



# Employee Handbook

## July 2023

It is the policy of the Board that every effort shall be made to employ the most qualified personnel available; therefore, applicants will be selected on the basis of their qualifications, merit, and ability. No person shall be denied employment, re-employment, advancement, or evaluations, nor shall be subjected to discrimination on the basis of sex, age, marital status, race, religion, national origin, ethnic group, or disability.

**The intention of this handbook is to provide information. It does not constitute any part of any employment contract, nor does it supersede any law, board policy, or procedure.  
It should be used as a guide and is subject to revision as necessary.**

**TUSCALOOSA COUNTY SCHOOL SYSTEM**  
1118 Greensboro Avenue  
Tuscaloosa, Alabama 35401  
(205) 758-0411  
[www.tcass.net](http://www.tcass.net)

# TUSCALOOSA COUNTY SCHOOL SYSTEM EMPLOYEE HANDBOOK

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## INTRODUCTION

The Tuscaloosa County Board of Education is the employer of Tuscaloosa County School System (TCSS) personnel. Individuals are employed upon approval of the Tuscaloosa County Board of Education (Board).

### **THIS HANDBOOK DOES NOT CONSTITUTE ANY PART OF ANY EMPLOYMENT CONTRACT, POLICY OR PROCEDURE OF THE TUSCALOOSA COUNTY SCHOOL SYSTEM**

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

It is our desire that all employees of the TCSS 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. This in turn will create an atmosphere of excellence in supporting our educational mission.

Through its policies, the TCSS 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.

## RIGHTS AND RESPONSIBILITIES

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

- You deserve fair, equitable, professional, and courteous treatment from your supervisors and co-workers.
- 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 Tuscaloosa County 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.

## NON-DISCRIMINATION STATEMENT

The Tuscaloosa County School System (TCSS) 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 Senior Director of Human Resources, 1118 Greensboro Avenue or call (205) 758-0411. Student related inquiries and/or grievances should be directed to the Director of Student Services.

## **MISSION STATEMENT**

The mission of the Tuscaloosa County School System is to educate and empower all students to be college and career ready graduates – prepared to make positive contributions to our global society.

## **BELIEFS**

- High expectations are necessary to achieve goals and expand opportunities for all.
- Education is a shared responsibility that positively impacts the quality of life.
- Equity, fairness, accountability, and fiscal responsibility are foundations of our decision-making.
- Safe, well-equipped, student-centered schools support student success.
- Diversity and individual learning needs are respected, included, and valued.

## **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.

## **EMPLOYEE RESPONSIBILITY**

Certified employees shall meet minimum requirements such as 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.

### **GENERAL REQUIREMENTS FOR ALL EMPLOYEES**

1. Perform satisfactory work – 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. We hope that you like your supervisors or co-workers and hope that they like you, but regardless, everyone is expected to be professional and courteous.
3. Drugs, Tobacco, and Alcohol – Report to work both drug and alcohol free. All employees who drive school system vehicles are subject to random drug tests. Results that are positive will lead to disciplinary action. Tobacco use, including vaping, is not allowed on TCSS property.
4. Attendance and Absences – Work the days that you are scheduled to work and follow all TCSS leave policies. Absences not authorized under TCSS leave policies are unacceptable. Constant absences, particularly for sick leave, on Monday/Fridays or before/after holidays are suspect for abuse and may be subject to a request for additional documentation for the need for leave. It is each employee's responsibility to report absences in the TCSS Absence Management System (AESOP). Notify your supervisor as soon as you know you will be absent, particularly if it is past the cut-off time for an absence to be entered.

5. Tardiness – Be at work when scheduled and on time on a regular basis. We understand that there are rare occasions when there is an unavoidable reason for you to be late. If so, notify your supervisor as soon as possible.
6. Schedule – Work the hours of your schedule.
  - a. Report to work on time.
  - b. Clock in and out as required.
  - c. Do not leave work early or work overtime (non-exempt employees) unless authorized by your supervisor.
7. Time Reporting – Complete records relating to time worked accurately and honestly. If you do not work a full day, do not state or indicate that you did. If you miss a clock in or out, correct it immediately.
8. Computer and Internet access – Internet is provided for TCSS operations only.
9. Social Media – Although social media sites such as Facebook are personal in nature, they can be considered public discourse or public comments. The posting or texting or emailing of comments or images about students, parents, employees, supervisors, departments, schools, the system or your job that are of poor taste, unprofessional, untruthful, demeaning, derogatory, racist, offensive, insulting, inflammatory, hateful, insubordinate or celebrating immoral, improper or illegal actions is not acceptable.
10. Personal calls and personal cell phone – Keep personal calls and cell phone use, including texting, to an absolute minimum during work time.
11. Compliance with directives – Comply with the directives of your supervisor. However, if there is a legitimate concern, you may state your objections in a concise and professional way before complying. Insubordination may include:
  - a. Refusal or failure to follow directives or perform a job assignment given by a supervisor or any authorized employee or system representative;
  - b. Disrespect toward a supervisor or the school system;
  - c. Threatening, intimidating, coercing, or interfering with a supervisor;
  - d. Abusive language to any supervisor;
  - e. Openly making or publishing false or malicious statements concerning supervisors; and
  - f. Countermanding the order of a supervisor.

Insubordination does not include a refusal to comply with:

  - Orders that endanger the health, welfare or safety of the employee, other employees, students, or anyone else;
  - Orders requiring the performance of an illegal, improper, or immoral act;
  - Orders that require action that is beyond the employee's capability; and
  - Orders having a nature of unlawful harassment.

**ONLINE EMPLOYEE SELF-SERVICE PORTAL** – <https://mypay.tcass.net>. All employees may use the portal to **view and print copies of payroll checks and W-2 forms**. All users self-register, so there is no need to contact Central Office staff for a user ID/password. This self-service portal also allows employees to make name/address changes (you must attach copy of Social Security Card online and must also notify the Retirement System through Member Online Services). You will need your employee ID to register (see your local bookkeeper if you do not know this). You will also receive an email from a gmail account to complete registration, so don't be alarmed – it isn't spam or worse!

### **EMERGENCY SCHOOL CLOSURES**

Schools and designated work sites will be closed when, in the opinion of the Superintendent, weather conditions or other emergency situations prevent the safe operation of schools. All school system employees will be notified as soon as possible if schools close or have early dismissal. The TCSS notification system will call and/or text employees who have registered for the system. Email will be sent to all employees at his/her tcass.net email account. Announcements regarding emergency school closures and early dismissal will also be posted to [www.tcass.net](http://www.tcass.net), the TCSS Facebook Page, "TCSS Schools", and will be shared with news media outlets.

Unless we dismiss prior to the ½ day point (considered to be 11:30 a.m. as a system), we will not change previously entered leave. Because of the variety of employee schedules, the 11:30 a.m. time will be used for all employees in determining whether or not to make an adjustment.

### **PROFESSIONAL RESPONSIBILITIES**

In-service education participation is encouraged for all employees, which will promote personal and professional growth. Additionally, employees are expected to develop and grow in job performance beyond minimum requirements.

Job responsibilities for all personnel shall consist of all duties and responsibilities as may be assigned by the Superintendent or the immediate supervisor as outlined by individual job descriptions. 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 time period during the day free of student supervision.

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. To ensure that transported students are properly supervised, employees may be assigned morning and afternoon duty beyond these times. 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.

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. No in-service should be scheduled on teacher workdays.

# 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 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*, 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 field 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.

**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.

**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.

## WORK SCHEDULES

The Fair Labor Standards Act (FLSA) requires overtime pay at time and a half for all eligible employees who work over forty hours (40) in any one work week. The work week begins on Sunday and ends on Saturday. Only actual hours worked applies when determining if 40 hours for the work week have been exceeded before overtime pay is due. If there is a holiday, sick, or vacation day during the week, then that period of time does not apply to the 40 hour requirement.

An employee is determined to be either exempt from the overtime provisions of the FLSA or they are non-exempt from those same provisions. If an employee is exempt, this simply means that he/she is not eligible for overtime pay or compensatory time. Teachers and administrators are exempt employees and not eligible for overtime pay. If an employee is non-exempt, this simply means that he/she is due overtime pay or compensatory time off for hours worked over 40 in any one work week.

Employees cannot make up missed time from one work week to another work week. This means that if the employee works 36 hours during one week and 44 hours during the second week, it does not average out to 40 hours a week and therefore no overtime is due. Each work week stands as a separate period of time and the employee is due 4 hours overtime for the second week.

All employees (exempt/certified and nonexempt/classified) are required to use the time clock system. Nonexempt employees are required to clock in and out for payroll and attendance purposes. Exempt employees are required to only clock in to document attendance. The time clock records will be used to track attendance for exempt employees.

### CLOCKING IN AND OUT

In the time keeping system, "clock in" and "clock out" punches will be rounded according to a 7-minute grace period that rounds up or down to the nearest quarter hour (15 minutes). Employees should clock in no sooner than seven minutes before or after the scheduled shift.

Principals/supervisors may change an employee's established work day or schedule according to the needs of the school or department. Unless approved as part of an employee's daily work schedule, nonexempt employees are required to clock in and out for 30-minute unencumbered lunch breaks in addition to clocking in and out at the beginning and end of each work day. Any deviation from an employee's work schedule must be approved by the employee's supervisor (e.g., working through lunch, clocking in early/late).

If an employee misses a punch, the employee must follow appropriate procedures to ensure that his/her accurate time is recorded. Employees may not use another employee's username/password to clock in or clock out for another employee. Employees who do not know their username and password should contact their local school bookkeeper or worksite supervisor.

### OVERTIME AND COMPENSATORY RELEASE TIME

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

Compensatory release time may be used in lieu of overtime and extended time pay, within certain limits, in the School System. Only 12-month non-exempt classified employees are eligible to accumulate compensatory release time.

Any accumulated, but unused, compensatory time will be paid out at the end of each month (with the exception of maintenance).

To request use of compensatory time, employees must submit approval in advance to their supervisor. Compensatory time may only be used in whole or half day increments just like all other leave. Leave forms are available on the Employee Intranet under “Forms” and must be submitted with payroll.

Bus drivers requested to drive a field trip must notify the principal or supervisor in advance if overtime pay will be required. Extended field trips rules are very specific. Employees only receive pay or compensatory release time when driving and when doing other required work such as pre-trip inspections, supervising students, and protecting school or student belongings or equipment. Employees do not receive pay while sleeping.

#### **WORK SCHEDULES FOR CERTIFIED PERSONNEL**

Time schedules for certified personnel are generally designated by the Superintendent and/or the immediate supervisor of said personnel. Local school administrators are to be on duty no less than thirty (30) minutes prior to the time fixed for school to open and thirty (30) minutes after the close of school. Certified teaching personnel are generally required to be on duty 15 minutes before the time set for the opening of their respective school and 15 minutes after the close of the school day, Monday through Friday, and the necessary time to transact faculty meetings, school business, and safe orderly dismissal of students, etc. This may include assigned morning and afternoon duty.

#### **WORK SCHEDULES FOR NON-CERTIFIED PERSONNEL**

Time schedules for non-certified personnel are designated by the Superintendent or the immediate supervisor of said personnel. Said work schedules shall be in compliance with the Fair Labor Standards Act. Any classified employee, if directed by his/her supervisor, may be required to work beyond his/her regularly scheduled time if special circumstances (including emergency situations) arise.

Employees are in “pay status” when actually working or when on authorized paid leave. Every employee is expected to comply with established work hours and work schedules. If an employee’s work time along with their authorized paid leave is less than their scheduled work hours for the week, payroll will use compensatory time, vacation time, and personal leave (in that order) for all time worked less than their scheduled hours for the week.

## TYPES OF LEAVE

Regular and on time attendance is an essential function of all employees in the Tuscaloosa County School System. Tardiness and absenteeism disrupt work schedules and place an added burden on fellow employees and supervisors.

An employee not reporting to work must be off-duty on some type of approved leave. **An employee cannot choose to “drop-off” the payroll at his/her discretion even though he/she is receiving no pay.** An employee who is absent from work without approved leave is subject to disciplinary action, up to and including termination.

The TCSS does not “pay out” unused vacation, sick, or personal leave upon separation of employment. Unused sick leave, however, may be transferred to another public school system.

### FAMILY MEDICAL LEAVE

Family Medical Leave is provided in accordance with the Family and Medical Leave Act (FMLA). The leave will be for up to 12 weeks (60 days) in any 12-month period and may be taken for one (1) or more of the following reasons:

1. Birth of a child, or
2. Adoption of a child or placement of a foster child, or
3. Care of a sick spouse, child, or parent (does not include “in laws’), or
4. Serious health condition of the employee, or
5. Military Family Leave Entitlements.

To be eligible for FMLA the employee must have been employed by the Board for at least twelve (12) months and have worked at least 1,250 hours during the prior 12-month period. FMLA request forms may be obtained from the HR Department or on the Employee Intranet under “Forms”.

Board policy requires any available paid leave run concurrently with FMLA and be exhausted before the use of unpaid leave. However, sick leave may only be taken for reasons allowed under policy or by state law.

### HOLIDAYS

Annual holidays generally are July 4, Labor Day, fall holidays, Veterans’ Day, Thanksgiving, Christmas, New Year’s Day, Martin Luther King, Jr.’s Birthday, spring holidays, and Memorial Day.

### LEGAL LEAVE

- Jury Duty- An employee who is required to serve on a jury shall receive his/her regular pay to which he/she is entitled, in addition to any pay he/she receives for jury duty. A copy of the Certificate of Jury Service must accompany the appropriate time sheet for documentation. Jury summons that require an employee to report for service after 12:00 p.m. will entitle the employee to ½ day leave. Jury summons that require an employee to report for service before 12:00 p.m. will entitle the employee to 1 full day of leave.
- Job Related Subpoenas- An employee who receives a subpoena due to their job with the Tuscaloosa County Board of Education shall receive the regular pay to which he/she is entitled. A copy of the subpoena should be submitted with the appropriate time sheet for documentation.
- Other Subpoenas- An employee who receives a subpoena for personal reasons or another reason not job related will be required to use their own personal leave for the absence(s).

### LONGEVITY DAY

Upon reaching fifteen (15) years of experience with the TCSS, each employee will earn a longevity leave day that is non-cumulative from year to year. This is at no cost to the employee and cannot be converted to a sick leave day. Experience is defined as the number of years in a particular position, job, or classification.

## **MATERNITY LEAVE**

A female employee who is not otherwise eligible for FMLA is eligible for maternity leave. Maternity leave is without pay. However, an employee may utilize sick leave for illness during this time in accordance with the plan for sick leave. The Personnel Department should be notified in writing of the approximate leave and return dates.

## **MILITARY LEAVE**

Military leave shall be granted in compliance with state and federal laws and with applicable court rulings. Employees ordered for such duty shall provide a copy of their orders to the Superintendent or designee.

## **ON-THE-JOB INJURIES**

All full-time employees are covered by the TCSS's On-the-Job Injury program. On-the-job injuries are defined as those injuries occurring during the normal school working day, at school-sponsored activities when responsibility is assigned, or when conducting school business at the request of supervisory personnel. All procedures must be followed, including the notification of the supervisor **within 24 hours** after the injury and completion of the "On-The-Job Injury Report," as outlined in the Board's *Policy Manual* (6.70.4). School System personnel may be granted up to ninety (90) work days of paid leave for on-the-job injuries.

On-the-job injuries must be reported immediately to the employee's immediate supervisor, and the appropriate form must be completed and forwarded to the Personnel Office. **It is the employee's responsibility to ensure that all required documents are provided to the Human Resources office.** For further information, contact the HR office at 342-2719.

All medical expenses for on-the-job injuries 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. All requests for reimbursement for out-of-pocket expenses must be submitted to the Alabama Board of Adjustment. All claims must be filed with the State Board of Adjustment within one year of the date of injury.

### **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 Human Resources.
- 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 On-the-Job Injury Physician Statement form or physician's statement of disability before reimbursement of any sick leave days used 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 Human Resources prior to returning to work.
- The employee can submit a claim to the Board of Adjustments for any out-of-pocket expenses.
- TCSS may, at its expense, require the employee seek a second opinion as to the nature of the on On-the-Job injury.

## **PERSONAL LEAVE**

Each full-time employee will accrue five (5) personal leave days per year. **The year for personal leave begins July 1 and concludes June 30.** These days may not be carried over from year to year.

Two (2) paid personal days are granted annually. A third paid personal leave day will be granted with documentation to verify ten (10) years of experience in the same job classification. Additional personal leave days will cost the employee the current in-system cost for a substitute per day.

Unused personal leave days, one (1) through five (5), or any number thereof may be applied to the employee's current accumulated sick leave days at the end of the contract year. This benefit is provided at no cost to the employee.

## **SICK LEAVE**

Full-time, permanent employees earn one (1) sick leave day each month while they are under contract.

Leave may be taken for personal illness, attendance upon an ill member of the employee's immediate family, bodily injury of the employee, or for death in the immediate family of the employee. An employee may be required to provide a physician's statement and/or other acceptable documentation if there is probable cause to believe that sick leave day usage is being abused or if an absence exceeds one (1) full work week.

Taking sick leave for reasons not allowed under policy may constitute an Alabama Educator Code of Ethics violation and/or lead to disciplinary action. Employees are not allowed to donate days to another employee except as provided for catastrophic leave purposes.

## **SICK LEAVE BANK**

Participation in the sick leave bank is voluntary. All full-time employees of the Board who have completed Sick Leave Bank Authorization Forms contributing two (2) days to the Sick Leave Bank or committing two (2) days to the Sick Leave Bank are eligible to borrow up to ten (10) days from the Sick Leave Bank in accordance with State Board of Education guidelines regulating sick leave. A Sick Leave Bank Committee determines

**Forms to request borrowed days must be submitted within the appropriate payroll period with supporting documentation.** Forms are available through local school bookkeepers as well as the "forms" section of the TCSS website. These forms must be completed as soon as the employee returns to work. Failure to submit a request to borrow days in a timely manner may result in the day being unpaid in violation of TCSS leave policy and will subject the employee to disciplinary action.

All sick days borrowed from the Sick Leave Bank must be repaid within two (2) years from the date the first sick leave day was borrowed. After the sick leave days have been repaid, the cycle starts over. If an employee separates from the school system before repayment of sick leave days borrowed, payroll will deduct the cost of those days from their payroll check.

CATASTROPHIC LEAVE – In extreme circumstances, a member of the sick leave bank may request catastrophic leave. All other available forms of leave must be exhausted and other conditions apply. If catastrophic leave is approved, other employees may donate sick days to the employee. If there are not enough days donated to cover the leave, those days are unpaid. Catastrophic leave may be granted for the same duration as other leaves of absence.

If an employee wishes to donate sick days to a member of the sick leave bank, forms are available from their local school bookkeeper or online on the "forms" section of the TCSS website. Forms need to be submitted to Janice Flanigan at [jflanigan@tcss.net](mailto:jflanigan@tcss.net) for processing.

Donated days are applied in the order they are received and excess days will not be charged.

Once an employee returns to work following catastrophic leave, no additional days may be donated.

## **SICK LEAVE TRANSFER FROM ANOTHER SYSTEM**

Personnel employed by the Tuscaloosa County Board of Education may transfer an unlimited number of sick leave days from another Alabama school system upon proper verification of the number of days from the previous employing board.



## **UNPAID LEAVE**

In cases of *substantial hardship or extraordinary circumstances*, the Superintendent may, in *extremely limited cases*, excuse an absence that results in unpaid leave where an employee has exhausted all other available forms of leave. Requests must be made in writing directly to the Superintendent and building principal for consideration. Additional documentation supporting the necessity of the leave may be required. Unexcused unpaid leave will result in disciplinary action.

## **VACATION LEAVE**

Full-time, twelve (12) month employees earn vacation days on the first working day of the month. July 1 and June 30 are the beginning and ending dates, respectively, for vacation leave for all full-time, twelve-month employees. Vacation days for full-time employees are available July 1, or the first day of employment if hired later in the year. Vacation days are earned at a rate of one day per month, not to exceed ten (12) days per year. Vacation days are earned on the last working day of the month and are only earned for a full month of employment. Any vacation days taken in advance of accrual must be repaid upon separation of employment.

All personnel of this classification may take their vacation days at any time during the year except the personnel of the school bus shop and the maintenance department. These two (2) groups of employees may not take their vacations during the two (2) weeks prior to the beginning of the academic year, nor during the two (2) weeks prior to the ending of the academic year.

All vacations should be planned in advance and shall be taken upon the approval of the principal or supervisor of the department in which the employee works. No employee will be paid for his unused annual vacation time under any circumstances.

## **OTHER LEAVE**

Please refer to the TCSS Policy Manual (beginning with Board Policy 6.70) for other forms of available leave not addressed in this handbook. Note: With the exception of ALSDE-approved principal candidate internships, TCSS does not provide professional development leave for employees to complete internship requirements for administrative, library media, counseling, or other certification. In those cases, internship hours should be met through the use of personal leave, before/after contracted hours, or during non-contracted days.

## BENEFITS AND PAYROLL

### TEACHERS' RETIREMENT SYSTEM

Telephone: 1(877)517-0020

Website: [www.rsa-al.gov](http://www.rsa-al.gov)

All regular employees of the school system are required to be members of the Teachers' Retirement System of Alabama. The major portion of the contribution is provided by the State of Alabama through legislative appropriation.

Any member of the Retirement System who had service for which he or she received credit in the Employees' Retirement System or in the Teachers' Retirement System prior to January 1, 2013, is considered a Tier 1 plan member. The employee contribution (7.5% of contract salary) is tax sheltered. This means that employees do not pay income tax on their 7.5% contribution until such time as it is received by the employee as retirement income. The retirement program for Tier 1 employees provides for retirement at age 60 with ten (10) years or more of participation service credit OR at any age after accumulating 25 years of employment service credit.

A Tier 2 plan member is any member of the Retirement System who first began eligible employment with the Employees' Retirement System or the Teachers' Retirement System as a participating employee 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. The employee contribution is 6%. The retirement program provides for retirement at age 62 with at least ten (10) years of employment service credit.

In addition to retirement benefits, the Retirement System also provides the beneficiary(ies) or estate of a deceased full-time active member or a full-time member who dies within ninety (90) days of being in active pay status is eligible to receive \$15,000 in term life insurance benefits. For members who are less than full-time, the benefit will be prorated. For example, if the member was a half-time employee, the benefit paid would be \$7,500.

#### FILING FOR RETIREMENT

A completed Retirement Application Packet Part I must be received by the State Retirement System no less than thirty (30) days nor more than ninety (90) days before the effective date of expected retirement. For example, if you wish to retire on June 1, you must file your application with the State Retirement System by the end of April. A representative of the Retirement System conducts local retirement seminars periodically throughout the year for school system employees planning to retire. Information regarding these meetings is available on the RSA website. Employees who are contemplating retirement are highly encouraged to contact RSA prior to making a final decision concerning retirement. Any employee who decides to file for retirement is also required to submit his/her resignation in writing to the Tuscaloosa County Board of Education (Ala. Code § 16-25-1).

#### MEDICARE AND RETIREMENT

If a member or dependent is already Medicare eligible due to age or disability on his or her retirement date, Medicare will become the primary payer and PEEHIP the secondary payer effective on the date of the member's retirement. Medicare-eligible members and/or dependents must have both Medicare Parts A and B on their retirement date to have coverage with PEEHIP and this coverage must be in effect no later than the date of retirement to avoid a lapse in coverage.

#### **ANNUITIES – LIFE INSURANCE**

Payroll deductions are available through the Payroll Department for life insurance and annuity policies with certain companies. Contact the Payroll Department for details at 342-2727.

## **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

TCSS provides employees and their family members access to EAP without discussion or intervention. EAP provides free assessment, short-term counseling, and referral service to assist with problems including stress, finances, marriage/relationships, parent-child relationships, and substance abuse. The EAP program is a confidential service available for employees who experience problems which may eventually affect their employment. It is confidential as long as there is no threat of harm to students or other employees. Your personal life, of course, is your business and there is no intent to intrude. However, if your performance suffers, then our business is to help you try and solve your problems and perform at your best. **Any self-referral to the EAP program is confidential.** No report is made to the supervisor nor is any record placed in the employee's personnel file.

As an employee in education, you face many challenges. Whether you teach, maintain equipment, prepare meals, manage a department, assist on the playground, coach sports, drive a bus, or run a school, your effective performance is important to the overall quality of the educational program and to your own sense of job satisfaction.

How do you know if you have a problem? A situation is a problem if:

- You spend a great deal of time thinking about it (worrying);
- You pretend "it's not that bad" or "it will get better with time" (and it doesn't);
- You feel physically ill or overly tired;
- You are afraid to confront a problem because you think rocking the boat will make it worse;
- You don't know where to go for help.

Should any problems or stress begin to affect your job performance, please seek help for your own well-being as well as to assure the students of Tuscaloosa County have the very best professionals serving them.

Employees may contact the Employee Assistance Program directly:

Employee Assistance Program  
201 Towncenter Boulevard  
Tuscaloosa, AL 35406  
(877) 221-6651  
(205) 650-0576  
Fax (205) 764-5995  
Riveroakshealth.org  
[contactus@riveroakshealth.org](mailto:contactus@riveroakshealth.org)

## **FEDERAL LAW SECTION 125 – EMPLOYEE BENEFIT PLAN**

All full-time employees are eligible to participate in a "cafeteria employee plan." This plan gives employees an opportunity to recognize additional monthly income through pre-tax savings. A signature is required annually to re-enroll or deny the available cafeteria plan for all employees. Contact the Payroll Department for details at 342-2709 or 342-2727.

## **PAY FOR HIGHER DEGREE PURPOSES AND/OR NATIONAL BOARD CERTIFICATION**

Degree credit will be given to current certificated personnel who earn advanced degrees from accredited institutions, upon recognition of the higher degree for pay purposes by the ALSDE. Questions about being paid based on earning an advanced degree may be sent to [payforadvanceddegrees@alsde.edu](mailto:payforadvanceddegrees@alsde.edu). **Not all higher degrees may qualify for higher pay, so employees are strongly encouraged to verify that a graduate program will qualify before enrollment.** It is the certified employee's responsibility to notify the HR Department upon meeting the qualifications for an advanced degree. New certified employees will be placed on the salary matrix considering the highest degree recognized by the ALSDE and years of experience served in public education.

Each teacher who holds valid certification from the National Board for Professional Teaching/Counseling Standards will be given an annual lump sum of \$5,000 upon the allocation and receipt of funds from the ALSDE. It is the employee's responsibility to notify the HR Department of initial and renewed National Board Certification.

### **PAYCHECKS**

Employees are paid on a monthly basis. **Paychecks are issued the last banking day of the month.** Pay stubs are available online on the Employee Self-Service Website.

Nine and ten month employees, substitutes, and part-time/temporary employees are paid one month in arrears. Twelve month employees are paid current.

Nine and ten month employees do not work during parts of the summer months; however, we pay all full-time employees on a twelve month basis. Nine and ten month full-time employees are paid on a "stretch-out" basis during the summer. This means that 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.

Employees who are new to TCSS and who are hired on or before August 15<sup>th</sup> (approximately), will receive 13 paychecks with the first paycheck paid at the end of August. This is to prevent a new employee, hired in early August, from waiting until the end of September for his/her first paycheck.

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. A significant amount of approved unpaid leave will change an employee's total monthly pay for the remainder of the contract period.

### **RSA-1**

The RSA-1 Plan is an IRS Section 457 deferred compensation plan for public employees that can assist employees in saving for retirement through payroll deduction while deferring taxes. More information about RSA-1, including how to enroll, may be found on the Retirement Systems of Alabama (RSA) website.

### **SOCIAL SECURITY**

Employees are covered by Federal Social Security. The legal percentage for this program is deducted from the monthly paychecks. For information, contact the Social Security District Office at 205-349-4863 or 1-800-772-1213.

## HEALTH INSURANCE

### STATE HEALTH INSURANCE PROGRAM (PEEHIP)

Medical insurance through a combination of State and employee contributions is available. Each employee may choose the particular plan desired. Each full time employee receives a monthly allotment which may be applied toward the cost of health care. Employees working less than full-time receive a prorated health insurance allotment. In cases where the spouse of an employee has other hospital insurance, the state allocation may be used to purchase additional optional insurance to cover cancer, dental, hospital indemnity, and vision for single or family coverage. Optional insurance is available to those who are insured through the state plan at an additional cost. More detailed information about hospital / medical insurance is available from [www.rsa-al.gov](http://www.rsa-al.gov).

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, (334) 517-7000 or Toll Free (877) 517-0020.

The Open Enrollment period usually begins on July 1st and ends on August 31st for paper enrollment and July 1<sup>st</sup> ending on September 10<sup>th</sup> for online enrollment in order for the changes to be effective October 1. All open paper 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.

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.

#### **Premium Assistance Program**

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](http://www.rsa-al.gov).

### HOSPITAL / MEDICAL (PEEHIP)

Hospital / Medical is a basic plan including major medical. The cost is shared by the State and the employee. Coverage is through PEEHIP and is administered by Blue Cross/Blue Shield of Alabama. All members enrolled in the PEEHIP Hospital / Medical Plan have access to Teladoc , which provides consultations with board-certified doctors via phone or video 24 hours a day / 7 days a week. This service is available at zero copay and can be used to speak to a doctor about a variety of issues such as cold, flu, allergies, infections, and more. When necessary, the doctor can even prescribe medication for treatment.

### OPEN ENROLLMENT PERIOD

Open enrollment for all current and new employees is provided during July 1 through August 31 of each year for coverage effective October 1. ***It is the responsibility of the employee to complete PEEHIP's online enrollment on or before September 10th*** . An insurance card will be mailed to the employee following the initial enrollment. Employees may add new coverage and change coverage types during the open enrollment period only. Employees may add a qualifying life event (e.g., birth of a child) through PEEHIP's online portal.

### **Employees Hired After October 1st**

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.

### **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 1st.

### **OPTIONAL PLANS**

There are optional plans offered through PEEHIP. Employees should refer to the PEEHIP Member Handbook for detailed information and limitations on these plans. The current PEEHIP Open Enrollment / Member Handbook is now available online or members can request a hard copy to be mailed to them by contacting the member's services department at 877-517-0020. The information available in the Member Handbook is effective October 1 of the school year. All optional plans must be retained for the entire insurance year, i.e., until the end of September 30. 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.

If a member is enrolled in one or more of the Optional plans, the contracts must be all family or all single plans. Members enrolled in family optional plans cannot change to single Optional plans outside of the Open Enrollment period unless all dependent(s) become ineligible due to age, death, or divorce. Optional plans offered include cancer, dental, hospital indemnity, and vision; these are available for full-time employees, and the designated forms are provided through the RSA website.

### **STATE INSURANCE ALLOTMENT**

The state insurance allotment is a fringe benefit provided state employees to assist with the purchase of insurance. The amount paid by the State may vary from one year to the next. A member receives the State insurance employer contribution for each month as long as that member is in pay status at least one-half of the working days of that month.

### **3-1 RULE**

A member earns one month of additional insurance allocation for every three months the employee is in pay status at least one-half of the workdays in the month for that school year. The 3-1 Rule only applies in a situation where an employee has terminated employment, retires, is not in pay status at least one-half of the work days in the month, goes on an approved leave of absence without pay, or begins employment in the middle of the year.

- The 3-1 Rule is applied using an August through August fiscal year.
- Extra allocations earned by a member must be applied to insurance premiums immediately after the member is separated from employment.
- The member cannot pick and choose the months to use the allocation.
- An employee must be in pay status at least one-half of the available workdays for three full months to earn an extra one month of insurance allocation.
- An employee can only use the earned allocation credit for the current fiscal year, i.e., the allocation credit cannot be used after August 31st.
- The 3-1 Rule is handled in the same manner for all employees regardless of whether they are paid on a nine (9), ten (10), eleven (11), or twelve (12) month basis.
- Retiring members are eligible to receive the extra allocations earned under the 3-1 Rule.

The table below should be used when calculating the number of months an employee is entitled to receive the insurance allocation.

Actual Service (in months)	Earned Allocation(s)
1	1
2	2
3	4
4	5
5	6
6	8
7	9
8	10
9	12
10	12
11	12
12	12

**ELIGIBILITY**

To be eligible for health insurance, an employee must be employed in a permanent capacity working at least twenty (20) hours per week. (Exception: Bus drivers are considered full-time by law.)

Nine (9) and ten (10) month employees’ effective date must be on or before September 15 to earn full summer insurance allocations. Employees starting after September 15 will earn a prorated insurance allocation for the summer months. This does not apply to twelve (12) month employees.

All employees participating in the State Insurance Program who have exhausted all leave days as provided by the State of Alabama and the School System must pay the State’s share of insurance coverage in addition to the employee’s share, within certain guidelines.

**FAMILY MEDICAL LEAVE ACT (FMLA)**

The 3-1 Rule applies even when a member is granted leave under the Family Medical Leave Act. If the employee earns additional allocations under the 3-1 Rule prior to going on leave under FMLA, the extra allocations should be applied to the months following said leave. Unpaid leave under FMLA will require that the employee pay his/her share directly to the Board (this is the same amount that is deducted for the employee’s share from his/her paycheck).

**LEAVES OF ABSENCE/COBRA – IMPACT ON HEALTH INSURANCE**

When an employee goes off payroll for a leave of absence or other unprotected unpaid leave, that employee is required to submit their monthly premium payment directly to PEEHIP. For members on a leave of absence or COBRA, refer to the PEEHIP member handbook for the premium amount.

## EMPLOYEE ACTIONS AND EMPLOYMENT STATUS

### CERTIFICATION AND CERTIFICATION RENEWAL

Certificates may be reviewed at <https://tcert.alsde.edu/Portal/Public/Pages/SearchCerts.aspx>. During the spring semester, personnel staff will assist employees up for certificate renewal with the certification renewal process, but it is the responsibility of each certified to keep track of his/her certification renewal date and to take required action needed for certificate renewal in accordance with ALSDE deadlines and regulations.

Certified employees who are on alternative, non-traditional certification pathways (e.g., emergency, provisional, interim, etc.) are responsible for meeting the requirements for the issuance of the next valid certificate from one school year to the next.

### EMPLOYEE CLASSIFICATION

Certified employees include teachers and other employees who are required by law to hold Alabama Educator certification as well as JROTC instructors. Classified personnel include bus drivers, bus aides, Child Nutrition Program workers, custodians, mechanics, maintenance personnel, secretaries, clerical assistants, para-educators (clerical, instructional, and special education) and all other persons not otherwise certified by the State Board of Education. Part-time personnel employed in the above positions are referred to as classified employees for business purposes in the Tuscaloosa County Schools.

Persons employed for an indefinite period of time and who are employed to work twenty (20) hours or more each week and all bus drivers are defined as full-time permanent employees. Part-time employees (those working less than 20 hours each week); temporary employees (those who employed for a short, finite period of time, such as employees hired for summer employment with specific contract dates); and substitute employees who are employed on a day-to-day "fill-in" basis, even if on a long-term substitute contract, are not eligible for benefits.

### EVALUATION

Probationary classified employees should be evaluated at least once each year and more often if the Superintendent directs. Non-probationary classified employees should be evaluated a minimum of once every three (3) years. All certified and administrative employees will be evaluated per Alabama State Department of Education guidelines and TCSS procedures. The ALSDE has directed school districts to implement the Alabama Teacher Growth Program. All educators holding a professional educator certificate must have at least one classroom observation by the end of the school year.

### JOB ABANDONMENT

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

- leaves work and does not report back to work or
- who says he/she quits or who says he/she will not return to work and 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.

All property of the Board in the possession of an employee who separates employment must be inventoried by the employee's immediate supervisor prior to the issuance of his/her paycheck. The employee's last paycheck will be withheld if there is a discrepancy until the matter is resolved. The supervisor must contact the Payroll Department if a check is to be withheld.



## **JOB VACANCIES**

Job vacancy notices shall be posted online at [www.tcss.net](http://www.tcss.net) through the ALSDE's approved online application portal (currently Teach in Alabama). Job vacancy notices will also be posted in each school, at each work site, and at the Central Office at least fourteen (14) days when a vacancy occurs in a new, supervisory, or managerial position. All other vacancies will be posted not less than seven (7) calendar days before the position is to be filled.

Any person not employed by the Tuscaloosa County School System who believes he/she possesses the certification/qualifications of the advertised vacancy may apply.

## **PERSONNEL FILE**

Each employee's official personnel file is maintained in Human Resources or electronically. 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 a written request and appointment. Former employees who wish to view their file must make a request in writing to the Sr. Director of Human Resources. If an employee wishes to have a copy of his/her personnel file, a copy will be provided at cost to the employee.

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.
2. 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.
3. No anonymous, unsigned, or hearsay information may be placed in the employee's official personnel files.
4. All confidential references and information shall be privileged and are not part of employee's official personnel files.

## **PROBATIONARY PERIOD**

The probationary period for employees is defined as three (3) complete years of service of full-time employment. The first year of service is effective if the employment begins prior to October 1 of the school year.

## **RESIGNATION**

Certified employees may resign by providing thirty (30) days' notice. Depending on the reason for the resignation and ability of the school system to accommodate an earlier release, the Superintendent may release a certified employee before the 30 day notice period ends. Failure to provide appropriate notice by a certified employee may result in a report to the ALSDE to consider taking action against the employee's certification. All other employees may resign by providing appropriate notice (generally two weeks). When any employee decides to resign, a letter of resignation signed by the employee must be forwarded to Human Resources for Board action.

## **SALARY SCHEDULE**

TCSS adopts a salary schedule effective October 1 of each fiscal year. 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.

## **SCHOOL PROPERTY**

All property of the Board in the possession of an employee who resigns or is terminated must be inventoried by the employee's immediate supervisor prior to the issuance of his/her final paycheck. The employee's last paycheck will be converted to a "live" check if there is a discrepancy until the matter is

resolved. The supervisor must contact the Payroll Department immediately if school property is not returned upon an employee's separation from employment.

## **SUPERVISORS**

Certified and classified personnel within a school are under the immediate supervision of the principal or assistant principal in their particular school. All other personnel are under the immediate supervision of special supervisors. Technical supervision for classified employees is also provided by area supervisors, such as the Director of the Child Nutrition Program or Director of Nursing.

## **TERMINATION**

The Tuscaloosa County Board of Education may suspend or terminate employees who have earned tenure or non-probationary status or are principals serving under contract for the following reasons:

1. Immorality;
2. Incompetence;
3. Insubordination;
4. Neglect of duty;
5. Failure to perform duties in a satisfactory manner;
6. Justifiable decrease in the number of positions (for contract principals, decrease must be due to decreased enrollment or funding); and/or
7. Other good and just cause.

Notification to the Tuscaloosa County School System employee of a proposed termination and his/her hearing rights will be governed by applicable state law.

## **TRANSFER OF PERSONNEL**

The Board, upon the recommendation of the Superintendent, shall have the authority to involuntarily transfer personnel from one position to another when such transfers shall be in accordance with the provisions outlined in *The Students First Act*.

All qualified personnel may be considered for voluntary transfers to other employment positions within the School System. A voluntary transfer request form shall be submitted to the employee's current supervisor, the Assistant Superintendent of Human Resources, and the principal and/or supervisor of the desired location. Forms are available on the employee Intranet. Voluntary, lateral transfers of personnel require that an employee be tenured in his/her present position and may only be made during specific times of year (except for CNP and transportation employees). Other voluntary transfers may be made, regardless of status and time of year, based upon the needs of the school system upon the approval of the Assistant Superintendent of Human Resources. Employees, regardless of status, may always be considered for positions that are promotions (including increased pay) or changes of employment (e.g., teacher to instructional coach, CNP worker to custodian).

In an effort to protect the educational interests of students and established schedules, voluntary transfers initiated by certified employees may be made for next school year postings that close on or before June 30. Classified employees, with the exception of CNP employees and bus drivers/ para-educators, may only be considered for voluntary transfers for postings that close on or before July 15.

## **GENERAL INFORMATION**

### **CASH IN THE SCHOOL BUILDING**

In the interest of building security, no cash or other valuable articles should be left in classrooms or other locations in the school. School funds must be receipted in the office before school is dismissed for the day. Personal articles of value should be secured in a locked cabinet or removed from the building by the owner.

### **CODE OF CONDUCT**

Tuscaloosa County School System personnel are employed for the express purpose of contributing in a positive way to the education of the youth of the community. The community desires and deserves School System employees who will provide an environment that will engender a well-rounded educational program and a safe and conscientious place for the children to learn. In order to provide such educational programs and school environments in the respective schools of the School System, all employees of the board are expected to abide by (1) all federal and state laws, (2) all State Board of Education policies, (3) all local ordinances, and (4) all local Board policies; and to adopt and follow ethical and professional codes of conduct that reflect favorably upon the School System. Failure to comply with the above-noted expectations may result in disciplinary action.

### **CONFLICTS OF INTEREST**

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

The Tuscaloosa County Board of Education prohibits any employee of the School System from directly or indirectly receiving personal profit or reward from the sale or purchase of goods or services to students in the School System or to parents of students.

Tuscaloosa County School System employees acting as individuals are further prohibited from directly or indirectly furnishing or supplying a list or roster of names and addresses of students in the School System or parents of students to persons, firms, corporations, associations or organizations, or to the salespersons or agents of any such entities who are engaged directly or indirectly in the business of selling school supplies or school-related activities, equipment, or items without the written approval of the Superintendent.

### **CONTROLLED SUBSTANCE AND ALCOHOL TESTING, DRUG FREE AND TOBACCO FREE WORKPLACE**

Any employee who drives a vehicle owned by the School System is required to submit to controlled substance and alcohol testing under the conditions specified in policy. It is the policy of the Board that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the School System's workplace is prohibited. All Tuscaloosa County Board of Education facilities, buildings, grounds, vehicles, and other property are declared tobacco free. Smoking and the use of smokeless tobacco are prohibited on all Board property and premises at all times.

### **CRIMINAL CONDUCT**

Whenever an employee is arrested for, or otherwise charged with, committing a criminal offense, other than a minor traffic violation\*, that employee shall notify his or her supervisor and the Senior Director of Human Resources of such occurrence and of all subsequent proceedings pertaining to that arrest or charge. The Senior Director of Human Resources shall immediately inform the Superintendent of the incident. Notice shall be given to the Senior Director of Human Resources in accordance with a regulation established by the Superintendent. The failure to give prompt and proper notice as required may constitute grounds for dismissal.

\*A “minor traffic violation” is a violation which is not punishable by imprisonment or by revocation or suspension of the operator’s license. Bus operators are required to report traffic violations to the Director of Transportation or his/her designee. Any other employee who receives a traffic citation while operating a school board owned vehicle must report the citation to his/her immediate supervisor.

## **CRIMINAL PENALTIES FOR SEXUAL OFFENSES BY SCHOOL EMPLOYEES INVOLVING A STUDENT**

A school employee is specifically prohibited from having any sexual relationship with a student. The definition of “school employee” includes volunteers. “Student” includes any child under the age of 19. Consent is NOT a defense under this statute. Offenses are classified as follows:

- Sexual intercourse – Class B Felony
- Sexual contact – Class C Felony
- Soliciting a sex act – Class A Misdemeanor
- Obscene material – Class A Misdemeanor

For more specific information, see §§ 13A-6-80 through 83 of the *Code of Alabama* (1975).

## **DRESS CODE GUIDELINES FOR PERSONNEL**

All employees have a responsibility to model appropriate dress in order to maintain respect and establish credibility which is reflected by authority figures. It is therefore the policy of Tuscaloosa County School System that teachers, administrators, and office staff dress in a professional manner. Under no circumstances should employees wear clothing which would be a violation of the Student Dress Code.

Uniforms and other dress regulations may be required by specific departments including Maintenance, Transportation, and Child Nutrition. Should a department provide its personnel with uniforms, then the supervisor will require the uniform to be worn by all department employees.

## **IDENTIFICATION BADGES**

All employees of the Tuscaloosa County Board of Education will be issued photo badges. The first badge is issued to an employee at no charge. An additional or replacement badge may be obtained at cost paid by the employee. The ID badge is to be worn at all times while performing assigned duties on school property during a normal school day. The badge is the property of the Tuscaloosa County Board of Education and must be surrendered upon termination of employment. The ID badge may be used for the employee’s admittance to sporting events within the school district unless the event is a Alabama High School Athletic Association (AHSAA) sanctioned playoff or postseason event.

## **POSSESSION OF DEADLY WEAPONS BY SCHOOL SYSTEM PERSONNEL**

A deadly weapon is anything manifestly designed, made or adapted for the purpose of inflicting death or serious bodily injury. No employee shall be permitted to have or to carry a deadly weapon in his/her bodily possession while on school property or in School System buildings or facilities, on school grounds, or on school buses or at any school-sponsored event during or after regular employment hours. In addition, no employee shall have in his/her possession a firearm in or on school property except as provided for in the U.S. Code Title 18, Part I, Chapter 44 § 921. Employee violations of this code shall be subject to suspension, termination, and/or separation from service in accordance with Board policy.

## **PURCHASE ORDERS**

Purchase orders are required for all materials, equipment, and supplies paid for from funds of the Tuscaloosa County Board of Education. No purchases shall be made which obligate the income of a subsequent year nor shall any purchases be made which encumber a school system fund or local school fund or account beyond the available resources of that fund or account.

## **SAFETY**

All employees are expected to maintain good housekeeping practices to insure safe working conditions. All employees are to familiarize themselves with safety regulations and adhere to OSHA requirements.

## **TEST SECURITY**

Failure to follow security procedures promulgated by the Alabama State Board of Education and the test administrator's manual may result in disciplinary action by the Board and/or revocation of the teaching certificate by the Alabama State Department of Education. Each employee will be required to sign a test security policy stating specific actions which are inappropriate and violate, in spirit and intent, the stated policy.

## **SCHOOL PROPERTY**

The employee is responsible for the security and safe-keeping of TCSS property issued for work-related duties. This includes technology, tools, keys, door fobs, etc. If an employee discovers that TCSS property is stolen or missing, he or she must notify a supervisor immediately. All property of the Board in the possession of an employee who resigns or is terminated must be inventoried by the employee's immediate supervisor prior to the issuance of his/her final paycheck.

## **TRAVEL**

The Board authorizes the reimbursement of personnel for travel expenses incurred as a requirement of their jobs. Reimbursement may be made for travel that has received prior approval from the Superintendent (or designee) and the employee's immediate supervisor. Such reimbursement shall not exceed travel and per diem authorized by the Board. Prior approval for all travel shall be obtained before any travel expenses may be incurred.

### **IN-COUNTY TRAVEL EXPENSES**

A travel report with the following information must be submitted:

1. Date(s) of travel.
2. Destination/Purpose.
3. Miles traveled. Mileage begins when you leave your first work station (school) not your home. It ends at the last work station (school). Mileage from your home to work and return home is not paid. However, special trips after normal working hours will be from home address to the school and the return home.
4. Employee signature.
5. Signed approval or Principal, Coordinator, or Director (if required).
6. Meals purchased in Tuscaloosa County are not reimbursable.

### **OUT-OF-COUNTY TRAVEL EXPENSES**

Out-of-county travel expenses incurred to send employees to attend a required educational workshop or work-related training are an allowable cost. Employees must submit a form for professional/work-related leave and related travel expenses (ten (10) days in advance). Travel that is necessary and that is directly related to the operation of the TCSS may be reimbursed as follows:

1. Mileage
  - a. Reimbursement will be based on a standard mileage rate and will be limited to mileage which is documented by MapQuest. Reimbursement to employees for the use of personal vehicles will be reimbursed at the rate designated by the IRS.
  - b. The standard mileage rate is as follows: The IRS mileage rates in effect as of the date on which the report is filed.
  - c. Mileage will be paid from either home or worksite, whichever is less.
  - d. Mileage is from the point you leave driving from to your destination. Any traveling while on the trip is not reimbursable (to dining, from hotel to meeting, etc.).
  - e. Mileage is reimbursed – not fuel purchased
2. Meals – The per diem rate for meals is \$50.00 per day. Meals purchased in Tuscaloosa County are not reimbursable. Any purchases of food or drink other than meals are not

- reimbursable. There is no reimbursement for alcoholic beverages or meals for persons not employed by the TCSS.
3. Overnight Travel – If there is a specified hotel to use for a conference with a set room rate, reservations should be made to stay at that hotel. If you choose to stay at a different hotel other than the conference hotel, you will be responsible for the difference in the room charges if there is a higher room rate.
  4. There is no reimbursement for entertainment expenses or personal items.

For travel reimbursement, you must submit a travel report by the last day of the month with the following information and attachments:

1. Date(s) of travel.
2. Destination/Purpose.
3. Miles traveled with a printout of MapQuest for trip to show mileage.
4. Employee signature.
5. Signed approval or Principal, Coordinator, or Director (if required).
6. A copy of your professional/work-related leave form showing final approval.
7. Original ITEMIZED receipts for meals. Original receipt or invoice for registration, hotel, parking, etc. Tips are to be shown on itemized receipts (can be hand-written).

If a request for reimbursement includes two or more people on a receipt, a copy of each person's approved request for travel must be attached. This is also if a Principal makes reservations for a group and requests to be reimbursed for the charges.

## **VEHICLES**

All TCSS vehicles should be fueled in a manner that will expedite the work day. The Transportation Department will keep fuel (gas cards) and maintenance records on all county-owned vehicles.

County-owned vehicles will not be used for any purpose other than specific job assignments or trips directly related to job assignments. County-owned vehicles shall not be used for any non-school purpose.

Only employees and students in the Tuscaloosa County Schools are allowed to ride school buses, except in the case of field trips where adult chaperones are allowed.

All vehicle keys must be stored in the appropriate office site when employees are not on duty. Keys must not be left in vehicles.

## **USE OF TOBACCO**

All Tuscaloosa County Board of Education facilities, buildings, grounds, vehicles, and other property are declared tobacco free. Smoking, the use of smokeless tobacco, and vaping are prohibited on all Board property and premises at all times.

## STUDENT WELFARE AND SAFETY

### ERIN'S LAW

Erin's Law, started by Erin Merryn who is a childhood sexual assault survivor, was passed in 2011 in Illinois. As of June 2018, Erin's Law has been passed in 35 states including Alabama. The law requires that all public schools implement a prevention-oriented child sexual abuse program which teaches students, school personnel, and parents/guardians about how to recognize child sexual abuse. All school personnel are required to receive online training in order to be aware of the warning signs of an abused child:

- Nightmares
- Trouble sleeping
- Bed wetting
- Change in appetite
- Fear of certain people, places, activities
- Mood swings: Rage, Anger, Fear, anxiety, insecure or withdrawn
- Depression
- Aggression
- Feeling shameful or guilty
- Isolating oneself
- Withdrawal from someone
- Resisting removing clothes when appropriate times (bedtime, bath time)
- Change in academics
- Running away from home
- Suicidal thoughts
- Acting out sexually
- Exhibits adult sexual behaviors, knowledge, and language.

### JASON FLATT ACT

The Jason Flatt Act, first passed in 2007 in Tennessee, is an inclusive and mandatory youth suicide awareness and prevention legislation. Teachers in Alabama are now required to receive training in order to recognize the warning signs of suicidal thoughts. Some of these signs include

- Talking about suicide
- Making statements about feeling hopeless, helpless, or worthless
- A deepening depression
- Preoccupation with death
- Taking unnecessary risks or exhibiting self-destructive behavior
- Out of character behavior
- A loss of interest in the things one cares about
- Visiting or calling people one cares about
- Making arrangements; setting one's affairs in order
- Giving prized possessions away

Along with these warning signs, there are certain risk factors that can elevate the possibility of suicidal ideation:

- Perfectionist personalities
- Gay and Lesbian youth
- Learning disabled youth
- Loners
- Youth with low self- esteem
- Depressed youth
- Students in serious trouble
- Abused, Molested or Neglected Youth
- Genetic predisposition
- Parental history of violence, substance abuse, or divorce

## **MANDATORY REPORTING OF CHILD ABUSE AND NEGLECT**

Under Alabama law, all public K-12 employees, including all school teachers and officials, are required to report known or suspected child abuse or neglect immediately, either by telephone or direct communication, followed by a written report, to a “duly constituted authority” (Ala. Code § 26-14-3[a]). A “duly constituted authority” under the law is “[t]he chief of police of a municipality or municipality and county; or the sheriff, if the observation of child abuse or neglect is made in an unincorporated territory; or the Department of Human Resources; or any person, organization, corporation, group, or agency authorized and designated by the Department of Human Resources to receive reports of child abuse and neglect; provided, that a ‘duly constituted authority’ shall not include an agency involved in the acts or omissions of the reported child abuse or neglect” (Ala. Code § 26-14-1[4]). A “child” is defined as someone “under the age of 18 years” (Ala. Code § 26-14-1[3]).

“Child abuse” under Alabama law is defined as the “[h]arm or threatened harm to a child’s health or welfare,” which can “occur through non-accidental physical or mental injury, sexual abuse or attempted sexual abuse, or sexual exploitation or attempted sexual exploitation” (Ala. Code § 26-14-1[1]). “Sexual abuse’ includes the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in, any sexually explicit conduct or any simulation of the conduct for the purpose of producing any visual depiction of the conduct; or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children as those acts are defined by Alabama law” (Ala. Code § 26-14-1[1]). “Sexual exploitation’ includes allowing, permitting, or encouraging a child to engage in prostitution and allowing, permitting encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child for commercial purposes” (Ala. Code § 26-14-1[1]).

“Neglect” is defined as Alabama law as the “negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, supervision, clothing, or shelter” (Ala. Code §26-14-1[2]). Certainty that child abuse or neglect has occurred is NOT required to trigger your mandatory reporting responsibility. All that is required is a reasonable suspicion that a child is a victim of abuse or neglect. If you have a reasonable suspicion, you must report.

The mandatory reports required by Alabama law “shall state, if known, the name of the child, his or her whereabouts, the names and addresses of the parents, guardian, or caretaker, and the character and extent of his or her injuries. The written report shall also contain, if known, any evidence of previous injuries to the child and any other pertinent information which might establish the cause of such injury or injuries, and the identity of the person or persons responsible for the same” (Ala. Code § 26-14-5).

Failure to comply with Alabama’s mandatory reporting law is a crime. Under Ala. Code § 26-14-13, “[A]ny person who shall knowingly fail to make the report required by [the law] shall be guilty of a misdemeanor and shall be punished by a sentence of not more than six months’ imprisonment or a fine of not more than \$500.00.”



## PROHIBITION OF DISCRIMINATION/HARASSMENT

The Tuscaloosa County Board of Education prohibits discrimination any employee, applicant for employment, student, or student applicant based upon race, color, religion, gender, age, ethnicity, national origin, marital status, disability, political or religious beliefs, or social and family background. This policy also applies to non-employment volunteers who work subject to the control of school authorities. The Board is committed to providing a working environment and an academic environment that is free of unlawful harassment and will seek to utilize available measures to deter such conduct.

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 his/her supervisor, or if the report involved the employee's supervisor, the Superintendent and/or the Assistant Superintendent of Human Resources. An investigation of the allegations will be conducted by a designee of the Superintendent.

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. Any information obtained will be kept confidential to the extent practicable.

### SEXUAL HARASSMENT

"Sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors and other inappropriate verbal, non-verbal or physical conduct of a sexual nature when

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or a student's education;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual;
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or student's educational performance or creating an intimidating, hostile or offensive work or school environment.

### EXAMPLES OF SEXUAL HARASSMENT

Examples of sexual harassment include, but are not limited to, the following:

1. Verbal harassment or abuse of a sexual nature;
2. Subtle pressure for sexual activity;
3. Repeated remarks to a person with sexual or demeaning implications, e.g., a person's body, clothes, or sexual activity;
4. Unwelcome or inappropriate physical contact such as patting, pinching, or unnecessary touching;
5. Suggesting or demanding sexual involvement accompanied by implied or explicit threats;
6. Display of sexually suggestive objects, pictures, or written materials.

Sexual harassment does not include occasional compliments or welcomed interactions of a socially acceptable nature.

### REPORTING INCIDENTS OF SEXUAL HARASSMENT

An individual employee who feels that he/she has been sexually harassed shall report the incident in writing to his/her immediate supervisor (except in cases of harassment involving the supervisor, in which case the complainant shall report to the Assistant Superintendent of Human Resources or other person designated by the Superintendent). Such report shall be made as soon as possible after the incident or, if a series of incidents, as soon as possible after the latest occurrence. The complaint should state the act(s), the date(s), and the name(s) of witnesses and be signed by the complainant. **No employee or student shall be retaliated against for reporting misconduct.** A prompt and thorough investigation will follow. Any suspected child abuse shall be reported in accordance with state law.

## TECHNOLOGY SECURITY AND INTERNET USE

Computers and computing resources are important tools for furthering TCSS's educational mission. The Board's goal in providing these resources to teachers and students is to promote educational excellence by facilitating resource sharing, innovation, and communication. Using these resources is a privilege, not a right.

In general, computer users are responsible for reporting policy violations promptly, cooperating with system administrators when policy violations are suspected or confirmed, and behaving courteously, ethically, and legally on the Internet and in email.

TCSS cannot guarantee the privacy, security, or confidentiality of any information sent or received, via the Internet, email facility, telephone, or otherwise. Users are encouraged to avoid storing personal and/or private information on the system and/or schools' technology resources. **This includes syncing personal iPhones with TCSS-owned devices.** Reasonable efforts will be taken to maintain security of technology resources, but the TCSS cannot ensure that such security will not be breached and cannot assume any liability arising from any such breach of security.

### COPYRIGHT INFRINGEMENT

The Tuscaloosa County School District's computing facilities may not be used to steal content owned or copyrighted by others. Fair use laws regarding copyright apply; in general, a single copy made for a person's use falls within fair use laws, while multiple copies do not.

### DATA STORAGE

It is the responsibility of the employee to back up his/her own crucial data created on his/ her laptop or desktop computers. While the Tuscaloosa County Board of Education does backup servers on a regular basis, there can be no assurance that technology resources will be available within a particular time frame after an outage. There is also no guarantee that information that existed prior to an outage, malfunction, or deletion, can be recovered. For these reasons, users are expected to maintain/back up their own critical data.

### EMAIL

Administrators, teachers, and school employees are expected to check their email at least once each work day and respond within two business days. Remember, this is a professional email address to be used for work related communication. TCSS email accounts may not be used for political activity, personal gain, commercial purposes, or profit.

### PERSONAL DEVICES

The Board reserves the right to place conditions on, restrict, or prohibit the use of personally owned technology resources on its property.

### SECURITY

Employees are expected to follow all local, state, and federal laws and system policy regarding the protection of student and staff confidential data.

Employees/Students are prohibited from sending/storing/saving on external storage, portable devices, and/or online cloud-based hosted storage sites such as but not limited to (Google Docs, Dropbox, etc.) that do not remain on campus or are approved by the Technology Department and/or approved by the Board of Education any classified data such as electronic copies of student or staff personal information, school or system documents. **This includes emailing this information to or from a personal email account or to any non-TCSS email account.** This information includes but is not limited to data containing social security numbers, student identification numbers, information protected by FERPA, and any other sensitive and/or protected information. In the event that this type of information is stored on a portable/external device or cloud-based network and that device is lost or stolen, or if the security of this data is believed to have been breached in any way, the Director of Technology should be notified immediately.

Users may not authorize anyone, including family members, to use a TCSS-account(s) or log in information for any reason. Users are responsible for all activity on accounts assigned to them and must take all reasonable precautions, including password maintenance and file protection measures, to prevent use of their accounts by unauthorized persons. Use of an employee's password by someone other than the employee could allow unauthorized individual's to access secure network resources, which could be in violation of the Family Educational Rights and Privacy Act (FERPA), a federal law that protects the privacy of students.

Employees/Students are prohibited from connecting any type of router, wireless Wi-Fi controller, bridging device or non-approved network switch to the local area or wide area network. Employees/Students are prohibited from establishing any private wireless or cabled local area network without obtaining written permission from the Information Technology Department. Any devices that are discovered will be confiscated by the Technology Department and at the discretion of the Director of Technology may or may not be returned to the personal owner. The system considers these types of devices as a possible security breach.

### **SOFTWARE AND LICENSING**

Software piracy occurs when one installs and/or uses software for which proper payment has not been made. Protected software may not be copied into, from, or by any TCSS facility or system, except by license. Users authorized to install software are expected to consult the TCSS technology staff when considering purchasing or installing software to certify doing so will comply with vendor licensing agreements. Copying software between school and home computers is prohibited.

The Director of Technology is responsible for ensuring that computers are fully compliant with vendor licensing agreements. All school owned software licenses acquired by donations, departmental/grade level purchases, or promotional programs must be registered with the technology department. School system owned software may not be copied to personal computers.

### **SUPERVISION OF STUDENTS USING TECHNOLOGY**

Students using technology must be supervised at all times. This is an active process that may require walking around computers in order to view student screens as much as possible. Teachers must never leave their students unattended if they are utilizing technology.

### **EXAMPLES OF INAPPROPRIATE TECHNOLOGY USE**

This list is not all-inclusive but is intended to provide general guidance. Anything that would be considered inappropriate in "paper form" or "verbal form" is also considered inappropriate in electronic form. Information, such as but not limited to Student Management and Payroll data, accessed through school system technologies may not be used for any private business activity. The following are examples of inappropriate activities when using any TCSS network, email system, hardware, software, technology services, and/or Internet access:

- A. Using another user's password or attempting to discover another user's password.
- B. Sharing passwords.
- C. Opening email attachments or clicking on hyperlinks from email senders of questionable origin.
- D. Trespassing in another user's files, folders, or work.
- E. Saving information on one's personal network drive, email account, or portable device instead of a TCSS teacher-specified or approved digital storage location.
- F. Downloading, installing, or copying unapproved software of any kind onto a computer, laptop, network drive, or other eDevice (except for approved updates or apps).
- G. Harassing, insulting, embarrassing, bullying, or attacking others via technology resources including but not limited to using obscene, racist, profane, discriminatory, threatening, or inflammatory language in a document, email, blog, post, etc.
- H. Damaging/abusing technology resources including but not limited to printers, telephones, computers, computer systems, any eDevice, or computer networks (includes changing

- workstation configurations such as screen savers, backgrounds, printers, BIOS information, preset passwords, etc.).
- I. Intentionally wasting limited resources such as Internet bandwidth, disk space, and printing capacity.
  - J. Accessing inappropriate material stored on resources such as but not limited to digital cameras, flash drives, iPods, online storage, cell phones, websites, etc.
  - K. Accessing inappropriate material from websites or attempting to bypass the Internet filter to access websites that have been blocked (examples: information that is violent, illegal, satanic, sexual, demeaning, racist, inflammatory, and/or categorized as a social networking, blogging, or journaling site, etc.).
  - L. Sending, displaying, or downloading offensive messages or pictures.
  - M. Using a digital camera, camera phone, or any other device capable of storing a still or video image to take inappropriate, harassing, sexual, and/or embarrassing pictures.
  - N. Editing or modifying digital pictures with the intent to embarrass, harass, or bully another.
  - O. Participating in unsupervised or non-instructional on-line chat rooms without the permission/supervision of an adult staff member.
  - P. Posting any false or damaging information about other people, the school system, or other organizations.
  - Q. Broadcasting network messages or participating in sending/perpetuating chain letters.
  - R. Violating copyright laws and end user agreements (this includes streaming video from personal subscriptions, e.g., Netflix or Disney +).
  - S. Plagiarism of materials.
  - T. Use of technology resources to create illegal materials (i.e. counterfeit money, fake identification, etc.).
  - U. Use of any TCSS technology resource is prohibited for personal gain or commercial or political campaign purposes with the exception of mentoring/tutoring services or fundraisers that benefit TCSS students or schools.
  - V. Accessing any website or other resources by falsifying information.
  - W. Downloading or playing games on-line that are not instructional in nature or without the permission of a teacher or Director Technology.
  - X. Streaming video or audio not related to the core instruction or business of the school system.

### **USING SHARED RESOURCES**

Users of TCSS technologies, internet connections, and email have no right to expect privacy with respect to such usage. The Tuscaloosa County Board of Education has the right, but not the duty, to monitor all communications and downloads that pass through its facilities, at its sole discretion, to ensure proper system performance, management and maintenance functions, policy compliance, and system security. The Tuscaloosa County School District owns all data stored on school-owned equipment, including but not limited to data network, computers, mobile storage devices, and all connected peripherals. It is inadvisable to use school-owned computers for conducting sensitive or confidential personal business or storing such data. When monitoring reveals possible Acceptable Use Policy violations, system personnel may provide these data to school and/or district administrators.

Any attempt to deliberately degrade or disrupt system performance or to interfere with the work of others is a breach of this policy. Limits may be set on certain computing resources such as disk storage space, printing access, bandwidth priority for specific applications, computer login time, etc. Users may not attempt to bypass these limitations.

Damage to computers, computer systems, or computer networks (including changing workstation and printer configurations when not authorized, unauthorized streaming, and use of proxies, etc.) is expressly prohibited.

### **GUIDELINES FOR APPROPRIATE ELECTRONIC COMMUNICATIONS**

The purpose of these guidelines is to ensure the proper use of TCSS email and Internet communication systems and to make users aware of what the TCSS deems as acceptable and unacceptable use of its email and Internet communication systems and access to social network media while using system

resources. These guidelines may be revised frequently to address new concerns that arise from our ever-evolving technological world.

**SchoolStatus and TCSS email are the primary means of electronic communication between employees, parents, and students.**

## **Email**

### Legal Risks

Email is a school business or educational communication tool, and users are obliged to use this tool in a responsible, effective, and lawful manner. Although by its nature email seems to be less formal than other written communication, the same laws apply. Any email is discoverable in a due process situation or other legal action. In addition, any email exchanged by a school system employee is public record. Other legal risks of email for TCSS and/or their network users include the following:

- Sending emails with any libelous, defamatory, offensive, racist or obscene remarks;
- Forwarding emails with any libelous, defamatory, offensive, racist or obscene remarks;
- Forwarding confidential information;
- Forwarding or copying messages without permission or implied permission;
- Knowingly sending an attachment that contains a virus that severely affects another network.

By following the guidelines in this document, the email user can minimize the legal risks involved in the use of email. If any user disregards the rules set out in these guidelines, the user will be fully liable, and TCSS will disassociate itself from the user as far as legally possible.

- Do not send or forward emails containing libelous, defamatory, offensive, racist or obscene remarks. If you receive an email containing libelous, defamatory, offensive, racist or obscene remarks, promptly notify your supervisor.
- Use caution if you forward a message without implied permission or without acquiring permission from the sender first, especially if it contains sensitive or personal information.
- Do not forge or attempt to forge email messages.
- Do not send email messages using another person's or a bogus email account.
- Do not copy a message or attachment belonging to another user without the permission or implied permission of the originator.
- Do not disguise or attempt to disguise your identity when sending email.

### **Best Practices**

TCSS considers email as an important means of communication and recognizes the importance of proper email content and of speedy replies in conveying a professional image and in delivering good customer service. The use of email in education, however, is proliferating, and the precise legal issues regarding appropriate use are yet to be determined. We are confident that—

- Any email exchanged by school system employees about individual students is public record.
- Any email pertaining to a particular student is discoverable in a due process situation or other legal action.
- The nature of email lends itself to impulsive, overly informal, and sometimes unprofessional communication.

Therefore, the TCSS urges users to adhere to the following guidelines:

### **Guidance on Email between School Employees and Parents/Guardians**

Examples of generally **appropriate** use of email between school employees and parents/guardians:

- Teachers invite parents to provide email addresses and then send out emails to those addresses reporting on classroom activities, projects, and assignments. These messages are generic and do not refer to specific students.
- Teachers may initiate or respond to email from a parent or guardian about a specific child, exchanging objective not subjective information such as the student's attendance, participation, homework, and performance in class.

Examples of **inappropriate** use of email between school employees and parents/guardians:

- Using email to report on serious problems regarding individual students.

- Using email to discuss confidential and sensitive matters, including:
- Medical/psychiatric/psychological diagnoses and treatments;
- Contents of special education and/or Section 504 evaluations, intervention plans, IEPs, 504 plans, disciplinary matters;
- Family problems and other sensitive family information.
- Using email language that is subjective, judgmental, unprofessional, pejorative, and/or labeling. Examples:
  - “Have you considered that Johnny might have ADHD?”
  - “Overall, I think that Johnny is unmotivated/lazy.”
  - “I don’t think there is anything wrong with Johnny except his negative attitude.”

Email between teachers and parents should be positive and/or general in nature. Discussions involving serious problems and any and all protected information (medical, psychological, psychiatric, Special Education, Section 504, and disciplinary matters) should occur in person or by telephone.

Sometimes, parents may initiate inappropriate email exchanges. For example, a parent might email a teacher that “Johnny is in your American history class and is failing. His father is an alcoholic and we are divorced. Johnny has ADHD and clinical depression. Can you please tell me how he is doing in your class and what I can do to help him?” This type of email should be deleted, and the teacher receiving it should call the parent who sent it. Alternately, the teacher could reply to it, after deleting everything from the body of the email sent by the parent, and then respond with directions about how the teacher can be reached by telephone or in person.

### **Guidance on Email between School Employees Concerning Students**

Examples of generally **appropriate** use of email between school employees:

- Emails that provide positive information, objective comments, and/or neutral information regarding school performance. In other words, conducting straightforward business, staying away from sensitive and confidential areas.

Examples of **inappropriate** use of email between school employees:

Using email to report on serious problems regarding individual students.

Using email to discuss confidential and sensitive matters, including:

- Medical/psychiatric/psychological diagnoses and treatments;
- Contents of special education and/or Section 504 evaluations, intervention plans, IEPs, 504 plans, disciplinary matters;
- Family problems and other sensitive family information.

Using email language that is subjective, judgmental, unprofessional, pejorative, and/or labeling.

Examples:

- “I think Johnny has ADHD.”
- “Overall, I think that Johnny is unmotivated/lazy.”
- “I don’t think there is anything wrong with Johnny except his negative attitude.”
- “I think this child’s problem is his home life.”

Discussions involving severe problems, subjective comments, and any and all protected information (medical, psychological, psychiatric, Special Education, Section 504, and disciplinary matters) should occur in person or by telephone.

General **Best Practices** involving all email are as follows:

### **Writing emails:**

- Use short, descriptive **Subject:** lines. This also includes when scanning and emailing .pdf and other electronic files (“Internet Fax Job” and “Sent from a Xerox Workcenter” are not helpful subject lines).
- Avoid lengthy, detailed email messages. Consider using an attachment for “How To” information, directions, procedures, processes, or similar types of information.

- Avoid unnecessary attachments or large file attachments such as multiple pictures, mini movies, etc. **AVOID USING ALL CAPITALS.**
- If using cc or bcc feature, take steps to inform the cc or bcc recipient of any action expected unless the action is explicit in the email. The bcc option is often used to avoid revealing recipient email addresses to the entire group receiving the email and should be used sparingly – if at all. Remember, the “reply all” feature of an email means “all” – even those who may be bcc’d.
- If you forward emails, state clearly what action you expect the recipient to take.
- Use the spell checker before you send out an email.
- If the content of an email is not of a public nature,
- Consider using another form of communication or
- Protect the information by using a password.
- Only mark emails as important if they really are important.

### Replying to emails:

- Emails should be answered within a timely manner.
- Responses should not reveal confidential information and should be professional.

### Maintenance

- Delete email messages in a timely manner (except for those that are part of a litigation hold situation).
- Print email messages required for documentation.
- Avoid responding to requests in emails that could be “phishing” attempts.
- Avoid opening attachments that are suspicious or mass forwarding virus hoaxes.
- Check with the technology staff when in doubt of the suspicious nature of emails.

### Electronic Social Networking, Instant Messaging including Texting

Electronic social networking and/or instant messaging such as but not limited to Twitter, IM, or texting, among staff and students is a particularly sensitive matter in a time when growing numbers of school employees maintain social networking accounts, email extensively in their personal lives, and are accustomed to using instant messaging services. **Employees should only use TCSS-authorized platforms for communication with students and parents.** This will maintain a record of the communication in the event of a dispute. In addition, should there ever be a legal matter related to your electronic communications, providing a record of those communications becomes a much simpler matter for you. Finally, using TCSS-authorized platforms for communicating with students and parents allows you more control over your work-life boundaries.

If you use social media, remember that your postings, even if personal in nature, reflect on you as an educator. When you post on social media, remember that what may seem like a silly, witty, slightly sarcastic post at the end of a tough day may be interpreted as if you do not like your students and/or your job. The vast majority of concerns about teachers on social media are reported by parents and almost always concern either these sort of “teacher bad day” – type posts or posts concerning sensitive personal information related to an educator’s emotional or mental health and well-being. Adjust your privacy settings (or your posts) accordingly.

Below are some typical situations on which employees might need guidance.

*Q: Is it ok for me to initiate electronic communications with a student?*

A: If a teacher initiates overly personal contact with students outside of school, whether in person or electronically, he/she may create an impression of an unhealthy interest in students’ personal lives and may leave himself/herself open to an accusation of inappropriate conduct; therefore, caution should be exercised in this type of communication.

*Q: Is it ok for me to share my personal cell phone number or personal email address with students?*

A: Again, this may leave an educator open to an accusation of inappropriate conduct. Best practice is not to provide students with your personal cell phone number or personal email addresses. If you sponsor

or coach an extracurricular activity, you may need to do so, but share that you are to be only contacted on your personal device if there is an emergency. Avoid texting/messaging individual students.

*Q: What if I receive an email or other electronic message such as a text from a student?*

A: This very much depends on the nature of the communication received. Texting, instant messaging, or “chat”-type communication with students for purposes other than school related communications is strongly discouraged. If a communication is received that appears to be a social greeting, an employee might do best just to acknowledge it in an appropriate way at school. A very brief acknowledging electronic response might be appropriate in some circumstances. However, it is perfectly OK not to respond. If an employee chooses not to respond, making an effort to greet the student cheerfully at school might be appropriate.

If a student sends a message with disturbing content, an employee should discuss this with his/her administrator or supervisor, including a school counselor in the discussion as needed. If a student sends a message that appears to suggest an emergency, (an allegation of abuse or a student sharing suicidal thoughts or plans) try to contact an administrator or supervisor at once.

*Q: What about Facebook accounts or other social networking sites? Should I respond to an invitation to become a student’s “Friend”?*

A: We recommend that employees not engage in online social networking with students unless the site is used for school information or academic reasons only. This would only be an issue, of course, if an employee chooses to maintain a Facebook or similar account. If an employee does so, we recommend that he/she be extremely cautious about the content of profiles and pages. If an employee is strictly using a social networking site for school related topics and stays away from personal content, then these sites should be treated much like any other educational blog. However, the use of comments, “writing on walls,” and so on would be likely to lead to major problems if an approval process is not in place before posting. Employees may find that it is easier to simply tell students that they have a policy not to accept students as “friends.”



## GRIEVANCES

The TCSS is committed to the task of maintaining the highest possible level of professional relations among members of the staff of the school system and of maintaining good morale among employees. Grievances and problems which may arise from time to time should be resolved at the lowest possible level that provides equitable and satisfactory solutions. The goal is to encourage the best possible relations among employees and to enhance morale. Persons who become concerned with grievance matters are urged to work together constructively in a sincere effort to resolve their disagreements. Whenever a TCSS employee believes that he/she has a complaint, every effort is to be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, employees can resort to the more formal procedures as provided in the Tuscaloosa County Board's Policy Manual. ***Please note that grievances cannot be filed against a person, but can only be filed when there is a question of application of policy, procedure, or a complaint of harassment or discrimination.***

Before taking grievances to a higher level, employees shall be encouraged to discuss them with their immediate supervisors. 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.

The policy requires that the grievance be filed with the immediate supervisor, but there are instances when it is appropriate to file a grievance at the supervisory level that can grant the proposed resolution.

Employees unfamiliar with the grievance process may contact the Human Resources office to request guidance concerning 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 entire grievance policy is found in the Tuscaloosa County Board's Policy Manual, but a brief explanation of grievance resolution is as follows:

Step 1 is an informal discussion. If an employee believes there is a basis for complaint, he/she shall discuss the complaint with his/her immediate supervisor (except in cases of discrimination or harassment involving the supervisor, in which case the complainant shall report to the Senior Director of Human Resources or other person designated by the Superintendent) within five (5) days of the occurrence of the alleged violation (30 days are allowed in cases involving harassment or discrimination).

Step 2 is a Level One Procedure. If the complainant is not satisfied with the informal resolution, he/she may, within ten (10) days of the informal discussion, file a formal complaint in writing and deliver it to his/her immediate supervisor or alternate. The supervisor or alternate shall communicate his/her answer in writing to the complainant. Class complaints involving more than one (1) supervisor and complaints involving an administrator above the building level may be filed by the complainant at level two.

Step 3 is a Level Two Procedure. If the complainant is not satisfied with the resolution at level one, he/she may, within ten (10) days of the answer, file a copy of the complaint with the Superintendent. The

Superintendent shall indicate his/her disposition in writing to the complainant.

Step 4 is a Board Appeal. If the complainant is not satisfied with the resolution by the Superintendent, he/she shall have the right to appeal the Superintendent's decision to the Tuscaloosa County Board of Education, provided request for placement on the Board agenda is filed within ten (10) days of the board meeting.