

# EMPLOYEE HANDBOOK



32 Vine Street, Mountain Brook, Alabama 35213 205-871-4608

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# **MOUNTAIN BROOK SCHOOLS**

## **POLICIES AND PROCEDURES**

The Mountain Brook Schools' Employee Procedure Manual for Personnel and Payroll Policies addresses procedures that are referenced in the policy manual. These procedures are subject to change based on policy revisions, employee law updates, and recommendations from the Superintendent. The purpose of this manual is to provide clarification on appropriate procedures that address a variety of Personnel or Payroll/Benefit issues. All forms associated with Personnel or Payroll/Benefits information can be found online at: [www.mtnbrook.k12.al.us](http://www.mtnbrook.k12.al.us) or with your local bookkeeper.

Personnel related questions must be addressed to the Personnel Department. Payroll questions must be addressed to the Finance Department. To contact either department, call 871-4608.

### **SUPERINTENDENT**

Dr. Richard Barlow

[barlowd@mtnbrook.k12.al.us](mailto:barlowd@mtnbrook.k12.al.us)

### **DIRECTOR OF HUMAN RESOURCES**

Dr. Susan Cole

[coles@mtnbrook.k12.al.us](mailto:coles@mtnbrook.k12.al.us)

## **STATEMENT OF NON-DISCRIMINATION**

The Mountain Brook School system does not discriminate on the basis of race, color, religion, national origin, sex, disability or age in any of its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding nondiscrimination policies:

Dr. Susan Cole –Personnel Director (Title IX)

[coles@mtnbrook.k12.al.us](mailto:coles@mtnbrook.k12.al.us)

## **EQUAL OPPORTUNITY EMPLOYER**

The Mountain Brook Board of Education is an equal opportunity employer. Personnel and payroll decisions will be made without regard to factors or considerations prohibited by federal or state law (as such laws may from time to time be amended), including but not limited to race, gender, age, disability, national origin, citizenship, genetic makeup and religious preference. Subject to the limitations set forth in Policy G-12, the general complaint policy may be used to present any complaint alleging unlawful discrimination or harassment. Inquiries regarding compliance and complaint procedures can be directed to:

**Dr. Susan Cole Director of Personnel**

Mountain Brook Schools

32 Vine Street

Mountain Brook, Alabama 35213

205-414-3833 OR 205-871-4608

## **PERSONNEL INFORMATION & PROCEDURES**

### **EMPLOYMENT REQUIREMENTS**

All employees must submit an application, resume, three letters of reference and a copy of their diploma unless it is a certified position. An official transcript and a teaching certificate must also be submitted, if applying for a certified position. Upon recommendation to hire, all employees of the Mountain Brook Board of Education are subject to a background check through the State Department of Education and are required to be e-verified through the Department of Homeland Security.

### **PROFESSIONAL CERTIFICATION AND PROCEDURES**

In addition to requirements established by the State Board of Education and the pertinent job description, professional employees must hold a degree from an accredited college or university and hold a current, valid and properly endorsed Alabama Teacher's Certificate, which will be maintained in their personnel file.

A teacher who has completed the certification process, but has not received the certificate, may be employed pending verification of the initiation of the certification process from the State Department of Education. The Personnel Department will work closely with each teacher to expedite the process to obtain the certificate as soon as possible.

If a teacher earns a higher degree from a regionally accredited institution recognized by the State Department, that merits increased compensation under the approved salary schedule, the salary increase will become effective following verification of the new degree or additional hours with an official transcript presented to the Personnel office.

### **Professional Certification Reminders:**

- All Alternative Baccalaureate Level Certificates (ABC) & Career & Technical ABC Level applications must be received in the Teacher Certification Office at the Alabama Department of Education by October 1<sup>st</sup> of the application year. To request the 1<sup>st</sup> ABC, the teacher must have already passed the Praxis II and APTTP by September 1<sup>st</sup>.
- All first year Special Alternative Certificate (SAC) and Preliminary Certificate (PRE) applications for the current school year must be received in the Teacher Certification Office at the Alabama Department of Education no later than October 1<sup>st</sup> of the application year.
- An individual may not be employed more than three years while holding an ABC, SAC, PRE or any combination thereof.
- If an employee is renewing an instructional leader/administrative certificate, he or she must earn PLU's (Professional Learning Units) regardless of his or her position or role in which they serve. If the individual chooses not to renew the administrative certificate, he/she must sign a waiver form.
- If an employee is renewing a teaching certificate that expires at the end of the five year period, he or she must earn 5 CEU's (50 hours of professional development).
- Teachers will be reminded, but it is ultimately the teacher or staff member's responsibility to maintain and renew their certificates so that they remain current and do not expire.

## **SUBSTITUTES**

All substitutes for teachers, instructional aides, custodians, and child nutrition employees are provided through **Kelly Staffing Services**. Representatives at the local schools will provide training in requesting a substitute.

## **WORK VERIFICATION PROCEDURES**

Verification of prior work experience must be obtained through the interview and hiring process. Official verification of prior work experience for certified employees must be obtained from previous employers and must be received within six months of an employee's hire date in order to remain on the recommended salary schedule. All submission of official verification of prior work experience must meet the Mountain Brook guidelines in order to receive credit.

## **EMPLOYEE ABSENCES - AESOP**

### **(Automated Educational Substitute Operator Program) PROCEDURES**

When an employee needs to be absent from work, some are required to enter absences in AESOP and all other employees must notify their immediate supervisor and building administrator. Please verify with the building administrator/supervisor which employee groups must utilize the AESOP service. It is the employee's responsibility to register an absence when he/she will not be reporting to work or notify the building administrator/supervisor of the absence. Additional questions can be addressed to AESOP at 1-800-942-3767 or call the Personnel Office at the Mountain Brook Board of Education at 414-3833. In the event an employee must leave work in the middle of the day, he or she must notify an administrator who will arrange coverage.

## **DRUG AND ALCOHOL TESTING PROCEDURES**

It is the policy of the Mountain Brook Board of Education that the use of alcohol and other drugs and the unlawful manufacture, distribution, dispensation, possession or use of illicit drugs is prohibited. The Board also requires that all employees report to work without any alcohol or illegal or mind altering substances in their system.

All transportation personnel under the regulations of the United States Department of Transportation will be randomly drug tested as designated by the Superintendent. If an employee holding a Commercial Driver's License tests positively during a random drug screening, he/she may be subject to immediate termination or enrollment and treatment in an appropriate Substance Abuse Program. If termination is not recommended by the Superintendent, the employee must meet requirements specified by federal law and the Substance Abuse evaluator to be eligible to return to duty. The employee will be placed on administrative leave until the Substance Abuse evaluator reinstates eligibility to return to work and all other DOT requirements are met to return to work.

All employees of the Mountain Brook Board of Education are subject to drug and alcohol testing if there is reasonable suspicion to believe an employee has violated the Alcohol and Drug Policy. (See the Employee Drug Testing Policy, G-36) If an employee tests positive, he/she may be subject to termination, counseling sessions through the Employee Assistance Program, or enrollment and treatment in an appropriate Substance Abuse Program. If termination is not recommended, the employee will be placed on Administrative leave and must meet the requirements set forth by the Substance Abuse evaluator to be eligible to return to work.

## **EMPLOYEE ASSISTANCE PROGRAM**

The Employee Assistance Program is voluntary and confidential. Through this free program, employees and their immediate family members may receive confidential personal counseling, marital counseling, counseling regarding alcohol and drug difficulties, and other services from Employee Assistance Services. The employee may enter the program through self-referral or may be referred by his or her supervisor. These services are offered at no cost to the employee and are confidential. School officials are not made aware of which employees have used the service. At the employee's request, sick leave may be granted for treatment or rehabilitation on the same basis as is granted for ordinary health problems.

Although the services offered by the Employee Assistance Program are free, if those services lead to referral by the program for services that exceed those covered by the program, those costs will be the responsibility of the employee. It shall be the employee's discretion whether to comply with the referral from the Employee Assistance Program to other services. To take advantage of this employee benefit, employees may call

**Employee Assistance Services at the numbers below:**

<b>205-933-7442</b>	<b>Local</b>
<b>1-800-367-0101</b>	<b>Alabama</b>
<b>1-800-338-9277</b>	<b>USA</b>

## **INFORMATION REGARDING SUBSTANCE ABUSE**

The school system maintains a list of resources for employees who want to learn more about substance abuse and resources for employees who may need diagnostic or treatment services related to substance abuse. In addition, the school system makes available a self-study PowerPoint presentation with information about substance abuse.

## **INFORMATION REGARDING VIOLENCE PREVENTION**

The school system maintains a self-study training program on violence prevention, consisting of a PowerPoint presentation that may be viewed on the Internet.

## **ARRESTS**

MBS employees who are arrested by law enforcement for any reason must notify Dr. Susan Cole 205-414-3833, within 24 hours of the arrest.

## **SEXUAL HARASSMENT**

It is the policy of the Mountain Brook Board of Education that no employee, student, or volunteer in the Mountain Brook Schools shall engage in conduct constituting sexual harassment (Policy G-32). Sexual Harassment is illegal and will not be tolerated. All employees are required to participate in "Sexual Harassment" training every year and document this training. Sanctions against employees for violation of this policy may include verbal or written warning, transfer, suspension, or termination of employment.

Since sexual harassment is clearly an act of sexual discrimination and a violation of civil rights, grievance procedures intended to support the school system's non-discrimination policy may be followed (page 15-16). Any principal or supervisor who is aware of a sexual harassment complaint must immediately report the complaint to the Superintendent or Director of Personnel. Any staff member who is aware of a sexual harassment complaint by a student must report the complaint to his or her principal or supervisor. The "Sexual Harassment" training behavior program is available on-line on the system web site throughout the year for all employees to review the contents.

## SICK LEAVE

The sick leave plan for all employees shall be in accordance with the rules and regulations established by the State of Alabama and the Board of Education and are outlined as follows:

- A. All employees shall be allowed sick leave at the rate of one day per contracted month and shall be permitted to accumulate these days to the maximum the state allows.
  
- B. Full pay for sick leave shall be allowed only if the absences fall within the definition of sick leave established by the State Board of Education and outlined below:
  - 1. Personal illness.
  - 2. Bodily injury which incapacitates the employee.
  - 3. Attendance upon an ill member of the employee's immediate family, i.e., husband, wife, father, mother, son, daughter, brother, sister, grandchildren, or a person standing in loco parentis.
  - 4. Death in the employee's immediate family, i.e., husband, wife, father, mother, son, daughter, brother, sister, in-laws, grandparents, grandchildren, or a person standing in loco parentis.
  - 5. Where unusually strong personal ties exist, due to an employee having been supported or educated by a person of some relationship other than those listed, this relationship may be recognized for leave purposes. In each of such cases, the employee shall file with the Superintendent a written statement of the circumstances which justify an exception to the general rule.
  
- C. If an employee of the Board of Education is absent from his or her job due to personal illness or illness in the immediate family as described above, he or she shall notify his or her supervisor as soon as possible so that arrangements for substitutes can be made. If after a period of five (5) consecutive working days of absence an employee has failed to notify his or her supervisor, then the Mountain Brook Board of Education will consider such absences as a resignation, unless circumstances beyond the control of the employee prevent the employee from giving notice.

Note: Employees who are absent from work without personal leave or sick leave may be terminated depending on the circumstances.
  
- D. If an employee of the Board of Education is absent from his or her job due to personal illness or illness in the immediate family as described above for more than ten (10) consecutive working days (or more than 5 days for food service employees), a physician's certificate may be required, stating the nature of the illness and the approximate date the employee should be able to return to his/her job, and such statement should be attached to the proper payroll form for the Finance/Payroll Department. Documentation may also be required if sick leave is used in an unusual manner. Sick leave is not transferable to another individual unless specifically allowed by state statute.



## **FAMILY AND MEDICAL LEAVE**

**Employees who are eligible under the Family and Medical Leave Act of 1993 (FMLA) may take leave for up to 12 work weeks during a calendar year for any one or more of the following reasons:**

1. The birth of the employee's child, and to care for the newborn child during the first year after the birth;
2. The placement with the employee of a child for adoption or foster care, and to care for the newly placed child during the first year after the placement;
3. To care for the employee's spouse, son, daughter, or parent (but not for parent-in-law), who has a serious health condition; or
4. Because of a serious health condition that makes the employee unable to perform one or more of the essential functions of his/her job.

From the inception of the qualifying event, the 12-week FMLA leave entitlement is to be charged concurrently with accumulated sick leave, annual leave or leave without pay. Any FMLA leave taken for a single condition should be taken all at one time. An employee may take FMLA leave intermittently or by reducing his/her work schedule to care for a family member with a serious health condition or for the employee's own serious health condition, only if medically necessary and with proper medical certification. Any intermittent leave schedule must be approved by his or her supervisor and the superintendent.

The Board may require the employee to provide medical certification of the serious health condition from the attending health care provider. The certification must be submitted within 15 calendar days after the Board requests it. Failure to provide the certification in a timely manner according to policy may result in denial of taking leave and/or discipline up to and including termination. The Board may require, at its discretion and expense, a second medical opinion. If the first and second opinions differ, the Board, at its own expense, may require the binding opinion of a third health care provider approved jointly by the employee and the Board. The Board may require periodic recertification on a reasonable basis. The Board may also require, as a condition of reinstatement, certification from a health care provider that the employee is able to resume work.

Spouses who are both employed by the Board are entitled to a maximum of twelve (12) weeks of leave combined (rather than twelve (12) weeks each) for the birth or placement of a child for adoption or foster care. However, if an employee's child or spouse is seriously-ill, both the employee and his or her spouse are each entitled to twelve (12) weeks of leave. Leave may begin prior to birth or placement, as circumstances dictate. An employee's FMLA entitlement to leave for the birth or placement of a child for adoption or foster care shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.

During FMLA leave, the Board will maintain the employee's individual group insurance benefits at the same level and under the same conditions as if the employee had been working. Dependent insurance coverage must be paid by the employee. If an employee fails to return to work at the conclusion of the approved leave, he/she may be required to reimburse the Board for the employer's portion of the premium paid on their behalf during the leave.

Should an employee request FMLA-qualifying leave, the employee must give the Board at least thirty (30) days' advance notice of the need for leave when it is foreseeable, such as a birth, placement of a child for adoption or foster care, or planned medical treatment for a serious health condition of the employee or of a family member, and must set forth:

1. The reasons for the requested leave;
2. The anticipated duration of the leave; and
3. The anticipated start of the leave.

If 30 days' notice is not practicable, such as a medical emergency, notice must be given as soon as practicable (which ordinarily means at least verbal notification to the employee's supervisor within 1 or 2 business days of when the need for leave becomes known to the employee). Reasonable efforts must also be made to schedule foreseeable leave so as not to unduly disrupt work operations, subject to the doctor's approval. Failure to give the required notice may delay the taking of FMLA leave until at least 30 days after the date the employee provides notice to the Board of the need for FMLA leave.

To be eligible for the leave, an employee must:

1. Have been employed by the Board for a least one year as of the date leave commences, and
2. Have worked for the Board at least 1,250 hours in the past 12 months.

Upon timely return from FMLA-qualifying leave and proper certification, an eligible employee who has not been designated a key employee by the Board, will be restored to his/her last position or an equivalent position with equal pay, benefits, and other conditions and terms of employment.

Employees involved in disciplinary actions from management will still be under those actions after returning to work from FMLA leave of absence.

It is the policy of the Board not to unlawfully interfere with, restrain, or deny the exercise of any right provided under the Family and Medical Leave Act (FMLA). It is not the intent of the Board to discharge or discriminate against any person for enforcing the FMLA or opposing practices made unlawful by FMLA; nor is it the Board's intent to discharge or discriminate against any person because of involvement in any proceeding under or related to FMLA. FMLA's enforcement procedures parallel those of the federal Fair Labor Standards Act. The FMLA will be enforced by the U.S. Department of Labor's Wage and Hour Division. If an eligible employee has a complaint regarding an FMLA violation, he or she should discuss it with his/her supervisor, following the chain of command leading to the Board of Education Personnel Office.

### **MATERNITY/PATERNITY LEAVE**

Maternity/Paternity leave requests must be made in writing to the principal/supervisor at least 30 days before the beginning of leave or delivery due date. Up to 12 weeks of unpaid maternity leave under the Family Medical Leave Act (FMLA) is available if an employee meets eligibility under the regulations of the law.

If an employee has available sick leave, vacation leave, or other applicable leave, the employee must utilize those forms of leave before taking unpaid leave under FMLA. The paid leave and FMLA leave will run concurrently from the first absence. Accumulated sick leave will be used during the duration of the leave of absence.

At the employee's request, maternity leave may be granted without pay. The employee and the administrator will agree upon the length of the leave, taking into consideration the welfare of students for whom the teacher is responsible.

Up to 12 weeks of unpaid leave may be requested for paternity leave for eligible employees under FMLA. If needed, the employee may request to borrow days from the Sick Bank if he/she is a member.

***Spouses Employed by the Mountain Brook Board of Education Requesting Maternity and Paternity Leave-***

Under the FMLA, a combined total of twelve (12) weeks of unpaid leave (or applicable paid leave described previously) for a husband and wife employed by the same board of education is allowed.

***Catastrophic Leave for Maternity Leave Requests*** -If an employee does not have accumulated sick leave to cover the amount of time the physician certifies the employee will not be able to perform regular job duties, and she is a member of the sick bank, a request in writing for catastrophic leave may be submitted to the Director of Personnel to cover the amount of time the physician states the employee must remain off work for recovery.

***One Year Leave of Absence*** – Full-time, tenured employees may be granted a leave of absence without pay, for one entire academic year (August through May which may not include portions of two separate academic years), for the birth and first year care of a newborn child or adoption of a child. This leave would not count towards experience in the determination of placement on the salary schedule.

- An employee returning from a year's leave of absence is not guaranteed their original position, but is subject to transfer and reassignment to another vacant position in the school district. He/she will be re-employed in the first vacant position for which he/she is qualified and certified.
- Benefits are continued through FMLA leave, but employees must contact the Finance/Payroll Department if the leave exceeds this time frame to verify continued benefits coverage, specifically PEEHIP.

## **EMERGENCY LEAVE**

On the basis of a written request approved by the Superintendent, emergency leave may be authorized in the case of extreme emergency when the year's personal leave days have been expended. For each day of approved emergency leave there shall be a full salary deduction equal to the employee's daily rate of pay.

## **VACATION LEAVE**

**Vacation for All Twelve Month Employees:** Twelve-month employees will be granted .8333 days' vacation leave per month (10 days per year). After ten (10) years of service with the Mountain Brook Board of Education, they will earn 1-1/4 (1.25) days per month (15 days per year). All twelve month employees shall be permitted to accumulate vacation for a maximum of 20 days for less than 10 years of service and 30 days for greater than 10 years of service. At the beginning of his or her contract period (July – June for 12-month employees), if an employee's vacation balance exceeds the accumulated limit, he or she will lose the difference, unless specific authorization is given by the Superintendent. Taking unearned vacation shall not be allowed without permission of the Superintendent.

Twelve-month employees can use all their vacation prior to either retirement or resignation. In the event that an employee is terminated he or she will be reimbursed for any unused vacation days at his or her current daily rate. Vacation should be requested in writing at least 5 working days prior to the requested date, and may be granted by the administrator. Employees will not be reimbursed for earned vacation prior to the end of their employment with the school system.

## **PERSONAL LEAVE**

Each employee shall be allowed three (3) days of personal leave with full pay for any annual contract period. After 15 years of service with the Mountain Brook Board of Education another personal leave day is awarded making a total of four (4) personal days. Personal leave is non-cumulative.

Personal leave should be requested in writing at least 3 days in advance. In granting personal leave to employees, each school may have a daily limit of one per ten teachers or any fraction thereof. For example, if a school has 21 teachers, as many as three teachers may be away on personal leave on any one day. No personal leave shall be granted within the 10-day period beginning with Institute Day, nor during the last 10 days of the scholastic year, except in emergencies. At the end of a contract period any unused personal leave days will automatically convert to sick leave for future use.

## **PROFESSIONAL LEAVE**

Upon written request by the employee and approval by the principal, professional leave may be granted for the purpose of attending national, regional, state or local meetings. The Board of Education will provide financial assistance on an equitable basis and to the extent that it is feasible.

## **OTHER EXTENDED LEAVE- One Year Leave of Absence**

Upon written request by the employee, the Board may grant leaves of absence without pay, for one entire academic year (August through May which may not include portions of two separate academic years), for the birth and first year care of a newborn child or adoption of a child. Other reasons for requesting a year's leave of absence are for study, personal improvement, travel, sabbatical, family obligations, wellness or illness; with the stipulation that the employee will be re-employed in the first vacant position for which he or she is qualified and certified. Such requests should be submitted no later than March 15 prior to the next scholastic year.

## **SABBATICAL LEAVE**

A full time certified teaching staff member with at least 15 years of service in the Mountain Brook School System shall be permitted to take a one-time, one-year sabbatical without pay and benefits; with the assurance that the teacher will be re-employed in the first available vacancy for which he or she is qualified and certified. Such requests must be submitted no later than March 15 prior to the next scholastic year. If the staff member taking sabbatical leave does not intend to return to his or her position, he or she should notify the Superintendent on or before March 1 of the sabbatical year.

## **MILITARY LEAVE**

Military leave is available to all eligible employees in accordance with state and federal law. Military paid leave will be utilized for the specific number of days, according to the specific type of military leave, after verification has been provided to the Payroll/Benefits Department.

## **COURT LEAVE**

Permanent and full-time employees are entitled to regular compensation while performing jury duty (ALA. CODE § 12-8-25), or when the employee is summoned under subpoena or other legal requirement to testify at trial in a court of law, or in administrative proceedings constituted under the statutory authority of the agency conducting the proceeding. Paid leave is not authorized for employees to meet with attorneys, to attend depositions, or to otherwise prepare for legal proceedings unless the presence of the employee is requested or required by the Board.

An employee must submit the summons for jury duty prior to the date to appear for this service. A copy of the jury certificate that an employee receives from the court at the completion of their jury service must also be submitted. These documents must be given to the payroll bookkeeper at the employee's work location. Failure to provide this documentation will result in utilizing the employee's accumulated personal or vacation to cover the absence. In the event the employee has no accumulated days, a pay deduction equivalent to their daily rate will be docked for each day.

### **CATASTROPHIC LEAVE**

To apply for Catastrophic Leave, a written request must be submitted to the Director of Personnel to verify eligibility. The employee must first use all sick leave, vacation days (if applicable), and personal days. The employee then requests to borrow days from the sick bank. If more days are needed, members of the sick leave bank may request donated days from other Alabama public school employees to cover absences. For additional information regarding catastrophic illness procedures, please refer to the section in this handbook under Sick Bank procedures or visit the district website.

### **INTERMITTENT MEDICAL LEAVE**

Intermittent medical leave is available for individuals with certain medical conditions that may not require an employee to be absent 10 consecutive days or longer, but frequent absences may result from the condition. An employee may also apply for Intermittent Catastrophic Leave.

### **MISCELLANEOUS LEAVE**

A full-salary deduction shall be made for an absence from duty for reasons other than those covered by the above leave provisions. The salary deduction for each day of such absence shall be at the daily rate of pay.

### **ON THE JOB INJURY LEAVE PROCEDURES**

On the job injury includes an accident or injury to an employee that occurs in the course of performing job duties for the Board, or when the employee is directed or requested by the employer to be on the property of the employer and the injury is such that it prevents the employee from working or returning to the job. The principal or supervisor must submit an **Incident Report** to the Chief Financial Officer stating the details of the on the job injury.

Upon a determination that the employee has been injured on the job and cannot return to work, the Board may maintain the employee's salary and benefits for the period of incapacity caused by the injury, up to ninety (90) working days. Such continuance is subject to the following requirements:

- Employee salaries may be continued during their absence due to job-related injury upon presentation to the Superintendent of satisfactory evidence which demonstrates that the absence was due to a job-related injury.
- Payments to the employee shall equal 100% of that employee's regular daily salary for each day absent due to the job-related injury.
- Salary continuation may be made only for temporary disability where there is a reasonable expectation that the employee will return to work and the salary continuation will not exceed ninety (90) days.
- Absence due to job-related injury shall be treated as sick leave for purposes of claiming reimbursement for substitutes and no deduction from employees' accumulated sick leave shall be required for paid

absence due to job related injury. However, this does not preclude an employee who is absent due to job related injury from using sick leave.

An employee who is injured on the job may file a claim to receive unreimbursed medical expenses and costs with the State Board of Adjustment up to one year following the injury. Failure to file a claim within one year will waive the employee's rights. The Board will provide such reasonable assistance to the employee in filing the Board of Adjustment Claim as required by law, but assumes and will have no responsibility or liability for processing the claim or directly reimbursing the employee any unreimbursed medical expenses and costs. On the job injury leave will be administered in accordance with and subject to the requirements and limitations imposed by state law regarding such leave.

## **SICK LEAVE BANK**

### **I. Purpose**

The School System Sick Leave Banks (hereinafter referred to as SLBs) are established to provide a loan of leave days for participating members after their accumulated sick leave days have been exhausted and to provide catastrophic sick leave. This action is authorized by The Code of Alabama and the Board of Education. In accordance with The Code of Alabama, the decision to have a joint or separate SLB(s) for certified and support staff is to be made by each group, utilizing a secret balloting process. The accounting of the SLB(s) shall be the responsibility of the Board.

### **II. The Sick Leave Bank Committee**

- A. Each SLB committee shall consist of five (5) members. At the beginning of each scholastic year, four (4) shall be selected by a secret ballot election held among the sick leave bank members. One (1) member shall be appointed as the system's representative by the superintendent, subject to board approval. The superintendent will be responsible for conducting the election in a fair and equitable manner, ensuring the confidentiality of the secret balloting process.
- B. Members of the SLB committee will serve a term of one year. Terms shall be for the scholastic year. Vacancies shall be filled by the respective parties. No representative on the committee shall serve for a term longer than five consecutive years.
- C. It shall be the exclusive responsibility of the sick leave bank committee to write the guidelines and administrative procedures of the sick leave bank, including the catastrophic leave provisions. It shall also be the committee's duty to develop all necessary forms for the orderly operation and administration of the sick leave bank and catastrophic leave provisions. A uniform state form provided by the State Department of Education shall be used to transfer and receive catastrophic sick leave days from one sick leave bank to another. Guidelines shall be approved by a secret ballot vote of the participating members of the sick leave bank.

### III. Duties of the SLB Committee

Each SLB(s) guidelines shall include the regulations of this section. Additional guidelines shall be adopted by the SLB committee as may be deemed appropriate and beneficial. No Board or SLB committee shall adopt any regulation which conflicts with the following general regulations:

- A. No employee shall be allowed to owe more than 15 days to the SLB, unless over 50 percent of the members of the bank vote to extend the limit.
- B. Appropriate administrative forms for administering the SLB shall be developed by the SLB committee.
- C. Sick leave days shall be repaid to the SLB monthly as re-earned by the member. Upon the resignation or other termination of an employee who has an outstanding loan of sick leave days, the value of the loan shall be deducted from the final paycheck at the employee's prevailing rate of pay.
- D. A member of the SLB shall not be allowed to accumulate more days than allowed in Section 16-1-18-1, (Code of Alabama), including days in the SLB.
- E. Employee membership in the SLB shall be voluntary.
- F. Any alleged abuse of the SLB shall be investigated by the SLB committee. On the finding of wrongdoing, the member shall repay all of the sick leave credits drawn from the SLB and be subject to other appropriate disciplinary action as determined by the local Board.
- G. Upon retirement or transfer of the SLB members, days on deposit with the SLB shall be withdrawn and transferred with the employee or made accessible for retirement credit, as applicable.
- H. Before being eligible to use catastrophic sick leave days, the member of the SLB shall first borrow and utilize days from the SLB, up to a maximum of 15 days. However, if the member later qualifies for catastrophic sick leave, donated catastrophic sick leave days may be used to repay days owed to the SLB to the credit of the affected member.
- I. At the beginning of the scholastic year, or upon employment of a new employee, as the case may be, the appropriate number of sick leave days shall, upon application of the employee, be credited to the employee's account to enable the employee to join the SLB if the employee does not have the minimum number of sick days to enable him or her to join the bank. The SLB committee shall develop in its guidelines a provision whether or not to allow other employees who have previously failed or refused to join the SLB the option to join upon deposit of the prerequisite number of sick leave days. Any policy developed by the SLB committee shall be uniformly applied to all employees.

#### **IV. Eligibility and Participation in the Sick Leave Bank**

- A. Any full-time or part-time employee of the Board who has completed a Sick Leave Bank Authorization Form depositing or committing the required days to the SLB is eligible to borrow up to fifteen (15) days from the SLB.
- B. The deposit of leave days into the SLB must conform to the SLB guidelines set up by the SLB committee.
- C. No employee shall be allowed to borrow or owe a number of days which is in excess of fifteen (15) days unless 50% of the participating members of the SLB vote to extend said limit.
- D. To be eligible for a loan from the SLB, a participating member must have exhausted all accumulated sick leave in his/her personal account.
- E. The Board Payroll Department shall maintain records of all member deposits to the SLBs, withdrawals from the SLBs, and the status of the SLBs. Reports shall be provided on a timely basis and at the request of the SLB committee, Superintendent, or Board.
- F. The number of days loaned to an applicant shall be determined by the SLB committee. Factors to be considered include, but are not limited to, (1) the applicant's need, (2) the circumstances of the illness or disability, (3) years of service to the system, and (4) the availability of days in the SLB.

#### **V. Procedures for Sick Leave Due to Catastrophic Illness**

- A. Employees participating in an SLB, at their discretion, may donate a maximum of thirty (30) days to the sick leave bank to be designated for a specific employee for use against a catastrophic illness. Any illness, injury, or pregnancy or medical condition related to childbirth certified by a licensed physician which causes the employee to be absent from work for an extended period of time is defined as catastrophic illness.
- B. The employee who is to receive sick leave days for a catastrophic illness shall be a member of the SLB and shall have no sick leave and personal leave available (i.e. The member will have exhausted all accumulated days of leave and have no days that can be borrowed from the bank).
- C. The ill employee may use the donated days but shall not be required to repay the days. Also, donated days may be used to repay the SLB.
- D. The employee who donates sick leave days to the sick leave bank for a particular employee for use against a catastrophic illness shall not be able to recover such donated days. However, if the particular employee does not require all the days donated to him/her, the days shall revert to the credit of those employees who donated the days in accordance with the guidelines adopted by the sick leave bank committee. Sick leave days may be donated to a beneficiary employee to be used for the same reasons that regular sick leave may be used according to law (Code of Alabama, Section 16-1-18.1).



- E. No employee may donate more than 30 sick leave days, exclusive of the minimum deposit to the sick leave bank for the catastrophic sick leave of any one employee.
- F. The SLBs are authorized to donate sick leave days to another SLB, including SLBs of other Alabama school systems, for use by a particular employee who is suffering a catastrophic illness.

LEGAL REF: The Code of Alabama, Section 16-22-9 and supporting provisions in Section 16-1-18.1.

### **DISCRIMINATION AND GRIEVANCE PROCEDURES FOR EMPLOYEES**

To resolve at the lowest possible administrative level, differences and issues related to alleged discrimination against employees within the meaning of the Vocational Rehabilitation Act, the Americans with Disabilities Act, Title IX, or the Federal Education Amendment, and any other applicable state or federal statute or regulation. These proceedings will be kept as informal and confidential as may be appropriate at all levels of procedure.

### **NOTICE OF NON-DISCRIMINATION**

The Mountain Brook school system does not discriminate on the basis of race, color, religion, national origin, sex, disability, sexual orientation, or age in any of its programs and activities, or in matters of employment, and provides equal access to the Boy Scouts and other designated youth groups. It is against the policy of the Mountain Brook Board of Education to have different rules or regulations on the basis of sex in employment, including recruitment, hiring classification, and other terms, conditions or privileges of employment. The Board, in accordance with Title IX, strictly prohibits discrimination on the basis of sex or gender in its programs or activities, or any matters of employment. This includes sexual harassment based on sex, sexual assault, as defined by law and Board policy. Sexual harassment and sexual assault complaints should be filed and reviewed under the Board's sexual harassment policies. All other complaints under Title IX will be filed and reviewed according to the Board's general complaints and grievance procedures. The Superintendent is authorized and directed to designate a Title IX Coordinator, whose duties will include, but not be limited to receiving and responding to Title IX inquiries and complaints. The following person has been designated to handle inquiries regarding nondiscrimination policies:

Dr. Susan Cole-Director of Personnel (Title IX),  
32 Vine Street, Mountain Brook, AL 35213, 205-871-4608.

### **COMPLAINTS AND GRIEVANCE PROCEDURES**

No person shall be denied employment, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any program or activity on the basis of disability, gender, sexual orientation, race, religious belief, national origin or ethnic group, color, or age.

**Purpose:** To resolve at the lowest possible administrative level, differences and issues related to alleged discrimination against employees within the meaning of the Vocational Rehabilitation Act, the Americans with Disabilities Act, Title IX, or the Federal Education Amendment, and any other applicable state or federal statute or regulation. These proceedings will be kept as informal and confidential as may be appropriate at all levels of procedure.

**Definitions:** A "grievance" is a complaint by any professional or support staff member specifically asserting a possible violation of any of the above-referenced statutes or regulations. A grievance procedure is the method by which a person may seek to resolve such a complaint.

### **Level One (Informal Procedures)**

The aggrieved employee must first discuss his or her grievance with the immediate supervisor with the objective of resolving the matter informally. (The principal should be considered the immediate supervisor for all building employees.) If the person against whom the complaint is being made is the aggrieved employee's immediate supervisor, the employee may take the complaint to the appropriate coordinator.

The aggrieved employee and his/her immediate supervisor should confer on the grievance with a view toward arriving at a mutually satisfactory resolution of the complaint. At the conference, the employee may appear alone or be accompanied by a representative of his or her choice. The supervisor may have such other persons present as he or she deems appropriate.

If the grievance arises from the actions of a specific person or persons, the supervisor should inform such persons of the nature of the grievance and attempt to ascertain the facts of the case from their perspective. If it is agreeable to all parties, a conference will be held which includes the aggrieved employee, the supervisor, and the person(s) against whom the grievance has been made. Each of these parties may appear alone or be represented, and the discussion should be directed at reaching a mutually satisfactory resolution of the complaint.

### **Level Two (Formal Procedures)**

#### **Step 1**

If as a result of the discussion between the complainant, supervisor and possible other parties, the matter is not resolved to the satisfaction of the complainant, then within five (5) school days of such conference, unless an exception is granted by the supervisor in his or her sole discretion, he or she shall set forth his or her grievance in writing to the supervisor specifying:

1. the nature of the grievance.
2. the nature or extent of the alleged injury, loss or inconvenience.
3. the corrective action sought.
4. the results of previous discussion(s) and conference(s), and
5. the basis of and reasons for his or her dissatisfaction with decision previously rendered.

The complainant shall be informed that if he or she so requests, assistance will be provided in developing a written statement of the grievances. The supervisor should communicate his or her decision in writing to the complainant upon the written presentation of the grievance in as soon as practicable, preferable within 10 school days. If a grievance is pursued beyond this level, written records should be forwarded to the next level of procedure by the complainant.

## Step 2

If the complainant is not satisfied with the disposition of his or her grievance at Level Two, Step 1, he or she may present his or her grievance to the superintendent within five (5) school days of receipt of the supervisors written decision unless an exception is granted by the superintendent. The superintendent may consult with or refer the matter to the appropriate coordinator, in the superintendent's sole discretion.

The superintendent or coordinator, as the case may be, should review the written record, counsel with the complainant, hear witnesses as he or she deems necessary, and render a decision in writing as soon as practicable.

## Level Three (Formal Procedures)

### Step 1

In the event the employee is not satisfied with the disposition of his or her grievance at Level Two, Step 2, he or she may file the grievance in writing with the Board of Education through the office of the superintendent within five (5) school days after receipt of the decision from Level Two, Step 2, unless an exception is granted by the superintendent.

He or she may request a private hearing before the Board of Education by providing a written request to the superintendent within the same time frame. In that event, the superintendent will submit to the Board of Education copies of the written record. The aggrieved employee as well as the superintendent and school system staff may be represented or accompanied by legal counsel at this hearing, and minutes of the proceeding will be made. The Board of Education may call witnesses as it deems appropriate. The aggrieved employee shall be given a written decision by the Board of Education as soon as practicable, preferably within 10 school days.

## TRANSFER/REASSIGNMENT PROCEDURES

**Voluntary** - The Principal/Supervisor may consider granting a voluntary transfer/reassignment if the employee so requesting possesses the required qualifications for the desired position and if a vacancy in such position exists. All requests for voluntary transfers/reassignments should be in writing on the Internal Transfer Form/Reassignment Request Form located on the Personnel website. These forms should be submitted to the following:

1. Current building administrator/supervisor
2. Building administrator of the school in which transfer/reassignment is requested or known vacancy exists
3. Department of Personnel

All requests for voluntary transfers shall be carefully considered and reviewed in accordance with Board policies concerning prohibited discrimination practices. Hiring recommendations will be submitted from the building administrators or central office supervisors to the Superintendent for consideration.

**Involuntary** - The Board may transfer/reassign any teacher or classified employee, including personnel employed as principals and supervisors, upon the recommendation of the Superintendent, for any succeeding year, from one position, school or grade to another by giving written notice to the employee of such intention to

transfer/reassign. Such transfer/reassignment shall be without loss of status or violation of contract and shall not be for political or personal reasons.

- In accordance with **The Students First Act of 2011**, tenured or non-tenured teachers can be reassigned one time per year to any position for which they are qualified on their school campus within the first 20 days of school. This reassignment is not subject to review and Board approval is not required.
- Tenured or non-tenured teachers can be transferred to another school to a position for which they are certified within the first 20 days of school. Written notice must be given to the teacher and the teacher is afforded the opportunity for a conference with the Board. Once the Board votes, this transfer/reassignment is not subject for review.
- In accordance with **The Students First Act of 2011**, probationary and non-probationary classified employees may be reassigned to a new position for which they are qualified without loss in pay. This reassignment is not subject for review and Board approval is not required.
- Probationary and non-probationary classified employees may be transferred to a different location for which they are qualified. For probationary classified employees, this transfer is not subject to review. For non-probationary classified employees, a written notice is provided to the employee, but this transfer is not subject for review and the employee has no rights before the board. The transfer is effective 15 days after the vote.
- If there is a transfer to another position and the teacher or classified employee would receive reduced pay, the employee must receive advance notice and has rights before the Board, according to **The Students First Act of 2011**.

## **SUSPENSION/TERMINATION**

The Board may suspend or dismiss any person's employment as outlined in **The Students First Act of 2011** in the Code of Alabama for the following reasons: (1) incompetency, (2) insubordination, (3) neglect of duty, (4) immorality, (5) justifiable decrease in the number of positions, (6) failure to perform duties in a satisfactory manner, or (7) any other good and just cause. An employee who contests the suspension or termination must follow the procedures outlined in **The Students First Act of 2011**.

## **END OF YEAR STAFFING PROCEDURES**

**Tenure** - In accordance with **The Students First Act of 2011**, all personnel remain on probationary status until continuing service status (tenure) is attained. Teachers and classified employees who have worked in the Mountain Brook School System for three complete, consecutive school years and are thereafter employed by the Mountain Brook Board of Education for the next succeeding school year shall attain continuing service status (tenure). For the school year to count as a complete school year, the teacher or classified employee must be hired prior to the October 1<sup>st</sup> and work to the end of the school year. During the probationary period, employees may be dismissed at any time at the discretion of the Mountain Brook Board of Education, upon written recommendation of the Superintendent and issuance of written notice to the employee. All terminations of probationary (non-tenured) and non-probationary (tenured) employees shall follow the procedures outlined in **The Students First Act of 2011**, effective July 1, 2011.

**Retirement** - If considering retirement at the end of the current school year, an employee must contact the Teacher Retirement System (TRS) to verify eligibility. The employee must contact the Finance/Payroll Department to complete necessary paperwork by the deadlines specified by TRS in order to avoid missing a paycheck. A letter indicating the decision to retire must be submitted to the Principal, Director of Personnel or Superintendent.

**One Year Leave of Absence Request** - If a tenured employee plans to request a leave of absence for the following full academic year, he/she must submit a written request to the principal no later than March 15<sup>th</sup> prior to the next scholastic year, if at all possible.

**Resignation** - No public K-12 teacher shall be permitted to terminate his or her employment within 30 calendar days before the first day of the next school term for students, unless the termination is mutually agreed upon. A public K-12 teacher may terminate his or her employment at any other time by giving 30 days' written notice to the employing board of education. Any public K-12 teacher terminating his or her employment in violation of this section may be found guilty of unprofessional conduct, and the State Superintendent of Education may revoke or suspend the certificate of the violating teacher.

## **CONTACTS FOR THE PERSONNEL OFFICE**

### **Director of Personnel**

Dr. Susan Cole

Phone: (205) 414-3833 Fax: (205) 802-1627

Email: [coles@mtnbrook.k12.al.us](mailto:coles@mtnbrook.k12.al.us)

### **Administrative Assistant**

Stephanie Garrett

Phone: (205) 414-3833 or (205) 871-4608

Email: [garretts@mtnbrook.k12.al.us](mailto:garretts@mtnbrook.k12.al.us)

## **TECHNOLOGY**

The primary goal of the technology environment is to support the educational and instructional endeavors of students and employees of Mountain Brook Schools. Use of any and all technology resources is a privilege and not a right.

To ensure that students receive a quality education and that employees are able to work in a professional and intellectually stimulating environment, it is the policy of the Mountain Brook Schools to provide all students and employees with access to a variety of technology resources. All Mountain Brook students and staff must acknowledge and adhere to the technology policy found under Quick Links on the district technology page. The creation of a large and varied technology environment demands that technology usage be conducted in legally and ethically appropriate ways, consistent with the Mission Statement and instructional goals of the Mountain Brook Schools. We recognize that the use of technology always requires attempts to balance the benefits against the possibilities of danger, security problems, and abuse. Rapid changes in technology and growth in the range of content available makes this a constant challenge. Thus, it is the intention of the Mountain Brook Schools that all technology resources will be used in accordance with any and all school system policies and procedures as well as local, state, and federal laws and/or guidelines governing the usage of technology and its component parts. Additionally, it is implied that all students and employees of the Mountain Brook Schools will use the provided technology resources so as not to waste them, abuse them, interfere with or cause harm to other individuals, institutions, or companies.

The administrators of each school are responsible for establishing specific practices to enforce this policy at individual schools. Some of the sections of the policy pertain to technology equipment personally owned by school employees and students and brought into school facilities. All personal technologies used on any Mountain Brook campus are subject to this policy and may be used only if such usage is in compliance with all school system policies, procedures, and guidelines as well as local, state, and federal laws. All electronic content stored on any external storage medium or personal off-site storage location that is brought to or accessed from a Mountain Brook Schools campus is subject to all school system policies and guidelines, as well as local, state, and federal laws. Employees are prohibited from emailing outside the school system or storing/saving on external storage devices or portable devices that do not remain on campus, electronic copies of student or staff personal information. This information includes, but is not limited to data containing social security numbers, information protected by FERPA, and any other sensitive and/or protected information. In the event that this type of information is stored on a portable or external device and said device is lost or stolen, the Technology Director should be notified immediately. Any questions about this policy, its interpretation, or specific circumstances shall be directed to the Technology Director before proceeding.

### **Director of Technology:**

Suzan Brandt

Phone: (205) 871-4608

Email: [brandts@mtnbrook.k12.al.us](mailto:brandts@mtnbrook.k12.al.us)

**Alabama State Department of Education Digital Device Policy for the Alabama Comprehensive Assessment Program**

**LEA PERSONNEL POLICY**

Local education agency (LEA) personnel shall not possess any digital device within the testing room, or when in the presence of secure test materials, when administering or proctoring an Alabama Comprehensive Assessment Program (ACAP) assessment. This prohibition does not apply to school personnel who are serving as Hall Proctors. **The possession of a digital device by school personnel participating in ACAP testing is strictly prohibited during the administration of an assessment.** The **ONLY** exception to this policy is for school personnel who have been pre-approved by the Building Test Coordinator or the Principal to have a digital device that is necessary for the health and/or well-being of school personnel. All exceptions must be pre-approved in writing by the Building Test Coordinator or the school Principal by completing the *Digital Device Exception Request* form.

For the purposes of this policy, digital devices are defined to include anything that can capture, store, relay, or receive electronic information. This includes, but is not limited to, the following: laptops, smart phones, smart watches, fitness trackers, MP3 players, and tablets. Additionally, classroom computers must be powered off during testing.

If school personnel are in **possession** of a digital device, whether powered on or off, during the administration of an ACAP assessment, the device will be confiscated and, if the administrator determines there is reasonable suspicion that the device was used to capture, record, share test information, or to facilitate cheating on the assessment, it may be subject to search pursuant to LEA policy for any information directly related to the ACAP test being administered.

Additionally, school personnel shall be dismissed from testing, and students' tests may be invalidated. Any variance of this policy will be at the discretion of the Alabama State Department of Education (ALSDE), in accordance with guidance in the *ACAP Integrity Handbook for Test Administration*. Violation(s) may result in disciplinary action by the LEA in accordance with the LEA's policies and by the ALSDE, up to and including possible employment termination and certification action.

LEAs shall make all school personnel participating in the administration of a state assessment aware of this prohibition through inclusion of this policy in the employee handbook, required training, and may also publicize this policy through other normally accepted methods.

## ADDENDUM

### ALABAMA EDUCATOR CODE OF ETHICS

#### Introduction

The primary goal of every educator in the state of Alabama must, at all times, be to provide an environment in which all students can learn. In order to accomplish that goal, educators must value the worth and dignity of every person, must have a devotion to excellence in all matters, must actively support the pursuit of knowledge, and must fully participate in the nurturance of a democratic citizenry. To do so requires an adherence to a high ethical standard.

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

#### Code of Ethics Standards

##### **Standard 1: Professional Conduct**

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

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

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

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

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

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

##### **Standard 2: Trustworthiness**

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

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

- Properly representing facts concerning an educational matter in direct or indirect public expression.



- Advocating for fair and equitable opportunities for all children.
- Embodying for students the characteristics of intellectual honesty, diplomacy, tact, and fairness.

Unethical conduct includes, but is not limited to, the

following:

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

### **Standard 3: Unlawful Acts**

*An educator should abide by federal, state, and local laws and statutes.*

Unethical conduct includes, but is not limited to, the commission or conviction of a felony or of any crime involving moral turpitude. As used herein, conviction includes a finding or verdict of guilty, or a plea of nolo contendere, regardless of whether an appeal of the conviction has been sought or a situation where first offender treatment without adjudication of guilt pursuant to the charge was granted.

### **Standard 4: Teacher/Student Relationship**

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

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

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

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

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

**Standard 5: Alcohol, Drug and Tobacco Use or Possession**

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

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

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

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

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

**Standard 6: Public Funds and Property**

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

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

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

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

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

**Standard 7: Remunerative Conduct**

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

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

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

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

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

**Standard 8: Maintenance of Confidentiality**

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

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

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

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

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

#### **Standard 9: Abandonment of Contract**

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

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

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

#### **Reporting**

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

*Alabama Administrative Code 290-3-2-.05*

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

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

*Alabama Administrative Code 290-3-2-.05*

(1) Authority of the State Superintendent of Education

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

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

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

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

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

## Finance/Payroll Contacts

### Payroll Staff

Tracy Perry                      [perryt@mtnbrook.k12.al.us](mailto:perryt@mtnbrook.k12.al.us)                      205-871-4608, x7815

### Accounting Specialist

Patti Morrow                      [morrowp@mtnbrook.k12.al.us](mailto:morrowp@mtnbrook.k12.al.us)                      205-871-4608, x7813

### Chief School Financial Officer

Kari Austin, SFO                      [austink@mtnbrook.k12.al.us](mailto:austink@mtnbrook.k12.al.us)                      205-871-4608

Please visit our website ([www.mtnbrook.k12.al.us](http://www.mtnbrook.k12.al.us)) for current Payroll & Finance information as well as frequently used forms.