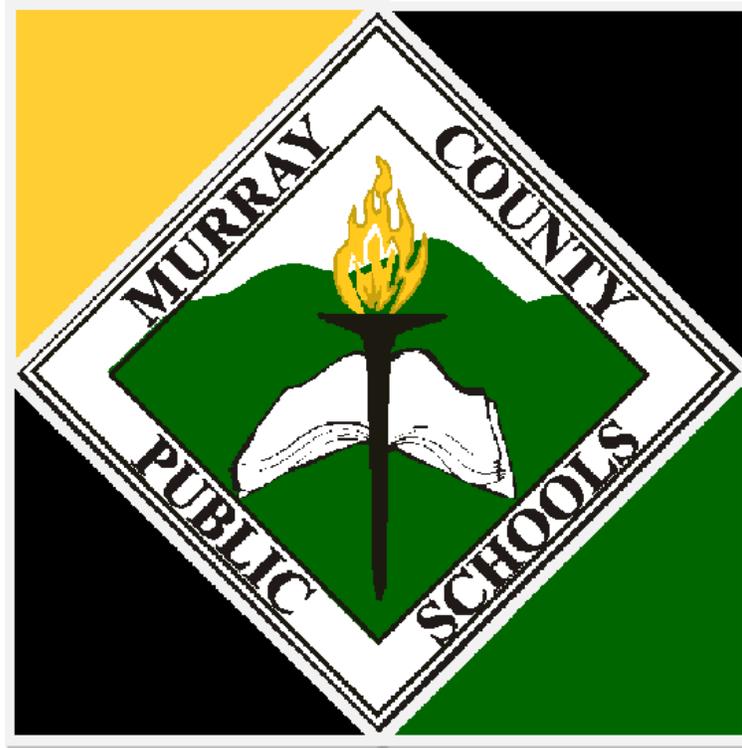


# PERSONNEL HANDBOOK



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## PURPOSE OF HANDBOOK AND DISCLAIMER

The information in this handbook summarizes many of the rules, procedures and policies of Murray County Schools. It is intended to provide you with an accessible reference and is not exhaustive. Employees should consult Board Policy for specific information. A link to these policies can be located on the Murray County Schools website.

This personnel handbook is a guideline to CURRENT policies, procedures, practices, etc. and is subject to change, without notice. It must not be considered a contract, or part of a contract, nor does it confer any rights or benefits to any employee.

Employees who do not have a written contract are at-will employees. At-will means the employment relationship can be terminated at any time with or without cause by either the employee or the employer.

The term **Certified Personnel** shall apply to all employees of the school system who fill positions requiring valid certificates issued by the Professional Standards Commission and are under contract with the Murray County Board of Education. Certified personnel may also be referred to as Teacher, Educator, Administrator, and/or Professional.

For the purposes of this handbook the term **Classified Personnel** shall apply to all employees of the school system who fill positions other than those who are certified and under contract. Licensed personnel (paraprofessionals, school bus drivers) will be considered classified personnel. Classified personnel are at-will employees.

## ATTENDANCE

In order for our organization to achieve its desired goals, good attendance and punctuality are necessary. Regular and prompt attendance is expected and required of our employees. If it is absolutely necessary to be absent from, or late, to work, employees must notify their supervisor at least one day in advance when possible. In case of emergency or other circumstances when it is impossible to give advance notice, employees must personally call the supervisor or his/her designee **before** time to report to work. Failure to call in if you are going to be absent or late can be grounds for dismissal. The system reserves the right to request documentation from a health care provider for any absences. Failure to maintain regular and prompt attendance may result in disciplinary action and/or termination. Exceeding allotted sick leave days may be grounds for dismissal. See also "Leave."

## BACKGROUND CHECKS

All individuals selected for hiring are subject to background and reference checks, including fingerprinting. Refusal to submit to the background check, being intentionally untruthful or misleading on the application, or failing to disclose any arrests or convictions will result in invalidation of any contract or employment agreement. All employees are subject to continuing criminal background checks every five (5) years.

## BENEFITS

Benefits are a large part of the total compensation package for employees and are designed to meet the most important needs of a majority of employees. The employee's benefit package is reviewed periodically and improved whenever possible and appropriate. Any and all employment benefits, with the exception of those benefits mandated by State Statute, are contingent and conditioned upon those benefits being funded and budgeted by the Board of Education. All benefits are gratuitous and based on the availability of funding compared to overall system goals and needs. Any and all benefits, which are funded and/or controlled by the local Board of Education, may be modified, suspended or terminated by the Murray County Board of Education at any time, without notice. Except as required by State Statute, no benefit shall be a vested right of employees. Open enrollment is held each year when employees may enroll or change options or coverage, subject to the described conditions in the plan. Employees will be notified of dates and procedures for open enrollment. For information regarding specific benefits you may contact the Payroll/Benefits Department or go to [www.mymurraybenefits.com](http://www.mymurraybenefits.com)

## BOARD OF EDUCATION

The Murray County Board of Education sets its schedule each year at the January meeting. Please refer to the Murray County Schools website, [www.murray.k12.ga.us](http://www.murray.k12.ga.us), for more specific information. All official meetings of the Board of Education are open to the public.

All Board of Education policies and other information may be found by clicking the appropriate link on the Murray County School System webpage.

Initial employment, promotions, and certain other personnel actions require Board of Education approval. Failure to obtain Board of Education approval may invalidate any arrangement, and may require payback of any money expended by the Murray County School System.

## CERTIFICATION / LICENSING

It is the responsibility of all certified employees to obtain and maintain required certification. Georgia law requires that teachers in Georgia Public Schools have a certificate issued by the Georgia Professional Standards Commission.

Information Hotline: 1-800-869-7775  
Status Line: (404) 232-2510  
PSC Website: [www.gapsc.com](http://www.gapsc.com)  
E-mail: [mail@gapsc.com](mailto:mail@gapsc.com)

Certified employees and paraprofessionals can go to [www.gapsc.com](http://www.gapsc.com) to view their certificate/license. Click on “check certification status”, then enter the name or certificate identification number. The name entered must be exactly as it appears on the certificate. This will bring the certificate up for viewing. Note that use of the social security number will no longer allow access.

A teaching certificate reflecting a higher level of certification must be received by the Personnel Department no later than May 15 in order to receive any salary adjustment for the current academic year. A teaching certificate received after May 15 will not be recognized for salary purposes until the next school year. Upon receipt of a teaching certificate on or before May 15, the salary will be adjusted to the proper level and full compensation will be paid retroactively to the effective date of the new level, but will not be paid retroactively into the previous fiscal year. For more information see “Upgrade Instructions.”

Contracts are issued contingent upon the teacher's securing and continuing to hold a valid certificate issued by the State of Georgia. If the teacher is unable to be properly certified, including achieving Professionally Qualified status in the field(s) assigned as required by the, *Every Student Succeeds Act*, the system may take the following actions:

- The educator’s contract may be nullified or non-renewed, and/or
- The educator may be re-assigned, and/or
- The daily rate of pay may be adjusted to that of a substitute teacher from the date of employment or the date the certificate became invalid, whichever is more recent.

All Murray County paraprofessionals must hold a valid state Paraprofessional certificate issued by the Professional Standards Commission. Murray County paraprofessionals follow the guidelines established by the Professional Standards Commission as well as local regulations.

To renew any certificates issued by the Professional Standards Commission, the employee must have a criminal record check made and prove legal presence. It is the responsibility of the employee to maintain and continue to hold certification. Requirements for renewal may be found in the Georgia Professional Standards Commission Rule 505-2-.36.

All bus drivers must have a valid Commercial Driver's License (CDL) with P and S endorsements and must successfully complete the training course prescribed by the State of Georgia.

Other staff may be required to hold the Support Staff License issued by the Georgia Professional Standards Commission.

In certain cases, other licenses may be required (e.g. LPN or RN licenses for nurses, etc.) Certain other specified positions may also require licensing.

- **Upgrade Instructions:** Obtain an official transcript. Make certain your degree statement has been posted to your transcript. Bring or send this material to the personnel office for electronic transmittal to the PSC. When the new certificate is issued, the Personnel Director will fill out a "Payroll Status Change" sheet and submit it to the Payroll Manager. Your raise will be pro-rated from the effective date listed on your new certificate and spread out over your remaining paychecks. (Note that your pay is based on your teaching certificate rather than your degree.) A teaching certificate received by the personnel department after May 15 will not be recognized for salary purposes until the next school year. If you are adding a new field to your certificate (in addition to the upgrade) you must print the Approved Program Recommendation and have your college complete it. You should also obtain a copy of your GACE scores. This material should be brought to the Personnel Office as well.

## CHILD ABUSE AND NEGLECT REPORTING

All school employees are Mandated Reporters and are required to report suspected child abuse, neglect or exploitation to the appropriate authorities.

Any employee who suspects, or has reason to suspect that a child under the age of 18 years of age has been the victim of physical or sexual abuse **MUST** report that suspected abuse to the school social worker immediately, but in no event later than 24 hours. If the report is made to the building principal, the principal shall immediately contact the school social worker. The school social worker shall be responsible for making contact with either the Murray County Department of Family and children's Services or the Murray County Sheriff's office so that an appropriate investigation can be conducted.

You will receive Mandated Reporter Training, but may also see Official Code of Georgia Section 19-5-7 for more detailed information.

When in doubt...report!

## COMPLAINTS

While it shall be the policy of the Murray County Board of Education to maintain open lines of communication with regard to any problems, which may arise in the school system, **problems should be resolved at the lowest possible level.** It is expected that employees will approach problems in a professional manner, following the established chain-of-command, and will seek solutions which will be in keeping

with the interests of the children whom they serve. Such an approach made in good faith by both the Board of Education and the employee(s) should render unnecessary any demonstrations, adverse publicity, or other activities which are detrimental to the educational process.

See Board Policy GAE for further information.

## **COMPUTER AND INTERNET USE BY EMPLOYEES**

The Murray County School District furnishes computers and internet access to certain of its employees for the sole purpose and reason of assisting the employee in the performance of their job. **Employees should have no expectation of privacy when utilizing MCSD technology.** Employees are to utilize the school system's computers, networks, e-mail, and Internet services for school system-related purposes and in the performance of their job duties. Incidental personal use of the school system technology is permitted as long as such use does not interfere with the employee's job duties and performance, with system operations, or other system users. Personal use must comply with the "Computer and Internet Use" policy and all other applicable policies, procedures, and rules. Unacceptable uses of computers and the internet can be found in local board policy IFBGC. These include, but are not limited to:

- Any use that is illegal or in violation of other BOE policies
- Any use involving material that could be considered obscene, pornographic, or sexually explicit
- Any inappropriate communications with students or other minors
- Any use for private financial gain or commercial advertising or solicitation
- Downloading or loading software applications without permission
- Social networking other than for professional purposes
- Advocating or campaigning for a particular candidate in a local, state, or national election

## **CONFIDENTIALITY**

Student and employee files, records and information are, with few exceptions, private and confidential. Disclosure of such information is very limited by federal and state law.

## **CRIMINAL CITATIONS AND ARRESTS**

Any MCSD employee who is arrested or cited for any charge, excepting minor traffic violations (DUI and reckless driving are not considered minor), shall immediately (defined as the next following business day) notify their supervisor and the Director of Human Resources. Furthermore, such employee shall notify the Director of Human Resources of the final disposition of those charges within five (5) days of said disposition.

## **DIRECTORY INFORMATION**

The Murray County Board of Education, in compliance with privacy laws concerning personnel files, will release as directory information without the consent of the employee the following information:

1. Name of employee
2. If and where employed

Lists of pupils or teachers may not be distributed to persons or organizations without the approval of the Superintendent or his/her designee.

## **DRESS CODE FOR EMPLOYEES**

The Murray County Board of Education recognizes that the dress and grooming of employees are significant factors in the educational process of students. Furthermore, creating an exemplary model for students is desirable. In keeping with this understanding, every employee of the Murray County School District will be requested to maintain a level of personal hygiene necessary to ensure an appropriate educational environment and to refrain from any mode of dress which is not exemplary for students. Every employee of the Murray County District System is required to observe a standard which exceeds those standards required in the policies and regulations for student dress and grooming. (Refer to student handbook.) Employees will be expected to adhere to administrative regulations related to appropriate dress/equipment for safety purposes. The school principal or supervisor will determine, in his or her sole judgment, whether a particular style of dress or grooming is appropriate for his/her employees.

## **DRUG-ALCOHOL-FREE WORKFORCE** (MC BOE Policy GAMA 1)

**OBSERVANCE AND COMPLIANCE WITH DRUG-FREE WORK PLACE ACT**  
Pursuant to the Drug-Free Workplace Act of 1988 Public Law, 100-690, '5153 (a)(1)(A), and the State Drug-Free Public Work Force Act of 1990, the Murray County School District notifies its employees, that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance and use of alcohol are prohibited in the Murray County School District workplace and that appropriate sanctions will be taken against employees for any violation of this prohibition. As a condition of any such employee's employment, the employees will abide by the terms of this statement and further will notify the Murray County School District of any criminal drug statute conviction for a violation occurring in the Murray County School District workplace no later than five (5) days after such conviction.

### **Definitions**

1. **Controlled Substance.** Those drugs or substances listed in Schedules I through V of the federal and state Controlled Substance Acts, [21 U.S.C.A. § 812] and as defined in O.C.G.A. § 16-13-21. The substances include, but are not limited to, marijuana, cocaine, heroin, opiates, and amphetamines. Not included are controlled substances used in accordance with a valid prescription.
2. **Workplace.** Any geographic location at which an employee performs work pursuant to his or her employment with the Murray County School District, including any work-related travel and travel to work, and any school events.

3. Dangerous Drug. Any drug, other than a drug listed in any schedule of Article 2 of O.C.G.A. Title 16, Chapter 13, which may be dispensed only upon prescription.
4. Conviction. A finding of guilt or imposition of sentence or both by any judicial body charged with the responsibility to determine violations of the federal and state criminal drug statutes. This also includes a plea of nolo contendere for a violation in the workplace.
5. Criminal Drug Statute. A federal or state criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance, marijuana or dangerous drug.

#### ESTABLISHING A DRUG-FREE AWARENESS PROGRAM

1. The Murray County School District has published a statement required by the law notifying all employees that it is unlawful to manufacture, distribute, dispense, possess or use controlled substances such as marijuana or other dangerous drugs in the school district's workplace, or as a part of any of the school's activities and that sanctions including termination, where appropriate, will be taken against employees for violating such prohibition. In addition, alcoholic beverages are included in this policy in regard to the workplace. The unlawful possession, use, manufacture, distribution or sale of alcohol in the workplace is strictly prohibited.
2. The dangers of alcohol and other drugs used in the workplace are paramount and obvious. It is a direct threat to safety of workers and those with whom they come in contact. It is counter-productive to the work effort and it is injurious to the health and well-being of all employees.
3. It is a Murray County School District policy to maintain a drug-free workplace.
4. Referrals for prosecution shall be made for employees who unlawfully manufacture, distribute, dispense, possess or use controlled substances, marijuana, or dangerous drugs, or unlawfully possess, use, manufacture, distribute or sell alcohol beverages.
5. All employees will abide by the terms of the Murray County School District statement against drug violations of the Drug-Free Schools Workplace Act of 1988.
6. Murray County School District will continue to make a good faith effort to maintain a drug-free workplace.
7. Each employee shall be given a copy of this policy. As a condition of employment, employees will abide by the terms of this policy and shall notify the Human Resources Office of Murray County School District in writing of any criminal drug statute or alcohol conviction not later than five (5) calendar days after such conviction. The Human Resources Office shall notify the appropriate agency in writing within ten (10) calendar days after receiving notice of the conviction for a violation occurring in the workplace from the employee or otherwise after receiving the actual notice of such conviction.
8. Within thirty (30) calendar days of notification by the employee of otherwise receiving actual notice of such conviction, the Murray County School District Board of Education or the Superintendent, as appropriate, shall with respect to any employee so convicted:
  - Take appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; and/or
  - Require such employee to participate satisfactorily in a drug or alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency, at employee's expense.
9. Drug/Alcohol Testing  
Employees may be required to submit to testing when there is a reasonable suspicion that an employee has violated this policy. A reasonable suspicion may be based upon any of the following, but the following list is not exhaustive:
  - A. After the occurrence of any work-related accident which results in lost time of the employee or others.

B. Observable indications while at the workplace or while performing job duties that tend to indicate possession or use of prohibited substances or of substances in violation of this policy.

C. Employees involved in a work-related motor vehicle accident while operating a MCSD vehicle, including any accidents which occur when the MCSD vehicle is stationary, and the driver is not present in the vehicle.

D. Information tending to show that an employee has used, possessed, sold, solicited, or transferred drugs or alcohol while working or while at the workplace or on School District property.

E. Employees with a positive drug screen as a result of prescribed medications must submit verification of an authorized prescription for such usage. Usage of non-prescribed medications is considered a violation of this policy.

F. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.

G. Employees failing a drug/alcohol test are subject to disciplinary action up to and including termination.

H. Bus Drivers as outlined in MCSD Board Policy GCRA (1).

#### 10. Testing Procedures and Results:

A. Employees who fail a test are subject to disciplinary action, up to and including termination.

B. Specimens for testing will be collected and analyzed by independent and reputable laboratory and/or health care providers or facilities that are certified/qualified to perform drug testing under Federal workplace testing laws.

C. Employees refusing to submit to a drug/alcohol test are subject to disciplinary action up to and including termination.

#### 11. Searches

Where a reasonable suspicion exists that an employee has violated this policy by either possessing prohibited items or materials or by his or her presence at the workplace while under the influence of alcohol or drugs, the employee is subject to a search of his or her person and/or property, including (but not limited to) office, locker, desk, cabinet, and vehicle. Refusal to submit to a search based on reasonable suspicion is grounds for discipline, up to and including termination.

#### 12. Employee Assistance

To assist us in providing a safe and healthy workplace Murray County School District, maintains a resource file of information on various means of employee assistance programs in our community, including but not limited to drug and alcohol abuse programs.

It is the responsibility of each employee to seek assistance before drug or alcohol problem(s) lead to disciplinary action. A decision to seek assistance after a positive drug/alcohol test will not influence disciplinary action by Murray County School District.

#### 13. Training Sessions

MCSD will conduct training sessions for supervisors in (A) how to identify impairment by alcohol/or drugs (B) process for referral for testing of employees and (C) MCSD Employee Assistance Program.

14. The Superintendent of Schools or her designee shall develop a drug free and alcohol free awareness program to inform employees of the following:

- The dangers of illicit drug and alcohol use.
- Local board policy GAM and any accompanying department administrative procedures concerning the maintenance of a drug and alcohol free workplace.
- Any available drug counseling, rehabilitation and employee assistance programs.
- Any penalties to be imposed upon employees for unlawful drug and alcohol activities.

15. The Superintendent/ Director of Administrative Services/Director of Personnel or designee must be consulted and approve non-routine requested drug/alcohol testing, as well as drug/alcohol searches.

Should you have any questions concerning the Murray County School District's program under the Drug-Free Workplace Act of 1988, please contact the Director of Administrative Services.

## **DRUG AND ALCOHOL TESTING**

- **Reasonable Suspicion Testing:** in the event an administrator or supervisor has reason to suspect that an employee is under the influence of alcohol or drugs, an immediate test for alcohol and/or drugs will be performed at Sutter Family practice or another medical facility approved in advance by employer. Reasonable suspicion includes any employee work related accidental injury. Testing will be at the employee's expense and failure to so submit to testing shall be grounds for disciplinary action including termination.
- **Safety Sensitive Testing:** all employees engaged in safety sensitive functions, including bus drivers, shall be subject to random drug and alcohol testing

## **DRUG FREE PUBLIC WORK FORCE ACT OF 1990**

The following penalties result from the conviction of any school system employee who is convicted of a criminal offense involving drugs. This applies only to criminal drug offenses committed on or after July 1, 1990.

- First Offense: Job suspension for a minimum of two months and completion of a licensed drug abuse treatment and education program.
- Second or Subsequent Offense: Job termination and ineligibility for public employment for a five-year period.

The following penalties result from conviction of a criminal offense involving drugs for any person who is seeking employment with the school system:

- First Offense: Ineligibility for any type of employment with the school system for a three-month period from the date of conviction.
- Second or Subsequent Offense: Ineligibility for any type of employment with the school system for a five-year period from the most recent date of conviction.

The following provisions apply to school system employees who notify their employer of their illegal use of drugs, prior to any arrest:

- Employees are allowed to maintain their jobs for a one-year period as long as they follow an approved drug treatment program.
- Employers cannot separate the employees from their jobs during this one-year period solely on the basis of the employee's drug dependence.
- Employers may restructure the employee's work activities to protect persons or property.
- Employers cannot use statements made to them by employees concerning their drug problems in any civil, administrative or criminal proceeding as evidence against the employees.

- These four provisions stated above are available to a school system employee only once during a five-year period; however, these provisions do not apply if the employee has refused to be tested or has tested positive to illegal drugs.

**The suspension, expulsion, and ineligibility sanctions prescribed in the Act are intended as minimum sanctions, and shall not be construed to prohibit additional or more stringent sanctions for criminal offenses and other conduct involving the unlawful manufacture, distribution, sale, or possession of a controlled substance, marijuana, or a dangerous drug.**

## **DRUG FREE SCHOOL ZONE**

It is illegal for a person to engage in illegal drug activity in, on, or within 1,000 feet of any real property owned or leased by a public or private elementary or secondary school. Violation of this policy will result in immediate termination of employment.

## **EMERGENCY SCHOOL CLOSINGS**

The Superintendent or his designee shall determine and announce to the public when emergency closings are deemed necessary. Such decisions relating to hazardous weather conditions or other emergencies, which present threats to the safety of students, school staff members or school property shall be at the discretion of the Superintendent.

## **ETHICS**

The Code of Ethics for Educators is included as an appendix in the back of this booklet. While it addresses only those educators with a certificate or license issued by the Professional Standards Commission, ALL employees of the Murray County School System will be expected to be familiar with and adhere to its provisions. In addition, each employee is expected to observe standards of personal and professional conduct, which will reflect favorably on him or herself and on the school system. Forms and instructions to report a suspected ethics violation may be found at [www.gapsc.com](http://www.gapsc.com) or the Murray County School System Personnel Department. Failure to report a violation is considered a violation in and of itself.

## **EVALUATION**

The Murray County Public Schools conduct performance appraisals of all employees, as required by state law. The primary purpose of performance appraisals are to identify strengths and weaknesses, improve communication and develop priorities for employment and to improve the quality of education. All Certified Employees shall be evaluated annually on the State mandated instrument. For most Certified employees that instrument is currently the TKES/LKES evaluation system.

Classified employees shall be evaluated annually by their immediate supervisor. The supervisor will complete the evaluation by June 1 of each school year. The supervisor will meet with the employee to review and discuss the performance appraisal. The employee will acknowledge receipt of the performance appraisal by his or her signature. A copy of the performance appraisal will be given to the employee. One copy will be kept on file in their personnel file.

## **HEALTH CERTIFICATION AND FITNESS FOR DUTY**

Bus drivers must pass a physical examination as a condition of employment. Bus drivers are also required to have a physical exam and file a medical report each year as a condition of continual employment. Cafeteria workers must pass a tuberculin skin test and/or x-ray, as a condition of employment.

As a condition to return from Sick Leave or FMLA Leave, any employee may be required to provide a "Fitness for Duty" form completed by their health care provider. These forms may be found in the back of this handbook. If an employee is unable to perform the essential function of his/her job due to impaired health, disability, or a dangerous communicable disease, the school system will consider whether any reasonable accommodation would enable the employee to continue employment. Accommodation is not reasonable if it imposes an undue financial or administrative burden on the system or requires a change in the nature of the employee's job. If a reasonable accommodation is not available, or if the employee cannot perform the essential functions of his/her job even with reasonable accommodation, appropriate steps will be taken to terminate his/her employment.

## **LEAVE (MC BOE Policy GARH)**

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

Nothing in this policy shall be construed as condoning any tardiness or absence from work without good and justifiable cause.

### **Earning, Accumulation, and Use of Leave**

Each benefits-eligible employee of the Board shall be allowed to earn aggregate leave (regardless of type), with full pay, as provided below for each employee category:

Teachers and other certificated employees shall earn leave computed on the basis of one and one-fourth (1 1/4) days for each completed contract month of service. Leave accumulated by a certificated employee is transferable from one school system to another, up to a maximum of 45 days. Certificated employees may accumulate unused leave from one fiscal year to the next, up to a maximum of 60 days, although the Teacher Retirement System of Georgia allows participating employees to accumulate an unlimited number of unused leave days for credit toward retirement. Accumulated leave will be forfeited if the employee withdraws from service for twelve or more consecutive months, but such forfeited leave may be reinstated in accordance with the provisions of O.C.G.A. § 20-2-850.

Bus drivers and bus monitors shall earn leave computed on the basis of one and one-fourth (1 1/4) working days for each completed month of service (20 days equates to one month.) Leave accumulated by a bus driver is transferable from one school system to another, up to a maximum of 45 days. In lieu, thereof, the System reserves the right, in its sole discretion, to

compensate bus drivers and bus monitors in advance at their daily rate for their earned leave each month as part of their salary.

Full-time (32 or more hours per week) school food service employees shall earn five (5) days of leave per school year which may be accumulated from one school year to the next up to a maximum of ten (10) days. Full-time custodians and pre-kindergarten paraprofessionals shall earn three (3) days of leave per school year. These employees may accumulate unused leave from one fiscal year to the next up to a maximum of 60 days, which is not transferable from one school system to another.

Other full-time non-certificated employees shall earn leave computed on the basis of one and one-fourth (1 1/4) days for each completed month of service. Other non-certificated employees may accumulate unused leave from one fiscal year to the next up to a maximum of 60 days, which is not transferable from one school system to another.

The system reserves the right, but is in no way obligated, to advance up to fifteen (15) days of leave provided said employee has accumulated sufficient deferred salary (summer pay) to cover the days advanced.

## **Types of Allowable Paid Leave**

### **A. SICK LEAVE**

Accumulated leave may be used as sick leave upon the approval of the Superintendent or designee for absence due to personal illness or injury, exposure to contagious diseases, or for absences necessitated by illness or death in the employee's immediate family. For any absence in which leave is used, the Superintendent or designee may require a physician's certificate stating that the employee is ill and is unable to perform his or her duties. In the event that sick leave is used to care for a member of the immediate family, the Superintendent or designee may require a physician's certificate stating that the employee is needed to care for the sick family member.

For the purposes of absences for medical and related reasons, members of the immediate family are defined as spouse, children, parents, siblings, in-laws equivalents of the same, grandparents, grandchildren or relatives living in the employee's household.

### **B. PERSONAL LEAVE**

Employees may use up to (3) days of accumulated leave per school year for personal leave if the procedures for requesting the personal leave specified by the supervisor have been followed and if the presence of the employee requesting absence is not essential for effective school operation as determined by the employee's supervisor. Unused personal leave will be carried forward to the next school year as unused leave. A Personal Leave form must be filed and approved by the Superintendent or designee prior to Personal Leave. Unless otherwise approved by the Superintendent or designee, personal leave will not be granted during pre-planning, post-planning, in-service days or on the day before or day after holidays. In addition, personal leave will not be granted during the first week of the student school year or during the last week of the student school year, unless the Superintendent or designee, in his or her discretion, determines that such leave should be granted. The Superintendent or designee may refuse to allow an employee to take personal leave if the employee's responsibilities cannot be covered in-house. Employees are not required to

disclose the purpose for which such absence is sought but will be required to state that the absence is for "personal" reasons.

If an employee desires to take leave for the observance of recognized religious holidays in excess of the days allowed for personal leave, the employee may take unpaid leave for such purposes, provided that such leave is not excessive and does not interfere with fulfilling the obligations of his or her job.

#### C. PROFESSIONAL LEAVE

Professional leave may only be taken at the request of the school district or when required in conjunction with the district's routine professional development or training activities and will not be charged against the employee's accumulated leave. System and school procedures and timelines must be followed for requesting professional leave. The Superintendent or his/her designee must approve all out-of-state professional leaves.

#### D. JURY AND WITNESS LEAVE

Each employee shall be allowed leave with pay for the purposes of serving as a juror in any court or when attending a judicial proceeding in response to a subpoena or other court order or process that requires the employee's attendance at the judicial proceeding in a work-related matter. Jury and/or witness leave shall not be deducted from an individual's accumulated personal, professional or sick leave. No employee utilizing jury or witness leave shall be required to pay the cost of employing a substitute to serve during his or her absence for such leave. Employees who serve on juries or who are subpoenaed to attend a judicial proceeding in a work-related matter may keep any jury/witness pay they receive.

#### E. MILITARY LEAVE

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

#### F. BEREAVEMENT LEAVE

When employees are absent due to a death in the immediate family, bereavement leave will be charged against the employee's accumulated leave as sick leave. Members of the immediate family are defined as spouse, children, parents, siblings, in-laws and equivalents of the same, grandparents, grandchildren or relatives living in the employee's household.

When employees are absent due to a death of individuals other than immediate family members, upon approval of the Superintendent or designee, leave will be charged against the employee's accumulated leave as personal leave. If an employee desires to take leave due to a death of individuals other than immediate family members the employee may take

unpaid leave for such purposes, provided that such leave is not excessive and does not interfere with fulfilling the obligations of his or her job.

#### G. LEAVE FOR STUDENT TEACHING

Employees that are not under contract who are completing student teaching for initial teacher certification must request unpaid leave for the term of their student teaching assignment – even if the student teaching assignment is in their current school or classroom.

#### H. SICK LEAVE DONATIONS BETWEEN EMPLOYED SPOUSES

An employee may donate up to ten (10) days of sick leave to his/her spouse who is also an employee of the school district for purposes of maternity leave, illness, or illness or death of a family member.

#### I. FAMILY AND MEDICAL LEAVE ACT (FMLA)

Eligible employees (generally, those who have worked at least one year with the System) can take up to a maximum of 12 work weeks of unpaid, protected leave during a “rolling” 12 month period for events meeting specific criteria:

- For incapacity, due to pregnancy, prenatal medical care or child birth
- To care for the employee’s child after birth, adoption or foster placement
- To care for the employee’s spouse, child or parent who has a serious health condition
- For a serious health condition that makes the employee unable to perform the employee’s job

The school system may, in its sole discretion, require any accrued paid leave to run concurrent with FMLA Leave. If the employee exhausts all sick leave and does not receive a paycheck, the employee will be responsible for the entire cost of insurance, including the employer’s portion.

To the extent that any provision in this provision conflicts with or is superseded by Board Policy or the Family and Medical Leave Act ("FMLA"), the Policy and or regulations promulgated there under, or any other federal or state law, the provisions of the applicable law or its regulations, as the case may be, shall control.

See board Policy GBRIG

## **MEDIA PROCEDURES**

From time to time, in the course of your employment, you may encounter a member of the news media who wants to ask you questions. If this happens, you are requested to politely refer them to the Central Office. If they persist, tell them you are not authorized to comment to the media, but someone in the Superintendent’s office will be glad to help them. Alert your supervisor if this occurs.

## OVERTIME FOR NON-EXEMPT EMPLOYEES

Overtime for non-exempt employees paid monthly shall be defined as those hours or major fraction of hours beyond 40 in a seven-day work week beginning at 12:01 a.m. on Monday and ending at 12:00 midnight on Sunday. **All overtime shall be approved, in advance, by the superintendent of schools or his/her designee.** This regulation shall apply to all employees defined as non-exempt under FLSA. Employees defined as exempt under FLSA (teachers, administrators, certain technology staff and classified supervisory staff) are compensated at a professional/supervisory level and are not eligible for additional compensation since it is anticipated that their positions may require overtime.

All overtime hours worked will be compensated at the rate of 1 and 1/2 times the employee's regular rate of pay. Compensatory time may be substituted for cash payment at the rate of 1 and 1/2 times the number of hours worked over 40 hours per week pursuant to an understanding arrived at between the employer and employee prior to performance of the work. The appropriate administrator or his/her designee must approve compensation (comp) time in advance. All approved compensation (comp) time **must be used in the pay period** in which said compensation (comp) time was earned.

Commensurate with records required by the FLSA, a daily time record for non-exempt employees must be maintained by the supervisory administrator as an audit record for all regular and overtime hours worked. At the end of each payroll period the supervising administrator must provide a written certified record of all performed overtime. Such information shall be entered in the permanent overtime record maintained in the finance department. For positions in which regular overtime is required, pay scales will be created to reflect this.

## PAY SCHEDULE

In most instances, salaries are paid monthly over a twelve-month period of time and **checks go out on the last working day of the month.** Payroll deductions are made from the employee's gross pay for mandatory requirements such as federal income tax, state income tax, Medicare tax, retirement and for other purposes that benefit the employee such as insurance, credit union, etc. Each employee must provide the Finance Office with pertinent information relative to withholding tax exemption and an authorization for other payroll deduction at the time of employment. Employees are required to use direct deposit.

## PERSONNEL RECORDS

The Murray County School district shall maintain a personnel file for each employee. The personnel file shall contain all documents necessary for the administration of personnel employed by the school system, excluding medical records relating to the American Disabilities Act, Family and Medical Leave Act, Omnibus Transportation Employee Testing Act of 1991, and Workers' Compensation. Personnel records of employees are legally defined as confidential. In order to protect confidentiality rights of employees, administrators, and teachers, no employee shall release any document, documents or information, which would not be construed to be an open record pursuant to O.C.G.A. Section 50-18-70. The following personnel information shall not be disclosed unless otherwise excepted by law or the written consent of the subject has been obtained: home address, home telephone number, social security number, insurance information, medical information, mother's maiden name, day and month of birth, credit card or debit card

numbers, bank account information and financial data or information. When responding to requests for information, the above items shall be redacted from the materials provided.

Personnel information requested by government agencies, school systems, public colleges, and public universities may be provided within the parameters of this policy. Employee name, employment date, position title, duty station, record of performance, and salary or wage data may be disclosed to businesses at the request of the employee. Personnel records shall be produced upon receipt of appropriate court orders or subpoena.

It is the responsibility of the employee to inform the Central Office when there are changes in the home address, phone number and number of dependents. It is important to be aware of the person named as beneficiary of the employee's life insurance and retirement plans and to notify the State Benefit's Department should a change of beneficiary be desired.

## **PROFESSIONALISM**

People who work together have an impact on each other's performance, productivity and job satisfaction. Likewise, how our employees act toward our customers (students, school staff, administrators, taxpayers, etc.) will influence whether those relationships are successful for our school and District. Employees are expected to adhere to basic rules of conduct, attendance, and standards of performance. In the event that improvement in any area is indicated, it shall be the responsibility of the supervisor/principal to discuss and/or document the situation with the employee and make reasonable efforts to assist the employee in making improvements. Written or verbal corrections, directives, warnings, Professional Development/Growth Plans, etc. may be issued to identify the area the employee was deficient in and establish a corrective action plan. Failure to correct identified problems could result in disciplinary action and/or termination of employment.

All employees are expected to perform assigned duties in a courteous, professional, conscientious, and timely manner. All employees are expected to maintain good attendance. All employees are expected to follow any applicable law, statutes, and ordinances while in the performance of their duties. Failure to perform assigned duties or significant deviation from the expected performance standard may result in disciplinary action or termination.

Additionally, employees are expected to maintain an exemplary reputation in the community. Actions which could discredit the employee of the community or which have the result of impairing the employees job effectiveness may result in disciplinary action, including termination.

## **RECRUITMENT**

The Murray County School System secures the personnel it needs by an effective recruitment program based on alertness to good candidates, initiatives that results in prompt action, and good personnel practices in dealing with applicants. The Murray County School System is an equal opportunity employer. No person shall be denied employment, re-employment or advancement nor shall be evaluated on the basis of sex, marital status, race, color, creed, age, disability or national origin.

Certified applicants should apply on-line by following instructions given on the Murray County Schools website, [www.murray.k12.ga.us](http://www.murray.k12.ga.us). Classified applicants may pick up an application at the board office, 1006 Green Rd.. The Murray County Schools Personnel Department only accepts applications for posted vacancies. Selected applicants may be requested to come for an interview. The mere submission of an application should in no way lead to any expectation of receiving an interview.

## **REDUCTION IN FORCE**

Please see Murray County BOE Policy GBKA.

## **RESIGNATION**

Employees are requested to complete the “Form for Reporting Intention to Resign or Retire” or write a letter as soon as the decision for resignation is made. Employees will remain under contract, unless, and until, they are released from their contract by the Murray County Board of Education.

## **RETIREMENT**

All employees of the Murray County School System who are employed one-half time or more are required to be members of the Teachers Retirement System of Georgia (TRS) or the Public School Employees Retirement System (PSERS). Retirement under both of these retirement systems is governed by Georgia Law. All employees shall have deductions made according to the rules and regulations of the appropriate retirement system.

Public School positions covered by TRS include teachers, administrators, supervisors, clerks, teacher aides, secretaries, and paraprofessionals. Other public school personnel eligible for TRS membership include classified managers and supervisors in the food service, maintenance, transportation, and technology departments. Employees covered by TRS do not pay Social Security taxes. By working under non-covered employment these employees could be subject to the Social Security pension offsets. Specific questions regarding the Government Pension Offset (GPO) and Windfall Elimination Provision (WEP) should be addressed to the Social Security Administration by calling 1-800-772-1213. You may also reach them on the Internet at [www.ssa.gov](http://www.ssa.gov).

Membership in PSERS consists of all employees of public school systems who are not eligible for membership in the TRS. These employees are eligible to participate in Social Security.

Employees intending to retire should complete the “Form for Reporting Intention to Resign or Retire” or write a formal letter. Retirement application forms are available from the Payroll and Benefits Office.

Addresses:

Teacher Retirement System of Georgia (TRS)  
Two Northside 75, Suite 400  
Atlanta, GA 30381 (404) 352-6500

Public School Employees Retirement System (PSERS)  
Two Northside 75, Suite 300  
Atlanta, GA 30318 (404) 352-6400

## **SALARY**

Non-certified (classified) personnel employed by the Murray County Board of Education will be compensated based upon the salary schedules approved annually during the Board of Education budget approval process.

Certified employee salaries shall be determined by the Georgia teaching certificate they hold and years of credible experience. Pay may further be modified by local supplement and/or the number of days employed. Certified employee salaries are subject to modification by action of the Georgia General Assembly and/or the Murray County Board of Education.

## **SEXUAL HARASSMENT AND SEXUAL VIOLENCE**

Sexual harassment and sexual violence is a form of sex discrimination. It is the policy of the Murray County School System to maintain an environment that is free from sexual harassment and sexual violence. It shall be a violation of this policy for any student or employee of the school system to harass a student or an employee through conduct or communication of a sexual nature as defined by policy, GAEB/JGIA. The school system will act to investigate all complaints of sexual harassment and sexual violence, either formal, oral or written, and to discipline any student or employee who sexually harasses a student or employee of the school system. Sexual harassment and sexual violence consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education;
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education;
3. That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment or education environment.

Any person who alleges sexual harassment by any staff member or student in the school system may use the Sexual Harassment Complaint Form or may complain directly to an immediate supervisor, building principal, Director of Personnel, or School Social Worker. (Complaint forms are available with each of these individuals) The immediate supervisor, principal, Director of Personnel or School Social Worker shall promptly implement the investigatory protocol. If the situation is not susceptible to resolution pursuant to established protocols, the Superintendent of Schools shall be contacted and shall attempt to resolve the matter in compliance with applicable laws and policies. In the case of employees the Superintendent of Schools or designees shall be authorized to request investigations by appropriate local, state, and federal agencies and to terminate or discipline employees found guilty of sexual harassment provided required procedural safeguards are followed. Filing a grievance or otherwise reporting sexual harassment will not reflect upon the individual's status nor will it affect future employment, grades, or work assignments. Under certain circumstances, sexual harassment and sexual violence may constitute sexual abuse as defined by state and federal statutes. In such cases the appropriate authorities will be notified. Nothing in this policy will prohibit the school from taking immediate action to protect victims of alleged sexual abuse.

## **SICK LEAVE BANK**

Please see Murray County BOE Policy GBRIB(1)

## **SOCIAL MEDIA**

The Murray County School District realizes that part of 21st century learning is adapting to the changing methods of communication. The importance of teachers, students and parents engaging, collaborating, learning, and sharing in these digital environments is a part of 21st century learning. While Free speech protects educators who want to participate in social media, the laws and courts have ruled that schools can discipline teachers if their speech, including online postings, disrupts school operations. Use caution when posting any comment and/or images to the internet that may reflect negatively on your professional image. Be advised that contact with students deemed inappropriate, may result in disciplinary action by the District and/or the Professional Standards Commission.

The Murray County School District social media guidelines encourage employees to participate in online social activities. But it is important to create an atmosphere of trust and individual accountability, keeping in mind that information produced by Murray County School District teachers and students is a reflection on the entire district and is subject to the district's Acceptable Use Policy. By accessing, creating or contributing to any blogs, wikis, or other social media for classroom or district use, you agree to abide by these guidelines. Please read them carefully before posting or commenting on any blog or creating any classroom blog, wiki and/or podcast.

### **Personal Responsibility**

- Murray County School District employees are personally responsible for the content they publish online. Be mindful that what you publish will be public for a long time—protect your privacy. Do not post anything you would not want to see on an Interstate Billboard.
- Your online behavior should reflect the same standards of honesty, respect, and consideration that you use face-to-face.
- When posting to your blog or social media site be sure you say that the information is representative of your views and opinions and not necessarily the views and opinions of Murray County School District.
- Remember that your posts, blogs, wikis and podcasts are an extension of your classroom. What is inappropriate in your classroom should be deemed inappropriate online.
- The lines between public and private, personal and professional are blurred in the digital world. By virtue of identifying yourself as a Murray County School District employee online, you are now connected to colleagues, students, parents and the school community. You should ensure that content associated with you is consistent with your work at Murray County School District.
- When contributing online do not post confidential student information.

## **STATEMENT OF NON-DISCRIMINATION**

Federal law prohibits discrimination on the basis of race, color or national origin (Title VI, of the Civil Rights Act of 1964); sex (Title IX of the Educational Amendments 1972 and the Carl D. Perkins Vocational and Applied Technology Education Act of 1990); or disability (Section 504 of the Rehabilitation Act of 1973 and the American with Disabilities Act of 1990) in educational programs or activities receiving federal financial assistance.

Employees, students and the general public are hereby notified that the Murray County School System does not discriminate in any educational programs or activities or in employment policies.

Inquiries concerning the application of the Perkins Act, Title IX or Section 504 and ADA to the policies and practices of the school system may be addressed to the Director of Human Resources; to the Georgia Department of Education, Twin Towers East, Atlanta, 30334; to the Regional Office for Civil Rights, Atlanta, 30323; or the Director, Office for Civil Rights, Educational Department, Washington, DC 20201.

## **STAFF-STUDENT RELATIONS**

The Board of Education requires all employees to conduct themselves in a manner which will maintain the authority and respect necessary in the educational setting. Therefore, any dating relationships or other social relationships which may reasonably be perceived to be dating between any staff member and any student of this school district is expressly prohibited. Employees shall not entertain students, socialize with students, or communicate with students using any means of electronic communication in such a manner as to reasonably create to students, parents, or the public the perception that a dating or other non-professional relationship exists. While this Board encourages employees to be warm and supporting of students, personnel may not allow students to regard them as peers. (Policy GAF)

## **TOBACCO USE PROHIBITED**

The use of tobacco or tobacco products by employees on school property or at school related functions, is prohibited. Violations will result in disciplinary action.

## **TRANSFERS**

Individuals wishing to transfer from one school to another shall follow this procedure:

1. Discuss the proposed transfer with your present principal/supervisor.
2. Contact the principal of the school to which he/she wishes to transfer to discuss the position.
3. Await notice of the disposition of the request from the principal/supervisor.

When a transfer of an employee from one school to another is initiated other than by the employee, the following procedure shall be used:

1. Discussion of the proposed transfer shall be held with the principals (or supervisors) involved, the Director of Personnel, and the Superintendent.
2. Discussion of the proposed transfer shall be held with the employee, when applicable.
3. Recommendations shall be made to the Superintendent.
4. Notice of the decision shall be given to the employee.

## **WEAPONS**

Employees are prohibited from having on their person or under their control any weapon at a school building, school function, on school property, or on a bus or other transportation furnished by the school unless the employee is licensed to carry and such weapon is in a locked compartment, locked container or locked firearms rack in a locked motor vehicle.

## **WORKER'S COMPENSATION**

The Murray County Board of Education provides worker's compensation to its employees. If a worker is injured at work the employer shall pay medical and rehabilitation expenses within the limits of the law.

Procedures:

- An accident or injury shall be reported immediately (or as soon as is practical thereafter) to the employee's supervisor and the Central Office at 706-517-0085. **IT IS IMPERATIVE THAT BOTH BE NOTIFIED ON THE DATE THAT THE ACCIDENT OCCURS.** With few exceptions, employees shall not be entitled to worker's compensation benefits unless such notice is given within 30 days after the occurrence of an accident. In the case of a death resulting from a work-related injury notification must be made within 30 days by the employee's next of kin or legal representative.
- If an injury requires immediate emergency treatment the Human Resources Department must be notified by the employee or the employee's supervisor at 706-517-0085. If there is no answer leave a message, then call 706-913-5943. If it is necessary to leave a message at either or both numbers include the employee's name, work location, nature of the injury, and the name of the facility where the employee is being taken.
- Unless the injury requires immediate emergency treatment employees must report to the Central Office to file a Worker's Compensation First Report prior to seeking professional treatment.
- A drug/alcohol screening **WILL** be administered to anyone who reports a work-related injury or seeks medical attention due to a work-related injury.
- If professional medical care or treatment is required the employee must select one of the health care providers listed on the school system's panel. An official notice of this panel is posted in the administrative office of each building and the Central Office. (This is the pink worker's compensation poster.) Employees that choose not to use a health care provider listed on the school system's panel or who choose to get medication from an unauthorized pharmacy do so at their own personal expense.

The person in the Central Office designated to complete the "First Report of Injury" form should do so immediately and the report should be submitted to the system's worker's compensation insurer within 8 hours so that the follow-up investigation can be completed within 1-2 days of the accident.

**Kelly Henson, Executive Secretary**  
**Georgia Professional Standards Commission**  
**Two Peachtree Street, Suite 6000**  
**Atlanta, GA 30303-3141**  
**www.gapsc.com**

**Paul Shaw, Director**  
**Educator Ethics Division**  
**404-232-2700**  
**Fax: 404-232-2720**  
**ethics@gapsc.com**

## **THE CODE OF ETHICS FOR EDUCATORS**

Effective October 15, 2009

1. Introduction. The Code of Ethics for Educators defines the professional behavior of educators in Georgia and serves as a guide to ethical conduct. The Professional Standards Commission has adopted standards that represent the conduct generally accepted by the education profession. The code defines unethical conduct justifying disciplinary sanction and provides guidance for protecting the health, safety and general welfare of students and educators, and assuring the citizens of Georgia a degree of accountability within the education profession.
2. Definitions
  - a. "Certificate" refers to any teaching, service, or leadership certificate, license, or permit issued by authority of the Professional Standards Commission.
  - b. "Educator" is a teacher, school or school system administrator, or other education personnel who holds a certificate issued by the Professional Standards Commission and persons who have applied for but have not yet received a certificate. For the purposes of the Code of Ethics for Educators, "educator" also refers to paraprofessionals, aides, and substitute teachers.
  - c. "Student" is any individual enrolled in the state's public or private schools from preschool through grade 12 or any individual under the age of 18. For the purposes of the Code of Ethics and Standards of Professional Conduct for Educators, the enrollment period for a graduating student ends on August 31 of the year of graduation.
  - d. "Complaint" is any written and signed statement from a local board, the state board, or one or more individual residents of this state filed with the Professional Standards Commission alleging that an educator has breached one or more of the standards in the Code of Ethics for Educators. A "complaint" will be deemed a request to investigate.
  - e. "Revocation" is the invalidation of any certificate held by the educator.
  - f. "Denial" is the refusal to grant initial certification to an applicant for a certificate.
  - g. "Suspension" is the temporary invalidation of any certificate for a period of time specified by the Professional Standards Commission.
  - h. "Reprimand" admonishes the certificate holder for his or her conduct. The reprimand cautions that further unethical conduct will lead to a more severe action.
  - i. "Warning" warns the certificate holder that his or her conduct is unethical. The warning cautions that further unethical conduct will lead to a more severe action.
  - j. "Monitoring" is the quarterly appraisal of the educator's conduct by the Professional Standards Commission through contact with the educator and his or her employer. As a condition of monitoring, an educator may be required to submit a criminal background check (GCIC). The Commission specifies the length of the monitoring period.
  - k. "No Probable Cause" is a determination by the Professional Standards Commission that, after a preliminary investigation, either no further action need be taken or no cause exists to recommend disciplinary action.
3. Standards
  - a. Standard 1: Legal Compliance - An educator shall abide by federal, state, and local laws and statutes. Unethical conduct includes but is not limited to the commission or conviction of a felony or of any crime involving moral turpitude; of any other criminal offense involving the manufacture, distribution, trafficking, sale, or possession of a controlled substance or marijuana as provided for in Chapter 13 of Title 16; or of any other sexual offense as provided for in Code Section 16-6-1 through 16-6-17, 16-6-20, 16-6-22.2, or 16-12-100; or any other laws applicable to the profession. As used herein, conviction includes a finding or verdict of guilty, or a plea of nolo contendere, regardless of whether an appeal of the conviction has been sought; a situation where first offender treatment without adjudication of guilt pursuant to the charge was granted;

- and a situation where an adjudication of guilt or sentence was otherwise withheld or not entered on the charge or the charge was otherwise disposed of in a similar manner in any jurisdiction.
- b. Standard 2: Conduct with Students - An educator shall always maintain a professional relationship with all students, both in and outside the classroom. Unethical conduct includes but is not limited to:
    1. committing any act of child abuse, including physical and verbal abuse;
    2. committing any act of cruelty to children or any act of child endangerment;
    3. committing any sexual act with a student or soliciting such from a student;
    4. engaging in or permitting harassment of or misconduct toward a student that would violate a state or federal law;
    5. soliciting, encouraging, or consummating an inappropriate written, verbal, electronic, or physical relationship with a student;
    6. furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student; or
    7. failing to prevent the use of alcohol or illegal or unauthorized drugs by students who are under the educator's supervision (including but not limited to at the educator's residence or any other private setting).
  - c. Standard 3: Alcohol or Drugs - An educator shall refrain from the use of alcohol or illegal or unauthorized drugs during the course of professional practice. Unethical conduct includes but is not limited to:
    1. being on school premises or at a school-related activity while under the influence of, possessing, using, or consuming illegal or unauthorized drugs; and
    2. being on school premises or at a school-related activity involving students while under the influence of, possessing, or consuming alcohol. A school-related activity includes, but is not limited to, any activity sponsored by the school or school system (booster clubs, parent-teacher organizations, or any activity designed to enhance the school curriculum i.e. Foreign Language trips, etc).
  - d. Standard 4: Honesty - An educator shall exemplify honesty and integrity in the course of professional practice. Unethical conduct includes but is not limited to, falsifying, misrepresenting or omitting:
    1. professional qualifications, criminal history, college or staff development credit and/or degrees, academic award, and employment history;
    2. information submitted to federal, state, local school districts and other governmental agencies;
    3. information regarding the evaluation of students and/or personnel;
    4. reasons for absences or leaves;
    5. information submitted in the course of an official inquiry/investigation; and
    6. information submitted in the course of professional practice.
  - e. Standard 5: Public Funds and Property - An educator entrusted with public funds and property shall honor that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes but is not limited to:
    1. misusing public or school-related funds;
    2. failing to account for funds collected from students or parents;
    3. submitting fraudulent requests or documentation for reimbursement of expenses or for pay (including fraudulent or purchased degrees, documents, or coursework);
    4. co-mingling public or school-related funds with personal funds or checking accounts; and
    5. using school property without the approval of the local board of education/governing board or authorized designee.
  - f. Standard 6: Remunerative Conduct - An educator shall maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation. Unethical conduct includes but is not limited to:
    1. soliciting students or parents of students to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator unless approved by the local board of education/governing board or authorized designee;
    2. accepting gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest;

3. tutoring students assigned to the educator for remuneration unless approved by the local board of education/governing board or authorized designee; and
  4. coaching, instructing, promoting athletic camps, summer leagues, etc. that involves students in an educator's school system and from whom the educator receives remuneration unless approved by the local board of education/governing board or authorized designee. These types of activities must be in compliance with all rules and regulations of the Georgia High School Association.
- g. Standard 7: Confidential Information - An educator shall comply with state and federal laws and state school board policies relating to the confidentiality of student and personnel records, standardized test material and other information. Unethical conduct includes but is not limited to:
1. sharing of confidential information concerning student academic and disciplinary records, health and medical information, family status and/or income, and assessment/testing results unless disclosure is required or permitted by law;
  2. sharing of confidential information restricted by state or federal law;
  3. violation of confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or distributing test items or answers, discussing test items, violating local school system or state directions for the use of tests or test items, etc.; and
  4. violation of other confidentiality agreements required by state or local policy.
- h. Standard 8: Abandonment of Contract - An educator shall fulfill all of the terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract. Unethical conduct includes but is not limited to:
1. abandoning the contract for professional services without prior release from the contract by the employer, and
  2. willfully refusing to perform the services required by a contract.
- i. Standard 9: Required Reports - An educator shall file reports of a breach of one or more of the standards in the Code of Ethics for Educators, child abuse (O.C.G.A. §19-7-5), or any other required report. Unethical conduct includes but is not limited to:
1. failure to report all requested information on documents required by the Commission when applying for or renewing any certificate with the Commission;
  2. failure to make a required report of a violation of one or more standards of the Code of Ethics for educators of which they have personal knowledge as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner; and
  3. failure to make a required report of any violation of state or federal law soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. These reports include but are not limited to: murder, voluntary manslaughter, aggravated assault, aggravated battery, kidnapping, any sexual offense, any sexual exploitation of a minor, any offense involving a controlled substance and any abuse of a child if an educator has reasonable cause to believe that a child has been abused.
- j. Standard 10: Professional Conduct - An educator shall demonstrate conduct that follows generally recognized professional standards and preserves the dignity and integrity of the teaching profession. Unethical conduct includes but is not limited to any conduct that impairs and/or diminishes the certificate holder's ability to function professionally in his or her employment position, or behavior or conduct that is detrimental to the health, welfare, discipline, or morals of students.
- k. Standard 11: Testing - An educator shall administer state-mandated assessments fairly and ethically. Unethical conduct includes but is not limited to:
1. committing any act that breaches Test Security; and
  2. compromising the integrity of the assessment.
4. Reporting
- a. Educators are required to report a breach of one or more of the Standards in the Code of Ethics for Educators as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner.

Educators should be aware of legal requirements and local policies and procedures for reporting unethical conduct. Complaints filed with the Professional Standards Commission must be in writing and must be signed by the complainant (parent, educator, personnel director, superintendent, etc.).

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

#### 5. Disciplinary Action

- a. The Professional Standards Commission is authorized to suspend, revoke, or deny certificates, to issue a reprimand or warning, or to monitor the educator's conduct and performance after an investigation is held and notice and opportunity for a hearing are provided to the certificate holder. Any of the following grounds shall be considered cause for disciplinary action against the holder of a certificate:
  1. unethical conduct as outlined in The Code of Ethics for Educators, Standards 1-10 (PSC Rule 505-6-.01);
  2. disciplinary action against a certificate in another state on grounds consistent with those specified in the Code of Ethics for Educators, Standards 1-10 (PSC Rule 505-6-.01);
  3. order from a court of competent jurisdiction or a request from the Department of Human Resources that the certificate should be suspended or the application for certification should be denied for non-payment of child support (O.C.G.A. §19-6-28.1 and §19-11-9.3);
  4. notification from the Georgia Higher Education Assistance Corporation that the educator is in default and not in satisfactory repayment status on a student loan guaranteed by the Georgia Higher Education Assistance Corporation (O.C.G.A. §20-3-295);
  5. suspension or revocation of any professional license or certificate;
  6. violation of any other laws and rules applicable to the profession; and
  7. any other good and sufficient cause that renders an educator unfit for employment as an educator.
- b. An individual whose certificate has been revoked, denied, or suspended may not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher or in any other position during the period of his or her revocation, suspension or denial for a violation of The Code of Ethics. The superintendent and the superintendent's designee for certification shall be responsible for assuring that an individual whose certificate has been revoked, denied, or suspended is not employed or serving in any capacity in their district. Both the superintendent and the superintendent's designee must hold GAPSC certification.