

Escambia County Schools



Division of Human Resources

Employee Handbook

2022-2023

NON-DISCRIMINATION STATEMENT

The Escambia County Board of Education (ECBOE) does not discriminate on the basis of race, religion, color, national origin, sex, age, or disability in employment or educational services, activities, and programs. This district complies with all federal and state laws and regulations regarding discrimination. Employment related inquiries and/or grievances should be directed to the Human Resources Supervisor at 301 Belleville Avenue, Brewton, Alabama, 36426 or call (251) 867-6251. Student related inquiries and/or grievances should be directed to the Assistant Superintendent of Student Services at (251) 867-6251.

MISSION STATEMENT

The Mission of the Escambia County School System is to provide engaging and comprehensive instructional programs that will enable our students to graduate college and/or career-ready.

CORE PURPOSE

The purpose of the Escambia County School System is to provide students with excellent educational experiences to be successful in life.

PROCEDURAL GUIDE POLICY STATEMENT

The provisions and information set forth in this handbook are intended to be informational and not contractual in nature. Thus, this handbook is not intended, and shall not be construed, to constitute a contract between the school system and any employee; prospective employee; agency of the local, state, or federal government; or any other person or legal entity of any and every nature whatsoever. The school system hereby reserves and retains the right to amend, alter, change, delete, or modify any of the provisions of this handbook at any time, and from time to time, without notice, in any manner that the Administration of the school system deems to be in the best interest of the school system. The contents of this handbook apply to all regular employees (certified and classified) and to all part time, temporary, and seasonal personnel in the school system and do not amend, abridge, or replace Board policies, administrative regulations, rules, procedures or employment contract conditions established by the school system.

ESCAMBIA COUNTY BOARD OF EDUCATION

P. O. Box 307

Brewton, Alabama 36426

(251) 867-6251

<http://www.Escambiak12.net>

BOARD MEMBERS

Mr. Coleman Wallace, President – District 7
Mr. Danny Benjamin, Vice President – District 2
Mr. Kevin Hoomes – District 1
Mr. Mike Edwards – District 3
Mrs. Cindy A. Jackson – District 4
Mr. Loumeek White – District 5
Ms. Sherry Digmon – District 6

SUPERINTENDENT

Michele McClung

HUMAN RESOURCES

Cheryl L. Jones, Supervisor

BUSINESS OFFICE

Rochelle Richardson, Chief School Financial Officer
Ashley Fore, Payroll & Insurance Bookkeeper
Teresa Armstrong, Payroll Supervisor
Kelli Stuckey, Business Office Clerk

**Escambia County Board of Education
Division of Human Resources**

TABLE OF CONTENTS:

TABLE OF CONTENTS:	4
INTRODUCTION	7
Rights and Responsibilities	7
BENEFITS FOR FULL-TIME EMPLOYEES	8
EMPLOYEE RESPONSIBILITY	9
Requirements of each employee:	9
Abandonment of Job:	11
Other Requirements:	11
Ownership and Transfer of Donated Funds, Materials, Supplies and Equipment.....	12
Staff System-Provided Cell Phone Use	13
ALABAMA EDUCATOR CODE OF ETHICS	13
Introduction	13
CODE OF ETHICS STANDARDS	14
Standard 1: Professional Conduct	14
Standard 2: Trustworthiness	14
Standard 3: Unlawful Acts	14
Standard 4: Teacher/Student Relationship	14
Standard 5: Alcohol, Drug and Tobacco Use or Possession	15
Standard 6: Public Funds and Property	15
Standard 7: Remunerative Conduct	15
Standard 8: Maintenance of Confidentiality	16
Standard 9: Abandonment of Contract	16
Reporting	16
Alabama Administrative Code 290-3-2-.05.....	16
Disciplinary Action	16
Alabama Administrative Code 290-3-2-.05	16-17
OFFICIAL PERSONNEL FILE	17
DRESS CODE	17-18
WAGE & HOUR ISSUES	19-20
PAYROLL	20
INSURANCE	20-21
Summary of Coverage is available on the web at http://www.rsa-al.gov/PEEHIP	21
Insurance Premiums and Enrollments	21
Non-tobacco User Discount	21
Supplemental Coverage Plan	21
Federal Poverty Level Assistance Program (FPL)	21
Public Education Employees' Flexible Benefits Program (Flex).....	21
Non-Duplication of Benefits	21
New Employees	22
Employees Hired After October 1	22
Current Employees	22
Transfers	22
Loss of Coverage	22
Eligible dependents	22
Ineligible Dependents	23
Marriage	23

**Escambia County Board of Education
Division of Human Resources**

Newborn	23
Other Dependent Children	23
Dependents with Different Last Names	23
Allocations	23-24
COBRA	24
SICK LEAVE BANK.....	26
PERSONAL LEAVE.....	27
ACCUMULATED SICK DAYS	27
VACATION / ANNUAL LEAVE	28
HOLIDAYS	28
LEAVES OF ABSENCE	29
Family Medical Leave	30
Extended Sick Leave	30
Maternity/Paternity Leave	30
All Medical Leaves	31
Continuation of Health Benefits	31
Military Leave	31
Employee’s Responsibilities	31
Substitute’s Responsibilities	31
HIRING PROCESS	32
Job Postings	32
Classified	32
RETIREMENT.....	32
Tier 1 Active Members	33
Tier 2 Active Members	34
RESIGNATIONS	35
Process to Follow for Resignation or Retirement	35
ON-THE-JOB INJURY	35
Alabama State Board of Adjustment	35
Critical Points to Remember:	36
PERFORMANCE EVALUATIONS	36
Employee’s Responsibility in Performance Evaluations	37
DISCRIMINATION	38
Employee's Role: Discrimination	38
Sexual Harassment	39
Critical Points to Remember:	39
SYSTEM RULES:	39
Smoking / Tobacco Products	40
Substance Abuse / Alcohol Use	40
Theft	41
Falsified Documents	41
Insubordination	41
Fighting / Assault	41
Sub-standard Performance	41
Excessive Absences	42
Tardiness	42
GRIEVANCES	42
TITLE IX GRIEVANCE PROCEDURE	43
DISCIPLINARY ISSUES	43
Progressive Discipline	43
Documentation	44

**Escambia County Board of Education
Division of Human Resources**

Consistency of Disciplinary Actions	44
Initial Warning / Counseling	44
Written Warning	45
Plan for Improvement	45
Final Warning	45
Suspension	45
Termination	45
PROGRESSIVE DISCIPLINE PROCESS	45
DEFINITIONS	46-47
STUDENTS FIRST ACT	48
Certified Employees	48
Classified Employees	48
GOOD AND JUST CAUSE REASONS FOR TERMINATION	48-49

**Escambia County Board of Education
Division of Human Resources**

INTRODUCTION

This handbook is prepared by the Division of Human Resources solely as a guide to inform employees of some of the policies, procedures, and benefits of the Escambia County Board of Education (ECBOE). It outlines various employment policies, procedures and practices that affect employees. It is intended only as a quick reference. Employees may access the Escambia County Board of Education web site for more information on both the system and Human Resources. Visit <http://www.Escambia12.net>.

ECBOE policies and procedures conform to local, state, and federal requirements in addition to recognized principles of human resource management. Employees should contact the Office of Human Resources for assistance in obtaining up-to-date information on policies and procedures.

It is our desire that all employees of ECBOE find their employment to be personally and professionally rewarding. As such, our objective is to create a work environment that is conducive to these goals, which in turn will create an atmosphere of excellence in supporting our educational mission. We ask that all employees be dedicated to providing the very best educational experience for the students of Escambia County.

Through its personnel policies, the ECBOE endeavors to establish conditions that attract and hold the highest quality employees who are willing to devote themselves to the education and welfare of the students. The Board is committed to hiring and retaining employees who are capable, interested, and motivated to accomplish the desired goals of the school system.

The Board does not believe that it should employ or retain employees who are either incapable of satisfactory job performance or those who are capable of satisfactory work but continually perform at an unacceptable level.

Rights and Responsibilities

As an employee of the Escambia County Public School System, you are due certain treatment:

- You deserve fair, equitable, professional, and courteous treatment from your supervisors and coworkers.
- You deserve to be free from discrimination, prejudice and ill will.
- You deserve to not be singled out of a group and treated differently because of personality conflicts.
- You deserve to have your performance evaluated honestly.
- You may have the right, as a tenured or non-probationary employee, to due process in regard to certain instances of a transfer or termination from your position.

As an employee of the Escambia County Public School System, you have certain responsibilities:

- You have the responsibility to treat your supervisors and co-workers in a fair, equitable, professional, and courteous manner.
- You have the responsibility to refrain from any discriminatory actions, prejudice, or ill will toward any other employee.
- You have the responsibility to satisfactorily perform the duties that are assigned to you in exchange for your wages.
- You have the responsibility to obey the lawful directives of your supervisors.
- You have the responsibility not to engage in or encourage others to engage in rude, disruptive or insubordinate behavior.

**Escambia County Board of Education
Division of Human Resources**

BENEFITS FOR FULL-TIME EMPLOYEES

All full-time employees of the Escambia County Board of Education will receive the following annual benefits.

Health Insurance: Employees may choose between the following health insurance plans:

- PEEHIP
 1. Blue Cross/Blue Shield
- HMO
 1. Viva Health Plan HMO

- Supplemental plans are available through Southland National Insurance Company
 1. Dental
 2. Hospital Indemnity
 3. Cancer
 4. Vision

- Prescription plans are available through Express Scripts with BC/BS Hospital/Medical.

Life Insurance: \$15,000 Free Life Insurance from the Teachers' Retirement Systems of Alabama

Retirement: All employees of the ECBOE will have a percentage of their wages deducted each month and deposited into the Teachers' Retirement System:

Benefits: Member is vested after 10 years of service

Tier 1 Member (Member before January 1, 2013)

Retirement at age 60 with 10-24 years of service

Retirement at any age after 25 years of service

Additional retirement service credit will be given by the Teachers'

Tier 1 & Tier 2 Retirement System (TRS) based on the number of accumulated sick days the employee has at the time of retirement or at the time of termination from the system.

Tier 2 Member (Member on or after January 1, 2013)

Retirement at age 62 with 10 years of service

Credit for Military Service: An employee has one year from the date he/she enrolled in the TRS to make a lump sum payment in order to gain credit for up to four years of eligible military service. Weekend service and summer camp service with the National Guard and the Reserves are not eligible for creditable service.

Payroll Deductions: (Voluntary) Partial listing: Direct Deposit Required

Credit Union or Bank of your choice	Cafeteria Plan
Tax Sheltered	Annuities 457's
Life Insurance	Critical Care Insurance
Long Term Care Insurance	Accidental death and dismemberment (AD&D)
Disability Insurance	Cancer Insurance
United Fund Contributions	

Personal Leave: Full-time employees will receive two personal leave days per year. New employees starting work after December 31st will receive only one personal leave day for that year. Employees starting work after March 31st will receive no personal leave days for that year.

Accumulated Sick Days: Full-time employees receive one sick day for each month worked.

**Escambia County Board of Education
Division of Human Resources**

Sick Leave Bank: Employees are eligible to join the Sick Leave Bank, which enables them to borrow up to fifteen sick days for illnesses. These borrowed days are repaid from future accumulated days earned each month. Employees may also receive or donate accumulated sick days from or to other employees who are members of a SLB in Alabama. These days are not repaid.

Vacation: All full-time twelve-month employees will receive 10 vacation days.

EMPLOYEE RESPONSIBILITY

Certified employees shall meet minimum requirements such as a degree and professional certification, and demonstrate efficient performance skills in the area of assignment along with satisfactory accomplishment of their job requirements.

Classified employees (support employees) shall meet the minimum qualifications of their job description and demonstrate satisfactory performance of their job duties.

All employees are hired to perform certain tasks in exchange for their salary. These duties are determined by the job description and as directed by their supervisor. If you are unable or unwilling to satisfactorily perform the assigned tasks in the allotted time, then the system feels no obligation to retain you as an employee.

Requirements of each employee:

1. Perform satisfactory work.
 - a. Carry out and complete your job duties in an acceptable manner and in a timely fashion.
2. Behavior - Act in a professional manner and be courteous to children, parents, supervisors and all other employees.
 - a. Behavior which is rude, obnoxious or showing an attitude is unacceptable.
 - b. You are not expected to like your supervisors or co-workers and they are not expected to like you, but both are expected to be professional and courteous.
 - c. You are expected to treat everyone in a professional manner and with courtesy, regardless of your personal feelings towards that individual.
 - d. Do not show unwelcome familiarity with co-workers. The best advice to follow is to keep your hands to yourself and do not hug, kiss or touch co-workers.
 - e. Open disrespect or unprofessional conduct may lead to termination.
3. Drug and Alcohol - Report to work both drug and alcohol free.
 - a. All employees who drive school system vehicles are subject to random drug tests. Results that are positive will lead to disciplinary action up to and including termination.
 - b. All employees are subject to drug and alcohol testing for reasonable suspicion of impairment. Results that are positive for either drugs or alcohol will lead to disciplinary action up to and including termination.
4. Attendance and Absences - Work the days that you are scheduled to work.
 - a. Continual unpaid absences are unacceptable and may lead to disciplinary action up to and including termination.
 - b. Constant absences on Monday/Fridays or before/after holidays are suspect for abuse and may be subject to disciplinary actions.
 - c. You must also notify your supervisor of any absences.
5. Tardiness - Be at work when scheduled and on time, without tardiness.
 - a. Excessive late arrivals will result in progressive discipline and may lead to termination.
 - b. Notify your supervisor of any absences or of any extreme tardiness.

**Escambia County Board of Education
Division of Human Resources**

6. Schedule - Work the hours of your schedule.
 - a. Report to work on time.
 - b. Do not leave work early unless authorized by your supervisor.
 - c. Do not clock-in early or clock-out late unless authorized by your supervisor.
7. Time Reporting/Missed punches and time worked. Fill out all forms relating to time worked accurately and honestly.
 - a. If you do not work a full day, do not state or indicate that you did.
8. Computer and Internet access is provided for ECBOE operations only. However, should there be an urgent need; minimal (no more than ten minutes a day) personal use is allowed.
 - a. Surfing the internet is strictly prohibited for non-educational purposes.
 - b. Audio/Video streaming is strictly prohibited for non-educational purposes.
 - c. Posting to personal web pages, bulletin boards, blogs or other similar personal message sites is strictly prohibited.
 - d. Accessing a racist, sexist, pornographic or other questionable site is strictly prohibited.
 - e. Employees will be provided a copy of the ECBOE acceptable use guidelines and sign a statement that they agree to the terms.
 - f. Internet usage will be monitored and violators will be subject to disciplinary action up to and including termination.
9. Social Media - Although social media sites such as Facebook are personal in nature, they (along with personal texts and emails brought to the administrations attention) can be considered public discourse or public comments.
 - a. The posting, texting, or emailing of comments or images about students, parents, employees, supervisors, departments, schools, the system or your job that are of extremely poor taste, unprofessional, demeaning, derogatory, racist, offensive, insulting, inflammatory, hateful, insubordinate or celebrating immoral, improper or illegal actions is unacceptable and may lead to disciplinary action up to and including termination as those postings may cause a disruption in the workplace.
10. Newspaper/Radio/MediaCorrespondence (i.e. letters to the editor, comments, blogs, etc.)
 - a. The posting, letters, or emailing of comments about students, parents, employees, supervisors, departments, schools, the system or your job that are of extremely poor taste, unprofessional, demeaning, derogatory, racist, offensive, insulting, inflammatory, hateful, insubordinate or celebrating immoral, improper or illegal actions is unacceptable and may lead to disciplinary action up to and including termination as those postings may cause a disruption in the workplace.
11. Personal calls - Keep personal calls to an absolute minimum during work time.
 - a. At some point in time, most everyone needs to make a personal call from work. However, these calls need to be kept to a minimum, as they not only adversely affect your work, they can also adversely affect the work of the other employees around you.
12. Cell Phone use - The use of personal cell phones is prohibited unless it is a true emergency.
 - a. Leave your cell phones in your car or turn them off during work hours.
 - b. Advise your family and friends that you cannot receive personal calls on your cell phone during the work day unless a true emergency has occurred.
13. Personal conversations - Keep personal conversations during work hours to a minimum.
 - a. Even if your work is caught up enough to allow you some time to talk, the person you are talking to is probably neglecting his/her work by talking to you.
 - b. If you travel between sites, being friendly is expected, but to keep other employees from his/her work by engaging them in personal conversations is not acceptable.
 - c. We encourage camaraderie, but not at the expense of either your work or the work of other employees.

**Escambia County Board of Education
Division of Human Resources**

14. Compliance with directives - Obey the orders of your supervisor, except as stated in 13(a) below.
- a. If you disagree, do not argue with the supervisor, simply state your objections in a concise and professional way and then carry out your supervisor's directions.
15. Insubordination to your supervisor or any other administrator is prohibited.
- a. Insubordination may include:
 - i. Refusal or failure to obey orders or perform a job assignment given by a supervisor or any authorized employee or system representative;
 - ii. Disrespect, publicly displayed on system premises, toward a supervisor or the system;
 - iii. Threatening, intimidating, coercing, or interfering with a supervisor;
 - iv. Abusive language to any supervisor;
 - v. Openly making or publishing false, vicious, or malicious statements concerning supervisors; and
 - vi. Countermanding the order of a supervisor.
 - b. Insubordination does not include a refusal to comply with:
 - i. Orders that endanger the health, welfare, or safety of the employee, other employees, students, or anyone else;
 - ii. Orders requiring the performance of an illegal, improper, or immoral act;
 - iii. Orders that require action that is beyond the employee's capability; and
 - iv. Orders having a nature of unlawful harassment; for example, orders accompanied by a racial, religious or sexist slur.

Firearms and weapons prohibition.

- c. The possession of a firearm by an individual, employee, visitor, or student inside or on any property owned, leased, or operated by the Escambia County Board of Education is strictly prohibited except for those individuals who lease undeveloped system property for hunting or sporting activities. Otherwise, possession of a firearm is strictly prohibited whether or not those individuals, employees, visitors, or students possess a legal permit to carry said firearm or if the individual possessing the firearm is licensed to do so by the state of Alabama or any other state. Duly sworn and trained peace officers in the performance of their duties are excluded from this prohibition.
- d. Possession and/or use of weapons shall be prohibited on school property, including buses and at school sponsored activities. Possession and/or use of weapons shall also be prohibited in any vehicle brought onto school property or to a school sponsored activity. Violation of this prohibition shall be considered a serious act of misconduct and subject to disciplinary action up to and including termination.

If you are unable to comply with these general expectations, then the system will be compelled to terminate your employment.

Abandonment of Job:

Any employee will be considered to have abandoned his/her job and will be terminated as a voluntary resignation, who does any of the following:

- leaves work and does not report back to work;
- who says he/she quits;
- who says he/she will not return to work or;
- for whatever reason fails to return to work without notification.

Any employee who has been absent from work for more than ten (10) consecutive work days and who has not obtained an approved leave of absence or otherwise accounted for the absences will be considered to have abandoned his/her job. The employee may be recommended for termination.

Any employee who has been absent from work for more than twenty (20) consecutive work days without contacting his/her supervisor, without good cause and without an approved leave of absence will be considered to have voluntarily resigned from his/her position and will be processed as having resigned from the position.

**Escambia County Board of Education
Division of Human Resources**

Other Requirements:

In-service education participation is encouraged for all employees, which will promote personal and professional growth. Employees, upon identification and recommendation by the immediate supervisor, shall be given the opportunity to participate in professional development that is designed for improvement in specific areas. Additionally, employees are expected to develop and grow in job performance beyond minimum requirements. Schedules for professional and support employees are formulated and disseminated by principals and supervisors. All employees shall observe and conform to time schedules furnished by his/her principal or supervisor.

For professional employees, the school day shall be defined as the time when classes are in session, when faculty and in-service meetings are being held and when student activities are being conducted.

Teachers are required to attend faculty meetings and parent-teacher conferences when deemed necessary by the principal. Also, teachers shall be provided a thirty-minute unencumbered time period during the day.

All schools shall have the school doors open for a minimum of eight (8) consecutive hours each workday. The day for professional education employees will include:

- Time assigned for instructional situations
- Time assigned for planning and conference
- Time assigned for student activities
- Time assigned for supervisory activities other than classroom instruction, faculty meetings or in-service meetings after the time students are dismissed and beyond the normal school closing time.

All professional faculty employees are required to be at his/her station of duty no later than fifteen (15) minutes before school begins and to leave no earlier than fifteen (15) minutes after the school day ends. All teachers are to hold parent-student conferences as needed during planning and conference periods and/or after school as determined necessary by the principal. These conferences are to be scheduled with the time necessary for keeping parents apprised of the academic performance of students prior to the time a student's achievement has reached the point of failure in a given grading period.

The primary responsibility and workload of teachers shall be planning and implementing of the instructional program. Teachers shall share in non-teaching responsibilities, which are considered either necessary or desirable to the proper functioning of the total school program. Teachers are expected to share in the responsibility for supervising co-curricular activities. The assigning of extra duty shall be done in an equitable manner.

Teacher workdays are designed to provide days for teachers to prepare grades, complete reports, and perform other tasks essential to teaching. No faculty meeting should be held on a teacher workday unless appropriate and timely. Should it be necessary to call a faculty meeting on a teacher workday, the meeting should not last more than 45 minutes, and no more than one meeting should be held. No in-service should be scheduled on teacher workdays.

Family members and children of an employee do not have a right to visit the employee at work during work hours. Visiting by family members or bringing children to work can be a severe distraction to both the employee being visited and other employees at the same location. This is similar to an employee having excessive personal telephone conversations or personal conversations at work. Before any employee asks a family member to come to his/her work location, he/she needs to clear the visit with the principal or supervisor. If the visits become excessive and are a distraction, then the family members may be banned from system properties.

Ownership and Transfer of Donated Funds, Materials, Supplies and Equipment:

Ownership of Donations

Donations are considered to be the property of the Board of School Commissioners of Escambia County, the local school, the classroom, or the program/project. Donations are never considered to be the personal property of a Teacher or other individual. In the case of a teacher or other individual receiving a donation, the donation is considered to be the property of the classroom or program/project where the teacher or other individual was assigned when the donation was requested/awarded.

**Escambia County Board of Education
Division of Human Resources**

Transfer of Donations

Any donations received by a school, a classroom of that school, a program/project of that school, or a teacher or other individual of that school shall remain with that school. Ownership of donations will never transfer to a teacher or other individual. However, a transferring teacher or other individual will be allowed to transfer with him or her any donations received by them to another school, classroom, or program/project if all of the following criteria are met:

1. The teacher or other individual will continue to teach in the Escambia County Public School System.
2. The teacher or other individual will continue to use the donation in a manner consistent with the original eligibility requirements of the original donor.

Staff System-Provided Cell Phone Use

The Escambia County School Board recognizes that the use of system-provided cellular telephones may be an appropriate communication device to provide for efficient and effective operation of the Board and to help ensure safety and security. The Superintendent authorizes the purchase of cellular telephones for employee business use, as deemed appropriate. Use of system-provided cellular phones in violation of School Board policies, administrative regulations, and/or state and federal laws will result in loss of system-provided cell phone privileges with possible disciplinary action up to and including termination.

Authorization

System-provided cellular telephones and plans will be assigned based on the job requirements as determined by the Superintendent.

Usage

- System-provided cellular telephones are provided to carry out Board business and should not be used when other means of communication are readily available, unless it is necessary for safety, an emergency or in an urgent situation or circumstances.
- Personal use of system-provided cellular telephones should be limited, and such calls should be made or received by alternative means.
- System-provided cellular telephones are not to be given or loaned to others.
- Employees issued system-provided cellular telephones are responsible for their safekeeping at all times. Defective, lost, damaged or stolen cellular telephones are to be reported immediately to the Telecommunications Department.
- Employees, Divisions and/or Departments are responsible for any cell phone accessories.
- All cellular telephones issued to employees are to be reset and returned to the Telecommunications Department at the conclusion of employment.

Cellular telephones are not to be used while driving either a Board owned vehicle or a personal vehicle.

Monitoring

The Superintendent or Designee will review the plan's usage each month for any unusual charges. Any indications of unusual usage or abuse can result in the loss of the use of the phone by the employee with possible disciplinary action up to and including termination. For the purposes of determining reimbursement and/or abuse the following are just some of the guidelines that may be used:

1. Any charges incurred for excessive personal use shall be the financial responsibility of the employee.
2. Any charges incurred for international roaming without prior approval shall be the financial responsibility of the employee.
3. Damage incurred by misuse to the phone shall be the financial responsibility of the employee.

ALABAMA EDUCATOR CODE OF ETHICS

Introduction

The primary goal of every educator in the state of Alabama must, at all times, be to provide an environment in which all students can learn. In order to accomplish that goal, educators must value the worth and dignity of every

**Escambia County Board of Education
Division of Human Resources**

person, must have a devotion to excellence in all matters, must actively support the pursuit of knowledge, and must fully participate in the nurturance of a democratic citizenry. To do so requires an adherence to a high ethical standard.

The Alabama Educator Code of Ethics defines the professional behavior of educators in Alabama and serves as a guide to ethical conduct. The code protects the health, safety and general welfare of students and educators; outlines objective standards of conduct for professional educators; and clearly defines actions of an unethical nature for which disciplinary sanctions are justified.

CODE OF ETHICS STANDARDS

Standard 1: Professional Conduct

An educator should demonstrate conduct that follows generally recognized professional standards.

Ethical conduct includes, but is not limited to, the following:

- Encouraging and supporting colleagues in the development and maintenance of high standards.
- Respecting fellow educators and participating in the development of a professional and supportive teaching environment.
- Engaging in a variety of individual and collaborative learning experiences essential to developing professionally in order to promote student learning.

Unethical conduct is any conduct that impairs the certificate holder's ability to function in his or her employment position or a pattern of behavior that is detrimental to the health, welfare, discipline, or morals of students.

Unethical conduct includes, but is not limited to, the following:

- Harassment of colleagues.
- Misuse or mismanagement of tests or test materials.
- Inappropriate language on school grounds.
- Physical altercations.
- Failure to provide appropriate supervision of students.

Standard 2: Trustworthiness

An educator should exemplify honesty and integrity in the course of professional practice.

Ethical conduct includes, but is not limited to, the following:

- Properly representing facts concerning an educational matter in direct or indirect public expression.
- Advocating for fair and equitable opportunities for all children.
- Embodying for students the characteristics of intellectual honesty, diplomacy, tact, and fairness.

Unethical conduct includes, but is not limited to, the following:

- Falsifying, misrepresenting, omitting, or erroneously reporting professional qualifications, criminal record, or employment history when applying for employment or certification.
- Falsifying, misrepresenting, omitting, or erroneously reporting information submitted to federal, state, and/or other governmental agencies.
- Falsifying, misrepresenting, omitting, or erroneously reporting information regarding the evaluation of students and/or personnel.
- Falsifying, misrepresenting, omitting, or erroneously reporting reasons for absences or leaves.
- Falsifying, misrepresenting, omitting, or erroneously reporting information submitted in the course of an official inquiry or investigation.

Standard 3: Unlawful Acts

An educator should 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. As used herein, conviction includes a finding or verdict of guilty, or a plea of *nolo contendere*,

**Escambia County Board of Education
Division of Human Resources**

regardless of whether an appeal of the conviction has been sought or a situation where first offender treatment without adjudication of guilt pursuant to the charge was granted.

Standard 4: Teacher/Student Relationship

An educator should always maintain a professional relationship with all students, both in and outside the classroom.

Ethical conduct includes, but is not limited to, the following:

- Fulfilling the roles of trusted confidante, mentor, and advocate for students' growth.
- Nurturing the intellectual, physical, emotional, social, and civic potential of all students.
- Providing an environment that does not needlessly expose students to unnecessary embarrassment or disparagement.
- Creating, supporting, and maintaining a challenging learning environment for all students.

Unethical conduct includes, but is not limited to, the following:

- Committing any act of child abuse, including physical or verbal abuse.
- Committing any act of cruelty to children or any act of child endangerment.
- Committing or soliciting any unlawful sexual act.
- Engaging in harassing behavior on the basis of race, gender, national origin, religion, or disability.
- Soliciting, encouraging, or consummating an inappropriate written, verbal, or physical relationship with a student.
- Furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student or allowing a student to consume alcohol or illegal/unauthorized drugs.

Standard 5: Alcohol, Drug and Tobacco Use or Possession

An educator should refrain from the use of alcohol and/or tobacco during the course of professional practice and should never use illegal or unauthorized drugs.

Ethical conduct includes, but is not limited to, the following:

- Factually representing the dangers of alcohol, tobacco and illegal drug use and abuse to students during the course of professional practice.

Unethical conduct includes, but is not limited to, the following:

- Being under the influence of, possessing, using, or consuming illegal or unauthorized drugs.
- Being on school premises or at a school-related activity involving students while documented as being under the influence of, possessing, or consuming alcoholic beverages or using tobacco. A school-related activity includes, but is not limited to, any activity that is sponsored by a school or a school system or any activity designed to enhance the school curriculum such as club trips, etc., where students are involved.

Standard 6: Public Funds and Property

An educator entrusted with public funds and property should honor that trust with a high level of honesty, accuracy, and responsibility.

Ethical conduct includes, but is not limited to, the following:

- Maximizing the positive effect of school funds through judicious use of said funds.
- Modeling for students and colleagues the responsible use of public property.

Unethical conduct includes, but is not limited to, the following:

- Misusing public or school-related funds.
- Failing to account for funds collected from students or parents.
- Submitting fraudulent requests for reimbursement of expenses or for pay.
- Co-mingling public or school-related funds with personal funds or checking accounts.
- Using school property without the approval of the local board of education/governing body.

**Escambia County Board of Education
Division of Human Resources**

Standard 7: Remunerative Conduct

An educator should maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation.

Ethical conduct includes, but is not limited to, the following:

- Insuring that institutional privileges are not used for personal gain.
- Insuring that school policies or procedures are not impacted by gifts or gratuities from any person or organization.

Unethical conduct includes, but is not limited to, the following:

- Soliciting students or parents of students to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator unless approved by the local governing body.
- Accepting gifts from vendors or potential vendors for personal use or gain where there appears to be a conflict of interest.
- Tutoring students assigned to the educator for remuneration unless approved by the local board of education.

Standard 8: Maintenance of Confidentiality

An educator should comply with state and federal laws and local school board policies relating to confidentiality of student and personnel records, standardized test material, and other information covered by confidentiality agreements.

Ethical conduct includes, but is not limited to, the following:

- Keeping in confidence information about students that has been obtained in the course of professional service unless disclosure serves professional purposes or is required by law.
- Maintaining diligently the security of standardized test supplies and resources.

Unethical conduct includes, but is not limited to, the following:

- Sharing confidential information concerning student academic and disciplinary records, health and medical information, family status/income, and assessment/testing results unless disclosure is required or permitted by law.
- Violating confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or distributing test items or answers, discussing test items, and violating local school system or state directions for the use of tests or test items.
- Violating other confidentiality agreements required by state or local policy.

Standard 9: Abandonment of Contract

An educator should fulfill all of the terms and obligations detailed in the contract with the local board of education or educational agency for the duration of the contract.

Unethical conduct includes, but is not limited to, the following:

- Abandoning the contract for professional services without prior release from the contract by the employer;
- Refusing to perform services required by the contract.

Reporting

Educators are required to report a breach of one or more of the Standards in the Alabama Educator Code of Ethics as soon as possible, but no later than sixty (60) days from the date the educator became aware of the alleged breach, unless the law or local procedures require reporting sooner. Educators should be aware of their local school board policies and procedures and/or chain of command for reporting unethical conduct. Complaints filed with the local or state school boards, or with the State Department of Education Teacher Certification Section, must be filed in writing and must include the original signature of the complainant.

**Escambia County Board of Education
Division of Human Resources**

Alabama Administrative Code 290-3-2-.05

(1)-5-c Each Superintendent shall submit to the State Superintendent of Education within ten calendar days of the decision, the name and social security number of each employee holding an Alabama certificate or license who is terminated, or non-renewed, resigns, or is placed on administrative leave for cause, and shall indicate the reason for such action.

Disciplinary Action

Disciplinary action shall be defined as the issuance of a reprimand or warning, or the suspension, revocation, or denial of certificates. "Certificate" refers to any teaching, service, or leadership certificate issued by the authority of the Alabama State Department of Education.

Alabama Administrative Code 290-3-2-.05

(1) Authority of the State Superintendent of Education

(a) The Superintendent shall have the authority under existing legal standards to:

1. Revoke any certificate held by a person who has been proven guilty of immoral conduct or unbecoming or indecent behavior in Alabama or any other state or nation in accordance with Ala. Code §16-23-5 (1975).
2. Refuse to issue a certificate to an applicant whose certificate has been subject to adverse action by another state until after the adverse action has been resolved by that state.
3. Suspend or revoke an individual's certificate issued by the Superintendent when a certificate or license issued by another state is subject to adverse action.
4. Refuse to issue, suspend, or recall a certificate for just cause.

Any of the following grounds shall also be considered cause for disciplinary action:

- Unethical conduct as outlined in the Alabama Educator Code of Ethics, Standards 1-9.
- Order from a court of competent jurisdiction.
- Violation of any other laws or rules applicable to the profession.
- Any other good and sufficient cause.

An individual whose certificate has been revoked, denied, or suspended may not be employed as an educator, paraprofessional, aide, or substitute teacher during the period of his or her revocation, suspension, or denial.

OFFICIAL PERSONNEL FILE

Each employee's official personnel file is maintained in the Business Office. In general, this file will contain a record of the employee's history with the system, such as documents concerning the employee's hiring, status, work history, and performance.

All information or material placed in the employee's personnel file in Human Resources shall be available to the employee for inspection upon request with a twenty-four (24) hour notice. This does not include former employees. If former employees wish to view their file, they must make a request in writing to the Assistant Superintendent or Human Resources Supervisor.

Handling of personnel files shall follow the guidelines set forth below in addition to normal processing and maintenance:

1. Any information or materials which are derogatory shall not be placed in the personnel file unless the employee is aware of the information and is given the opportunity to examine the information.
 - a. The employee has the right to respond in writing to anything placed in the system's personnel file and have the response placed with the material to which it relates.
2. No anonymous, unsigned, or hearsay information may be placed in the employee's official personnel files.
3. All confidential references and information shall be privileged and are not part of employee's official personnel files.

DRESS CODE

Escambia County Board of Education
Division of Human Resources

The school system has a dress code that must be followed by all employees. In general, all employees (professional, administrative and support personnel) should be professionally and appropriately attired when conducting school system business.

In departments where uniforms or uniformity in dress is prescribed by the Board, all affected employees are required to abide by direction and procedure. However, schools or departments may adopt a voluntary dress code for uniforms.

This policy covering employee dress code and appearance is established in order to uplift, enhance and promote the professional image of the school system. These guidelines should be reviewed by supervisors with the staff members each year before the opening of school.

In departments where uniforms or uniformity in dress is prescribed by the Board of School Commissioners, all effected personnel are required to abide by direction and procedure.

All employees (professional, administrative and support personnel) should be professionally and appropriately attired when representing the school system or conducting school system business.

Immediate or site supervisors may approve exceptions on this code for special or occasional activities.

Reasonable accommodation should be made for religious beliefs if such accommodation would not unduly interfere with the effective functioning of the school or department.

Restrictions:

An employee's dress may not be so unusual, inappropriate or lacking in cleanliness that it clearly disrupts classroom or learning activities. Examples of attire considered inappropriate for school employees include but are not limited to:

- Jeans (except for custodian and bus drivers and as allowed for special occasions or special work as approved by the immediate or site supervisor)
- Overalls
- Shorts (except for P.E. teachers and bus drivers)
- Athletic type shoes (except as allowed for special occasions or special work as approved by the immediate or site supervisor)
- Spandex or bicycling type attire as outer wear
- Visible piercing except to ears
- Clothing that is provocative, revealing, indecent, vulgar or obscene
- Blouses or shirts with low necklines, bare midriiffs and excessively tight clothing
- Visibly torn or ragged attire
- Sweat suit-type attire (except for P.E. teachers, bus drivers, and custodians)
- Footwear that is considered beachwear (flip flops), soft plastic (Crocs), bedroom shoes or slippers (Any footwear that may cause injury to the wearer or others must not be worn)
- Clothing which promotes alcoholic beverages, tobacco, or the use of controlled substances by words or symbols
- Clothing that contains profanity or nudity, depicts violence, or is sexual in nature by words or symbols
- Undergarments worn as an outer garment or any see-through clothing
- Any item of clothing or jewelry that creates a disruption of the school environment/learning activities or that poses a threat to the safety and well-being of students or staff.
- Tattoos that are indecent, vulgar, obscene (Such tattoos must be covered by clothing)
- Clothing that promotes or includes logos of K-12 schools outside of the Escambia County Public School System.

Fridays may be considered as casual Fridays. **Blue jeans and school spirit shirts are to be worn ONLY on Fridays (no holes, rips, tears, frays, etc.).** Casual Friday will not be observed on dates that require professional dress.

Please note: Professional dress is to be adhered to when attending teacher institute, any professional development training (on and off campus), field trips, parent teacher conference or any other off campus

**Escambia County Board of Education
Division of Human Resources**

function. Casual Friday will not be observed on dates that require professional dress. Exceptions will be made for summer workshops and field trips to the zoo, Turtle Point, etc.

Employees shall promptly disclose to the Board any fact that would disqualify them from employment or that renders them unable to perform their essential job functions.

Each department/school will evaluate this policy at the end of the school year. The superintendent or his/her designee will review the results of these evaluations and present proposed changes to the board as appropriate.

WAGE & HOUR ISSUES

Non-Exempt employees should clock in and out at their scheduled times. Overtime or compensatory time is not authorized unless approved by your Superintendent. Continual accumulation of overtime or compensatory time without your supervisor's direct approval may lead to disciplinary action.

You are required to accurately enter on your time card both the starting time and ending time of your work day. If the supervisor asks you to work over but not to enter the extra time on your time card, then you must contact Human Resources so that we may correct the situation. If you are finishing something for the day and it runs over ten minutes, then that ten minutes will be added to your time card. You will either be given time off during that week or you will be paid for the overtime or given compensatory time off within the next thirty days.

You are required to accurately account for any lunch time (unpaid) taken in TES or on your time card during the work day. If the supervisor asks you to work through lunch but not to enter the extra time on your time card, then you must contact Human Resources so that we may correct the situation

Lunch and break periods are required for any group of employees, either certified or support personnel are required to have a duty-free off the clock 30-minute lunch. If the job responsibilities allow either a lunch and/or a break time, the following guides will be followed.

Lunch period:

Non-Exempt employees

- Lunch periods are 30 minutes
- Lunch periods are duty free
- Lunch periods are not compensated
 - However, if the job responsibilities of Non-Exempt employees require them to work through their lunch period, then they will be compensated for that 30-minute period.

Break Period:

Non-Exempt employees

- Break periods are 15 minutes
- Break periods are compensated
- Maximum of 2 per day

Mileage for business use of your personal vehicle will be reimbursed at the prevailing rate as set by the state of Alabama. In general, if your job duties require it or if a supervisor requests or requires you to use your vehicle for school or system related business (except travel to and from your home to the work site), then you are to be reimbursed for this expense.

There are no exceptions; if you are required to use your personal vehicle for system business then you are due to be reimbursed for that use. Some examples are as follows:

- Travel to required meetings. However, if you are taking time off during the day to attend a meeting that is not required, then mileage is not to be reimbursed.
- Travel to make bank deposits. If the deposit is made after leaving school and the bank is not on the route home, then only the mileage for distance deviated from your normal route to the bank is to be reimbursed.

**Escambia County Board of Education
Division of Human Resources**

- Travel to the central office. However, if it is to take care of your personal business and not related to your job duties, then mileage is not to be reimbursed.
- Travel to different work sites. However, if system transportation is offered but refused, then mileage is not to be reimbursed.
- Travel to purchase system supplies.

PAYROLL

All Board employees shall be paid in accordance with the salary schedule adopted for the particular budget year. All regular employees of the Board will be paid monthly. Employees paid on a monthly basis and paid on the last day of the month.

With the exceptions of deductions for absences not covered by paid leave and those required by law, all categories of deductions from salary shall be subject to Board approval and/or voluntary on the part of the individual employee.

Pay increases mandated by state law shall be implemented on the date dictated by said law. No mandated pay raises shall be implemented retroactively unless the Board takes affirmative steps to do so.

Full-time employees work a set number of days during the year for which he/she is compensated. Different groups of employees have different lengths of employment based on what they do. The length of the employment year can range from 185 days to 240 days, depending on the type employee and whether he/she works in the central office, elementary school, middle school, high school, or with support services.

Twelve-month employees will work 240 days a year, depending on their date of hire. Unless covered by Annual Leave, Personal Days, or Accumulated Sick Days for illnesses, employees will not be paid for days not worked.

School based employees, who are not twelve-month employees, do not work during parts of the summer months; however, full-time employees are paid on a twelve-month basis. Each pay period a certain number of days are set aside to pay for the months during the summer that the employees do not work. These summer payout checks are for time worked during the year but withheld to pay employees during the summer months.

Those employees hired for less than twelve months and who are hired at the beginning of the contract year should receive their full pay during each month worked. However, employees who start work after the start of their contract year will receive a lower salary for the months worked during the first year because they will not work their full contracted number of days. All employees who do not work their entire contract period will receive a prorated salary.

This same type of calculation will also occur if the employee is on an unpaid leave of absence for an extended period of time. A significant amount of unpaid leave will change the total of your monthly pay for the remainder of the contract period.

After the employee returns to work from the leave of absence, the payroll department will recalculate the monthly rate of pay depending on how many days are left in the contract year. Contact the payroll department if you have concerns about your pay after an extended unpaid leave of absence.

INSURANCE

The following are some general guidelines from the Public Education Employees' Health Insurance Plan (PEEHIP) as found in their handbook. If there are any questions regarding coverage, call or write the PEEHIP office in Montgomery at 201 South Union Street, Montgomery, AL 36104. The mailing address is P. O. Box 302150, Montgomery, AL 36130-2150. They may be reached by phone at (334) 517-7000 or Toll Free (877) 517-0020.

Full-time employees and permanent part-time employees are eligible for coverage with PEEHIP. A permanent part-time employee is eligible for PEEHIP if he/she agrees to payroll deduction for a pro rata portion of the

**Escambia County Board of Education
Division of Human Resources**

premium cost for a full-time employee. The amount of the deduction is based on the percentage of time the permanent part-time worker is employed.

The Open Enrollment period usually begins on July 1st and ends on August 31st in order for the changes to be effective October 1. All open enrollment forms and written requests must be postmarked no later than August 31st for the PEEHIP office to accept the request. Members can add new types of coverage, dependent coverage or change coverage types during this open enrollment period.

Summary of Coverage is available on the web at <http://www.rsa-al.gov/PEEHIP/peehip.html>

Insurance Premiums and Enrollments

PEEHIP determines and manages the premium deductions; therefore, active and retired members will be required to make all insurance changes with PEEHIP. Members will no longer go to their employer to make changes in their insurance. Prior to the payroll cutoff date, PEEHIP will send an electronic file to each employer authorizing the payroll deductions for each employer. The payroll deduction amount will be based on the insurance plan(s) each member selects. If the payroll deduction is incorrect, members will need to contact PEEHIP instead of their employer. It is imperative for PEEHIP to have the correct home mailing address so all members can receive important PEEHIP information.

Non-tobacco User Discount

Beginning October 1, 2006, all PEEHIP members who are tobacco users and are enrolled in the hospital medical or HMO plans will be charged a surcharge. However, non-tobacco users can have the surcharge removed from their monthly premium by certifying that they (and their spouse, if the spouse is covered as a dependent) have not used tobacco products within the last 12 months.

Supplemental Coverage Plan

PEEHIP members may opt to elect the PEEHIP Supplemental Plan as their primary coverage in lieu of the PEEHIP hospital medical plan. The PEEHIP Supplemental Plan cannot be used as a supplement to Medicare, the PEEHIP hospital medical plan, or the State or Local Governmental Plans administered by the State Employees Insurance Board (SEIB).

Federal Poverty Level Assistance Program (FPL)

PEEHIP members who have a combined family income of 200% or less of the Federal Poverty Level (FPL) may qualify for a reduced premium on their hospital medical or HMO premium. To qualify for the FPL assistance, PEEHIP members must furnish acceptable proof of total income based on their most recently filed Federal Income Tax Return along with copies of pertinent W-2's and 1099's. The premium discount will be effective for the plan year only, and re-certification will be required annually during open enrollment. The most recent Federal Poverty guidelines are listed on the back of the FPL APPLICATION form and are on the PEEHIP website at www.rsa-al.gov.

Public Education Employees' Flexible Benefits Program (Flex)

The new Flexible benefits plan is available to active members of PEEHIP. Three programs will be offered:

1. **Premium Conversion Plan (PCP)** requires all active members to pay PEEHIP premiums using pretax dollars.
2. **Dependent Care Reimbursement Account Plan (DCRA)** allows eligible active members the opportunity to pay dependent care expenses using pretax dollars.
3. **Health Care Reimbursement Account Plan (HCRA)** allows eligible active employees to set aside tax-free money in an account to pay themselves back for eligible health care expenses that were not covered by the insurance plan.

Non-Duplication of Benefits

All PEEHIP members and covered dependents that use their PEEHIP hospital medical plan as their secondary plan will still be required to pay any co-pays or deductibles imposed by the PEEHIP plan. PEEHIP will cover other health plan deductibles and co-pays that exceed the PEEHIP co-pays.

**Escambia County Board of Education
Division of Human Resources**

New Employees

New employees may enroll on their date of employment, the first day of the month following employment, or October 1. Enrollment should be completed within 30 days of the employee's employment date. If not enrolled within 30 days, the employee will only be allowed to enroll in single hospital medical coverage effective the date of enrollment not the date of employment.

New employees may add family coverage on their date of employment or within 30 days of employment. Also, new employees employed during the Open Enrollment period cannot enroll in the optional plans on their date of employment and cancel the plans October 1 of that same year.

Employees Hired After October 1

These employees may enroll only on their date of employment or the first day of the month following their date of employment. New employees who enrolled in the optional plans outside of the Open Enrollment period are required to retain the coverage(s) for at least one year or until the next Open Enrollment period.

Current Employees

Open Enrollment for all current employees takes place in July, August, and September for coverage to be effective October 1. Employees may add or change types of coverage, including dependent coverage, during this Open Enrollment period. Open Enrollment forms completed on or after August 31st will not be accepted by PEEHIP.

Transfers

Employees who transfer from another system are considered current employees and must keep existing insurance coverage until the Open Enrollment period. Changes will be effective October 1.

Loss of Coverage

Employees whose spouse or other dependent has an involuntary loss of hospital medical coverage will be allowed to add family coverage to existing Hospital Medical plan within 45 days of the loss of coverage. If PEEHIP is not notified within 45 days, the employee and/or the dependent(s) will be required to wait until the Open Enrollment period.

Examples of involuntary loss situations:

- Layoffs,
- System discontinuing insurance coverage completely (this would not be just a change in insurance carriers),
- Spouse being terminated,
- Divorce.

Eligible dependents

- 1) The employee's lawful spouse;
- 2) Dependent child under the age of 26, only if the child is:
 - (a) The employee's biological son or daughter;
 - (b) The employee's legally adopted child (including any probationary period during which the child is required to live with the employee);
 - (c) The employee's stepchild or foster child fully dependent upon the employee for support and permanently residing in the employee's household in a normal parent-child relationship with no foreseeable or expected termination. Documentation will be required by PEEHIP before the child will be enrolled.
 - (d) A child related to the employee by blood or marriage that is fully dependent upon the employee for support and permanently residing in the employee's household in a normal parent-child relationship,

**Escambia County Board of Education
Division of Human Resources**

where neither the child's natural mother nor natural father live in the employee's household and the employee and child's relationship does not have a foreseeable or expected termination. Documentation will be required by PEEHIP before the child will be enrolled.

- 3) Dependent child of any age incapable of self-sustaining employment because of a physical or mental handicap and is chiefly dependent on the employee for support. Also, the child had to be covered as a dependent on the employee's PEEHIP policy before reaching the limiting age. Proof of the child's condition and dependence must be submitted to PEEHIP within 31 days after the date the child would otherwise cease to be covered because of age.

Ineligible Dependents

- 1) Once an "eligible" dependent has "aged out," that person is ineligible to participate in PEEHIP again as a dependent except subsequently as the spouse of an eligible employee.
- 2) Ex-spouses are not eligible dependents even if an employee continues to pay for family coverage. The ex-spouse must be deleted from coverage effective the first day of the month following the date of divorce.
- 3) Step-children who do not live in the employee's household.
- 4) Adult child eligible for other employer sponsored hospital medical coverage.

Marriage

An employee with single coverage who marries and wishes to acquire family coverage must submit written notification to PEEHIP within 45 days of the date of marriage. The effective date of coverage may be the date of marriage or the first day of the following month. If PEEHIP does not receive written notification within 45 days of the date of marriage, the eligible dependent will be added as of the date of notification or first of the month following notification.

Newborn

An employee with single coverage who desires family coverage due to the birth of a child must submit written notification to PEEHIP within 45 days of the date of birth. The effective date of coverage may be the date of birth or the first day of the following month. If a newborn is not covered on the date of birth, claims for the newborn at the time of birth will not be paid. An employee who is only enrolled in the four optional plans cannot enroll in the Hospital Medical Plan due to the birth of a child.

Other Dependent Children

When adding a dependent child other than the employee's biological child or stepchild, the employee must submit documentation of custody or guardianship and provide information as to the relationship to the employee. The dependent must be related to the employee by blood or marriage and must be fully dependent upon the employee for support and permanently residing in the employee's household in a normal parent-child relationship.

In addition, PEEHIP requires appropriate documentation as to the whereabouts of the natural mother and father, such as custody or guardianship papers, notarized statement, etc. If custody is temporary, the dependent child must have resided in the employee's household for at least one year before the dependent can be considered for coverage.

Dependents with Different Last Names

If a husband and wife have different last names, the employee must submit a copy of the marriage certificate. If biological children have different last names, the employee must submit a copy of the birth certificate. PEEHIP is not bound by a court order to insure dependents who do not meet PEEHIP guidelines.

**Escambia County Board of Education
Division of Human Resources**

Allocations

An employee receives the State insurance allocation for each month employed as long as that employee is in pay status at least one-half of the working days of that month. If an employee works October 1 thru November 8, he/she will earn the October allocation but not the November allocation.

An employee may get paid for a portion of a month but may not earn the allocation for that month if he/she is not in pay status at least one-half of the workdays of that month. Permanent part-time employees who meet the qualifications will be entitled to a pro rata allocation.

Full-time professional employees are eligible for a full allocation, such as teachers, counselors, librarians, administrative employees or others. Support workers, such as Custodians, Maintenance workers, Child Nutrition Assistants, or teacher Aides/Paraprofessionals, must be employed at least twenty (20) hours per week to receive a full allocation.

Bus drivers are full-time employees by law regardless of the hours worked.

Employees who work at least fifteen (15) hours but not more than twenty (20) hours per week are entitled to a ¾ insurance allocation.

Employees who work at least ten (10) hours but less than fifteen (15) hours per week are entitled to a ½ insurance allocation.

Employees who work less than ten (10) hours per week are entitled to a ¼ insurance allocation.

Allocation Entitlement

If you are enrolled in the Hospital/Medical or HMO Plan, the following gives you the State allocation entitlement based on the amount of time worked. Each additional optional plan can also be purchased for \$38.00 a month.

	Allocation Entitlement if Enrolled in Hosp/Med or HMO Plan	Allocation Entitlement if Enrolled in Optional Plans
<u>Professional/Administrative Employee</u>		
<input type="checkbox"/> Less than ¼ time	0	0
<input type="checkbox"/> At least ¼ time but < ½ time	¼ insurance allocation	1 Plan
<input type="checkbox"/> At least ½ time but < ¾ time	½ insurance allocation	2 Plans
<input type="checkbox"/> At least ¾ time but < Full-time	¾ insurance allocation	3 Plans
<input type="checkbox"/> Full-time	Full allocation	4 Plans
<u>Support Worker</u>		
<input type="checkbox"/> 0 to 4.9 hours/week	0	0
<input type="checkbox"/> to 9.9 hours/week	¼ insurance allocation	1 Plan
<input type="checkbox"/> 10.0 to 14.9 hours/week	½ insurance allocation	2 Plans
<input type="checkbox"/> 15.0 to 19.9 hours/week	¾ insurance allocation	3 Plans
<input type="checkbox"/> 20 or more hours/week	Full allocation	4 Plans

Leave

An employee can use his or her accrued or donated sick leave in order to be in pay status to receive the State allocation. Sick leave, annual leave, or catastrophic leave cannot be manipulated in such a way that an employee receives the allocation inappropriately. An employee must use his or her accrued sick leave, annual leave, or catastrophic leave continuously and consecutively when not actively employed.

**Escambia County Board of Education
Division of Human Resources**

COBRA

Under COBRA, the employee, ex-spouse, or dependent has the responsibility to inform PEEHIP within 45 days of a divorce, legal separation, or a child losing dependent status under the Plan. PEEHIP may be notified by phone or in writing. A dependent's coverage ends on the last day of the month in which the dependent becomes ineligible by turning age 19 or 26 if a full-time student or by marriage.

When PEEHIP is notified of a qualifying event, PEEHIP will in turn notify the eligible employee that he/she has the right to choose continuation of coverage. The eligible employee has 45 days from the date he/she would lose coverage because of one of the qualifying events to inform PEEHIP that he/she wants continuation of coverage.

If the eligible employee does not choose continuation of coverage, his or her PEEHIP group health insurance coverage will end the last day of the month in which the employee becomes ineligible. If an employee and/or dependent becomes entitled to Medicare after electing COBRA coverage, he/she is no longer eligible to continue the COBRA coverage.

Termination for Gross Misconduct

If an employee is terminated for gross misconduct, then ECBOE is not required to provide continuation of coverage under the provisions of COBRA.

Continuation of Coverage

If the eligible employee or dependent chooses continuation of coverage, PEEHIP is required to give coverage which, as of the time coverage is being provided, is identical to the coverage provided under the Plan to similarly situated employees or dependents and is the same coverage he/she had prior to the qualifying event.

COBRA requires that the eligible employee be afforded the opportunity to maintain continuation of coverage for 36 months unless he/she lost group health coverage because of a termination of employment or reduction in hours. In that case, the required continuation of coverage period is 18 months. COBRA also provides that an employee's continuation of coverage may be cut short for any of the following five reasons:

- 1) PEEHIP no longer provides group health coverage to any of ECBOE employees.
- 2) The premium for continuation of coverage is not paid by the employee when payment is due, or the premium payment is insufficient.
- 3) The employee becomes covered under another group health plan which does not contain any exclusions or limitations with respect to any pre-existing condition.
- 4) The employee or dependent becomes entitled to Medicare after COBRA benefits begin.
- 5) The employee becomes divorced from a covered employee and subsequently remarries and is covered under the new spouse's group health plan, which does not contain any exclusions or limitations with respect to pre-existing conditions.

Dependent Coverage

A spouse of an employee covered by PEEHIP has the right to choose continuation of coverage if the spouse loses group health coverage under the Plan for any of the following reasons:

- Death of the employee.
- Divorce or legal separation.
- Termination of the employee's employment (for reasons other than gross misconduct) or reduction in the employee's hours of employment.
- Employee's eligibility for Medicare.

In the case of a dependent child of an employee, he/she has the right to continuation of coverage if group health coverage under the Plan is lost for any of the following reasons:

- Death of a parent.
- Parents' divorce or legal separation.
- Dependent ceases to be a dependent child under the Plan.

**Escambia County Board of Education
Division of Human Resources**

- Termination of a parent's employment (for reasons other than gross misconduct) or reduction in a parent's hours of employment.
- Parent becomes eligible for Medicare.

SICK LEAVE BANK

The Sick Leave Bank (SLB) was established according to Alabama Code, Section 16-22-9 and 16-1-18.1 to help employees during the financial pinch of lost work due to illness or injury. Any full-time or part-time employee who receives five (5) Accumulated Sick Days as a benefit is eligible to join the SLB. Membership is optional and requires only two days to be deposited in the bank. These days will be returned once the employee resigns from the bank.

Open enrollment is July 1 – September 15. New employees may join the SLB within the first four (4) weeks following their employment date. To join the SLB, the employee shall complete and sign the authorization form to contribute five (5) Accumulated Sick Days or to commit five (5) Accumulated Sick Days for deposit in the SLB. Pledged days shall be deposited from the first five (5) Accumulated Sick Days earned by the employee.

An employee shall be allowed to borrow (owe) no more than 15 days from the bank. However, employees, at their discretion, may donate their own days to a specific employee who is suffering a catastrophic illness. In order to receive or donate days, both employees (beneficiary and donating) must be members of the Sick Leave Bank. State law provides that no employee may donate more than 30 days to any one employee.

Sick leave days owed to the SLB shall be paid back at a rate of one per month beginning with the next available earned sick leave day and continuing until the debt has been repaid.

To be eligible for a loan from the SLB, a participating member must have exhausted all accumulated sick leave in his/her personal account along with any personal leave including vacation. Also, the applicant must have missed at least three (3) days due to the same illness (not a recurring illness such as headache or sinus infection) before applying for a loan from the SLB.

Any sick leave drawn from the SLB by a participating employee shall be used in accordance with the definition of sick leave as set forth in state statutes and Board policies/procedures.

A participating member must borrow and utilize days from the SLB up to the maximum number of days allowed from the SLB. Any donated days may be used to repay the loan days borrowed.

No limit is established on the number of days a beneficiary employee may receive from donors. Donated days will be at the donor's discretion. Donated days not used by the beneficiary employee shall revert to employees who donated the days on a prorated basis.

In accordance with state law, before Accumulated Sick Days for a catastrophic illness may be donated, the employee who is to receive such days shall have no Accumulated Sick Days or personal leave remaining in his/her personal account including vacation.

Catastrophic Illness is defined as "any illness or injury so certified by a licensed physician which causes the employee to be absent from work for an extended period of time." The "extended period of time" will be determined on a case-by-case basis by the SLB Committee.

The SLB Committee is required to forward Accumulated Sick Days donated by participants to another SLB for use by a particular employee who is suffering from a catastrophic illness.

If an individual leaves the school system, any outstanding SLB debt must be repaid and his/her final pay check shall be reduced in an amount equal to the number of days of debt times the employee's current daily rate of pay.

**Escambia County Board of Education
Division of Human Resources**

Any member who is retiring from the school system may withdraw his/her contributed days to be applied toward the person's retirement credits.

PERSONAL LEAVE

All full-time employees, teachers and support personnel, are granted two days of personal leave annually. New employees starting work after December 31st will receive only one personal leave day for that year. Employees starting work after March 31st will receive no personal leave days for that year.

Unused personal leave, at the discretion of teachers only, may be reimbursed to the teacher at the end of the school year at the same daily rate as is paid to non-certified substitute teachers for each day of personal leave not taken by the teacher.

Support personnel are not eligible for reimbursement of unused personal leave. This conversion will take place after the June 30 payroll. All unused personal leave is converted to sick leave at the end of the year (not an option).

No teacher, or support employee, as a condition to receive personal leave, shall be required to divulge his or her reasons for requesting such leave. However, this does not mean that personal leave can be taken at any time the employee chooses.

Personal leave may be denied to insure proper staffing and support of the departments or schools. Basically, this means that if there is a valid business need for the person to be at work, then employees may not be allowed to take their personal leave at that particular time.

PERSONAL/BEREAVEMENT LEAVE

We offer two (2) personal days and one (1) bereavement day for purchase.

ACCUMULATED SICK DAYS

Accumulated Sick Days for full-time employees shall accumulate at the rate of one day per month for each month of regular employment during the year. Sick Days provide a day's pay when employees are unable to work because of illness or injury for themselves or an immediate family member.

Accumulated Sick Days are not to be used as vacation or personal leave. Using Accumulated Sick Days for anything other than your sickness or that of a family member is a violation of state law and Board policy and may be considered fraud.

Accumulated Sick Days are available **only** for the following situations:

1. Personal illness or doctor's quarantine.
2. Incapacitating personal injury.
3. Attendance upon an ill member of the employee's immediate family (parent, spouse, child, sibling) or an individual with a close personal tie.
4. Death in the family of the employee.
5. Death, injury, or sickness of another person who has unusually strong personal ties to the employee, such as a person who stood in loco parentis.

If an employee is off work because of one of the stated reasons for over ten (10) work days, he/she will be required to provide a physician's statement or other documentation which verifies disability, birth, or adoption of a child. Should circumstances warrant it, a supervisor may require a physician's statement for any medical absence.

**Escambia County Board of Education
Division of Human Resources**

Accumulated Sick Days Build Retirement Credit

The Teachers Retirement System will grant additional retirement service based on the number of Accumulated Sick Days the employee has at the time of retirement or at the time of termination from the system. The more Accumulated Sick Days you have the sooner you can retire. Refer to the section in this Handbook on retirement for further information regarding the use of Accumulated Sick Days in order to increase the amount of retirement credit, which in turn will increase the amount of the retirement check.

VACATION / ANNUAL LEAVE

All full-time twelve-month employees will receive ten (10) Annual Leave (vacation) days.

New 12-month employees receive vacation days based on the number of months employed up to a maximum of ten (10) days.

Example: New hire – July 1, will receive six (6) vacation days

New hire – February 1, will receive ten (10) vacation days

Vacation Leave Days may be taken at intervals during the year so long as arrangements are pre-approved by the supervising administrator and so long as the vacation taken does not exceed the accumulated vacation earned. Depending on the needs of the system, Annual Leave and Vacation Leave may be denied to insure proper staffing and support of the departments or schools.

The Superintendent and Board may desire to have certain offices/departments/divisions of the system open and adequately staffed for the public on certain non-holidays. Division heads and supervisors may be required to ensure staffing and supervision during these times, which may impact an employee's ability to take a vacation or personal day.

HOLIDAYS

The system will be closed for Board approved holidays. Holidays may be paid or unpaid, depending on the salary schedule the employee works under. The Board, at its discretion may change the holidays from year to year; therefore, the number of holidays may vary in number.

School calendars are approved every year by the Board, which gives both the student attendance calendar and the twelve-month employee work calendar. All approved holidays are listed on this calendar, which is distributed to all schools and departments for the benefit of the employees.

LEAVES OF ABSENCE

The Board complies with all state and federal laws in regard to granting leaves of absence for all employees. It also believes that the provision of leaves of absence for professional employees helps to attract and retain employees who will continue to grow professionally by providing them the opportunity for continued professional growth.

If an employee is out on sick days for over ten (10) consecutive days, he/she must apply for a Leave of Absence in order to protect his/her employment rights. Any employee who has been absent from work for more than ten consecutive days and who has not obtained an approved leave or otherwise accounted for the absences will be considered to have abandoned his/her job. The employee will be recommended for termination.

It is the responsibility of the employee to ensure that Human Resources has up-to-date medical documentation for the entire time of his/her leave of absence.

All employees on leave must keep their supervisors and Human Resources apprised of the length of their absence. Each employee must also provide medical documentation from his/her provider that he/she is physically qualified to return to work before showing up for work.

**Escambia County Board of Education
Division of Human Resources**

KEEP YOUR SUPERVISOR ADVISED OF YOUR STATUS AND PROJECTED RETURN TO WORK.

If a leave of absence is not requested for an extended unpaid absence, then the employee may face disciplinary action up to termination.

Also, if an employee is out over ten (10) days, then a physician's or provider's statement must be provided upon return to work. If there is reason to suspect abuse, a physician or provider statement may be required for any absences of less than ten days.

Not all leaves of absence apply to all employees. Some leaves of absence require tenured or non-probationary status.

The Family Medical Leave Act requires the employee to be employed for at least one year and that the employee must have worked at least 1250 hours during the year prior to taking the leave.

If there are any questions about whether the FMLA would be available for an employee contact the office of the Personnel Administrator for Employee Relations.

For complete information on leaves of absence, contact the office of Employee Relations.

The leaves of absence available are:

- | | |
|--------------------------|---|
| 1) Personal Leave | (two personal days granted each contract year)
(1 granted for employees starting work after Dec. 31 st)
(0 granted for employees starting work after Mar 31 st) |
| 2) Accumulated Sick Days | (accumulate 1 day for each month worked) |
| 3) Family Medical Leave | (up to 12 weeks, illness or maternity/adoption) |
| 4) Extended Sick Leave | (up to one year) |
| 5) Annual (Vacation) | (12-month employees only) |
| 6) Military | (governed by state law and federal law) |
| 7) Professional | (organization meetings or professional study) |
| 8) Bereavement | (up to one paid/purchased day with the use of available sick days) |
| 9) Legal | (short term absence only, i.e. jury duty or subpoena) |

The administration of leaves of absences shall be in conformity with Board policies.

For tenured employees and non-probationary employees, the granting of a leave of absence does not affect their job location or job status. Upon returning from a leave of absence, an employee will be returned to essentially the same job from which he/she left.

- For a teacher, it means back to the same school and same grade.
- For a support employee, it means returning to the same school or department.

During his/her absence, job duties may have changed based on the needs of the system, but there can be no loss of status.

Basically, this means that tenured and non-probationary employees may not be transferred. It also means that a permanent, full-time employee may not be hired in their place.

Family Medical Leave

Family Medical Leave Act of 1993 (FMLA) requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year and worked 1250 hours over the previous twelve (12) months.

**Escambia County Board of Education
Division of Human Resources**

Eligible employees, as determined under the FMLA, will be granted a period of leave, up to 12 weeks, for either a personal illness, an illness of an immediate family member, the birth of a child or the adoption of a child. This period of leave will be in conformity with the FMLA rules and regulations.

After proper documentation has been received and the leave approved, it will begin after any period of Accumulated Sick Days and before any period of extended sick leave.

Under the Family Medical Leave Act, an immediate family member is defined as:

1. Spouse;
2. Son;
3. Daughter;
4. Child of a person standing in loco parentis;
5. Father;
6. Mother;
7. Person who stood in loco parentis to the employee;
8. Does not include "in laws".

Extended Sick Leave

Extended Sick Leave is available to tenured and non-probationary employees who are medically unable to perform the duties of their job or who have immediate family members who, due to illness or injury, require continuing care from the employee.

Eligible employees may, upon approval by Human Resources, be allowed to take Extended Sick Leave for a period of up to one year. Approval of Extended Sick Leave will be based on medical necessity and disability after submission of proper medical documentation.

A physician's statement verifying the employee's physical inability to perform his/her job functions will be provided by the employee for each period covered by Accumulated Sick Days (when required), FMLA, Extended Sick Leave and the period of Maternity/Paternity Leave which covers disability from pregnancy, delivery, and postpartum recovery. Failure to provide proper medical documentation may result in denial of Accumulated Sick Days, FMLA, and/or Extended Sick Leave (failure to report to work in the absence of proper documentation could be considered abandonment of job).

For school based instructional employees (i.e. teachers, aides), Extended Sick Leave will not extend beyond the end of the quarter that is in progress twelve months after the commencement of the leave. Should the employee be cleared to return to work within three weeks of the end of a school quarter, that employee may be required to remain off work until the beginning of the next quarter.

For 12-month employees and support employees, the Extended Sick Leave will not extend beyond 12 months after the commencement of the leave.

Extended Sick Leave is available for eligible employees who have circumstances as defined below:

1. Personal illness or doctor's quarantine.
2. Incapacitating personal injury.
3. Attendance upon an ill member of the employee's immediate family (parent, spouse, child, sibling); or an individual with a close personal tie.
4. Death in the family of the employee (parent, spouse, child, sibling, parent-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece, grandchild, grandparent, uncle, or aunt).
5. Death, injury, or sickness of another person who has unusually strong personal ties to the employee, such as a person who stood in loco parentis.

Maternity/Paternity Leave

Maternity or Paternity Leave is available for tenured and non-probationary employees for the birth or adoption of a child. It will be unpaid and may extend up to one year from the date of the birth or adoption of the child. Those

**Escambia County Board of Education
Division of Human Resources**

employees who are not tenured or are probationary may take a limited maternity leave of twelve weeks if they are eligible under the Family Medical Leave Act as outlined below. Accumulated Sick Days may only be used for periods of disability related to the pregnancy, delivery, or postpartum recovery.

The portion of the leave used for the parental care of the child will be without proof of a qualifying medical condition of the parent or child.

Employees requesting Maternity/Paternity Leave following postpartum recovery will only be cleared to return to work at the expiration of the requested leave.

All Medical Leaves

The total period an employee is allowed to take off work will be limited to 12 months. Any employee remaining off beyond that time will have to resign, retire (if eligible), or be recommended for termination. If there is a question in this matter, contact the Human Resources Supervisor.

An employee who fails to return to work after the expiration of any period of leave (without approval of a valid leave of absence) shall be considered to have abandoned his/her job and may be recommended for termination.

An employee who fails to apply for FMLA or Extended Leave of Absence (LOA)/Sick Leave, or Maternity/Paternity Leave as outlined in this policy may be considered to have abandoned his/her job and may be recommended for termination.

Employees will retain tenure and employment status while on approved leaves. In general, retirement credit and local experience credit will not be earned during leaves of absence.

Employees are not allowed to work during any leave of absence in which a physician or mental health provider certifies disability.

Continuation of Health Benefits

The system's contribution to the health benefits of the employee will be maintained while the employee is covered by any period of Accumulated Sick Days or FMLA Leave. The employee is responsible for his/her share of the premiums during this time. Contact the Insurance Department to determine when to start paying the insurance premiums.

Once the Accumulated Sick Days and/or FMLA leave has ended, the employee will be responsible for the entire premium, both the system's premium and the employee's premium during this period.

The employee, based on guidelines set out by the state and/or PEEHIP, may or may not accrue insurance allocations while on a leave of absence.

Military Leave

An employee who is to be on military leave will inform his/her administrative supervisor as soon as possible. A copy of the employee's military orders is to be attached to the request for leave. Employees, while on military leave, are eligible to receive up to 21 paid days per calendar year.

Employee's Responsibilities for Securing/Requesting a Substitute

1. Secure a substitute via the most current substitute list.

Substitute's Responsibilities

1. All substitutes are required to complete the mandatory Human Resources training prior to job assignment. This training is provided online when the substitute completes the hiring process.
2. After the substitute has completed Human Resources requirements to work, a substitute badge will be issued, and their name will be sent out countywide.
3. Keep your phone number and email address current with the Payroll Department.

**Escambia County Board of Education
Division of Human Resources**

Job Postings

All positions that become vacant will be posted by Human Resources as an advertised vacancy a minimum of seven (7) or fourteen (14) days, depending on when the vacancy occurs. The vacancy will also be posted on the ECBOE website. Any employee may apply for any of the posted vacancies for which he/she is qualified.

Classified

Any Classified/Support employee who desires to transfer to another school/department in the same type of position or transfer to a new type of position must use the on-line Internal Employee Application for transfers during the advertised vacancy posting. He/she must also follow the same procedure as a new applicant. No verbal requests will be accepted.

The transfer cannot place a hardship on the district.

The transfer procedure will be as follows:

- 1) When a position is advertised, the employee must use the on-line Internal Employee Application for transfers.
- 2) If the transfer is approved by the Superintendent and/or Human Resources, the applicant recommended by the interviewing supervisor will be submitted to the Board for approval.
- 3) Upon Board approval, the transfer request will be granted.

RETIREMENT

Participation in the TRS is mandatory if a person is employed in a position eligible for coverage in a non-temporary capacity on at least a one-half time basis earning at least the federal minimum wage. Once enrolled, the member must continue participation until employment is terminated. Active members of the Employees' Retirement System (ERS) and student employees are not eligible for TRS participation.

Temporary employees with a specific termination date not exceeding one year are ineligible. However, temporary employees employed longer than one year must begin participation in the TRS at the beginning of the second consecutive year of employment. The member will be given the opportunity to purchase the first year of temporary employment.

The member's contribution rate is set by law at a percentage of his/her compensation.

Contact TRS for full information on Retirement Services and/or Benefits or for any questions involving the benefits and eligibility for retirement:

1. Mail: Teachers Retirement System
P. O. Box 302150
Montgomery, AL. 36130-2150
2. Online: Visit the RSA website at www.rsa-al.gov for benefit information, publications, forms, videos, and calculators. The website also offers members a quick way to view their TRS statement, RSA-1 statement, and change their address online. You will need to register by creating a User ID and Password.
3. Phone: Call Member Services at 877.517.0020 or 334.517.7000 for any questions you may have about your benefits.

The member contributions are only refundable upon termination of employment and application for a refund. If a member should terminate employment and apply for a refund, the member will be refunded all of his/her contributions and a portion of the accumulated interests if the member has more than three years membership service. Refunds may be subject to a federal tax penalty.

**Escambia County Board of Education
Division of Human Resources**

A member may apply to purchase additional credit under certain circumstances. Contact the TRS for full details. Some situations that may apply are credit for military service, withdrawn service, maternity leave, or out of state service.

A member is vested in the TRS after completing 10 years of creditable service. No retirement service credit is permitted for periods of leave without pay. The Application for Retirement must be received no less than 30 or more than 90 days prior to the effective date of retirement. It is the responsibility of the member to notify the TRS regarding intent to retire.

Any member convicted of a felony offense related to their public position must forfeit their right to lifetime retirement benefits. A member of the TRS who is on leave of absence without pay is not entitled to any service credit while on such leave. A member receiving workmen's compensation pay is also not entitled to any service credit for such pay.

The employee will receive a refund of his or her retirement contributions.

The Division of Human Resources, at employee request, is available to assist retiring employees with the completion of required Teacher Retirement System (TRS) paperwork, including notary services to ensure that retirement benefits are processed correctly and that insurance and payroll benefits are coordinated.

Disability Retirement is available if the employee is vested and permanently incapacitated from performance of duty (must be vested with ten years of credible retirement service credit). The member must be in-service or currently working or on official leave of absence for one year, which may be extended for no more than one additional year. A member will not receive service credit for periods of leave without pay. The RSA Medical Board must determine the member to be permanently incapacitated from further performance of duty. The Medical Board bases its determination upon information provided by the member's physician.

Tier 1 Active Members

If you were **hired before January 1, 2013**, you are classified as a TRS Tier 1 Member which is any member of the Retirement Systems who had service for which he/she received credit in the Employees' Retirement System or in the Teachers' Retirement System prior to January 1, 2013.

Member contributions are based on percentages of earnable compensation, but earnable compensation cannot exceed 120% of base pay. Member compensation rates are determined by statute and subject to change by the Alabama Legislature.

Vesting means the member has earned enough service credit to be eligible for a lifetime retirement benefit other than a refund of contributions. Members have a vested status in the TRS after accumulating 10 years of creditable service. Members cannot convert unused sick leave to retirement credit in order to meet the minimum 10 years of service required for vesting.

Additional retirement service credit will be given by the Teachers Retirement System based on the number of Accumulated Sick Days the employee has at the time of retirement or at the time of termination from the system. It will benefit you to not use your Accumulated Sick Days unless absolutely necessary and save them for retirement.

Upon attainment of age 60 with at least 10 years of creditable service or with at least 25 years of creditable service in the TRS, a member may apply for retirement benefits. The member may retire the first day of any month following attainment of age 60.

The following table gives the current breakdown of how many months of service can be given for unused Accumulated Sick Days at the time of retirement.

**Escambia County Board of Education
Division of Human Resources**

Accumulated Sick Days	Months of Service	Accumulated Sick Days	Months of Service
0-7	0	218-232	15
8-22	1	233-247	16
23-37	2	248-262	17
38-52	3	263-277	18
53-67	4	278-292	19
68-82	5	293-307	20
83-97	6	308-322	21
98-112	7	323-337	22
113-127	8	338-352	23
128-142	9	353-367	24
143-157	10	368-382	25
158-172	11	383-397	26
173-187	12	398-412	27
188-202	13	413-427	28
203-217	14	428-442	29

A member's retirement benefit is calculated based on a retirement formula. The factors used in calculating this benefit include:

- 1) Average Final Salary (Compensation: The average of the highest three years (July – June) out of the last ten years the member made contributions)
- 2) Years and Months of Creditable service: The total amount of creditable service to include membership service, prior service, purchased service, and transfer service.
- 3) Retirement Benefit Factor: The current benefit factor, as established by the state legislature is 2.0125%.

Retirement Formula for Maximum Monthly Benefit

Average Final Salary x Years and Months of Service x Benefit Factor ÷ 12 = Maximum Monthly Benefit. The member also has four options to choose from that are a reduction from the Maximum Monthly Benefit.

Tier 2 Active Members

If you were **hired after January 1, 2013** and do not have prior service with the RSA, you are classified as a TRS Tier 2 Member, which is any member of the Retirement System who first began eligible employment with an Employees' Retirement System or a Teachers' Retirement System participating employer on or after January 1, 2013, and who had no eligible service in the Employees' Retirement System or the Teachers' Retirement System prior to January 1, 2013.

Member contributions are based on percentages of earnable compensation, but earnable compensation cannot exceed 125% of base pay. Member compensation rates are determined by statute and subject to change by the Alabama Legislature.

A member is eligible to receive retirement benefits when he/she has at least 10 years of service credit and has attained the age of 62.

A member's retirement benefit is calculated based on a retirement formula. The member must be age 62 or older to receive a retirement benefit. The retirement benefit cannot exceed 80% of the Average Final Salary. The factors used in calculating this benefit include:

**Escambia County Board of Education
Division of Human Resources**

1. Average Final Salary (Compensation): The average of the highest five years (July - June) out of the last 10 years the member made contributions. Partial years are included when calculating the average final salary if they benefit the member. The retirement benefit is capped at 80% of average final salary.
2. Years and Months of Creditable Service: The total amount of creditable service to include membership service, prior service, purchased service, and transfer service.
3. Retirement Benefit Factor: The current benefit factor, as established by the Alabama Legislature, is 1.65%.

Retirement Formula for Maximum Monthly Benefit

Average Final Salary x Years and Months of Service x Benefit Factor ÷ 12 = Maximum Monthly Benefit
The member has four options to choose from that are a reduction from the Maximum Monthly Benefit.

RESIGNATIONS

Alabama law states that teachers may not resign, unless Board approved, during the school year and within thirty (30) days before the start of the new school term. If a teacher leaves employment during that time frame without the Board's approval and if the state finds cause, there could be a loss of the individual's teaching certificate. Any teacher who has need to resign during the contract period or within thirty (30) days before the start of the new school term will need to contact Human Resources to see if he/she will be released from his/her contract.

All resignations in the school system must be submitted to the Board for approval. Since the Board's regular meetings are normally once a month, a resignation list is only submitted monthly. After the Board approves the names submitted, a letter is sent notifying each individual that the Board has accepted his/her resignation.

Process to Follow for Resignation or Retirement

1. Employees are asked to fill out an Intent to Resign form. The employee may write a Letter of Resignation to his/her immediate supervisor and send a copy to the Human Resources Supervisor and the Payroll Department.
2. A COBRA form is sent to the insurance office on each employee who resigns or who is deceased. COBRA forms are not required on employees who retire.
3. If employee will not return to state service and the employee is not vested (over ten years of service in the Teachers Retirement System), he/she may request withdrawal of his/her retirement contributions.

ON-THE-JOB INJURY

Reimbursement Program

All full-time employees are covered by the system's On-the-job injury Program, which reimburses the employee for time lost (up to 90 days) due to an approved on-the-job injury. Individuals working as substitutes are not covered under the program and must apply to the State Board of Adjustment in Montgomery for any reimbursement of medical expenses or lost wages.

All medical expenses related to the injury are the responsibility of the employee and his/her insurance carrier. The school system does not pay for medical expenses for on-the-job injuries. As explained later, some out of pocket expenses may be reimbursed by the Alabama State Board of Adjustment.

Any employee whose absence arises from an approved job-related injury cannot be required to use earned Accumulated Sick Days, but may have his/her salary continued or reimbursed for up to 90 days of verified disability. However, before any reimbursement of pay can be authorized for an on-the-job injury, all documentation must be received by the Payroll Department.

It is the responsibility of the employee to ensure that the required documents are provided to the Payroll Department.

Required documentation includes:

**Escambia County Board of Education
Division of Human Resources**

1. The Accident Report filled out and signed by the principal or supervisor.
2. Medical documentation for all periods of disability resulting from the accident. If the disability goes beyond the dates the doctor initially gave, then no pay will be authorized until medical documentation is received that verifies the continued disability.
3. Documentation from the school or department time keeper to show which days the employee is claiming to be absent due to the injury.
4. Any other documentation deemed necessary by Human Resources and the Payroll Department to substantiate a continued inability of the employee to perform the functions of his/her job.

Report job related injuries to the supervisor immediately (within 24 hours of occurrence). The employee's supervisor shall investigate the circumstances of the accident and question any witnesses and complete an accident report. The accident report and any investigative report will be forwarded to the Human Resources Supervisor and the Payroll Department.

Alabama State Board of Adjustment

Out of pocket expenses may be reimbursed from the State Board of Adjustment in Montgomery. Code of Ala. 1975, § 41-9-60 provides that an employee may apply to the State Board of Adjustment for any expenses not covered by insurance or any days of work missed exceeding the ninety days continuation of pay.

The statute requires that a claim be filed within one year of the date of injury. No exceptions will be granted by the Board of Adjustment for this time requirement.

The Board of Adjustment will require documentation of all expenses claimed and will also require proof that the employee did not receive reimbursement from his/her insurance carrier. It usually takes a while for the state to approve the claim, so the sooner all documents are filed with the Board of Adjustment, the quicker reimbursement will be forthcoming.

Critical Points to Remember:

- All job-related incidents must be reported to the immediate supervisor within twenty-four (24) hours of the incident.
- A completed Report of Injury/Accident form must be sent to Employee Relations and Health Services Nurse.
- The employee must use his/her own insurance for any medical expenses. The system does not pay for medical treatment of job-related injuries.
- If the employee requires medical attention for the job-related injury, he/she must submit the *Job Related Injury Program Physician Statement* form or physician's statement of disability before reimbursement will be considered.
- The employee may be eligible for up to 90 days reimbursement or continuation of pay. Proper documentation is required for the employee to receive reimbursement or continuation of pay.
- The employee must be cleared by Employee Relations prior to returning to work.
- Light duty may be a reasonable accommodation under ADA. Talk to your supervisor about the availability of light duty.
- The employee can submit a claim to the Board of Adjustments for any out-of-pocket expenses.
 - A claim form is posted on the ECBOE web site (www.ECBOE.com) in the Documents section of Human Resources under the Employee Relations header.
 - Forward the claim form with supporting documents to:
State Board of Adjustment
Alabama State Capitol
Montgomery, AL 36130-1435

PERFORMANCE EVALUATIONS

Performance evaluations are not as stressful a process as a lot of employees think.

Certified employees use the process as prescribed by the State Department of Education. Also, the system may use a yearly summative evaluation.

**Escambia County Board of Education
Division of Human Resources**

Classified employees are evaluated once a year with a possible midterm counseling session. The evaluations can be more often if the principal/supervisor or superintendent directs. Final evaluation will be done on a form that will be submitted to Human Resources to be placed in the employees personnel file.

Any areas that are scored with "NEEDS IMPROVEMENT" or "UNSATISFACTORY" will be discussed with the employee and recommendations for improvement will be made. A midyear counseling session should be conducted to see if improvement is being made in these areas. Any direct supervisor may provide input to the evaluation.

If expectations are clear and feedback is given throughout the year, the annual performance evaluations should not be stressful. The following may help to effectively implement the evaluation process.

Ask your supervisor for clear, objective expectations for the job. This will determine what behaviors or outcomes the supervisor expects, thus affecting your decisions on where to expend your greatest efforts. The place to start when setting out objectives is the job description, which gives a general idea of what is expected.

To make sure that everyone concerned can tell whether expectations have been met, performance standards should:

1. Be precise yet brief;
2. Be in writing;
3. Be realistic;
4. Help meet system objectives;
5. Be mutually agreed on; and
6. Be re-evaluated regularly.

If there is any confusion concerning your job duties, ask your supervisor to explain what you do not understand as the performance of these duties will be how you are evaluated. You will be more likely to perform satisfactorily and accept criticism if you fully comprehend what is expected of you.

Expect constant feedback on whether you are meeting the expectations. If the supervisor is following the evaluation process, there is nothing that would be in the employee's annual review that should be a surprise. Feedback is critical, both positive and negative, and it should be ongoing throughout the year. This approach helps you focus on tasks and behaviors that the supervisor finds worthwhile.

Employee's Responsibility in Performance Evaluations

1. Employees should expect the overall evaluation to be based on the typical performance of the employee during the entire period.
2. Employees should expect their evaluations to be based on accurate data obtained from records whenever possible or from careful observation when this is not possible.
3. Employees should expect that the evaluation of one factor should not influence the evaluation of other factors, unless they are interrelated.
4. Employees should expect that their grade of job or length of service should not affect the evaluation; however, the length of the employee's service can affect areas such as 'job knowledge' and 'expertise'.
5. Employees should expect that personal feelings should not bias the observations or evaluation.
6. Employees should expect that they are not to be rated sympathetically.
7. Employees should expect that the evaluator will not be swayed by a previous evaluation.
8. Employees should expect that the evaluation of performance factors should not fall into a routine pattern, such as always rating as 'highly effective'
 - a. The supervisor should take a realistic look at actual job performance.
9. Employees should expect that evaluators should not make an evaluation on vague impressions or rumor.
10. Employees should expect that they will not be evaluated too quickly.
11. Employees should expect to be asked to sign their evaluation.
 - a. Their signature on the evaluation does not signify agreement with the contents, only that the employee has been given the opportunity to review the evaluation.

**Escambia County Board of Education
Division of Human Resources**

- b. The employee may submit a rebuttal to the evaluation and have it placed in his/her personnel file along with the evaluation.

DISCRIMINATION

The Board and its employees or agents shall not discriminate in any way on the basis of race, sex, religion, national origin, age, or handicap. There are no exceptions. Employment decisions which are based substantially or solely on any of these protected factors are against the law and will not be tolerated.

Any employee should bring to the administration's attention any incidence of what he/she believes to be any form of discrimination.

If discrimination is observed or believed to have occurred, the employee should immediately report the circumstances of the alleged incident to any one of the following supervisors or administrators:

- Principal or immediate supervisor;
- Departmental supervisor; or
- Human Resources Supervisor.

An investigation of the allegations will be conducted by a designee of the Superintendent or the Human Resources Supervisor for further action.

Employees against whom charges are made shall have full opportunity to understand the charges made against them and to present pertinent facts bearing on the charges before official action is taken. Persons making serious charges shall be required, before any action is taken, to submit complaints in writing or to sign prepared statements summarizing the charges.

Federal equal employment laws require equal treatment for all employees regardless of their protected status. Providing more favorable treatment to members of protected groups is just as discriminatory as providing harsher treatment. The law also prohibits discrimination in any aspect of employment, including discipline and discharge. It is not illegal to discipline or fire an employee who is a member of a protected group. It is only illegal when the motive is based on one of the protected factors.

Employee's Role: Discrimination

Employees should be constantly vigilant in regard to any form of discrimination, sexual harassment or the creating of a hostile workplace.

Discrimination and sexual harassment violate the system's policy. Employees are responsible not only for avoiding discriminating and harassing behavior themselves, but also for reacting to it when they see it or hear of it in the workplace.

The system takes all complaints of discrimination and sexual harassment seriously. If an employee sees behavior that could be discrimination or harassment, a supervisor should be advised of the situation. Once an allegation of discrimination or harassment is raised, the system has an obligation to investigate the allegation.

If the investigation reveals that discrimination or sexual harassment did take place, the severity of the discipline will depend on the nature of the conduct and the harasser's previous record. Verbal counseling may be appropriate for first-time occurrences of relatively mild discriminatory remarks, actions or harassment. Written warnings, suspensions, transfers, and termination may be appropriate in more severe or pervasive situations.

Along with our stated goal of not discriminating against any employee, the school system will also maintain diversity in employment. This means that no employment decision will be made based solely or predominately

**Escambia County Board of Education
Division of Human Resources**

on race, sex, color or one of the other protected statuses. However, if there are similarly qualified individuals applying for a position, then the system may consider diversity as a factor in the employment decision.

Sexual Harassment

Sexual harassment is a disturbing form of sex discrimination and is prohibited as well as any other forms of racial or age discrimination. District guidelines are designed to support nondiscrimination and comply with all state and federal laws.

Employees should refrain from creating an unduly familiar relationship with any supervisor or subordinate. Also, employees should never ask subordinates or supervisors on a date, to dinner, to a movie or to any other function.

The following are just some examples of prohibited behavior (can be actual or attempted), it is not all inclusive. Common sense must be used; keep your hands to yourself and keep your thoughts to yourself.

- Touching.
- Patting.
- Pinching.
- Providing unsolicited back or neck rubs.
- “Accidentally” bumping.
- Grabbing.
- Cornering or blocking a passageway.
- Kissing.
- Telling “off-color” jokes.
- Using profanity and obscene gestures.
- Expressing threats.
- Making sexual comments.
- Whistling in a sexual manner.
- Asking about one’s sexual fantasies/preferences.
- Describing one’s physical sexual attributes or appearance.
- Using terms of endearment such as “Honey”, “Darling”, “Babe”, “Dear”, “Stud”, or “Hunk” when referring to co-workers, employees, or students.
- Staring at someone.
- Blowing kisses.
- Winking.
- Licking one’s lips in a suggestive manner.
- Displaying sexually oriented pictures or cartoons in a classroom, lab, or office.
- Using sexually oriented screen savers on classroom, lab, or office computers.
- Sexually oriented notes, letters, faxes, or email.
- Exposing yourself.

It is everyone’s responsibility to treat all coworkers with respect and to help prevent discrimination, including sexual harassment. If you see it, report it.

Critical Points to Remember:

The following is a partial list of good practices for any employee to follow.

1. Treat everyone the same.
2. Keep your hands to yourself, no kissing, hugging or touching.
3. Keep your private thoughts about other people to yourself.
4. Do not hassle, criticize, cuss or yell at anyone.
5. Do not tell jokes or stories that are sexual, racial, religious, ethnic, age or disability related.
6. Do not make sexually related innuendos.
7. Keep conversations on a professional level.

SYSTEM RULES:

**Escambia County Board of Education
Division of Human Resources**

The school system has identified a partial list of general rules of conduct which, if violated, will bring disciplinary action against the employee. This is by no means a comprehensive list, only a sample of behavior or performance that is unacceptable. The actions listed below will result in disciplinary action ranging from verbal or written warnings to suspension or to immediate discharge depending on the circumstances.

1. Excessive absences or tardiness.
2. Insubordination.
3. Failure to follow established work procedure.
4. Using inappropriate, abusive or threatening language.
5. Discrimination or harassment (sexual or otherwise).
6. Criminal offense on system property or conviction of crimes involving immorality.
7. Absence without notification. Any employee who has been absent from work for more than ten (10) consecutive days and who has not obtained an approved leave or otherwise accounted for the absences will be considered to have abandoned his/her job. The employee will be recommended for termination.
8. Restricting work or interfering with the work of other employees.
9. Unauthorized possession of system property.
10. Failing to return from leave of absence as scheduled.
11. Loafing, loitering, or sleeping on the job.
12. Conducting personal business on system time.
13. Gambling on system premises.
14. Using or being under the influence of intoxicants or narcotics on system premises or while performing your duties off system property.
15. Fighting, assault, disorderly, offensive, or immoral conduct.
16. Falsifying any system records or employment application.
17. Possessing firearms, weapons, explosives, etc., on system premises.
18. Violating safety regulations.
19. Horseplay or use of machinery, equipment, or tools in a hazardous manner.
20. Creating or contributing to any unsanitary condition.
21. Damage to or improper use of system property either willfully or through negligence.
22. Intentional waste of system property.
23. Unauthorized solicitations or distributions during working time.
24. Disclosure of confidential system information to outsiders without proper authorization.
25. Leaving system premises during working hours without permission (other than the lunch period if job duties allow).
26. Other good and just cause.

Smoking / Tobacco Products

Smoking and the use of tobacco product is prohibited on school system grounds, as they are tobacco free by Board policy. This also includes electronic tobacco-less substitutes such as “e-cigs”. Should job responsibilities, job location, and the supervisor allow an employee to leave the premises during a lunch or break period for a smoke or tobacco product break, then the employee must limit the absence from work to the 30-minute lunch period and/or the 15-minute break time. There will only be two breaks a day allowed; they cannot be broken down into shorter time periods to allow more than two breaks a day.

Substance Abuse / Alcohol Use

This system has a zero tolerance for substance abuse and alcohol use on the job. This is an offense that requires recommendation for termination without progressive discipline. Supervisors are trained in recognizing potential impairment from drugs or alcohol. With reasonable suspicion of impairment, the supervisor may refer an employee to a testing facility.

The Americans with Disabilities Act (ADA) prohibits employers from discharging employees solely because the employee may have been an alcoholic. However, there is no protection for practicing alcoholics and drug abusers. If you are caught at work under the influence of alcohol or drugs, you may expect to be recommended for termination.

Because alcoholism is viewed as a disability, employers are required to reasonably accommodate such a disability as long as the employee is not abusing alcohol. If the employee comes forward and seeks treatment

**Escambia County Board of Education
Division of Human Resources**

for alcoholism, the system will provide one chance for the employee to overcome a drinking problem. If there is a reoccurrence, the employee may be deemed to be a practicing alcoholic and lose the protection of the ADA. Both federal and state courts have ruled that current drug addiction is not a disability protected by law, as is the case with alcoholism.

Theft

Unethical behavior such as theft will not be tolerated. An employee who steals must expect severe punishment up to and including termination. Every adult knows stealing is wrong, and the expectation is that those who are caught will be terminated.

Falsified Documents

Lying on the system's job application is grounds for termination. Once the falsehood is discovered, termination should follow. Falsification also includes time card fraud. This will also include other employees who cover for absent employees, such as fraudulently punching or filling out a card for someone else.

Insubordination

Insubordination is among the most serious employee infractions, subject to severe discipline, up to and including termination. Lesser penalties may be given depending on the situation, the employee's past record, past working relationship with the supervisor, and his/her value to the system.

Insubordination can take many forms. Much depends on the personalities involved, whether the incident occurred in private or in front of other employees or the public, and the intent. Insubordination damages the efficient management of the system, lowers morale, and undermines the supervisor's authority.

Although insubordination is often defined as a refusal to obey a supervisor's orders, there are other employee actions that may fall under insubordination:

- Refusal or failure to obey orders or perform a job assignment given by a supervisor or any authorized representative;
- Disrespect, publicly displayed on system premises, toward a supervisor or the system;
- Threatening, intimidating, or coercing a supervisor;
- Abusive language to any supervisor;
- Openly making or publishing false, vicious, or malicious statements concerning supervisors;
- Countermanding the order of a supervisor.

However, there are legitimate reasons for refusing to follow a supervisor's order. Generally, orders such as these need not be followed:

- Orders that endanger the health, welfare, or safety of the employee or any other person;
- Orders requiring the performance of an illegal, improper, or immoral act;
- Orders that require action that is beyond the employee's capability;
- Orders in the nature of unlawful harassment; for example, orders accompanied by a racial, religious, or sexist slur.

Fighting / Assault

Assault and fighting are behaviors that will bypass the progressive disciplinary procedure and proceed directly to a recommendation for termination. A thorough investigation of the facts of the incident will be conducted to determine who is at fault and who began the aggression. The facts will determine if either will be subject to termination.

Sub-standard Performance

Poor performance can lead to discharge. If you have been advised you are not performing as expected you should consider taking the following actions:

1. Meet with the supervisor so that he/she can give you guidance on where you are not meeting expectations;
2. Provide the supervisor with a plan to improve your performance;
3. Request remedial instruction if necessary;
4. Periodically ask the supervisor how you are doing.

**Escambia County Board of Education
Division of Human Resources**

The system cannot afford to hire or retain individuals who cannot or will not perform in the manner expected for the position. Supervisors should constantly evaluate the job that their employees are doing and be prepared to address disciplinary action with anyone who has substandard performance. As progressive discipline is followed in correcting poor performance, the employee will have a chance to improve his/her quality of work and retain his/her position. Otherwise, termination will eventually result from poor performance.

Excessive Absences

Be sure you understand the attendance policy at your school or department. Excessive absences create severe problems for the system. Because of the staffing of the schools and other departments, when one person is out, it usually means that the work is not done or that other employees have to stop what they are doing to catch up on your work.

Repeated unpaid absences of two days or more per month can be suspect for employee abuse. That means the employee is not at work one day almost every week. Repeated absences on Mondays, Fridays, or the days immediately before or after holidays, are also suspect.

Excessive absences are a matter for corrective discipline. The employee will be given a chance to improve attendance, but if the behavior continues, it will lead to termination. In extreme circumstances, the employee may be recommended for termination prior to the progressive discipline process.

Tardiness

Employees are expected to be present and prompt for their work day. Make a point of talking to your supervisor if you know you may be late. When appropriate, you will be docked when late or absent without a valid excuse. The system does not permit attendance problems to continue without further corrective measures. Eventually, poor attendance could result in termination.

As with excessive absences, tardiness is a matter for progressive discipline. The employee will be given a chance to improve attendance, but if he/she is unable or unwilling to report to work on time, termination will eventually follow.

GRIEVANCES

Any employee who feels that he/she has been treated in an unprofessional manner or adversely affected by a violation of a policy may file a grievance with his/her immediate supervisor. A careful investigation shall be made by the supervisor to see if it is valid and if there is a way to resolve the situation.

Formal grievances have two basic criteria that must be met before they can proceed under the grievance policy:

1. An action must be taken that affects the employee.
2. That action must have a substantial adverse effect on the employee's working conditions or employment rights.

An action is defined as:

1. Violation, misinterpretation, or misapplication of existing board policy, administrative rule, or administrative procedure.
2. Unprofessional conduct directed towards the grievant or impugning his/her good name or professional reputation.
3. A change in a recognized administrative practice which has been consistently followed for at least one calendar year which imposes a hardship on the grievant.

Grievances will not include matters dealing with:

1. Promotions or voluntary transfers (unless a board policy or procedure has been violated or misinterpreted)
2. Involuntary transfers or matters covered under the applicable state law.
3. Alleged violations of state or federal law or existing court orders.

**Escambia County Board of Education
Division of Human Resources**

Before taking grievances to a higher level, employees shall be encouraged to discuss them with their immediate supervisors. Employees should exhaust all means of remedying their grievances prior to contacting the Board. The Board has no obligation and, furthermore, believes it unwise to study and analyze problems of aggrieved persons until they have been first brought to the attention of administrators and the Superintendent.

This is based on the assumption that administrators at all levels will be patient, careful, and understanding in consideration of problems, complaints, and grievances experienced by employees working under their supervision. The Board's intent is that its employees have fair, just, and humane treatment. It also desires faithful and efficient service and a demonstrated spirit of teamwork on the part of all its employees.

Because personalities and "chemistries" between people differ, supervisors' interactions with each of their employees are bound to be different. Do not become upset should a supervisor seem to act friendlier to another employee. *What is required is that every supervisor should treat every employee in the same job classification essentially the same way.*

Normally, what is done for one should be done for all, as long as they have the same or similar circumstances. However, different circumstances will normally dictate different responses by the supervisor. An example of this is that just because one employee was allowed to leave early, it does not mean that you should be allowed to leave early. Your circumstances may be different, the other employee may have had a sick child and you may have an appointment to have your hair cut.

Employees unfamiliar with the grievance process may contact the Human Resources Supervisor to request guidance and a flow chart illustrating the various steps involved in the grievance procedure and what actions must be taken and by whom in order to properly pursue the grievance process. The Grievance Policy can be found at <http://www.Escambiak12.net> under District Forms and Documents.

TITLE IX GRIEVANCE PROCEDURE

Any employee, individual or student who feels that, on the basis of sex, there was exclusion from participation in, or denial of benefits, or discrimination under any educational program or activity receiving Federal financial assistance may file a grievance with the Title IX coordinator. The grievance procedures are located on the system website (<http://www.Escambiak12.net>) under District Forms and Documents.

DISCIPLINARY ISSUES

It is our desire that all employees of ECBOE are treated consistently and fairly should disciplinary action be considered. As such, our objective is to create a workable disciplinary procedure for all employees. This in turn will allow all employees to have an expectation of the results of their actions. This should help create an atmosphere of trust in supporting our educational mission.

The School Board needs the highest quality employees who are willing to devote themselves to the education and welfare of the students. The Board is committed to attract and retain employees who are capable, interested, and motivated to accomplish the desired goals of the school system.

The Board does not believe that it should employ or retain employees who feel they are forced or pressured to do acceptable work, or who are incapable of satisfactory job performance. It is with these goals in mind that this disciplinary process is utilized.

Progressive Discipline

In general, ECBOE uses a system of progressive discipline, which provides a tool to help insure consistent and fair treatment of employees who exhibit behavior or performance problems. In general, it works because the employee gets warned and a chance to change the offending behavior or performance.

The progressive discipline program may consist of:

**Escambia County Board of Education
Division of Human Resources**

1. Verbal warning(s);
2. Written warning(s);
3. Final warning;
4. Suspension;
5. Termination.

This provides several chances for the employee to improve the behavior or performance. However, the degree of seriousness of the infraction will determine where in the process the employee will fall. Serious misconduct will get no warnings. In practice, tardiness, absenteeism, or inadequate performance would be the subject of progressive discipline, while incidents of violence, theft, or vandalism would warrant immediate termination.

Poor performance is handled with progressive discipline. A failing employee should be given a chance to improve by being provided with training and instruction to help improve performance. An employee doing poor work will be dealt with fairly, but firmly. The employee's performance will be documented to show improvement or failure to improve under progressive discipline. If the employee doesn't make the changes necessary to improve performance, a termination recommendation will follow.

The following sections discuss the progressive discipline process in more detail, starting with the initial warning, which is usually verbal, and may involve a counseling session with the employee's supervisor or manager.

Documentation

Documentation of disciplinary actions by supervisors and managers is a necessary part of your employment with ECBOE. Written documentation can also decrease the chances that the supervisor's communications will be misunderstood.

All employees have the right to see every adverse document placed in their personnel file. A warning notice will not just be placed in the employee's file without giving the employee a chance to see it and respond to it.

A last chance warning should always be in writing and dated, and the employee should receive a copy of the written warning.

Consistency of Disciplinary Actions

Consistency in the enforcement of rules means that a given policy should always be enforced, but it does not mean that the policy should always be administered in the same way. Our policies are not so rigid that we are unable to consider the circumstances. Consideration may be given as to whether the infraction was intentional or whether the employee has been a valued worker or a marginal performer.

Penalties for minor infractions should depend on the employee's prior disciplinary record, length of service, work performance, and attitude. This policy incorporates the two fundamentals of a progressive disciplinary system: the predictability of the discipline and the discretion to vary the penalty in light of circumstances.

Initial Warning / Counseling

A supervisor will meet with an employee to discuss problematic performance or behavior and issues a verbal warning that the behavior must not continue. Most performance or behavioral issues are cleared up through such counseling.

Avoid arguing with the supervisor about any excuses for failing to meet system standards, especially if you want to point out that another employee is doing the same thing. You are responsible for your actions and the other employee is responsible for his/her actions. Do not spend your emotional energy worrying about what other people are doing; you need to only worry about what you are doing. Their actions will catch up with them just as yours have caught up with you.

The best approach is to listen to the criticism, then simply state the facts surrounding the incident and acknowledge that the rule in question will be followed in the future. If you are having legitimate personal problems that are interfering with the job, you can request an appointment with the Human Resources Supervisor for referral to outside sources of help.

**Escambia County Board of Education
Division of Human Resources**

The number of verbal warnings will vary depending on the severity of the infraction or poor performance. For minor infractions several verbal warnings may be warranted before a written warning. For more severe infractions, no verbal warning may be necessary before a written warning is issued.

Written Warning

The next step is a written warning. If the supervisor determines that verbal warnings have not resulted in improved performance, a written memo to the employee will be issued. The written warning is solid documentation and should it be necessary, it will be the basis for further disciplinary action.

The number of written warnings will vary depending on the severity of the infraction or poor performance. For minor infractions, numerous written warnings may be warranted before a final written warning. For more severe infractions, one to two written warnings may be necessary before a final warning is issued.

Plan for Improvement

At the time of the written warning, the employee should work with the supervisor in developing a plan of improvement where a set time frame is given for demonstrated performance improvement. It is important that deadlines be built into the plan, because it gives the employee a goal to work towards. If successful, the progression of disciplinary steps will come to a stop. If not, the next step in progressive discipline will normally be implemented when the deadline arrives.

Final Warning

The next step is a final warning. If an employee has not corrected either the poor performance or offending behavior after the written warnings, a final written warning will be issued. This is the last documentation before referral for suspension or termination.

Suspension/Administrative Leave Without Pay

When warnings fail to result in improvement, the next disciplinary action is often suspension or administrative leave without pay. This will usually be the employee's last opportunity to improve before termination proceedings.

Suspension or administrative leave without pay is also used without any preceding verbal and written warning when a major infraction has occurred. It is usually the appropriate response if the seriousness of the wrongdoing is extreme.

Suspension or administrative leave without pay from work should be sufficient warning that the school system is serious about its performance standards. Each case is considered individually to determine whether a suspension would serve its purpose. Some employees might regard mandatory time off as a form of unpaid vacation, but it is simply the final step before termination.

Termination

When all efforts fail, termination will result. When no course of action will convince the worker to improve, discharge is the final step. Because of the cost of hiring and training an employee, ECBOE tries to avoid termination when possible. It is reserved for only grave offenses or for continued willful violations of system rules. Termination should not be the result for minor or easily correctable offenses.

PROGRESSIVE DISCIPLINE PROCESS

The following process may be followed in disciplinary actions for all employees. This applies to tenured and non-tenured teachers and probationary and non-probationary support personnel.

1) Verbal warning:

- a. For minor infractions, there may be multiple verbal warnings.
- b. For serious infractions, there may be possibly only one verbal warning.
- c. For major infractions, there may be no verbal warning; it may be an immediate written warning and/or referral to Human Resources for review for a possible conference.

**Escambia County Board of Education
Division of Human Resources**

- d. For willful misconduct, there may be no verbal warning or written warning, there should be an immediate referral to Human Resources for review for suspension or termination.
- 2) Written warning:**
- a. For minor infractions, there may be several written warnings.
 - b. For serious infractions, there may be possibly only one written warning and/or referral to Human Resources for review for a possible conference.
 - c. For major infractions, there may be a referral to Human Resources for review for a written warning or a final written warning.
 - d. For willful misconduct, there will be no written warning; there will be an immediate referral to Human Resources for review for suspension or termination.
- 3) Final warning:**
- a. For minor, serious and major infractions, there will be a referral to Human Resources for review for a written final warning and possible conference.
 - b. For willful misconduct, there will be an immediate referral to Human Resources for review for suspension or termination.
- 4) Suspension/Administrative Leave Without Pay:**
- a. For minor, serious, major or willful infractions there may be a review for suspension or termination.
 - 1. Suspensions are for a period of time that is:
 - a. Up to twenty (20) days
 - b. Greater than twenty (20) days.

5) Termination:

- a. In all instances where there is a recommendation for termination, there is a referral to the Assistant Superintendent and the Human Resources Supervisor for review for possible termination.

DEFINITIONS

The following definitions are to be considered only as a guide. Depending on the severity of the action, infractions may move from one classification to another. As an example, the abusive language violation of an employee, which is listed under Minor Infractions, may be so severe that it should be treated as a Major Infraction. Violations may also move from the more severe to less severe. As an example, the physical abuse infraction listed under Willful Misconduct may be so insignificant that it should be treated as a Minor Infraction.

Minor infraction:

- 1. Failure to perform satisfactory work
- 2. Failure to follow established work procedures
- 3. Disruption of the school/work environment
- 4. Tardiness
- 5. Infrequent absenteeism without valid excuse
- 6. Abusive or foul language
- 7. Offensive conduct
- 8. Loafing, loitering or sleeping on the job
- 9. Conducting personal business on system time
- 10. Unauthorized solicitation or distribution during working hours
- 11. Gambling on system property or on system time
- 12. Failure to follow system guidelines and procedures
- 13. Violation of the Dress Code policy
- 14. Insubordination of a minor nature
- 15. Any other conduct of which the magnitude or consequences are considered a minor violation of conduct expected by the system

Serious infraction:

**Escambia County Board of Education
Division of Human Resources**

1. Failure to follow directives of supervisor
2. Excessive tardiness
3. Excessive absenteeism
4. Repeated disruption of the school/work environment
5. Restricting work or interfering with the work of other employees
6. Intentional waste of system resources
7. Unauthorized possession of system property
8. Violating safety procedures or regulations posing no threat of injury or damage to property
9. Creating or contributing to an unsanitary condition
10. Insubordination which rises to the level of a serious infraction or is infrequently repeated
11. Repeated violation of minor infractions
12. Any other conduct of which the magnitude or consequences are considered a serious violation of conduct expected by the system

Major infraction:

1. Disorderly conduct
2. Immoral conduct on system time
3. Verbal abuse of children
4. Absence without notification for three or more consecutive days
5. Failure to return from leave of absence as released by the provider
6. Failure to follow directives of supervisor, thereby endangering students or employees
7. Improper use of system property or damage to equipment
8. Disclosure of confidential system information without authorization
9. Intentionally or knowingly misrepresenting facts to a supervisor or other school official in the conduct of system business
10. Possessing firearms, weapons, explosives, etc., on system property
11. Violating safety procedures or regulations posing a minor threat of injury or damage to property
12. Horseplay or use of machinery, tools or equipment in a hazardous manner
13. Damage to system property through negligence
14. Any attempt to encourage or coerce a child to withhold information from the child's parents
15. Insubordination which rises to the level of a major infraction or is frequently repeated
16. Repeated violations of minor or serious infractions
17. Any other conduct of which the magnitude or consequences are considered a major violation of conduct expected by the system

Willful Misconduct:

1. Violations of minor, serious or major infractions which have been repeated beyond the Final Warning step in progressive discipline
2. Discrimination or Sexual harassment
3. Physical abuse of visitors, employees, parents or children
4. Violation of the drug/alcohol policy (zero tolerance)
5. Willfully bringing firearms, weapons, explosives, etc., on system property
6. Failure to maintain the appropriate credentials or certification required for the position
7. Starting an altercation or fight
8. Failure to follow directives of supervisor, resulting in injury to students or employees
9. Criminal offense on system property
10. Conviction of any felony or crimes involving moral turpitude
11. Falsification of system records or employment application
12. Violating safety procedures or regulations posing substantial threat of injury or damage to property
13. Damage to system property through a willful decision or choice
14. Abandonment of job (failure to report to work without authorization)
15. Theft, illegally selling or conversion of system property
16. Insubordination which rises to the level of willful misconduct or is repeated beyond the final warning step in progressive discipline
17. Repeated violations of minor, serious or major infractions

**Escambia County Board of Education
Division of Human Resources**

18. Any other conduct which does not meet the accepted standards of conduct of which the magnitude or consequences warrant discharge (other good and just cause)

STUDENTS FIRST ACT

All school system personnel are deemed to be either “certified” or “classified” employees and are generally defined as to whether they are directly involved in teaching children or support the general operations of the system.

The certified employees are teachers or those individuals who occupy jobs that require state teacher certification. These are usually individuals such as teachers, principals, and administrators who deal directly within the educational context of the system.

The classified employees are those individuals who provide support to the educational endeavor of the system and who occupy jobs that do not require state teacher certification. These employees are not involved in teaching or school administration and hold jobs such as cafeteria workers, bus drivers, maintenance personnel, clerks, and other jobs that do not require a teaching certification.

Certified Employees

Certified employees, except for contract principals, are either tenured or non-tenured. Educators obtain tenure when they work as a teacher for three complete, consecutive years of full-time employment unless the governing board approves and issues written notice of non-renewal to the teacher on or before the last day of the third complete, consecutive year of employment. A complete year is deemed to include employment only begun prior to October 1.

A non-tenured employee may be terminated at any time during the first three years of employment. The employee will not be given a reason for the termination.

A tenured employee may be terminated only for good and just cause. A proposed termination gives the employee a right to a hearing before the Board in order to determine if the system may terminate or transfer the tenured employee.

Classified Employees

Classified employees are either non-probationary or probationary. Classified employees obtain non-probationary status when they have worked for three complete, consecutive years of full-time employment unless the governing board approves and issues written notice of termination to the employee on or before the fifteenth day of June immediately following the third complete, consecutive year of employment. A complete year is deemed to include employment only begun prior to October 1.

A probationary support employee may be terminated at any time during the first three years of employment. The employee will not be given a reason for the termination.

A non-probationary employee may be terminated only for good and just cause. A proposed termination gives the employee a right to a hearing before the Board in order to determine if the system may terminate the non-probationary employee.

GOOD AND JUST CAUSE REASONS FOR TERMINATION

Supervisors have the responsibility to recommend removal from employment any person that cannot do his/her job. It reduces the efficiency of operations and creates low morale and low performance for other employees if certain people are allowed to get away with not doing their job properly.

The following causes for cancellation of the contract for a certified or classified employee are contained in the Students First Act.

1. Incompetency.

**Escambia County Board of Education
Division of Human Resources**

2. Insubordination.
3. Neglect of duty.
4. Immorality.
5. Failure to perform duties in a satisfactory manner.
6. Justifiable decrease in the number of positions.
7. Other good and just cause.

The following prohibitions for termination for a certified or classified employee are contained in the Students First Act.

1. Actions may not be taken for political reasons.
2. Actions may not be taken for personal reasons.

The following list gives some other reasons that may be good and just cause for terminating an employee. This is not a comprehensive list as there are other good and just causes for termination that are not listed.

1. Repeated and continued neglect or incompetence in the performance of duties.
2. Excessive absences or tardiness.
3. Repeated failure to comply with official directives or established Board policy.
4. Repeated failure to correct deficiencies pointed out in written formal evaluations or communications.
5. Dishonorable conduct during the school day towards students, employees, parents or the general public, including extreme disrespect, rudeness and the use of abusive and/or foul language.
6. Conviction of any felony or other crime involving moral turpitude.
7. Conducting personal business during school hours when it results in neglect of duties.
8. Repeated failure to follow established campus rules and guidelines approved by the principal/supervisor and the campus-level planning and decision-making committee.
9. Sexual harassment of employees, students, parents, or volunteers.
10. Removing school system property, records, or confidential information from school premises without proper authority.
11. Failure to maintain the appropriate credentials or certification required for the position to which the employee is assigned.
12. Possessing firearms, weapons, explosives, etc., on system property
13. Physical or verbal assault of any employee, volunteer or Board member of the school system, a student, a parent/legal guardian of a student or the general public during the work day or as a result of the employee's employment with the school system.
14. Consuming, possessing, or delivering to another during the school day, or while attending a school sponsored student function, either of the following; An alcoholic beverage or a controlled substance except in compliance with a written prescription for medication for that person issued by a licensed doctor of medicine or dentistry.
15. Being under the influence of an alcoholic beverage or a controlled substance during the school day while on duty or while attending a school-sponsored student function except in compliance with a written prescription for medication issued by a licensed doctor of medicine or dentistry.
16. Intoxication by alcohol or impairment by drugs.
17. Falsification of records or other documents related to the school system's activities.
18. Intentionally or knowingly misrepresenting facts to a supervisor or other school system official in the conduct of school system business.
19. Any attempt to encourage or coerce a child to withhold information from the child's parent.
20. Failure to report to work or abandonment of one's job. Any employee who has been absent from work for more than ten (10) consecutive days and who has not obtained an approved leave or otherwise accounted for the absences may be considered to have abandoned his/her job. The employee may be recommended for termination.
21. Failure to report to duty after all school system leave has been exhausted.
22. Reduction in force as a result of a budgetary shortfall or financial emergency.
23. Disability, not otherwise protected by law, which impairs performance, even with reasonable accommodation, of the essential functions of the job.
24. Reasons specified in individual employment contracts reflecting special conditions of employment.
25. Any other conduct which fails to meet the accepted standards of conduct for the school system, which the magnitude or consequences warrant discharge.

Escambia County Board of Education
Division of Human Resources

**SHOULD YOU HAVE ANY QUESTIONS ABOUT THE INFORMATION
CONTAINED IN THIS HANDBOOK, DO NOT HESITATE TO CALL HUMAN
RESOURCES FOR CLARIFICATION.**