

G. Personnel

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FILE: GAAA

EQUAL OPPORTUNITY EMPLOYMENT

It is the policy of the Board that no person in this district shall, on the basis of race, sex, religion, belief, national origin, age, disability, ethnicity, sexual orientation, gender identity, and/or any personal characteristic(s), or an affiliation with the Boy Scouts of America, be denied the benefits of, or be subject to discrimination in any education program or activity. This includes employment, retention, and promotion.

A grievance may be filed when an employee believes that board policy or law has been misapplied, misinterpreted or violated. To file a grievance, an employee must provide the following information to the Superintendent in writing within 30 days after discovery of the facts giving rise to the grievance:

- The name of the school district employee whose decision or action is at issue
- The specific decisions(s) or actions
- Any board policy or law that an employee believes has been misapplied, misinterpreted or violated
- The specific resolution desired
- Upon receiving the grievance, the Superintendent will:
 - Schedule a meeting with the employee within 10 school days of the request
 - Conduct an investigation of the facts necessary before rendering a decision
 - Provide a written response to the grievance within 10 days of the meeting

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: July, 1982, December 12, 2017, April 18, 2018

LEGAL REF.:Civil Rights Act, 1964, as amended; Title IX, Education Amendment, 1972.

FILE: GAE

GRIEVANCES

The Board is committed to the task of maintaining the highest possible level of professional relations among members of the staff of the school district 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 may become concerned in grievance matters are urged to work together constructively in a sincere effort to resolve their disagreements.

Definitions:

- A. **Grievance** - A "grievance" is a complaint by an employee based upon an alleged violation, misinterpretation, or inequitable application of any published policy, rule, or regulation of the school system. The term "grievance" should not apply to any matter in which the method of review is prescribed by law. "Grievances" are objections to a specific act or condition. Dismissals, terminations, transfers, and any other procedures already established by law, as well as performance appraisals, including assessments, observations, and evaluations, are not subject to the grievance procedures herein described.
- B. **Employee** - The term "employee" is considered to apply to anyone employed on a full-time or part-time basis by the Board, with the exception of the Superintendent.
- C. **Supervisor** - This term refers to that individual assigned to direct the work efforts of a person or group of persons within an organizational element and who has both the authority over and responsibility for management in respect to the functions of a defined organizational element. In a school, the principal would be the supervisor unless the job description states otherwise.
- D. **Organizational Element** - The term "organizational element" is any identifiable segment of the system that is clearly under the supervision of a single individual. (This would include a school, a center, and any support function.)
- E. **Representative** - The term "representative" refers to any person chosen, if desired, by the aggrieved party to serve as the liaison with supervisor.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, September 15, 1998, January 18, 2005,
April 17, 2012

LEGAL REF.: Code of Alabama, § 16-11-9, 16-12-3C

FILE: GAE

DISABILITIES

The Americans with Disabilities Act of 1990 (ADA) provides that "no qualified individual with a disability shall, by reason of such disability, be excluded from

participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”

The Superintendent shall designate an ADA specialist who shall be responsible for coordinating the Board’s efforts to comply with and carry out its responsibilities under the ADA, including any investigation of complaints.

Any student, employee, applicant for employment, or patron of the Board who believes that he/she has been discriminated against on the basis of disability in violation of the ADA, may file a written complaint with the ADA specialist. The complaint must be filed in writing and contain the name and address of the person filing the complaint and a description of the alleged violation. The complaint must be filed within ten (10) working days of the alleged violation. The ADA specialist shall conduct an investigation into the alleged violation and mail a written response to the allegation within ten (10) working days after receipt of the written complaint. Any appeal of the ADA specialist’s response must be made within ten (10) working days of receipt of the response. The appeal must be in writing and state the particular portions of the response with which the complainant disagrees. The Board shall consider the appeal at its next regularly scheduled meeting or at a special called meeting following receipt of the appeal provided it is received by the Secretary of the Board at least three (3) working days prior to said meeting and shall provide the complainant with its written decision in the matter as expeditiously as possible following completion of the hearing.

The ADA specialist shall maintain all files and records of the Board relating to complaints filed pursuant to this policy.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, September 15, 1998, January 18, 2005

LEGAL REF.: Code of Alabama, § 16-11-9, 16-12-3C

FILE: GAEB

TITLE IX GRIEVANCES

Any employee of the Homewood City Schools who believes he or she has been discriminated against, denied a benefit, or excluded from participation in any of the school system’s education programs or activities on the basis of sex, may file a written complaint with the Title IX Coordinator. The Coordinator shall conduct a review of the written complaint and mail a written response to the complainant within ten (10) school days after the receipt of the written complaint. A copy of the written complaint and the Title IX Coordinator’s response shall be provided to the Superintendent. If the complainant is not satisfied with such response, he or she may submit a written appeal to the Superintendent indicating the nature of disagreement with the response and his or her reasons for such disagreement. The Superintendent shall mail a written response to the complainant within ten (10) school days after the receipt of the written appeal. If complainant is not satisfied with such response, he or she may submit a written appeal to

the Board indicating the nature of disagreement with the response and his or her reasons for such disagreement.

The Board shall consider the appeal at its next regularly scheduled meeting or at a special called meeting following receipt of the appeal provided it is received by the Secretary of the Board at least three (3) working days prior to said meeting. The Board shall permit the complainant to address the Board in public or closed session, as appropriate, concerning his or her complaint, and shall provide the complainant with its written decision in the matter as expeditiously as possible following completion of the hearing.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, January 18, 2005

LEGAL REF.: Title IX, Education Amendments, 1972

FILE: GAEC

SEXUAL HARASSMENT

General

It is the policy of the board that sexual harassment of employees or students by employees or other students is unlawful behavior and will not be permitted. The Board is committed to providing a working environment that is free of unlawful sexual harassment and will seek to utilize available measures to deter such conduct.

Sexual Harassment Defined

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

1. submission to such conduct is made either explicitly or implicitly, a term or condition of the individual's employment;
2. submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual;
3. such conduct has the purpose or effect of substantially interfering with the individual's performance or creating a hostile or offensive working environment.

Examples of Sexual Harassment

Examples of sexual harassment include, but are not limited to, continued or repeated offensive sexual flirtations; advances or propositions; continued or repeated verbal remarks about an individual's body; sexually degrading words used toward an individual or to describe objects or pictures.

Designation of Reporting Officer

The Board hereby directs the Superintendent to appoint annually, prior to the beginning of the school year, an administrative employee to serve as the reporting officer for all complaints of sexual harassment involving employees of the Board and students. Written notice by the Superintendent of the name and manner in which any complaint may be reported to such officer

will be publicized.

Harassment by or to Students

Harassment of any employee or student by another student is expressly prohibited and will be handled in accordance with the provisions of the Code of Student Conduct. Sexual harassment by an employee toward a student shall be treated in the same manner as employee to employee harassment.

Reporting Incidents of Sexual Harassment

An employee who feels that he/she has been sexually harassed should report the incident to the Superintendent and the designated reporting officer. 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 employee should file the report no later than forty five (45) calendar days following the incident or the latest occurrence in the series of such incidents. The complaint may be made to the designated reporting officer in person or in writing signed by the complainant and delivered to the reporting officer. If such report is first made verbally then it will be the responsibility of the complainant to reduce the same to writing and to sign the written complaint. The reporting officer shall forthwith commence an investigation of such written complaint.

Complaint Resolution Procedure

Upon completing an investigation of the complaint, the designated reporting officer shall report to the Superintendent the results of the investigation of the complaint. Such report shall be in writing and a copy thereof shall be provided both the complainant and the charged employee. The Superintendent shall there upon meet with the complainant and the charged employee, together with the designated reporting officer, and make every effort to resolve such complaint to the satisfaction of both parties. If such complaint cannot be resolved at this level, the Superintendent shall report the same to the Board and, if in his/her discretion it is warranted, he/she may recommend that a hearing be held by the Board in accordance with the laws and statutes applicable to the charged employee's contract status.

Students who believe that they have been sexually harassed should report the incident(s) to a teacher, counselor, or administrator immediately. If a student believes that he/she has been harassed by a teacher, counselor, administrator, or other employee, a report to that employee's immediate supervisor should be filed immediately.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED:

LEGAL REF.: Code of Alabama, §16-11-17; 16-24-9; Civil Rights Act of 1964, Title VII;
EEOC Guidelines

FILE: GAG

CONFLICT OF INTEREST

Employees shall not engage in any employment that would affect their usefulness in the system; i.e., time and energy demands that could cause one to be less effective in

performing contractual duties. Outside employment should not cause one to compromise or embarrass the school system and should not affect adversely employment or professional status. At no time shall an employee be in conflict with professional ethics.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED:

LEGAL REF.: N/A

FILE: GAI

SOLICITATIONS

Staff members shall not solicit or sell any goods or services on school property without approval by the local school principal and the Superintendent.

All fundraising campaigns conducted by school employees in the community or away from school premises to obtain funds for the school, student body, class or club must have prior approval by the principal. Such fundraising campaigns shall not be conducted during regular school hours.

Staff members shall not sell school related supplies and/or equipment or reference books in the attendance area served by the school district during the school year.

Staff members shall not furnish or sell lists of students, parents, or employees to any commercial firm without written permission from the Superintendent. Lists of names of high school seniors may be afforded groups for career recruitment purposes or for the purpose of voter or selective service registration.

No teacher shall use his or her position in the district to influence parents or pupils of the district to purchase books or other merchandise, except for materials approved by the Superintendent's office for use in the classroom.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED:

LEGAL REF.: N/A

FILE: GAK

PERSONNEL RECORDS

The school system shall maintain personnel records on all employees. It shall be the responsibility of the employee to determine that said records are updated and complete.

All information contained in an employee's records shall be considered confidential and shall not be transmitted to other persons or agencies without written approval by said employee, or as subpoenaed by legal authority.

It shall be the duty of employees to furnish the personnel office with teaching certificates, health examination reports, transcripts, official statements of degrees and similar data.

Official personnel records are housed at the Central Office. Documents in personnel records are in accordance with prevailing legal requirements.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, April 17, 2012

LEGAL REF.: Education Rights and Privacy Act of 1974; Code of Alabama, §16-12-3, §36-36-12-40, The Open Records Act (ORA)

FILE: GAMA

POLITICAL ACTIVITY

School district personnel may participate in national, city, county, or state political activities to the same extent as any other citizen, including the endorsement of candidates and contributions to political campaigns, provided such activities are conducted away from school property. In addition, employees of the school district shall have the same rights as any citizen to publicly support issues and circulate petitions.

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

School district personnel engaging in political activity shall make it clear that their statements and actions are theirs as individuals and that they in no manner represent the views of the district. No partisan political activity shall be permitted at any time during regular school hours. Under no circumstances shall personnel use classrooms, facilities, materials, equipment, or other district property to espouse partisan politics.

Political material may be distributed in individual mail boxes; however, school personnel shall not handle such material.

Political signs are prohibited on school property.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED:

LEGAL REF.: Code of Alabama, §17-1-7, Attorney General's Op., July 24, 1978

FILE: GAMB

POSSESSION OF FIREARMS AND WEAPONS

No employee shall be permitted to have a firearm or other deadly weapon or dangerous instruments on his/her person or in a private vehicle while on school property. Violators shall be subject to action of the Board and/or law enforcement officials. Personnel who violate this policy

shall be subject to reprimand, dismissal and/or prosecution by the Board and/or law enforcement officials.

Parents and other persons, with the exception of on-duty law enforcement officials are hereby prohibited from bringing firearms or other deadly weapons or dangerous instruments on school property. Violators shall be subject to prosecution in the name of the Board.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, January 15, 2019

LEGAL REF.: Code of Alabama, §16-1-24.1; 16-1-30; §1702, Gun-Free School Zone Act of 1990, 18 U.S. Code, 921.

FILE: GAMC

DRUG-FREE WORKPLACE

It is the policy of the Homewood Board of Education that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance (as defined by 21 U.S.C. §812) or alcohol in the Board's workplace is prohibited. Any employee on school premises or as a part of school activities or school sanctioned activities who unlawfully manufactures, distributes, dispenses, possesses, or uses or who is under the influence of drugs or other controlled substances, for which the employee has no prescription from a duly licensed physician, is subject to disciplinary action up to termination or cancellation of contract. No employee, who is impaired by any illegal drug or by alcohol, will report for work, will work, or be present in the workplace. Employees who are so impaired or who possess, use or distribute illegal drugs or alcohol in the workplace are subject to the disciplinary procedures of the Board, including termination of employment and referral for prosecution.

"Workplace" means any vehicle, office, building, classroom, or property (including parking lots) owned or operated by the Board or any other site at which an employee is to perform work for the employer. An "employee" of the Board is any individual receiving remuneration for services rendered. "Possess" means to be contained either on an employee's person or in an employee's motor vehicle, tools, or areas entrusted to the control of the employee. "Impaired" means under the influence of an illegal drug or of alcohol such that the employee is unable to perform his/her assigned tasks properly.

"Designated employee" shall include employees subject to the provisions of 49 C.F.R. Part 40 of the Omnibus Transportation Employee Testing Act of 1991. Designated employees shall include those persons applying for or holding positions requiring a commercial drivers' license and/or safety sensitive transportation related and maintenance positions.

Any employee with information of the possession, use or distribution of illicit drugs or alcohol on school premises or as part of any school or school sanctioned activity is required to report such information to the principal, Superintendent, or other appropriate school authority.

The immediate supervisor is to be notified by the employee of any criminal drug or alcohol statute conviction (including driving under the influence of alcohol or drugs - DUI) within five (5) days of the conviction. Upon learning of such conviction, each supervisor shall immediately notify the Superintendent of a drug or alcohol statute conviction of any employee.

Any employee who violates this prohibition will be

1. required to participate satisfactorily in an approved drug abuse assistance or rehabilitation program and/or
2. subject to appropriate personnel action, which may include but is not limited to reprimand, suspension with or without pay, and/or termination.

It is the policy of the Board to maintain a drug-free awareness program to inform employees about the danger of drug abuse in the workplace and make available information pertaining to drug counseling, rehabilitation, and employee assistance programs.

All employees will receive a copy of the Drug-Free Workplace Policy and one shall be posted, in a prominent place, in each building owned or operated by the Board. This policy applies to all employees as a condition of employment, and all must abide by the terms of this policy.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, January 15, 2019

HISTORY: Adopted as GBRBB October 20, 1992; Amended December 19, 1995

LEGAL REF.: Drug Free Workplace Act of 1988, 34 CRF Part 85, Subpart F;
Code of Alabama, §16-1-14, 16-1-24.1.

FILE: GAMD

DRUG AND ALCOHOL PROGRAM

The Board recognizes that its employees are some of its greatest assets. Employees are the key to the Board's goal of providing the best possible education program for its students. To achieve the goal, and to maximize the skills and talents of employees, it is important that every employee of the school system understand the dangers of drug and alcohol abuse and be aware of state and federal requirements concerning substance abuse. The purpose of this policy statement is to clarify the Board's position on employee drug and alcohol use. This policy and related procedures should not be construed as contractual in nature.

Policy Objectives

1. To meet the requirements of 49 C.F.R. Part 40 of the Omnibus Transportation Employee Testing Act of 1991.
2. To create and maintain a safe, drug-free working environment for all employees.
3. To encourage any employee with a dependence on alcohol or other drugs to seek help in overcoming the problem.
4. To reduce problems of absenteeism, tardiness, carelessness and other unsatisfactory matters related to job performance.

5. To reduce the likelihood of incidents of accidental personal injury and damage to people or property.
6. To reduce the likelihood that school property will be used for illicit drug activities.
7. To protect the reputation of the school system and its employees within the community.

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

The Board requires that all employees report to work without any alcohol or illegal or mind-altering substances in their systems. No employee shall report to work or remain on duty which requires the operation of a motor vehicle or other hazardous equipment or functioning in a hazardous environment when the employee is using any controlled substance, unless an attending physician has advised the employee that the substance does not adversely affect the employee's ability to perform any job-related duties in a safe manner. No employee may use alcohol while on duty. No employee may perform any job-related duties within four hours after using alcohol. Further, after hours use of a substance which adversely affects an employee's job performance or the school system's relationship with others or which reflects negatively on the school system is prohibited.

Employees shall inform their supervisor when they are legitimately taking medication which may adversely affect their ability to perform their respective duties, in order to avoid creating safety problems or violation of this policy.

The school system also prohibits employees using, possessing, manufacturing, distributing or making arrangements to distribute illegal drugs while at work or on Board property.

Enforcement

In order to enforce these rules, the school system reserves the right to require all designated employees ("Designated employee" shall include employees subject to the provisions of 49 C.F.R. Part 40 of the Omnibus Transportation Employee Testing Act of 1991; Designated employees shall include those persons applying for or holding a position requiring a commercial drivers' license and/or safety sensitive transportation related and maintenance positions.) to undergo, at any time an employee is on duty or at any time an employee may normally be called to be on duty, appropriate testing for the purpose of determining the absence or presence of prohibited substances. The Board shall develop, implement and enforce a drug and alcohol policy for its employees as a condition of compliance with the Omnibus Transportation Employee Testing Act of 1991.

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

The Board reserves the right to search desks, cabinets, tool boxes, vehicles, including personal vehicles brought on to school system property, bags, or any other property at the school or in vehicles when it has reasonable cause to believe an employee has violated this policy.

Violation of these rules, including testing positive, will subject the employee to appropriate disciplinary measures, including possible termination. Refusal to cooperate with the Board in any test investigation shall result in appropriate disciplinary measures, including possible termination under applicable state and federal law.

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

Any questions should be directed to the Superintendent or Assistant Superintendent.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED:

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

File: GAME DRUGS, ALCOHOL AND TOBACCO

Smoking/Tobacco Use Policy

The Homewood City Board of Education recognized the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, and desires to provide a healthy environment for students and staff.

The Board prohibits the use of tobacco products any time in district-owned or leased building, on district property and in district vehicles.

For purposes of this policy, tobacco is defined to include, but not limited to cigarettes, cigars, pipes and any other smoking product or substance delivery devices, and spit tobacco (smokeless, drip, chew and or snuff) in any form.

This prohibition applies to all employees, students and visitors at any instructional program, activity or athletic event.

This policy also applies to all organizations permitted to use school property. Violation of this policy may result in revocation of the use permit.

Alcohol, Drugs and Other Substances

The Board recognizes that the misuse of drugs and alcohol may impair health and undermine the learning environment. Therefore, consumption, sharing, distribution and/or selling, use and/or possession of alcohol, illegal drugs, or inappropriate use of prescription and/or over-the-counter drugs are prohibited at any school-sponsored event or on school/Board property or district vehicles at any time. This policy applies to the use or possession of drug paraphernalia, equipment, such as but not limited to pipes, bongs, syringes, and substance delivery products. The use or possession of electronic cigarettes and substance delivery products is prohibited.

Prohibition of Tobacco, Alcohol or Drug Advertising

Tobacco, alcohol and drug promotional items (e.g. brand names, logos and other identifiers) or products banned by this policy are prohibited:

- A. on school grounds
- B. in district vehicles
- C. at school-sponsored events
- D. in school publications
- E. on clothing, shoes, accessories, gear and school supplies

The prohibition set forth in this policy regarding tobacco, alcohol or drugs shall apply to students, employees of the Board and to visitors or other persons on the property or vehicles of the Board. The policy shall apply to students and employees at school-sponsored events.

The prohibition and disciplinary sanctions regarding students as set forth in the Code of Student Conduct are extensions of this policy and are not limited by its scope. Employees in violation of this policy will be subject to disciplinary action, up to and including termination.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, January 16, 2001; July 15, 2014

LEGAL REF: Code of Alabama, § 16-1-30; § 16-1-24.1; Alabama Administrative Code, 290-030-010-06, Regulations Governing Public, Non-Public Accredited and Non-accredited Schools

FILE: GBD

EMPLOYMENT

Candidates for positions shall submit applications to the Board. A personal interview is required for employment. A record of the names of all applicants and other pertinent data, including written references relative to them, shall be available for inspection by Board members at all times. All applications for employment shall be kept active for one year and may be extended upon the request of the applicant.

The applicants deemed best qualified for employment based solely upon merit without regard to any form of external pressure, shall be selected. All employees will be hired in accordance with all local, state, and federal rules and regulations, including appropriate background checks. It is the legal responsibility of the Superintendent to make written recommendations to the Board for the employment, promotion, demotion and termination of all personnel. The Board is responsible for making all final hiring and termination decisions for permanent contract personnel, and no hiring decision is official, final, or effective unless and until it is approved by a vote of the Board.

Certified personnel shall hold a valid certificate issued by the Alabama State Department of Education. Classified personnel are those employees who hold positions not requiring teacher certification.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, January 16, 2001, December 13, 2011

LEGAL REF.: Code of Alabama, §16-12-16, §16-12-19, §16-24-2, §16-24C-1, et seq.

FILE: GBDA

NEPOTISM

Employment decisions and relationships that violate any provision of Alabama law, including state ethics and nepotism laws, are prohibited. The Superintendent is authorized to take action to identify and correct violations of the policy in a manner consistent with applicable law.

Board members, administrators, or supervisors may not use their positions to directly or indirectly seek or secure the employment of any family member as defined in the Alabama Ethics Law.

ADOPTED: Homewood City Board of Education, July 25, 2023

AMENDED:

LEGAL REF.: Code of Alabama, § 16-24C-9

FILE: GBI

EVALUATION

The Superintendent shall establish and maintain a continuous program for the evaluation of the performance of all personnel of the school system.

Each employee shall be afforded an opportunity to review the results of their evaluation. The employee will be provided an opportunity to submit a written response to each evaluation within ten (10) school days after evaluation conference and that response shall be included with the employee's evaluation document.

ADOPTED: Homewood City Board of Education, January 20, 1998
AMENDED: Homewood City Board of Education, December 13, 2011
LEGAL REF.: Code of Alabama, §16-1-30, 36-26-100 to 108

FILE: GBJ NOTICE OF PERSONNEL VACANCY

Announcements of the proposed position(s) shall be posted in accordance with state laws and regulations. The notice shall include:

1. Job description
2. Qualifications
3. Salary schedule
4. Application information
5. Any deadlines for applying.

ADOPTED: Homewood City Board of Education, January 20, 1998
AMENDED: Homewood City Board of Education, January 18, 2005, January 15, 2019
LEGAL REF.: Code of Alabama, § 16-22-15

FILE: GBK SUSPENSION/TERMINATION

The Board may suspend or terminate any person in its employment for various reasons, included but not limited to the following:

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

Termination

Termination of an employment contract with any non-probationary classified/certified tenured employee, may be initiated for any of the above listed reasons, but may not be made for political or personal reasons.

Suspension of Duties

Such suspension shall be in accordance with Students First Act.

All employees whose duties require twenty (20) or more hours during a normal work week may be covered under and subject to the Students First Act. The Board shall adhere to the provisions of the Act and other applicable law.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, July 22, 2002, December 13, 2011

LEGAL REF.: Code of Alabama, §16-24-8, §16-11-17, §16-12-16, §16-12-19, §16-24-9, §16-24C-1, et seq.

FILE: GBKA ADMINISTRATIVE LEAVE

The Superintendent is authorized to place an employee on administrative leave upon a determination that the best interests of the school system would be served by such action. Administrative leave relieves the employee of regular work responsibilities pending resolution of the matters or circumstances that gave rise to the leave. Administrative leave is not disciplinary in nature or purpose and does not affect the employee's compensation, benefits, tenure, or non-probationary status. Administrative leave may be accompanied by such additional restrictions or conditions as may reasonably be imposed by the Superintendent under the circumstances (e.g., limitation on access to school property). The status of employees who are on administrative leave will be reviewed and reported to the Board periodically or as otherwise may be directed by the Board.

ADOPTED: Homewood City Board of Education, July 25, 2023

AMENDED:

LEGAL REF.: Code of Alabama, § 16-24C-C

FILE: GBM REASSIGNMENT AND TRANSFER

Upon the recommendation of the Superintendent the Board may initiate reassignment or a transfer to any employee in accordance with and subject to The Students First Act.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, January 18, 2005, December 13, 2011

LEGAL REF.: Code of Alabama, §16-12-16, 16-24-5 to 7, §16-25B-7, §16-24C-1, et seq.

FILE: GBNA REDUCTION IN FORCE **Certified Personnel**

A. The Board, upon the recommendation of the Superintendent, hereby retains the sole and exclusive prerogative to eliminate certified staff positions consistent with the provisions of state statutes and this policy. Elimination of certified staff may result from the following reasons: decreases in student enrollment, decline in subject or grade level enrollment, changes in curriculum, or financial exigency, consolidation or reorganization of schools. Reduction in force shall be non-punitive and non-discriminatory.

B. Definitions:

1. The term "days" shall not include Saturday, Sunday, and holidays.
2. The term "teachers" is as defined by state statutes.
3. The term "seniority" shall be determined by date of Board approval for employment.

C. Prior to commencing action to terminate teacher contracts under this procedure, the Board of Education will attempt to affect the reduction in staff by:

1. Voluntary retirements
2. Voluntary resignations
3. Voluntary leaves of absence
4. Reassignments
5. Voluntary transfers
6. Administration-initiated transfer of existing staff members

D. If a teacher has attained tenured status, his or her contract may be terminated due to elimination of the position to which the teacher was appointed if no other position exists to which the employee may be appointed, if certified and qualified. No tenured teacher shall be terminated when a position exists which is either vacant or occupied by a non-tenured teacher and for which the tenured teacher is qualified and certified, or immediately certifiable.

E. In making staff reduction decisions affecting tenured teachers, the Board will consider all relevant criteria, but will place major emphasis upon the following:

1. Qualification to teach particular subjects, as determined by certification, teaching experience, and educational background.
2. Years of teaching service in the school system and teaching performance.
3. Total length of service in education.

No provision of this policy shall prevent the Board from fulfilling the desegregation requirements as set forth by court orders and/or legislation.

F. Recall provisions apply only to tenured teachers. The name of a tenured teacher who has been terminated shall be placed on a recall list for one year. Any teacher desiring to be placed on the recall list for an additional year should apply, in writing, by registered mail on or before July 1. Any teacher who for any reason wishes to be

removed from the recall list should notify the Superintendent by letter.

G. No one shall be employed to fill a position for which an employee on the recall list is qualified and certified or immediately certifiable. In cases where more than one such employee is available, he/she shall be given preference according to "E" above.

H. Any teacher on the recall list shall receive by registered letter (RRR) a written offer of reappointment at least fifteen (15) days prior to the date of reemployment. The teacher shall accept or reject the appointment in writing by registered letter (RRR) within one calendar week of receipt of the offer, or the offer shall be deemed rejected. A teacher may refuse to accept an offered assignment and remain on the recall list.

I. No employee who has been terminated shall be entitled to payment or accrual of any compensation or fringe benefits, whether or not he/she remains on the recall list. However, an employee who is reappointed shall be entitled to reinstatement of any benefits earned or accrued at the time of termination, and further accrual of salary increments and fringe benefits shall resume from the point of cessation. No years of layoff will be credited as years of service for compensation or retirement purposes.

J. It is understood that termination of employment is subject to administrative appeal in the manner set forth in the relevant statutes.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, December 13, 2011

LEGAL REF.: Code of Alabama, §16-24-8, §16-1-30. §16-24C-1, et seq.

FILE: GBNAA

REDUCTION IN FORCE

Classified Personnel

In the event of declining enrollments, decreases in revenues, changes in the curriculum, consolidation, or reorganization or other just causes as approved by the Board, a reduction in staff may occur. Normal attrition, voluntary retirements, and voluntary leaves of absences shall be considered prior to any staff reduction.

- A. Support workers will be categorized by work areas as identified in the school district salary schedule.
- B. Following the identification of work areas, a recommendation of the number of support staff to be reduced from each area will be made by the Superintendent. The Superintendent will further recommend persons within each area to be reduced in force based on a rank order of employment within each area according to continuous service time with the school district. The staff members with the least amount of time in each work area will be the first to be released, except in cases of previous transfers.

(Example, employee A works ten (10) years as an instructional assistant and transfers to school secretary where he/she works one (1) year. His/her total years would be eleven (11) if all are consecutive in the school district.) If two staff members have identical work experience in the school district, the employee's job evaluations, formal education, and total years of related work experience will be factors used to make a determination. Work experience will be calculated beginning the first day of work, not of approval for work.

- C. Recall provisions apply only to non-probationary employees. The names of non-probationary personnel subject to reduction in force shall be placed in an employment pool and be given the opportunity, in reverse order, to fill the first comparable employment vacancy for which they are qualified. The name of a non-probationary employee who has been terminated shall be placed on the recall list for one year. Any employee desiring to be placed on the recall list for an additional year should apply in writing by registered mail on or before July 1. Any employee who for any reason wishes to be removed from the recall list should notify the Superintendent by letter.
- D. Should any employee who has been subject to this policy fail to accept a recall within five (5) days of notification, he/she forfeits all rights to reemployment.
- E. Reduction in force for any employee constitutes termination of employment and all benefits provided by the school district cease on the effective termination date.

ADOPTED: Homewood City Board of Education, January 20, 1998 (as GCNA)

AMENDED: Homewood City Board of Education, December 13, 2011 (replace GCNA)

LEGAL REF.: Code of Alabama, § 36-26-101 thru 104, 36-26-107, §16-1-30, §16-24C-1, et seq.

FILE: GBO SALARY SCHEDULES AND CONTRACT WORK DAYS
(see also **DJCA**)

The Homewood City Board of Education will establish a required number of contracted days to be worked annually for all employees within the system. Distinctions are made based on job specifications.

In order for an employee to be awarded a new step on the salary schedule for the upcoming year the following criteria must be met:

1. Any new staff member must be employed by February 1st of a school year to earn a step increase
2. Any employee who is in pay status at least 51% of their contracted days will earn a step increase

- a. All employees should be board-approved before their leave of absence. Should the length of this absence result in days where the employee is not in pay status (due to insufficient sick day balance), those days would be subtracted from their total number of required days to work for the school year, and therefore possibly not qualify for a step increase for the upcoming year.
- b. Any employee who takes a year-long leave of absence (and will not be in pay status) will not earn a step increase for the upcoming year, but will resume, upon their return, with the salary schedule for which they were approved at the prior May Annual Board Meeting.

ADOPTED: Homewood City Board of Education, July 26, 2022

AMENDED:

LEGAL REF.: Code of Alabama § 16-1-30

FILE: GBRA

HEALTH EXAMINATIONS

The Board reserves the right to require employees of the school district, at any time and at the Board's expense, to submit to a physical or mental examination by a physician(s) to be designated, or approved, by the Board. In all cases, such requirement by the Board shall be based on reasonable cause. The Board may terminate the employment of any person whose condition of health as determined by such examination makes further retention of such employee detrimental to the best interest of the school district. Refusal to submit to such examinations may constitute grounds for dismissal.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, December 13, 2011

LEGAL REF.: Code of Alabama, § 16-22-3

FILE: GBRAA

COMMUNICABLE DISEASES

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

Due Process of Staff Members

When reliable evidence or information from a qualified source confirms that a known staff member has been identified as having a communicable disease* or infection, e.g. HIV-AIDS, Hepatitis B, or other like diseases, the decision as to whether to recommend continued employment will be addressed on a case-by-case basis by a review panel to insure due process. **

Authority to Suspend a Staff Member

The Superintendent shall have the authority to suspend any staff member with a communicable disease or parasite considered to be a health threat to the school population. The decision on returning to work shall be made by the Superintendent based upon the review panel recommendation pursuant to GBRAA-R1**

Mandatory Screening for Communicable Diseases

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

Procedures for Handling Blood and Body Fluids

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

Confidential Information

All persons privileged with any medical information that pertains to a staff member shall be required to treat all proceedings, discussions, and documents as confidential information, except as such information may be necessary to assist with the review panel process. Breach of confidentiality by a staff member may be considered as other good and just cause for dismissal. Before any medical information is shared with anyone in the community or school setting, a "Need to Know" determination shall be made as part of the review panel process. Any information to be released, as determined by the "Need to Know" review, will come from the Superintendent or designee.

Instructions Regarding Communicable Diseases

Instruction as to how communicable diseases, including, but not limited to, Acquired Immunodeficiency Syndrome (AIDS) are spread and the best methods for restriction and prevention of these diseases shall be available to employees through inservice education.

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

**This action is subject to the rights of the employee under any other applicable laws related to his/her employment.

***"Employees shall not be fired, nonrenewed, suspended (with or without pay), transferred or subjected to any other adverse employment action solely because they have tested positive for the acquired immunodeficiency syndrome/human immunodeficiency virus (AIDS/HIV) antibody or have been diagnosed as having AIDS or AIDS-Related Complex (ARC)."

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED:

LEGAL REF.: Code of Alabama, §16-29-1 to 30; State Department of Public Health Guideline, Jan. 3, 1983; State Department of Education Memorandum, April 14, 1978; Control of Communicable Diseases in Man, p 447.

FILE: GBRAA-R1 PROTOCOL FOR COMMUNICABLE DISEASES

Rationale for Protocol Concerning Staff Members Who Have Contracted Acquired HIV-AIDS.

The Board is advised by health officials that:

1. In adults and adolescents, the Human Immunodeficiency Virus (HIV) which may eventually cause AIDS is transmitted primarily through sexual contact and direct blood-to-blood exposure to infected blood or blood products.
2. None of the identified cases of HIV infection in the United States are known to have been transmitted through other casual person-to-person contact. Based on current evidence, casual person-to-person contact as would occur among school employees is not considered an unusual risk.

The Review Panel

1. Communicable diseases that are known not to be spread by casual contact, e.g., HIV-AIDS, Hepatitis B, and other like diseases will be addressed on a case-by-case basis by a review panel.
2. Panel Membership
 - A. The physician treating the employee.
 - B. A health official from the County Health Department who is familiar with the disease.
 - C. An employee advocate (e.g. counselor, social worker, employee representative, etc. from in or outside the school setting) approved by the infected person or parents/guardians.
 - D. A Principal (who serves as chairperson).
 - E. An Administrator (system advocate).
3. The Superintendent will assure that a record is made of all proceedings.
4. The chairperson is responsible for assuring a due process hearing that is fair and just. The chairperson shall ensure an impartial hearing for all interests concerned.
5. The Superintendent will be present during the testimony process but will be excused when the panel is deliberating towards the "Proposal for Decision."
6. The chairperson of the panel will designate the panel member who will write the "Proposal for Decision" reflecting the majority opinion of the group.

Case Review Process

1. Upon learning of a staff member within the School District who has been identified by a qualified source as having a communicable disease, the Superintendent shall:

- A. Immediately consult with the physician of the staff member and/or the health official from the County Health Department to obtain information as to whether the staff member is generally well enough to remain on the job during the review process. The Superintendent will confirm whether the staff member has evidence of a present or temporary condition that could be transmitted by casual contact in the school setting.
 - (1) If the staff member's physician or the health department physician indicates the staff member is well enough to remain on the job and poses no immediate health threat through casual contact to the school or work population because of his/her illness, the staff member shall be allowed to remain in the school setting while the review panel meets.
 - (2) If the staff member's physician or the health department official indicates the staff member is currently not well enough to remain on the job and/or that the affected individual currently has evidence of an illness or infection that poses a potential health threat through casual contact to the school population because of their illness, the staff member shall be excluded from the work setting while the review panel meets. If the health department official recommends suspension because of a public health threat exists, the review panel will discuss the conditions under which the individual may return to work.
- B. Immediately contact the review panel members to convene a meeting to explore aspects of the individual's case.
- C. Submit to the infected staff member in writing a notice of their rights as review panel member and the methods of appeal.

2. The Review Panel Process

- A. The Review Panel shall endeavor to meet within 24-48 hours to review the case.
 - (1) The circumstances in which the disease is contagious to others.
 - (2) Any infections or illnesses the staff member could have as a result of The disease that would be contagious through casual contact in the school and/or work setting.
 - (3) The age, behavior, and neurological development of the staff member.
 - (4) The expected type of interaction with others in the school and/or work setting and the implications to the health and safety of those involved.
 - (5) Consideration of the existence of contagious diseases occurring within the school and/or work population while the infected person is in attendance.
 - (6) Consideration of a request by the individual with the disease to be excused from work.
 - (7) The method of protecting the staff member's right to privacy, including maintaining confidential records, and who in the school and/or work setting "needs to know" the identity of the infected individual.
 - (8) Recommendations as to whether the staff member should continue

employment or if currently not working under what circumstances he/she may return to work.

- (9) Determination of whether an employee would be at risk of infection through casual contact when working in the school or work setting.
- (10) Determination of whether a co-employee or other would be at risk of infection through casual contact when working in the school or work setting.
- (11) Any other relevant information.

B. Proposal for Decision

- (1) Within three (3) school days after convening the panel, the Superintendent shall be provided with a written record of the proceedings and the "Proposal for Decision." The Proposal serves as a recommendation to the Superintendent. It is based on the information brought out in the review panel process and will include a rationale for the recommendation concerning school attendance for the continuation of employment for the staff member. If there is a minority viewpoint by panel members following the review process, that should also be included in the Proposal.
- (2) If the Proposal for Decision is to exclude the affected staff member from the work setting because of the existence of a temporary or present condition that is known to be spread by casual contact and is considered a health threat to the school and/or work setting, the Proposal for Decision shall include the conditions under which the exclusion will be reconsidered.
- (3) The affected staff member will be given a copy of the Proposal. The review panel members will be given the opportunity to review the content of the Proposal for Decision.

C. The Superintendent's Decision

- (1) The Superintendent shall either affirm, modify, or take exception to the Proposal for Decision within three (3) school days after receipt of the Proposal for Decision unless a rehearing request on the Proposal has been made.
- (2) In the event the Superintendent takes exception to the Proposal for Decision, he/she shall prepare a written statement that sets forth the reasons for the exceptions and the basis for the decision. The Superintendent may consult with other health experts as part of his/her review process.
- (3) The affected staff member and the Health Department official will be given a copy of the Superintendent's decision. The other panel members will be given the opportunity to review and comment upon the content of the Superintendent's decision.

3. Appeal Process

A. Rehearing Request

- (1) The affected staff member who considers the Proposal for Decision

unjust may request a rehearing, in writing, directed to the chairperson of the review panel within five (5) school days of the decision.

Grounds for requesting a rehearing are limited to:

- (a) new evidence of information that is important to the decision; or
 - (b) substantial error of fact.
- (2) The chairperson, within five (5) school days from the date of receipt of the request for rehearing shall either grant or deny the request for a rehearing. If the request for rehearing is denied, the chairperson shall immediately submit the Proposal for Decision to the Superintendent. If the request for rehearing is granted, the chairperson shall reconvene all available panel members that originally heard the matter within five (5) school days of the date the rehearing is granted.
- (3) Within five (5) school days after the rehearing the chairperson shall submit the Proposal for Decision to the Superintendent. The affected staff member will be given a copy of the Proposal. The review panel members will be given the opportunity to review the content of the Proposal for Decision.

B. Request for Reconsideration of Superintendent's Decision

- (1) The affected staff member or his/her representative may request reconsideration of the Superintendent's decision within five (5) school days of the date the Superintendent's decision is issued. The request should be directed to the Superintendent. The request shall be in writing and shall allege that the decision contain substantial error of fact or that the decision is against the great weight of the evidence as set forth in the Proposal of Decision.
- (2) An oral presentation by the affected staff member or his/her representative may be granted by the Superintendent.
- (3) The Superintendent shall grant or deny the request for reconsideration within five (5) school days after receipt of the request or within five (5) school days following oral presentation, whichever is applicable.

C. Request for Board Decision. The affected staff member or his/her representative may make a final written appeal to the President of the Board within five (5) school days after the Superintendent's decision. The Board shall meet within five (5) school days and hear the staff member's appeal along with the Proposal for Decision and Superintendent's decision. The Board may choose to take new evidence. Within five (5) school days of the hearing, the Board shall render its decision in writing with copies sent to the Superintendent, health department official, and affected staff member.

D. Review Panel Request for Appeal - If the Superintendent's decision is contrary to the majority opinion of the review panel, a majority of the panel has the right to appeal either decision in the same manner stated in the "Appeal Process".

4. General

- A. The review panel member who is serving as the advocate for the infected individual (or another person designated by the panel and approved by the parents/guardians or affected individual) will serve as the liaison between the student/staff member, family, and attending physician as it relates to the school setting.
- B. The rights of an infected staff member shall fall under the same guidelines concerning any medical illness or condition that are outlined in the Board policy.
- C. Employees excluded from the work setting based on recommendations in the Proposal for Decision shall be treated as any other employee leaving employment for any reason as it relates to use of sick leave, personal leave, vacation, etc., i.e. such benefits cease at the time of departure from the School District.
- D. Employees of the School District shall be expected to teach and provide other normal personal contact services in school to a student or to work with a school employee determined to have a disease known not to be communicable by casual contact unless a determination to the contrary has been made by the review panel.

5. Confidentiality

Records of the proceedings and the decisions will be kept by the Superintendent in a sealed envelope with access limited to only those person(s) receiving the consent of the affected staff member as provided by Act 88-983, and the Family Rights to Privacy Act. The Superintendent or designee will be the only person to release information to the general public and/or media after a "Need to Know" review has been completed.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED:

LEGAL REF.: The New England Journal of Medicine, Feb. 1986, p. 346

FILE: GBRAA-R2 ROUTINE PROCEDURES FOR SANITATION AND HYGIENE WHEN HANDLING BODY FLUIDS

Purpose

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

Those Affected

All Board employees.

Procedures

1. Any simple injury, such as a small cut, abrasion, or nosebleed should be handled by the person involved, if at all possible. If this is not possible, the person administering

care should avoid exposure of open skin lesions or mucus membranes to blood or body fluids. This is accomplished by the use of gloves or the use of at least several layers of appropriate material between the hand and the injury.

2. Use special precaution with any person who has open or draining wounds or lesions. Have this employee evaluated by a County Health Department professional or school official as soon as possible. Prior to referral cover the open area with a bandaid(s).
3. To clean spills of body fluids (blood, vomitus, urine) on the floors or other surfaces, the following procedure should be used:
 - A. The person cleaning the spill should wear disposable gloves and the majority of the spill should be cleaned using paper towels or a granular deodorant absorbent which should be picked up with a dustpan and broom.
 - B. The area should then be mopped using a disinfectant. The mop should then be cleaned in a disinfectant and the water discarded in a flush toilet. A hypochlorite solution (one part Clorox Bleach mixed with ten parts water) is sufficient. This must be prepared fresh daily.
 - C. Carpets which are contaminated by body fluids may be cleaned by applying a granulated deodorant absorbent. Allow the agent to dry according to the directions; then vacuum. If needed, mechanically remove with a dustpan and broom; then apply rug shampoo (containing a germicidal detergent) with a brush and re-vacuum.
 - D. All contaminated materials such as paper towels and disposable gloves should be placed in two (2) sturdy plastic bags, tied securely, and properly disposed. Hands should then be washed thoroughly.

The school staff will follow the established assignments in cleaning spills.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED:

LEGAL REF.:

FILE: GBRB

TIME SCHEDULES

Time schedules for the school day and all school employees will be established annually by the principal and approved by the Superintendent. School administrative offices are to be open from 7:30 am to 4:00 pm. Monday through Friday during the school year in accordance with the adopted School Calendar and/or as directed by the Superintendent.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, January 18, 2005, December 13, 2011

LEGAL REF.: Code of Alabama § 16-1-30

FILE: GBRD

STAFF MEETINGS

An administrator and/or supervisor may call staff meetings when it is determined that they are warranted. Attendance by employees may be required. Compulsory attendance shall be stated within the notice announcing the meeting.

Meetings requiring employee attendance shall be planned and announced as far in advance as possible in order to allow employees to appropriately plan their individual schedules.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED:

LEGAL REF.: Code of Alabama § 16-1-30

FILE: GBRE

SUPPLEMENTAL DUTY

Employees may be assigned supplemental duties and responsibilities by their supervisor, the Superintendent or his/her designee. Compensation in the form of supplements may be paid for non-teaching supplemental duties in accordance with rates specified or established for such duties in the Board's approved supplement schedule. Such duties include coaching and sponsorship of athletic support organizations (such as cheerleaders, flag teams, drill teams) as well as scholastic support activities (such as yearbook, service clubs, academic honoraries). These supplemental duties are considered additional non-teaching assignments to be made on an annual basis or otherwise as the needs of the school require. Such supplemental duties are not considered to be a part of a teaching contract or an appointment; and no tenure, continuing service status, non-probationary status, or contractual right to continued employment or compensation for supplemental assignments will be recognized or implied in the absence of a separate written contract of employment providing for such rights. The Board requires that all duties assigned be reasonable and compatible with the accomplishment of Board objectives.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, December 13, 2011

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

FILE: GBREA

EMPLOYEE LEAVE

Work Attendance an Essential Job Function – Punctual, regular attendance is an essential job function of every job and position, and employees are expected to report to work when scheduled to work and to remain at work each working day.

Absences – Except as otherwise authorized under Board policy, employees may be absent from work only in the following circumstances:

- A. Illness, injury or other qualifying reason for sick leave or on-the-job injury leave under state law or the Family Medical Leave Act;

B. Personal leave;

C. Vacation leave;

D. Professional leave;

E. Military leave;

F. Court leave;

G. Other unpaid leave that is specifically approved by the Board upon a showing of substantial hardship or extraordinary circumstances.

Employees who know in advance that they will be absent from work must notify the Board of the expected absence in accordance with procedures specified by the Superintendent or the Board. In the event of an emergency or incapacity that makes advance notice impractical, employees must notify the Board of their absence as early as possible. Except as otherwise provided or permitted, an employee who is absent from work without approved leave will be considered absent without leave in violation of Board policy and subject to appropriate disciplinary measures. **If after a period of five (5) consecutive working days of absence an employee has failed to notify his or her supervisor, then the Homewood City Schools Board of Education will consider such absences as a resignation.** In such instances the employee has voluntarily quit their job and the position will be considered vacant unless circumstances beyond the control of the employee prevent the employee from giving notice. Employees who are approved for paid leave of absences will be paid at the regular daily rate of pay; however, a day of paid leave or absence will not be counted as a day worked for the purposes of computing overtime under the Fair Labor Standards Act. Pay will be reduced on a pro rata basis for leaves or absences not covered by sick, vacation, personal, or other appropriate form of paid leave. The continuation of benefits during an approved absence is subject to the provisions of the particular benefit policy or plan.

ADOPTED: Homewood City Board of Education, July 29, 2025

AMENDED:

LEGAL REF.:

FILE: GBRF

EMERGENCY LEAVE

Emergency leave may be granted by the Superintendent under unusual circumstances and is leave without pay.

ADOPTED: Homewood City Board of Education, January 20, 1998

Effective July 1, 1998

AMENDED:

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

FILE: GBRH

PROFESSIONAL LEAVE

The Board authorizes the Superintendent to grant release time for personnel to participate in short term study, conferences, and general educational development activities related to the district's goals and objectives.

The approval of professional leave shall be the responsibility of the immediate supervisor and the Superintendent or designee. When such leave is granted, it shall be with pay and the Superintendent or designee may authorize the payment of needed substitute personnel from school district funds. All leave shall be approved in advance, and such leave time shall be granted at the discretion of the Superintendent based on available finances and educational value to the school district.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED

LEGAL REF.: Code of Alabama, § 16-1-30, 16-23-12 to 13

FILE: GBRI

PERSONAL LEAVE

An employee shall be allotted three full paid leave days per year. Notice of intent to take personal leave shall be submitted to the employee's immediate supervisor for approval prior to leave being taken. In addition, an employee may be allowed two additional days of personal leave upon request submitted to his/her supervisor and the Superintendent, with the employee paying the cost of a substitute. The cost of a substitute will be paid by the employee receiving leave beyond three full paid leave days per school year regardless of whether or not a substitute is employed. Personal leave days are non-cumulative from year to year.

Employees are encouraged to plan personal leave so that the educational process will experience a minimum of disruption. No more than 10% plus one of a faculty may be excused for personal leave at the same time. It is desired that personal leave not be taken immediately prior to or after a holiday. No teacher, or support employee, as a condition to receive personal leave, shall be required to divulge his or her reasons for requesting such leave.

Up to three full funded unused personal leave days will be reimbursed at the rate paid substitutes in the school district. Days will be accrued according to hire date as follows:

Hire Date:

- 7/1 - 10/1 = **3** personal days
- 10/2 - 12/31 = **2** personal days

- 1/1 - 2/28 = **1** personal day (this coincides with no step increase after hire date of 2/1)
- 3/1 - 6/30 = **0** personal days

In all cases, the first personal leave days used shall be the full paid personal leave days. Reimbursement for unused leave days shall be made to employees in a summer payroll check. The teacher or support employee may choose to convert unused or unreimbursed personal leave days to sick leave days. The Superintendent is authorized to adapt these rules and regulations to individual cases of an unusual nature.

ADOPTED: Homewood City Board of Education, January 20, 1998

Effective July 1, 1998

AMENDED: Homewood City Board of Education, January 16, 2001, June 16, 2009, July 25, 2023; July 29, 2025

LEGAL REF.: Code of Alabama, §16-1-18.1, 16-8-26, 16-8-26.1

FILE: GBRIA LEAVE OF ABSENCE

The Board may grant leaves of absence for a maximum of one year for justifiable reasons. Such leaves shall be without pay.

An employee/teacher who has been granted a full academic year leave shall notify the Superintendent, in writing, no later than March 1st of the academic year in which the leave has been taken, of his/her desire for a position in the school district at the beginning of the next academic year. If notification is not properly made, any obligation on the part of the Board shall cease to exist.

This policy is not to be interpreted as allowing sabbatical leaves.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: April 16, 2019, Jul 25, 2023

LEGAL REF.: Code of Alabama, § 16-1-18.1(7-e), 16-1-30, 16-24-13

FILE: GBRIB SICK LEAVE

Sick leave is accumulated at the rate of one day per contract month of employment while in pay status and one may carry over unused sick leave to the next consecutive year or years of employment. Employees may accumulate sick leave in accordance with the provisions of Alabama law.

Authorization for and verification of sick leave shall be the responsibility of the employee's immediate supervisor. The superintendent may require statements from the attending physician in verifying the need to use sick leave by an employee.

Sick leave is defined as the absence from regular duty due to one of the following reasons:

1. Personal illness;
2. Bodily injury which incapacitates the employee;
3. Attendance to ill members of the immediate family (husband, wife, father, mother, son, daughter, brother, sister) of the employee, or a person standing in loco parentis;
4. Death in the immediate family of the employee (husband, wife, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece, granddaughter, grandson, grandfather, grandmother, uncle, and aunt)

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, June 18, 2002, May 17, 2016

LEGAL REF.: Code of Alabama, §16-1-18.1

FILE: GBRIC CATASTROPHIC SICK LEAVE

The board shall establish procedures for employees to access catastrophic leave through the sick leave bank in accordance with the provisions of Alabama law.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, January 18, 2005, May 17, 2016

LEGAL REF.: Code of Alabama, §16-1-18.1, 16-22-9

FILE: GBRID SICK LEAVE BANK

The Board shall administer a sick leave bank in accordance with the provisions of Alabama law.

The Sick Leave Bank Committee, hereinafter called the Committee, shall be established to write rules and regulations for the respective sick leave bank, in conformity with state law and board policies.

Each Committee will be appointed/elected in accordance with the provisions of Alabama law.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, June 18, 2002

LEGAL REF.: Code of Alabama, §16-22-9

FILE: GBRIE PAID PARENTAL AND FAMILY LEAVE

This policy outlines the provisions for paid and unpaid leave for eligible employees of Homewood City Schools in connection with birth, adoption, and related family events, in accordance with Ala. Code § 16-1-18.1, 16-24-13, and § 36-6A-1(3)(b). This policy aims to support employees during significant family transitions while ensuring the continued efficiency of school operations.

I. Eligibility for Paid Parental Leave An employee is eligible for paid parental leave if they are a full-time certified or non-certified employee of Homewood City Schools and have been employed by or in pay status for any local education agency in Alabama for at least 12 consecutive months immediately preceding the occurrence of a qualifying event.

II. Qualifying Events and Leave Entitlement Beginning July 1, 2025, an eligible employee shall be entitled to the following paid parental leave for a qualifying event:

- **Birth, Stillbirth, or Miscarriage:**
 - Mother: 8 weeks of paid parental leave.
 - Father: 2 weeks of paid parental leave.
- **Adoption:** 8 weeks of paid parental leave in connection with the placement of a child for adoption, provided the child is three years of age or younger at the time of placement.
 - If both parents who jointly adopt a child are eligible employees, one parent shall be entitled to eight weeks of paid parental leave, and the other parent shall be entitled to two weeks of paid parental leave.

III. Qualifying Event Definition (prior to actual event)

- **In connection with birth:** This includes attending prenatal appointments, hospitalization due to expected birth or related conditions, or requiring leave due to a Healthcare Provider's order for the mother to limit physical activity prior to birth.
- **In connection with placement for adoption:** This includes meeting with an attorney, hosting in-home visits for adoption completion, attending judicial proceedings, attending counseling sessions, submitting to a physical examination, or traveling internationally to complete an adoption.
 - This does not include foster care or temporary, non-adoption placements.

IV. General Provisions for Leave

- **Determination of Work Period:** The length of time an employee may work shall be determined by the employee and/or her physician. She may work until she deems it necessary to take leave ; however, the welfare of her students is paramount and should be placed above her personal desires to work if her efficiency becomes impaired.
- **Notification of Leave:** No later than the fourth month, the employee shall notify the Superintendent, through the principal, of her anticipated departure and return dates so

that the administration may make the adjustments necessary for continuation of classes.

- **Use of Other Leave:**

- Upon her physician's recommendation, sick leave may be taken if time away from work becomes necessary.
- Personal leave, vacation days, and sick days may be used for maternity Purposes.
- Paid parental leave does not require the employee to exhaust sick leave, annual leave, or any other leave or paid time off prior to its use.

V. Unpaid Leave Provisions

- **Maternity Leave without Pay:** Maternity leave, without pay, may be granted upon request for a period not to exceed one (1) year.
- **Adoptive Parent Leave without Pay:** An adoptive parent may be granted leave without pay for a period not to exceed one (1) year from the time of adoption. Should the leave begin during a school year, the maximum one (1) year period shall be considered to commence at the beginning of the next semester.
- **Extension of Unpaid Leave:** A desire for extension beyond one (1) year shall be requested in writing to the Board.

VI. Compensation for Paid Parental Leave Paid parental leave will be compensated at 100 percent of the eligible employee's base pay, as determined by Homewood City Schools. This compensation will remain at 100 percent of the employee's base pay as if the eligible employee worked continuously from the commencement of paid parental leave until their return to work.

VII. Duration and Usage of Paid Parental Leave

- Paid parental leave is available for use only during the 365 days following the commencement of a qualifying event or within 365 days of the eligible employee taking paid parental leave for the qualifying event, whichever occurs sooner.
- Paid parental leave may be used continuously, intermittently, or on a reduced schedule Basis.
- **Limitations on Intermittent/Reduced Schedule Leave:**
 - The eligible employee must maintain a continuing parental role with any child whose birth or adoption was a qualifying event.
 - Such intermittent or reduced-schedule leave, including leave taken for bonding purposes, must be agreed upon by the employer prior to the start of the leave.
- An eligible employee may only use paid parental leave in connection with one qualifying event during a 365-day period, even if more than one qualifying event occurs.
- After an eligible employee exhausts all available paid parental leave, any additional leave an employee wishes to take shall be in accordance with this policy and Homewood City Schools' other leave policies.
- Eligible employees using paid parental leave under this policy shall follow Homewood City Schools customary leave practices that are not contradicted by this policy.

- Any leave taken under this policy shall run concurrently with any leave granted under Ala. Code § 25-1-61 and the Family and Medical Leave Act of 1993.

VII. Establishing Eligibility and Application Procedures for Paid Parental Leave To establish eligibility and apply for paid parental leave, employees must complete the following Requirements:

- **Certification Form:** The employee must complete a certification form provided by the Alabama State Department of Education.
- **Proof of Support:** The employee must provide acceptable proof in support of the request for paid parental leave.
- **Written Plan:** At least 30 days prior to the intended use of paid parental leave, the eligible employee shall provide a written plan regarding their intended use of paid parental leave and any other leave they intend to take in connection with a qualifying Event.
- **Agreement to Return to Work:** The eligible employee shall agree in writing to the employer that they will not separate from employment for a period of at least eight weeks following the conclusion of any leave taken in connection with a qualifying event. The employer may waive this requirement in circumstances where the eligible employee is unable to return to work due to their own serious health condition or a serious health condition of an immediate family member.
- **Emergency Situations:** In the event of an emergency preventing completion of these requirements prior to taking leave, the employee shall complete the requirements as soon as practicable after the emergency ends, including providing sufficient documentation to establish a qualifying condition.

IX. Return to Work and Restoration of Position

- **Notification of Return (Unpaid Leave):** An employee/teacher who has been granted one year leave shall notify the Superintendent, in writing, no later than March 1st of the academic year in which the leave has been taken, of his/her desire for a position in the school district at the beginning of the next academic year. If notification is not properly made, any obligation on the part of the Board shall cease to exist.
- **Physician's Statement:** The Superintendent may require a physician's statement attesting to her physical fitness to work upon return from maternity leave.
- **Reemployment Eligibility (Unpaid Leave):** The employee shall be eligible for reemployment at the beginning of the semester following delivery.
- **Restoration to Position (Paid Parental Leave):** Upon the expiration of paid parental leave, Homewood City Schools shall restore the eligible employee to the position they held at the time of the qualifying event or to an equivalent position with equivalent seniority, status, employment benefits, pay, and other terms and conditions of employment, including fringe benefits and service credits, that the eligible employee received or was entitled to prior to the commencement of their paid parental leave.

- **Salary Increases:** An eligible employee shall also be entitled to any cost-of-living salary or merit salary increase they would have been entitled to had they not taken paid parental leave.
- **Tenured Employees:** All rights of tenured employees will be observed. As circumstances permit, an employee will be assigned to a position similar to the one held previously.

X. Failure to Comply Failure of an employee to abide by the rules outlined in this policy may result in the denial of paid parental leave. Homewood City Schools may recover any improperly granted paid parental leave through the substitution of other available leave, leave without pay, offset, or otherwise.

XI. Duty to Inform Homewood City Schools shall provide each employee notice of their rights under this policy upon their hiring, including the eligibility requirements, leave availability, and the procedure for utilizing leave.

XII. Employer Policies and Legal References This policy aligns with Ala. Code § 36-6A-1(3)(b) and any Rule of the Board. Homewood City Schools may adopt additional policies and procedures to implement this rule, so long as they do not conflict with the aforementioned law or Board rules.

ADOPTED: Homewood City Board of Education, July 29, 2025

AMENDED:

LEGAL REF.: Ala. Code § 16-1-18.1, 16-24-13, and § 36-6A-1(3)(b)

FILE: GBRIF FAMILY AND MEDICAL LEAVE FOR PERSONNEL

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

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

Homewood City Schools will define the 12-month period by the academic year running from July 1 until June 30. From the inception of the qualifying event, the 12 week FMLA entitlement will be charged concurrently with accumulated sick leave, vacation leave, personal leave, or leave without pay. The employee must use the balance of available accumulated paid leave at the point of the qualifying event before becoming the recipient of donated days under catastrophic leave.

Definitions

1. Eligible employee - one employed with the school district for at least 12 months during which time the employee worked at least 1250 hours.
2. Health Care Provider - a state licensed medical doctor
3. Family Member - a legal spouse, biological parent(s), and a biological son or daughter, an adopted or foster child, or stepchild, or a legal ward, or ac hold of a person standing in loco parentis who is under 18 years of age or 81 years of age or older and incapable of self-care.
4. Parent - the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter.
5. Serious Health Condition - an illness, infjry, impairment, or physical or mental condition involving inpatient or continuing treatment by a health care provider.
6. Spouse - a husband or wife.
7. Week - a work week.

Eligibility for Family and Medical Leave

1. The employee must have been employed by the Board for at least 12 months and for at least 1250 hours during the prior 12 month period.
2. Upon the birth of a child, the mother is eligible for up to 12 weeks of leave under the FMLA. The law provides that when the mother's leave period is over, the child's father is eligible for up to 12 weeks of leave. However, if both parents are employees of the Board, the aggregate amount of leave granted to both parents during any 12 months is limited to a total of 12 weeks. The mother may utilize any accrued sick leave, paid accrued personal leave, and/or accrued vacation leave as a part of the 12 weeks FMLA leave, provided any such leave taken is in accordance with the Sick Leave policy filed: GBRIB; the Maternity Leave for Personnel policy filed: GBRIE; the Vacation Leave policy filed: GBRK; and the Personal Leave policy filed: GBRI.
3. In the event a child is placed in an employee's home for adoption or foster care, the employee is eligible for up to 12 weeks for leave under FMLA. The employee may utilize any accrued paid personal leave and/or accrued vacation leave a part of the 12 weeks FMLA leave provided such leave is taken in accordance with the Vacation Leave policy filed: GBRK; and the Personal Leave policy filed: GBRI.
4. In the event of a serious health condition of an employee or a family member as determined by a licensed physician(s), the employee is eligible for leave under FMLA for up to 12 weeks. In such case, the employee may choose to utilize any available accrued sick leave, paid personal leave, and/or an authorized paid vacation as a part of the FMLA 12-week leave period provided any such leave taken is in accordance with the Sick Leave policy filed: GBRIB; the Vacation Leave policy filed: GBRK; and the Personal Leave policy filed: GBRI.

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

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

Intermittent Leave or Reduced Leave Time

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

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

Notice of Leave and Initial Certification

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

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

- f. In the case of the intermittent leave or leave on a reduced schedule for planned medical treatment, the dates the treatment is expected to be given and the duration of the treatment.

Procedure for Giving Notice

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

Medical Treatment

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

Recertification of Health Condition

The Board may, at its discretion, require the employee to:

1. Provide later certification "on a reasonable basis" as to the status of the health condition for which leave was granted.
2. Report periodically on his/her health status.
3. File notice of intention to return to work
4. Obtain certification from an authorized health care provider verifying that the employee is able to resume work if the leave is due to the employee's serious health condition.

Subsequent (Second & Third) Medical Opinions

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

Maintenance of Benefits

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

Entitlement to Reemployment and Benefits

With limited exceptions, an eligible employee who takes leave will be entitled to be restored to his/her previous job or to an equivalent position with equivalent pay, benefits, and

other terms and conditions of employment. No employment benefits that accrued before the date that leave began will be lost. An employee is not entitled to an accrual of any seniority or employment benefits (sick leave, personal leave, vacation leave, etc.) that would have occurred during the leave period.

Fair Labor Standards Act

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

Unemployment Compensation

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

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, August 19, 2015, November 14, 2017

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

FILE: GBRIG

JOB RELATED INJURY

In accordance with State Board policy, employees who have sustained an injury by accident arising out of and in the course of employment with the Board may be eligible for pay without a loss of sick leave days up to a maximum, subject to the following provisions and limitations.

1. Job-related injuries are limited to those accidental injuries incurred by employees during their work day, at school-sponsored activities at which responsibility has been assigned to them, or when they are conducting school district business at the request or direction of supervisory personnel.
2. Each injury must be reported to the principal or immediate supervisor as soon as possible after the occurrence. The principal/supervisor will complete the appropriate form to document the injury. The employee must see a physician (not at Board expense) within 48 hours after the occurrence. In addition, the attending physician's statement is required to verify the necessity of the employee's absence from work for which he/she requests pay without loss of sick leave days.
3. The employee must present to the Superintendent written documentation that the injury was job related.
4. Salary continuation without loss of sick leave days will be granted only with the Superintendent's favorable recommendation and Board approval.
5. Payment for time lost from work due to an on-the-job injury may not exceed 100% of the employee's regular salary rate.
6. Salary continuation for an employee for absences due to an on-the-job injury may be made only for temporary disabilities if there is a reasonable expectation that the employee will return to work within a reasonable period of time.
7. In no case shall any employee's salary continuation, without loss of sick leave days,

exceed 90 working days for any one on-the job accident.

8. Employees who are absent from work due to a job related injury may petition the Alabama State Board of Adjustment, by application, for restitution of medical costs not covered by insurance or lost wages not restored by implementation of this policy.
9. Nothing in this policy shall be understood as precluding an employee who is absent due to a job related injury from using accumulated sick leave or the sick leave bank, if eligible.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED:

LEGAL REF.: Code of Alabama, §16-1-18.1

FILE: GBRIH

LEGAL SERVICE ABSENCES

Jury Service

Personnel shall be excused without loss of pay for jury service. To request such leave, personnel must present the jury summons to their immediate supervisor as far in advance of the leave date as possible in order that appropriate substitutes may be obtained.

Court Appearances

Personnel may be excused without loss of pay for serving as a witness (not as a plaintiff or defendant) under a subpoena in a court of law. To be eligible for court appearance leave with pay, personnel must present the subpoena to their immediate supervisor as far in advance of the leave date as possible in order that appropriate substitutes may be secured.

Disposition of Applicable Court Fees

Personnel are not required to return to the school district the fee paid to them for jury or court service; however, a court attendance form must be provided to verify court attendance.

Return to Work

When school district personnel are released from jury service and/or court appearances, they are to report promptly (same day if possible) to their employment positions.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED:

LEGAL REF.: Code of Alabama, §16-1-18.1,

Attorney General's Opinions: June 8, 1971; August 10, 1971; February 23, 1979

FILE: GBRIJ

MILITARY LEAVE

General Policy

All employees are entitled to military leave of absence when ordered to active duty for training as members of the Alabama National Guard or any component of the

U.S. Armed Forces. Employees who volunteer, are drafted, or are ordered to extended active duty with any component of the U.S. Armed Forces shall be entitled to reinstatement to their former positions or comparable positions if the right is exercised in a timely manner as noted below.

Military leave for Training or Short Term Duty

Employees who are required to attend annual training or special active duty for training shall not suffer any loss of salary during the first twenty-one (21) days of such absence in any calendar year. Employees who are ordered for such duty shall provide one copy of their orders to the Superintendent. Leave will be without loss of benefits. These arrangements shall apply to any "military call-ups."

Reinstatement to Positions After Expended Duty

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

1. They must not have remained on active duty beyond their first opportunity for honorable or general release;
2. They must report to claim reinstatement in accordance with state and federal laws and regulations.

Compensation

Compensation and benefits for employees on military leave will be consistent with state and federal laws and regulations.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, January 18, 2005

LEGAL REF.: Code of Alabama, §16-1-18.1, 16-24-13, 31-2-13, 31-12-5

Attorney General's Opinion, May 13, 1974, March 4, 1986

Uniform Services Employment-Reemployment Rights Act of 1994

Military Leave Bill, Act No. 2002-430 Alabama Legislature

FILE: GBRJ SUBSTITUTE TEACHERS

Persons who substitute for regular teachers must possess a valid Alabama Substitute Teacher's License or a valid Alabama Professional Teacher's Certificate and be placed on the approved substitute list.

A person who fills the same teaching position for more than twenty (20) consecutive days is considered a long-term substitute and will be paid at the rate of a beginning teacher with a Bachelor's degree. Preference shall be given to a certified teacher to fill a long-term substitute

position. The employment is at the discretion of the principal with the approval of the Superintendent.

As a temporary employee, a substitute does not qualify for benefits and will be paid monthly for the number of hours actually worked. Said employment is not to be construed as applicable for continuing service credit in the event the substitute receives a permanent position at a later date.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED: Homewood City Board of Education, September 20, 2005; December 13, 2011;
June 13, 2016

LEGAL REF.: N/A

FILE: GBRK VACATION LEAVE

Regular full-time twelve month employees shall earn vacation at the rate of one day per month cumulative to a maximum of thirty (30) days. Any days earned above thirty (30) days but not taken will be lost. If an employee retires or resigns he or she will be paid at a daily rate of pay for unused vacation leave. Should an employee die, his/her beneficiary will be paid at a daily rate of pay for unused vacation leave.

Vacation must be scheduled and approved by the immediate supervisor and the Superintendent or designee.

ADOPTED: Homewood City Board of Education, January 20, 1998

Effective July 1, 1998

AMENDED: Homewood City Board of Education, December 13, 2011

LEGAL REF.: Code of Alabama, §16-1-18.1, 16-1-30

FILE: GBRL TUTORING FOR PAY BY CERTIFIED PERSONNEL

Certified personnel shall not receive pay or its equivalent from anyone other than the Board during the regular school year for out-of-school tutoring of students in their classes when the tutoring is in subject areas taught during the school day by the employee.

Tutoring for any form of remuneration shall not be done during normal school hours.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED:

LEGAL REF.:

FILE: GBS**PROFESSIONAL ORGANIZATIONS**

Personnel of the school district shall respect each other's rights to choose for himself/herself the professional organizations with which he/she affiliates. Membership in professional organizations shall be on a voluntary basis. Administrators of the school district or local schools shall not take punitive action against employees because of their membership in professional organizations or because of their failure to affiliate with said organizations.

ADOPTED: Homewood City Board of Education, January 20, 1998

AMENDED:

LEGAL REF.: N/A

FILE: GCRD FAIR LABOR STANDARDS ACT REQUIREMENTS

The Board intends to comply with the provisions of the Fair Labor Standards Act of 1938 and its amendments.

The Superintendent shall determine the need for overtime work in both amount and timing and compensate applicable employees involved.

Teachers, administrators, and certain support employees are exempt from the provisions of the act; that is, they are not entitled to overtime compensation.

The Superintendent or designee shall be the only person authorized to approve overtime work/compensation.

ADOPTED: Homewood City Board of Education, January 20, 1998 (as Policy DM)

AMENDED:

LEGAL REF.: Fair Labor Standards Act of 1938, as amended