the drug-testing program established by this policy on a purely voluntary basis. However, if such a student later seeks to participate in a school-sponsored extracurricular activity, these Voluntary Participation provisions will no longer apply.

Any student wishing to participate in the drug-testing program established by this policy on a purely voluntary basis and his or her parent or legal guardian shall sign a consent form agreeing to such participation. If the student or his or her parent or legal guardian declines to sign the consent form, the student will not be permitted to participate in the drug-testing program. These consent forms are valid for the current school year only and must be renewed annually in order for the student to continue to participate in the drug-testing program.

The Testing Program set forth herein shall be the same for students who participate in the drug-testing program established by this policy on a purely voluntary basis; however, any student participating in the drug-testing program on a purely voluntary basis who refuses to be tested, or who alters or falsifies or attempts to alter or falsify a test, shall not be removed from any school-sponsored extracurricular activity or otherwise subjected to school discipline. The Sanctions for positive drug test results set forth herein shall not be applicable to a student participating in the drug-testing program on a purely voluntary basis, although the student and his or her parent or legal guardian will be notified of the positive test result. The Drug Testing Procedures set forth herein shall be the same for students who participate in the drug-testing program established by this policy on a purely voluntary basis; however, the provisions relating to contesting the test results or appealing the matter to the Effingham County Board of Education shall not be applicable. The Confidentiality provisions set forth herein apply equally to students who participate in the drug-testing program established by this policy on a purely voluntary basis.

Any student wishing to participate in the drug-testing program established by this policy on a purely voluntary basis, and his or her parent or legal guardian, shall also sign a statement indicating that the student and the student's parent or legal guardian have received, read and understand this policy. If the student or his or her parent or legal guardian declines to sign the notification form, the student will not be permitted to participate in the drug-testing program. Notification forms are valid for the current school year and must be renewed annually in order for the student to continue to participate in the drug testing program.

Amendment

This policy may be amended at any time by the Effingham County Board of Education.

RECORDS, REPORTING AND PARENT INVOLVEMENT

PARENTS' RIGHT TO KNOW QUALIFICATIONS

Parents may request information regarding teacher qualifications as required by the "Every Student Succeeds" Act. Parents may request information regarding their student's classroom teacher's certificate or credentials, and/or college major and graduate degree information. Parents may also request information regarding the licensing and training of paraprofessionals. Requests may be made in writing to the school principal or Dr. Kirbi Ratner, Executive Director of Human Resources, Effingham County Board of Education, 405 North Ash Street, Springfield, GA 31329.

SCHOOL COUNCILS

Effingham County schools have councils in place on each campus. Councils are primarily concerned with school improvement that leads to academic success for every student. They consist of the principal, four parents (two of whom must be businesspersons) elected from the school population, and two teachers elected from the faculty. Council members may select businesspersons from the local business community to serve on the school council. A chairperson, who must be a parent member, is selected by the council members. Council members will be elected on a staggered basis every year to hold two-year terms. Anyone interested in learning more about school councils may contact their school principal.

ATTENDANCE AND RECORDS

Pupil accounting is of great importance. Each elementary and middle school homeroom teacher must keep timely and accurate records of pupil attendance as required by law. High school teachers must record accurate attendance for each class period.

Teachers will adhere to the board's policy, and keep accurate records in the following areas:

1. Written and electronic records of student attendance and grades
2. Permanent (cumulative) records
3. Lunchroom accounting
4. Inventories and any other records required by the principal and the Board of Education
5. Teachers (NOT paraprofessionals) are ultimately responsible for records.

REPORTING TO PARENTS

A grade report will be provided to parents of all students at the end of each nine weeks period. The official report of grades will advise parents of the academic progress of their child, the attitude and/or conduct of the child and his/her attendance. Progress reports are issued approximately halfway through each nine-weeks grading period.

Kindergarten reports will give a more detailed breakdown of the child's progress in various academic areas as well as progress in a new social environment.

GRADE BOOKS

Electronic grade books (grades 1-12) and hardbound grade books (Kindergarten) are to be maintained as official records of the school in accordance with local board policy and state record retention guidelines. Current guidelines require the retention of grade books for five years following completion of the course. As an official record of the school, grade books may be Revised by building or system administrators as necessary.

Teachers in grades 1-12 are expected to update assignment/test grades within their electronic grade books within one week of completion by students, except in the case of extensive writing assignments or projects. Teachers are also expected to use meaningful assignment names and accurate assignment dates so that tasks are easily understood by parents and students that elect to view information on the student information system's online portal.

Scores from the Testing Office for EOC's and LEOCTs must be recorded in the teacher's grade book as recorded on released reports.

Teachers are required to also maintain hard copy backup documentation of grades entered into the electronic grade book. This may be achieved by maintaining a hard bound grade book or printing grade details each time grades are updated.

In addition to receiving hard copies of the grading procedures and guidelines for their specific grade level, teachers and staff can access a copy of *all* grading procedures and guidelines for elementary, middle and high school on the district website's Intranet site.

TESTING OF STUDENTS

(See Code of Ethics Guidelines for Student Assessment at the end of this section)

TESTING RESPONSIBILITIES

The successful implementation of the system testing program requires a concerted effort by many individuals. General responsibilities of test examiners and proctors are as follows:

Examiner

1. Participates in training.
2. Reviews and follows all procedures in handling all administration materials.
3. Counts materials prior to testing to verify accuracy.
4. Ensures the security of testing materials while they are in the testing site before, during, and after testing.
5. Follows procedures for testing as given in all local, state, and national *Examiner's Manuals*, including reading all directions to students.
6. Ensures students receive testing accommodations as specified in the IEP, IAP, or 504 plan.
7. Ensures that no content-related instructional materials are displayed in the testing site. Charts, diagrams, and posters should not be visible. Chalkboards should be free of any writing except for test procedure information.
8. Answers questions regarding test procedures but does not explain items or answer any questions regarding the content of the test.
9. Reports any irregularities to the school testing coordinator.
10. Completes or verifies student information on answer

documents, including GTID numbers.

11. Checks to see that all students have entered and bubbled in the test form number correctly if one is required.
12. Inspects answer documents for stray marks after they are collected.
13. Maintains control of the testing situation and keeps students on task.
14. Allows no student to leave the test room unless there is an emergency.
15. Returns all test materials to School Test Coordinators immediately, including special format tests, such as Braille or large print.

****Certified** educators must administer all assessments. The term "Examiner" refers to the person administering the assessment. Paraprofessionals can administer CIAs but cannot release them.

Proctor

1. Participates in training.
2. Assumes responsibility for assigned students.
3. Monitors a specific area if a large testing site is used.
4. Assists Examiner in preparing test materials for distribution to students on days of testing.
5. Ensures that desks are clear of everything except test materials.
6. Assists in distributing and collecting test materials.
7. Assists in ensuring that student information is completed accurately.
8. Answers questions regarding test procedures but does not explain items or answer any questions regarding the content of the test.
9. Remains in the testing site during the entire testing time.
10. Monitors students during test to monitor that they are: (a) marking answers completely and correctly; (b) choosing only one answer per item; (c) marking answers which have the same number as the corresponding item number in the booklet; (d) using only specified test materials; (e) not using calculators unless permitted on specific subtests; and (f) using appropriate materials such as correct test forms and answer documents.
11. Reports any unusual circumstances to the Examiner immediately (e.g., suspicion of cheating).
12. Circulates among students during testing to discourage misconduct and to be available to answer student questions.
13. Avoids standing by a student's desk too long or touching a student, as this may be distracting.
14. Monitors 504 students, or LIEP students who may require closer observation than other students or who need special assistance.
15. Assists Examiner in accounting for all test materials (Test materials should be returned to the School Test Coordinator by the Examiner).
16. Assists Examiner in completing and double-checking coding including the correct entry and bubbling in of test form numbers.
17. Assists the Examiner in maintaining strict test security.

TEST PREPARATION

Preparation of Students

One of the purposes of the testing program is to collect information regarding the extent to which students are acquiring knowledge and skills in order to identify instructional strengths and weaknesses and modify instruction appropriately. The Georgia Department of Education (DOE) publishes brochures, documents, and instructional resource guides to help familiarize educators with the testing program and to provide teachers with assistance in delivering the instructional program. Copies of these documents are available to local systems at the DOE web site at www.doe.k12.ga.us.

Teachers should be aware of the existence of such materials and familiarize themselves with them. They should review their curriculum and lesson plans to ensure that the Georgia Standards are the focus of the instructional program. Despite the appropriateness of this process, many questions arise concerning teaching the test or coaching, and what is appropriate preparation for students.

Practicing Test-Taking Skills vs. Teaching the Test

Practice on questions or problems that are developed from curriculum standards is acceptable and desirable, provided such activities are a part of a varied program of instructional strategies. Teachers and other instructional personnel should generate these questions and problems. Additionally, the use of practice tests and reinforcement materials developed by test and textbook publishers may be appropriate. However, practice test activities should be a very limited part of the instructional program.

Teacher-made test items and items from an item bank that have structural similarity to statewide test items can also be used to assess the results of classroom instruction. However, when the majority of the instruction consists of repeated administrations of multiple forms of items similar to those on statewide tests, then instruction becomes coaching, and such coaching obscures students' needs and achievement. Item banks constructed to mirror statewide test items can easily be misused as coaching tools. Overuse of such items is improper and damaging to students' best interests. The statewide tests do not measure all skills and objectives across the curriculum. Therefore, teaching only to the tests limits the kind of instruction that is desirable and necessary for an adequate instructional program. Instructional activities, including classroom teaching, should go well beyond the skills measured on a particular test.

Inappropriate Use of Test Materials

Unacceptable activities that violate appropriate test preparation include the following:

- Georgia Milestones End of Course Tests, the Georgia Milestones End of Grade Tests, ACCESS, Georgia Alternate Assessment, national tests (AP, ACT, SAT, etc.), Common Interim Assessments, and LEOCTs must not be taught to students. This restriction includes any manner of teaching test items during the school day and/or through homework assignments. Unauthorized access to specific test items ranges from teachers remembering a single test item to school personnel manually or mechanically copying actual test items. All national tests, statewide tests, CIAs, and LEOCTs are secured testing documents.
- A test item from any form of the national tests, statewide tests, CIAs, or LEOCTs in which only a word, phrase, or distracter has been changed must not be used with (or given to) students. The use of any form or item, which is similar to actual test items on the statewide and Interim Assessment, is a violation of appropriate test preparation procedure.

- Tests must not be copied or distributed. All national tests, statewide tests, CIAs, or LEOCTS are secure testing documents. Test items, student responses, and/or answer documents that are copied (by hand or by photocopying) or distributed violate test security and render the results of the test invalid.
- Test forms from the national and statewide testing programs that have not been released must not be used as practice materials.

The activities listed here reflect unethical professional conduct and may result in official action taken against the offending staff person. The local superintendent, the local Board of Education, and/or the Educator Ethics Division of the Professional Standards Commission may take such action.

Recommended Test Preparation

Although specific test items must not be taught, students should be acquainted with the format of standardized tests so they will feel comfortable when taking them. In order to foster interest rather than anxiety, teachers should use activities throughout the school year to prepare students for testing and to establish a relaxed atmosphere. These activities should be a part of the instruction and may include the following:

- **Practice test-taking strategies.**
- **Incorporate timed activities and wise use of time.** Throughout the school year, teachers will want to require students to finish certain assignments and tests within a specified period of time. It is important that students do not always have an unlimited amount of time to complete class work. If students develop work habits that include completing assignments later in the afternoon or at home, a standardized testing situation with time limitations may be frustrating.
- **Design classroom tests to parallel standardized test formats.** Students may experience difficulty with a multiple-choice test if they are unfamiliar with the format. Throughout the school year, teachers will want to expose students to multiple-choice questions that have a Depth of Knowledge of 2 or higher and also familiarize them with a variety of writing assignments. With such exposure, students should find the statewide test similar to routine work throughout the year. Teachers should use items from an item bank on classroom tests.
- **Use answer documents format.** Marking answer documents appropriately is an important test-taking skill. Students who seldom or never mark answer documents may experience more anxiety than students who mark answer documents throughout the year on both standardized tests and classroom assignments.
- **Practice following directions.** One of the causes of low test scores is the failure to follow directions. For this reason, students need to practice following directions so they will not be penalized for carelessness during statewide testing. When taking a test, students should read the directions and/or listen as the test administrator reads the directions. Teachers should emphasize to students that if they hear directions that are unclear, they should ask for clarification immediately. Teachers should repeat the directions exactly as given in the *Examiner's Manual* or *Directions for Administration*. Teachers will want to be sure that, during practice, students understand and look for key words and phrases such as "opposite," "same meaning as," "base word," "the word spelled correctly," "the word spelled incorrectly," etc.

Communication with Students and Parents/Guardians

Students and parents/guardians should be notified of test dates and times. Advance knowledge of the testing dates may encourage students to avoid staying up late the evening before the test and to come to school ready to test. Students and parents/guardians should also know the purpose of the test, how the results will be used, and how the tests are relevant to them personally. Students should not feel undue anxiety about taking a standardized test but they should be aware of the need to perform to the best of their abilities. Students should understand that it is useful for teachers to know how much their students know and how well they can use what they have learned in school.

A careful explanation of the purpose of testing and the usefulness of test results in furthering a child's progress can help parents see the value of testing for their children.

However, some parents/guardians expect more from a child than is reasonable, thus contributing to the child's anxiety. Parents/guardians should understand that extreme test anxiety will impair their child's performance. Parents/guardians can contribute to good test performance by ensuring that their child is punctual and in attendance, gets plenty of rest, eats breakfast, and especially feels the support and encouragement of the parents/guardians.

TESTING, REPORTING AND REVIEW OF IRREGULARITIES

It is the responsibility of the local system to follow protocol as they become aware of testing irregularities. Testing irregularities can have a long-reaching impact on students, schools, and the system, as well as upon any personnel who might be responsible for causing or contributing to any circumstance of a testing irregularity. Examples of testing irregularities might include, but are not limited to: missing test booklets, copying of (by machine or hand) or verbal communication about test content, contamination of the test environment (e.g., relevant teaching aids visible to students during the test session), teachers assisting students with answers during the test session, actual or cloned test items presented to students before, during, or after the test session, test session disruption for any reason, and student cheating.

If any system personnel becomes aware of a testing irregularity within the testing window, the employee should contact Tammy Jacobs (tjacobs@effingham.k12.ga.us), System Testing Coordinator. She and her staff will investigate and take the necessary actions prescribed by the Georgia Department of Education Office of Standards, Instruction and Assessment. Occasionally, persons from the general public will contact the Testing Division with allegations of classroom, school, and/or system testing irregularities. In these cases, the Testing Division staff person taking that call will contact the System Testing Coordinator, asking that person to investigate, determine if possible unethical conduct is involved, make the appropriate report to PSC with a copy to the Testing Division, and file a report. Further actions might be pending before the PSC, superintendent or Board of Education, based on the findings of these investigations. (Refer to Code of Ethics, Page

DISCRIMINATION HARASSMENT AND STUDENT REPORTING

EQUAL OPPORTUNITY EMPLOYMENT – Policy GAAA (Revised-9/17/2020)

The School District does not discriminate on the basis of race, color, national origin, religion, age, disability, or sex in its employment practices. It is the policy of the Board of Education to comply fully with the requirements of Title VI, Title VII, Title IX, and Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA) and all accompanying regulations.

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

COMPLAINTS PROCEDURE

Complaints made to the School District regarding alleged discrimination or harassment on the basis of race, color or national origin in violation of Title VI; religion in violation of Title VII; sex (except as stated below) in violation of Title IX; disability in violation of Section 504 or the ADA, or age in violation of the ADEA, will be processed in accordance with the following procedure:

1. a. Any employee, applicant for employment, or other person with a complaint or report alleging a violation as described above, excluding sexual harassment as defined in 1b, shall promptly notify, in writing or orally, either the principal for his/her school or the appropriate coordinator designated by the school principal or the District. If the report or complaint is oral, either the coordinator or school principal to whom the complaint is made shall promptly prepare a memorandum or written statement of the complaint as made to him or her by the complainant and shall have the complainant read and sign the memorandum or statement if it accurately reflects the complaint made. If the complaint is made to a school principal, he or she shall be responsible for notifying the appropriate coordinator of the complaint. Reports or complaints other than those described in 1b shall be handled in accordance with the procedures starting in 2.
 - b. Any person with a complaint or report alleging sexual harassment as defined in Policy GAEB (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sexual harassment), may report, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator on the District's website, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator. Such reports will be handled in accordance with the procedures and grievance process specified in Policy GAEB.
2. If the alleged offending individual is the coordinator designated by the Board of Education, the complaint shall either be made by the complainant to the Superintendent or, if the complaint is initially made to the school principal, reported by the principal to the Superintendent. If the alleged offending individual is the Superintendent, the complaint shall be made to the designated coordinator, who shall, without further

investigation, report the complaint to the Board chairperson.

3. The coordinator or his or her designee shall have fifteen school days to gather all information relevant to the complaint made, review the information, determine the facts relating to the complaint, review the action requested by the complainant, and attempt to resolve the complaint with the complainant and any other persons involved. The coordinator or designee shall prepare a written response to the complaint detailing any action to be taken in response to the complaint and the time frame in which such action will be taken and copies of this response shall be furnished to the complainant, the appropriate coordinator and the Superintendent or his or her designee.
4. If the complaint is not resolved at the conclusion of this fifteen-day period or if the complainant is not satisfied with the resolution of the complaint, the complainant shall have the right, within five school days of receiving a copy of the written response, to have the complaint referred to the Superintendent of Schools. If the alleged offending individual is the Superintendent, the complainant may have the complaint referred to the Board of Education, rather than the Superintendent.
5. The Superintendent shall have fifteen school days to review the complaint and the response of the coordinator or designee and attempt to resolve the complaint. The Superintendent shall furnish to the complainant a written response setting forth either his or her approval of the action recommended by the coordinator or designee or the action to be taken by the School District in response to the complaint in lieu of that recommended by the coordinator or designee and the time frame in which such action shall be taken. The decision of the Superintendent shall be final.
6. This policy is not intended to deprive any employee of any right they may have to file a grievance pursuant to any other policy of the local Board of Education, specifically the policy designed to implement Official Code of Georgia Annotated 20-2-989.5, where appropriate. This policy is not intended to provide an alternative process for resolving evaluation and employment disputes where there already exists a due process procedure mandated by state law or State Department of Education regulations, specifically including, but not limited to, hearings to be conducted pursuant to the Fair Dismissal Act of Georgia. The complainant retains at all times the right to contact the Office of Civil Rights, the Equal Employment Opportunity Commission or any other appropriate state or federal agency with regard to any allegations that the system has violated the statutes described above.
7. The School District shall be responsible for distributing and disseminating information relevant to this policy and procedure to employees through appropriate procedures.
8. No reprisal shall occur as a result of reporting unlawful discrimination or harassment under this policy, and any attempt to retaliate against a complainant shall be disciplined as is appropriate.
9. The confidentiality of any individual making a complaint or report in accordance with this policy, to the extent it is reasonably possible and in compliance with law, shall be protected, although the discovery of the truth and the elimination of unlawful harassment shall be the overriding consideration.

Contact information for the following coordinators is available on the District's website.

Title VI: Tim Hood (students) Asst. Superintendent of Administrative Services. Dr. Kirbi Ratner (employees) Executive Director of Human Resources

Title VII: Tim Hood (students) Asst. Superintendent of Administrative Services. Dr. Kirbi Ratner (employees) Executive Director of Human Resources

Title IX: Tim Hood (students) Asst. Superintendent of Administrative Services. Dr. Kirbi Ratner (employees) Executive Director of Human Resources

Section 504: Travis Nesmith, Asst. Superintendent of Curriculum and Technology

ADA: Dr. Ashly Hunter, Director of Exceptional Students

ADEA: Dr. Kirbi Ratner, Executive Director of Human Resources

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

SEXUAL HARASSMENT – Policy GAEB (Effective 9/17/2020)

The intent of this policy is to comply with the Title IX federal regulations concerning sexual harassment. To the extent that additional requirements are specified in federal law or regulations, the District shall comply with such requirements.

DEFINITIONS

Actual knowledge means notice of sexual harassment or allegations of sexual harassment to the District's Title IX Coordinator or to any official or employee of the District. This notice requirement is not met when the only District official or employee with actual knowledge is the respondent.

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Days for the purpose of this policy means "school days."

Deliberately indifferent means a response to sexual harassment that is clearly unreasonable in light of the known circumstances.

Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in a District education program or activity. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator in the District's nondiscrimination notice posted on its website. As used in this policy, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided by the District) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this policy.

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the District conditioning the provision of a District aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
3. "Sexual assault"- an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation; or "Dating Violence"- sex-based violence committed by a person-
 - A. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - B. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - i. The length of the relationship.
 - ii. The type of relationship.
 - iii. The frequency of interaction between the persons involved in the relationship; or Board Policy Manual Effingham County Schools Printed: 05/30/2022 08:49 AM1 "Domestic Violence"- sex-based violence which includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or "Sex-based Stalking" - engaging in a course of conduct directed at a specific person that would cause a reasonable person to-
 - A. fear for his or her safety or the safety of others; or
 - B. suffer substantial emotional distress.

Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. The District shall presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. The grievance process will be followed before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The

District shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

NONDISCRIMINATION POLICY

It is the policy of the Board of Education to comply fully with the requirements of state law, Title IX and its accompanying regulations. The School District prohibits discrimination based on sex and sexual harassment of employees by other employees, board members, students, volunteers, or others over whom the District has authority in any District education program or activity. Education program or activity includes locations, events, or circumstances over which the District exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

The District shall respond promptly in a manner that is not deliberately indifferent when it has actual knowledge of sexual harassment against a person in an education program or activity.

The District shall require that any individual designated and authorized as a Title IX Coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The District shall ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, will receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including questioning, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The District shall ensure that decision-makers receive training on any technology to be used during questioning, and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. The District also shall ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, shall not rely on sex stereotypes and shall promote impartial investigations and adjudications of formal complaints of sexual harassment. Reports or complaints made to the School District regarding alleged sexual harassment in violation of Title IX shall be processed in accordance with the following process:

GRIEVANCE PROCESS

1. Reports or complaints may be verbal or written and may be made at any time (including during non-business hours), in person, by mail, by telephone, or by electronic mail using the contact information posted on the school and/or district website.

2. Any employee, applicant for employment, or other person wishing to report or file a complaint alleging a violation as described above shall promptly notify either the principal at his/her school or the Title IX Coordinator designated and authorized by the District. Any employee who receives information alleging sexual harassment of an employee shall report it to the principal or Title IX Coordinator. If the alleged

offending individual is the principal, the report or complaint should be made by the complainant to the Title IX Coordinator.

3. The Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures as defined in this policy, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The District shall treat complainants and respondents equitably by following this grievance process before punishing the respondent or providing remedies to the complainant. Remedies will be designed to restore or preserve equal access to the District's education program or activity. Such remedies may include the same individualized services described as "supportive measures." However, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

4. Formal Complaint.

Upon receipt of a formal complaint, the District shall within 10 days provide the following written notice to the parties who are known:

A. Notice of the District's grievance process;

B. Notice of the allegations potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice shall include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice shall inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice shall inform the parties of any provision in the employee code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process. The notice shall describe the range of or list the possible disciplinary sanctions and remedies that the District may implement following any determination of responsibility.

C. If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the notice provided pursuant to paragraph (4)(B), the District shall provide notice of the additional allegations to the parties whose identities are known.

5. Dismissal of a formal complaint.

The District shall investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined herein even if proved or did not occur in the District's education program or activity or in the United States, then the District shall dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX; such a dismissal does not preclude action under another provision of the District's policies.

A. The District may dismiss the formal complaint or any allegations therein, if at any time during the investigation: A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal

complaint or any allegations therein; the respondent is no longer employed by the District; or specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

B. Upon a dismissal required or permitted pursuant to paragraph (5), the District shall promptly send written notice of and reason(s) for the dismissal simultaneously to the parties.

6. Consolidation of formal complaints.

The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references to the singular "party," "complainant," or "respondent" include the plural, as applicable.

7. Investigation of a formal complaint.

After providing written notice to the parties of the receipt of a formal complaint, the District shall have 15 days to investigate. When investigating a formal complaint and throughout the grievance process, the District shall—

A. Assume the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility and not place such burdens on the parties provided that the District cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the District obtains that party's voluntary, written consent to do so;

B. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;

C. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;

D. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;

E. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate;

F. Provide both parties an equal opportunity to inspect and review any non-privileged evidence obtained as part of the investigation that is directly related to the

allegations raised in a formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the District shall send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties shall have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The District shall make all such evidence subject to the parties' inspection and review available at any meeting to give each party equal opportunity to refer to such evidence during the meeting, including for purposes of cross-examination; and

G. Create within 5 days an investigative report that fairly summarizes relevant evidence, and at least 10 days prior to the determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

H. Reported sexual harassment determined not to be sexual harassment as defined under Title IX may be investigated in accordance with Policy GAAA.

8. Questions.

After the District has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker(s) shall afford a 10 day period for each party to have the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The District shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. The decision-maker(s) shall explain to the party proposing the questions any decision to exclude a question as not relevant.

9. Determination regarding responsibility.

The decision-maker(s), who cannot be the same person(s) as the Title IX Coordinator or the investigator(s), shall, within 10 days of the conclusion of the question and answer period, issue a written determination regarding responsibility. To reach this determination, the District shall apply the preponderance of the evidence standard of evidence to formal complaints against students, to formal complaints against employees and to all complaints of sexual harassment. The written determination shall include—

A. Identification of the allegations potentially constituting sexual harassment as defined in this policy;

B. A description of the procedural steps taken from the receipt of

the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;

C. Findings of fact supporting the determination;

D. Conclusions regarding the application of the District's policies to the facts;

E. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and

F. The District's procedures and permissible bases for the complainant and respondent to appeal.

G. The District shall provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the District provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

H. The Title IX Coordinator is responsible for effective implementation of any remedies.

10. Appeals.

The District shall offer both parties 10 days after a decision for an appeal from a determination regarding responsibility, and from a District's dismissal of a formal complaint or any allegations therein, on the following bases:

A. Procedural irregularity that affected the outcome of the matter;

B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

D. As to all appeals, the District shall:

i. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;

ii. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;

iii. Ensure that the decision-maker(s) for the appeal complies with the training standards set forth in this policy;

iv. Give both parties a reasonable, equal opportunity to submit a written statement in

support of, or challenging, the outcome;

v. Issue a written decision describing the result of the appeal and the rationale for the result; and

vi. Provide the written decision simultaneously to both parties within 10 days of the receipt of the appeal.

11. Informal resolution. The District shall not require as a condition of employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this policy. Similarly, the District shall not require the parties to participate in an informal resolution process and shall not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the District—

A. Provides to the parties a written notice disclosing: The allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

B. Obtains the parties' voluntary, written consent to the informal resolution process.

12. Recordkeeping. The District shall maintain for a period of seven years records of—

A. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;

B. Any appeal and the result therefrom;

C. Any informal resolution and the result therefrom; and

D. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District shall make these training materials publicly available on its website, or if the District does not maintain a website, shall make these materials available upon request for inspection by members of the public.

i. For each response required under the District's process for responding to a sexual harassment formal complaint, the District shall create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District shall document the basis for its conclusion that its

response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity. If the District does not provide a complainant with supportive measures, then the District shall document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

13. Confidentiality.

The District shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by federal or state law or regulations, or to carry out the purposes of Title IX requirements, including the conduct of any investigation or judicial proceeding arising thereunder.

14. Retaliation Prohibited.

a. No District or person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under Title IX. Intimidation, threats, coercion, or discrimination, including charges against an individual for employee code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

Complaints alleging retaliation may be filed in accordance with the procedures specified in Policy GAAA.

b. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under subparagraph (a).

c. Charging an individual with an employee code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation prohibited under subparagraph (a); provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

15. Time Frame.

The District shall allow for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement

activity; or the need for language assistance or accommodation of disabilities.

NOTICE:

The District is required by Title IX and its implementing regulations to notify employees, students, parents or legal guardians, applicants for admission and employment, and professional organizations holding professional agreements with the District that the District does not discriminate on the basis of sex in the operation of its education programs or activities, including admissions and employment. Contact information for the District's Title IX Coordinator is located on its website and in all handbooks or catalogs that the District makes available to employees, students, parents or legal guardians, applicants for admission and employment, and professional organizations holding professional agreements with the District. Inquiries about Title IX and its implementing regulations may be referred to the District's Title IX Coordinator, to the Assistant Secretary of the U.S. Department of Education, or both.

COMPLAINTS AND GRIEVANCES – Policy GAE (Revised 8/19/2021)

1. Purpose; Informal Resolution Preferred

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

2. Definitions

- a. "Level One Administrator" means the principal of a school with respect to teachers and other certificated personnel assigned to that school. With respect to the certified administrators supervised by the Superintendent, the "Level One Administrator" shall be the Superintendent. In any case not covered by this paragraph, the "Level One Administrator" shall be the supervisory certificated person responsible for evaluating the employee.
- b. "Central Office Administrator" means the local school system Superintendent.
- c. "Complaint" means any claim or grievance by a certificated employee of this school district who is affected in his or her employment relationship by an alleged violation, misinterpretation, or misapplication of statutes, policies, rules, regulations, or written agreements of this school district with which the district is required to comply.

3. Scope of Complaint; Exclusions

- a. **Scope.** Unless excluded by paragraph (b) hereof, this complaint and grievance procedure is applicable to any claim by any professional employee certificated by the Professional Standards Commission.
- b. **Exclusions.** This procedure shall not apply to:
 1. Performance ratings contained in personnel evaluations pursuant to Code Section 20-2- 210;
 2. Professional development plans;

3. Job performance;
4. The termination, nonrenewal, demotion, suspension, or reprimand of any employee as set forth in Code Section 20-2-940; and,
5. The revocation, suspension, or denial of certificates of any employee, as set forth in Code Section 20-2-984.5.

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

4. **Hearing Rights; Evidence; Representation; Decisions; Records**

- a. **Hearing; Evidence.** The complainant shall be entitled to an opportunity to be heard, to present relevant evidence, and to examine witnesses at each level, but the complainant may not present additional evidence at the second or third hearing levels unless notice of the complainant's intention and the evidence to be presented are submitted in writing five (5) days prior to the hearing to the administrator who will preside at such level, and in the case of the local board, to the Superintendent. When hearing an appeal from a prior level, the local Board of Education shall hear and decide all appeals de novo.
- b. **Representation.** The complainant and the administrator against whom the complaint is filed, or whose decision is appealed, shall be entitled to the presence of an individual, including an attorney, to assist in the presentation of the complaint and the response thereto at the Central Office Administrator and local Board of Education levels. The presence of any individual other than the complainant and the Level One Administrator is prohibited, except for witnesses who present testimony or documents.
- c. **Hearing Officer.** The local Board of Education may appoint a member of the State Bar to serve as the law officer who shall rule on all issues of law and other objections, but such attorney shall not assist in the presentation of the case for either party.
- d. **Overall Hearing Time Schedules.** The overall time frame from the initiation of the complaint until rendition of the decision by the local board and notification thereof to the complainant shall not exceed sixty (60) days.
- e. **Automatic Referral to Next Level.** Any complaint not processed by the Administrator or the local unit of administration within the time frame required by this policy shall be forwarded to the next level for determination.
- f. **Records.** Accurate records of the proceedings at each level shall be kept. Proceedings shall be recorded by mechanical means, and all evidence shall be preserved and made available to the parties at all times. All costs and fees shall be borne by the party incurring them unless otherwise agreed upon by the parties. However, the cost of preparing and preserving the record of the proceedings shall be borne by the local Board of Education provided, however, that the cost of transcribing the transcript of evidence and proceedings before the local board shall be borne by the party requesting same, and all costs of the record on appeal to the superior courts and appellate courts shall be paid by the party required to do so by the laws relating thereto.

- g. **Decisions.** Each decision shall be made in writing and dated and shall contain findings of fact and reasons for the particular decision reached. The decision at each level shall be sent to the complainant by certified mail, statutory overnight delivery, or hand delivered by a person designated by the Superintendent.
- h. **Notice to the Complainant.** Notice to the complainant shall be deemed to have been made on the date of hand delivery, delivery to a statutory overnight delivery service, or on the date of deposit in the U. S. Mail by certified mail, return receipt requested, to the address stated in the complaint or, if not contained in the complaint, to the last known address of the complainant on file with the Board of Education.

5. **First Level; Presentation; Time; Contents**

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

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

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

6. **First Level Hearing and Decision**

The Level One Administrator shall record the date of filing on the complaint and shall give notice to the complainant of the time and place of the hearing. The Level One Administrator shall conduct a hearing on the complaint and render a decision thereon within ten (10) days of the filing of the complaint. The decision shall be dated, and a copy shall be sent to the complainant as provided in Section 4.

7. **Second Level; Appeal from First Level to Central Office Administrator**

A complainant who is dissatisfied with the decision of the first level shall be entitled to appeal to the Central Office Administrator by filing a written notice of appeal with the Office of the Superintendent. The appeal must be filed within ten (10) calendar days after the complainant is notified of the Level One decision. The Central Office Administrator shall record the date of the filing of the appeal and shall notify the complainant in writing of the time and place of the hearing in the same manner as provided in Section 4. The Central Office Administrator shall obtain copies of all minutes, transcripts, documents and other records relating to the complaint and shall conduct a hearing and render a decision within (10) calendar days of the date of the filing of the appeal. The hearing may also be conducted by any designated representative of the Central Office Administrator who shall promptly submit his or her recommendations and findings to the Central Office

Administrator for final decision. The decision shall be rendered and served on the complainant and his or her attorney in accordance with Section 4.

8. Third Level: Appeal to the Board of Education

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

9. Appeals to State Board

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

10. Reprisals Prohibited

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

11. Collective Bargaining Disclaimer

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

12. Repeals

All policies and parts of policies in conflict herewith repealed.

STUDENT FALSIFICATION OF REPORTS

No student shall falsify, misrepresent, omit or erroneously report information regarding instances of alleged inappropriate behavior by a teacher, administrator, or other school employee toward a student. Such reporting shall result in disciplinary action. Any student having knowledge of such instances shall report the instance using the reporting process established by the Professional Standards Commission.

STUDENT REPORTING OF ACTS OF SEXUAL ABUSE OR SEXUAL MISCONDUCT

The following is the state-mandated process for students to follow in reporting instances of alleged inappropriate behavior by a teacher, administrator or other school employee toward a student.

(a) Any student (*or parent or friend of a student*) who has been the victim of an act of sexual abuse or sexual misconduct by a teacher, administrator or other school system employee is urged to make an oral report of the act to any teacher, counselor or administrator at his/her school.

(b) Any teacher, counselor or administrator receiving a report

of sexual abuse or misconduct of a student by a teacher, administrator or other employee shall make an oral report of the incident immediately by telephone or otherwise to the school principal or principal's designee, and shall submit a written report of the incident to the school principal or principal's designee within 24 hours. *If the principal is the person accused of the sexual abuse or misconduct, the oral and written report should be made to the superintendent or the superintendent's designee.*

(c) Any school principal or principal's designee receiving a report of sexual abuse as defined in O.C.G.A. 19-7-5 shall make an oral report immediately, but in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused. The report should be made by telephone and followed by a written report in writing, if requested, to a child welfare agency providing protective services, as designated by the Department of Human Resources, or, in the absence of such agency, to an appropriate police authority or district attorney.

Reports of acts of sexual misconduct against a student by a teacher, administrator or other employee not covered by O.C.G.A. 19-7-5 or 20-2-1184 shall be investigated immediately by school or system personnel. If the investigation of the allegation of sexual misconduct indicates a reasonable cause to believe that the report of sexual misconduct is valid, the school principal or principal's designee shall make an immediate written report to the superintendent and the Professional Standards Commission Ethics Division.

"Sexual abuse" means a person's employing, using, persuading, inducing, enticing, or coercing any minor who is not that person's spouse to engage in any sexual act as defined in O.C.G.A. 19-7-5.

"Sexual misconduct" includes behavior by an educator that is directed at a student and intended to sexually arouse or titillate the educator or the child. Sexual misconduct by an educator may include, but is not limited to, the following behavior:

1. Made sexual comments, jokes, or gestures.
2. Showed or displayed sexual pictures, photographs, illustrations, or messages.
3. Wrote sexual messages/graffiti on notes or the internet.
4. Spread sexual rumors (i.e. said a student was gay or a lesbian)
5. Spied on students as they dressed, showered or used the restroom at school.
6. Flashed or "mooned" students.
7. Touched, excessively hugged, or grabbed students in a sexual way.
8. Forced a student to kiss him/her or do something else of a sexual nature.
9. Talked or asked about a student's developing body, sexuality, dating habits, etc.
10. Talked repeatedly about sexual activities or sexual fantasies.
11. Made fun of body parts.
12. Called students sexual names.

MISCELLANEOUS CONDITIONS AND PROCEDURES

ASSIGNMENT, REASSIGNMENT AND TRANSFER

The board of education has the right to assign and reassign employees to any school or work area in the school system. Employees desiring a transfer from one system work location to another must submit a request in writing to the immediate supervisor and the human resources director, stating the reason(s) for the request. Both site supervisors must approve voluntary transfers.

EMPLOYEE'S STUDENT ENROLLMENT – Policy JBCA (Effective 3/15/2018)

Purpose: The Effingham County Board of Education allows full-time employees to enroll their children in certain Effingham County schools outside of the normal school attendance area under certain provisions.

I. Definitions

1. Parent / Guardian - A natural or adoptive parent, guardian by order of the court, or other person having control or charge of a child that produces one of the following at the time of registration:
 - a. A Grandparent Power of Attorney in accordance with O.C.G.A. 19-9-129.
 - b. A Special Military Power of Attorney in accordance with O.C.G.A. 20-2-2170.
 - c. Other person having full-time control of a student, having completed a Kinship Caregiver Affidavit in accordance with Effingham County Schools Policy JBC School Admissions.

II. Resident Students

Public education from Kindergarten through high school is free for all children who are bona fide residents of Effingham County. The Effingham County Board of Education has a legitimate interest in protecting and preserving the quality of the Effingham County School System and the rights of bona fide residents to attend public schools on a tuition-free basis.

In order for a child under the age of eighteen (18) years to establish a bona fide residence for the purpose of attending the free public schools of this county separate and apart from his or her parent / guardian, it must be clearly established to the satisfaction of the school district that his or her presence in this county is full time (i.e. 12 months a year), and that it is not for the primary purpose of attending its free, public schools.

A student whose residence is situated on a parcel of land which has a boundary extending into Effingham County shall be considered as a resident for the purpose of attending its free public schools.

Provided there is sufficient room on an existing bus route as determined by the manufacturer's rated capacity and the Transportation Coordinator, bus transportation to and from a student's provider of care may be permitted. This provision only applies within the district boundaries of the school.

At any time, upon request by school or district staff, the parent / guardian shall be required to present proof of residency (such as an electric bill, city water bill, etc.) and

to certify that the student is a full time resident, (i.e. 12 months a year). This certification may also be dependent on visual inspection by school district officials. If visual inspection (or home visits) do not confirm residency, the child shall not be considered a bona fide resident. A child who lives with a relative or a temporary guardian during the school year but returns to the home of his or her parent(s) after the school year ends, unless required to return to a parental home by court order, shall not be considered a bona fide resident for the purpose of attending public schools on a tuition-free basis.

Each school age child, not enrolled in a valid home study or private school program, should attend the appropriate school located in the school attendance zone of this county in which he or she resides unless the parent makes application and is approved to attend a school in an attendance zone other than the one in which the student resides under one or more of the following provisions:

- Provisions of state or federal law;
- The Provisions of Effingham County Board of Education Policy JBCB Non-Resident Students;
- If a parent/guardian moves to another attendance zone outside the normal or requested attendance zone but within Effingham County after the school year has started, the parent may be approved to remain at that school for the remainder of the school year if the parent can provide transportation. If the student is a junior or senior in high school, the student can complete graduation requirements at the same school.
- In cases where there are siblings living in the same household and one of the children is required to attend a school on a full time basis outside of the normal attendance zone because of low incidence special education class assignments, the parent / guardian may request that the other siblings attend the same school as the special education student provided there is available space (as defined above) in said school, the appropriate grade levels are offered in said school, and the parent/guardian provides the necessary transportation.
- Unusual hardship situations which may require an exception to this policy shall be referred to the Superintendent's designee who shall have the authority to review appeals individually or to convene a hardship review committee as deemed appropriate. After hearing evidence regarding the request for a waiver, the Superintendent's designee or committee shall decide whether or not the circumstances warrant a waiver from the existing policy.

The superintendent shall be authorized to set aside the decision of the Superintendent's designee or committee on appeal if he/she believes that the nature of the situation dictates other action. If the superintendent sets aside the decision and rules on the appeal and the person making the appeal wishes to make further appeal, then the board of education may consider the matter at its next regularly scheduled meeting.

School Choice Privilege

A parent/guardian may elect to make a written request to the superintendent's designee that their child(ren) in grades K-12 attend another school within Effingham County. The Effingham County School System shall provide notice no later than July 1 of each year the procedures and timelines for acceptance of applications for transfer to another school for the upcoming school year. This notice shall include a listing of which schools have available space and which of these schools parents may choose to request a transfer for their students. Transfer requests shall be subject to the following stipulations:

1. A valid hardship must be presented for cases in which other stipulations prevent enrollment;
2. The student's program needs must be met;
3. The parent / guardian shall assume the responsibility and cost of transportation of the student to and from school with the student arriving and departing each day according to the school's schedule for arrival and departure; The school principal or superintendent's designee may, at his or her discretion, require a meeting with the parent/guardian to discuss excessive absences, tardies, or early/late pickups. If it is determined that the student's attendance issues are a result of non-zoned school attendance, the student may be required by the district to transfer to his or her zoned school;
4. If a parent / guardian requests a transfer to a school that does not have the services required by the current Individualized Education Plan (IEP), Individualized Accommodation Plan (IAP), or the school does not have space available in particular classes preferred or required classes by a student's graduation requirements, the school is not required to develop those services as long as they are available within the district;
5. Any student transferring pursuant to this policy be subject to the eligibility requirements of the Georgia High School Association;
6. In the event that a high school student has parking/driving privileges revoked due to violation of the Effingham County Board of Education Absences and Excuses Guidelines, or denial of a drivers' license by the Department of Driver Services, or is for any other reason unable to drive his or herself to school, it shall be the responsibility of the parent/guardian and student to arrange for transportation to and from school; otherwise, the student shall transfer to the zoned school where the student may utilize transportation provided by the school district;
7. A student who is granted a transfer request pursuant to this policy may at his or her election, continue to attend such school until the student completes all grades at that particular school without making a new request annually;
8. A student who completes all grades at a given school does not automatically receive enrollment preference to the feeder schools. The school district will determine the appropriate school for enrollment based upon the residence address. A parent / guardian may make application under this policy if the parent wishes for the student to attend another Effingham County school with available space;
9. This process does not apply to certain categories of schools including charter schools or newly opened schools for a period of four years from the opening date; and

10. Space must be available after the school's assigned students have enrolled.

Non-Resident Students- Policy JBCB (Effective 4/20/2017)

The Effingham County Board of Education prohibits nonresident students from attending Effingham County Schools. This prohibition does not apply to children of employees of the Effingham County Board of Education who live outside the Effingham County School District.

A non-resident employee shall not be required to pay out-of-county tuition and is subject to the same space restrictions and application procedures as resident employees.

All non-resident employees' children, once enrolled in the Effingham County School System, shall be treated as a resident students except that the Effingham County Board of Education shall be under no obligation to provide transportation for said students. However, these students may utilize transportation when the location of pick-up or drop-off is on an existing route for the attended school. All non-resident employees' children shall otherwise be subject to all laws, policies, rules, regulations, and procedures of the Effingham County Board of Education.

For nonresident students, attending school in Effingham County is a privilege, not a right. Nonresident students may have the privilege of attending the Effingham County Schools revoked by the Superintendent or designee without convening a disciplinary tribunal for serious disciplinary offenses for which the principal would recommend out of school suspension longer than 10 days or expulsion.

Nonresident employees who quit or are terminated must withdraw their children from the Effingham County Schools within 30 days of such event.

The Board at its discretion, in extreme or unusual circumstances, may allow nonresident students to attend Effingham County Schools provided nonresident tuition is paid.

The nonresident tuition fee shall be set at the per student rate prescribed by Georgia Law, Section 20-2-133.

ADVERTISING - Policy KJ (Revised 04/20/2017)

- A. Commercial organizations offer many free materials for use by teachers in the classroom. Some of these materials are of high educational value with little or no advertising emphasis and may be appropriate for use in the classroom. Other materials are primarily advertising and have only limited educational value and may not be appropriate for use in the classroom.

In general, supplementary printed and free materials from commercial, political, religious, or other non-school sources must have the approval of the superintendent and/or principal before being used in the schools. This approval may be given to materials which are of obvious educational quality with limited advertising emphasis, which supplement and enrich text and reference book materials for definite school courses, which are timely and up-to-date, and which promote democratic ideals, moral values, and coincide with the principles of the Effingham County character education program. Teachers may use special appropriate teaching

aids (non-printed materials) such as models, cuts, films, slides, pictures, charts, exhibits, videos, etc., for educational purposes with the approval of the superintendent and/or principal although such materials may bear the name of a commercial business firm or organization which may have provided the teaching aid.

(NOTE: All teaching materials and teaching aids must also conform to all other applicable board policies and administrative procedures related to materials selection.)

The name of the commercial firm or other organization appearing on free teaching materials or aids shall not be construed as advertising.

B. Advertising materials of commercial or religious nature shall not be displayed or distributed in the schools or on the school grounds except in the following cases:

1. Schools with interscholastic athletic programs may display advertisements in athletic areas such as gyms, football fields, baseball fields, etc., as a service to commercial business sponsors who help support the athletic programs.
2. Schools with sponsors who financially support other extra-curricular activities or events may display advertisements at such respective activities or events.
3. Schools may distribute school related items such as book covers, school annuals, etc. that contain advertising from commercial business sponsors, organizations, or private individuals who have either provided the items or have helped defray the cost of the distributed items.

C. General

1. Students may not be used as the agents for distributing any non-school related material containing advertising to their homes except YMCA, Boy Scouts, Girl Scouts, Civil Air Patrol (CAP), Learning Enrichment Through Academics and Play (LEAP), the Effingham County Recreation Department, and the City of Rincon Recreation Department when such material has been approved in advance by the superintendent and/or principal.
2. Individuals, businesses, and non-school related groups or agencies are prohibited from advertising anything through the schools except as stated in Section B above.
3. No school affiliates or school properties shall be used for the purpose of political campaigning including advertisements, displaying of political posters or political banners; however, disseminating political campaign materials such as cards or brochures would be allowed at public events if such dissemination was not disruptive or a nuisance to those in attendance. The only exception would be when a school facility is used by a community organization to hold a political forum or other similar activity for the public at large.
4. Businesses may provide gifts to faculty and students with prior approval from the superintendent and/or principal when such are deemed to be appropriate and consistent with board policies and procedures.
5. The following products and/or services shall not be allowed to advertise in any manner in the Effingham County School System:
 - Abortion clinics
 - Alcoholic beverages (including beer, wine, and distilled spirits)
 - Contraceptive products
 - Firearms, ammunition, and fireworks
 - Gambling
 - "Head Shops" or other establishments whose activity concentrates on drug related paraphernalia

- Lotteries
- Motion pictures rated "R", "NC17", or "X" by the Motion Picture Association of America
- Prescription drugs
- Feminine hygiene products
- Solicitation of funds
- Tobacco products (including cigarettes, cigars, pipe tobacco, and "smokeless tobacco")
- Any other product or service that the principal and/or superintendent deems to be inappropriate in a school environment.

The endorsement of materials by staff members in their relations with students is also prohibited unless approved by the superintendent or his designee.

In no case should students be asked to take home, distribute, or return materials that are not related to the school, except materials that are approved by the superintendent or his designee.

HEALTH EXAMINATIONS – Administrative Procedures for Health Examinations (Effective 3/23/2017)

All school bus drivers shall annually obtain a physical examination given by a licensed medical doctor with said doctor certifying that the prospective employee's state of health indicates that he/she is capable of performing the duties of the position for which the employee/ prospective employee has applied.

All school bus drivers shall meet the above requirements before the first day of school of the ensuing school year, but no more than 60 days prior to said first day of school. Although other school system employees are not required to have a physical either prior to or during employment, the board of education reserves the right to require a physical examination of any employee at any time the board deems necessary.

The superintendent or board may require that the employee submit to examination by a physician or psychologist selected and paid for by the board, and refusal by the employee to submit to such examination may be grounds for terminating the contract or other employment of such employee.

If the superintendent determines that the status of an employee's ability to properly perform the required functions of the job may change within a short period of time, the superintendent may require that the employee present a physician's statement on a weekly basis.

INFECTIOUS DISEASES – Policy JGCC (Revised 4/20/2017)

An "infectious disease" means an illness due to an infectious agent or its toxic products which is transmitted directly or indirectly to a person from an infected person or animal.

The Board of Education authorizes the Superintendent or designee to develop and implement procedures related to the impact of infectious diseases on school system management and operations. Such procedures shall be consistent with the requirements of the Georgia Board of Education Rule 160-1-3-.03 and shall require the following actions:

1. The annual provision to employees of information,

education or training related to transmission of infectious diseases, risk reduction and standard precautions, based on guidelines or recommendations of the Centers for Disease Control and Prevention (CDC).

2. The immediate notification of the person, or if the person is a minor, to the parent or guardian, of the need to obtain an appropriate medical evaluation where there exists reasonable suspicion that an employee or student has an infectious disease.
3. The involvement of the school nurse, public health agency representatives, health care professionals, and school system administrators in operational decisions concerning an employee or student who has an infectious disease.
4. The disclosure of health-related information only as permitted by state or federal law.

TENURE

Teachers' employment rights are defined in the Fair Dismissal Act. Georgia does not provide tenure, but rather a procedure that allows teachers to know the reasons why they have not been rehired and to have a hearing if they have worked a sufficient time in a school system. Certain certified employees of the school system, in accordance with state statutes, may earn tenure rights.

PROFESSIONAL PERSONNEL LAY-OFF REDUCTION IN FORCE – Policy GBKA (Effective 3/23/2017)

Responsibilities and Prerogatives of the Board of Education

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

Reasons for Reduction in Force (Hereinafter "RIF")

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

- a. A decrease in student enrollment in the Effingham County school system which would necessitate a decrease in personnel or a discontinuation of programs;
- b. A change in state or local curriculum, personnel, or financial practices which would necessitate a change in or elimination of programs or services provided by the school system;
- c. A loss of funds due to a reduction in state funds, reduction in local funds or other funds that make necessary a reduction in spending;
- d. A lack of funding for programs, personnel, or services provided by the school system;
- e. Any reasonable reorganization plan to achieve a more efficient school system.

Applicability of Policy

This RIF policy shall apply to all personnel employed by the Board of Education, but nothing in this policy shall be construed to extend to any employee substantive or procedural rights not required under state law. Specifically, nothing in this policy shall extend to professional personnel any expectation of re-employment or due process rights greater than are available under state law. This policy is not to be construed to mandate the promotion, transfer, or reassignment of an employee to any other position with the school system, even though the employee who is to be terminated may be qualified or certified for a higher or other position.

RIF Procedure

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

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

Notice and Hearing Procedures

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

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