

## CHAPTER 6.00 – HUMAN RESOURCES

### EQUAL OPPORTUNITY FOR EMPLOYMENT

6.10

- I. The Lee County Board of Education recognizes that an effective educational program depends on the quality of the personnel employed in the system. Therefore, every effort shall be made to employ the most qualified personnel available. Applicants for position will be selected on the basis of their qualifications, merit, and ability. No person shall be denied employment, re-employment, advancement, or evaluations, nor shall be subjected to discrimination on the basis of sex, age, marital status, race, religion, national origin, ethnic group or disability. No employee shall be subject to adverse consequences for filing a complaint of discrimination.
- II. All personnel shall be appointed or re-appointed as prescribed by federal law, Alabama law and in conformance with applicable State Board of Education and Lee County Board of Education rules.
- III. The Superintendent is directed to develop appropriate employment procedures governing the recruitment, screening, selection, appointment and employment of all Lee County School System personnel. Employment qualifications and other criteria will be listed in job descriptions for each position within the school system.

#### REFERENCE(S):

**CODE OF ALABAMA**  
[16-8-23](#), [16-9-23](#), [16-9-24](#)  
**CIVIL RIGHTS ACT OF 1964 AND AMENDMENTS;**  
**SECTION 504 OF THE REHABILITATION ACT OF 1973,**  
**AMERICANS WITH DISABILITIES ACT OF 1993,**  
**TITLE IX OF EDUCATION AMENDMENTS OF 1971**

#### HISTORY:

**ADOPTED: DECEMBER 2002**  
**REVISED: NOVEMBER 16, 2010**  
**FORMERLY: GAAA**

## CHAPTER 6.00 – HUMAN RESOURCES

### EMPLOYMENT STATUS AND TIME SCHEDULES

6.11

- I. Full Time - A regular full time certified employee is a person who is employed for the school term or for the school fiscal year to render the minimum number of hours each day as established by the Lee County Board of Education for that position or job. A full time support employee includes adult bus drivers and those employees working twenty (20) or more hours per week.
- II. Part-time - A part-time certified employee is a person who is employed to render less than the number of hours each day as established by the Lee County Board of Education for a regular full time employee. A part-time support employee is a person employed less than twenty (20) hours per week.
- III. Temporary - A temporary employee is a person whose employment is expected to be for a limited time to fill a vacancy for which a permanent employee is not available or to perform some work of a temporary nature. Such employment will cease at the close of the school term or school fiscal year or when the temporary work has been completed. A temporary employee may work any number of hours up to 40 hours per week.
- IV. Time Schedules for Certified Personnel – Time schedules for certified personnel may be designated by the Superintendent and/or the immediate supervisor of said personnel. All administrative and supervisory personnel shall normally observe an eight (8) hour work day, unless otherwise assigned by the Superintendent. Local school administrators shall be on duty no less than thirty (30) minutes prior to the time fixed for school to open and thirty (30) minutes after the close of school. Certified teaching personnel are generally required to be on duty 15 minutes before the time set for the opening of their respective school and 15 minutes after the close of the school day, or a combination of 30 minutes before or after the school day as determined by the local principal, and the necessary time to transact successfully faculty meetings, school business, and safe orderly dismissal of students, etc.
- V. Time Schedules for Non-Certified Personnel – Time schedules for non-certified personnel may be designated by the Superintendent or the immediate supervisor of said personnel. In all cases, the Superintendent and/or supervisor in charge shall have the right to establish time schedules to encompass said employee's workday. Said work schedules shall be in compliance with the Fair Labor Standards Act and in all instances shall include a 30-minute duty-free break.

#### REFERENCE(S):

**CODE OF ALABAMA**  
[16-8-9](#), [36-25-1](#), [36-26-100](#)  
**FAIR LABOR STANDARDS ACT**

#### HISTORY:

**ADOPTED: DECEMBER 2002**  
**REVISED: NOVEMBER 16, 2010**  
**FORMERLY: GAA**

## CHAPTER 6.00 – HUMAN RESOURCES

### POSTING VACANT POSITIONS and RECRUITMENT

6.12

- I. The Lee County Board of Education shall post a notice of vacancy for each vacant personnel position. The notice shall be posted in a conspicuous place at each school campus and worksite at least fourteen (14) calendar days before the position is to be filled. The notice shall include, but not necessarily be limited to, all of the following:
  - A. Job description and title
  - B. Required qualifications
  - C. A statement of reference to the approved salary schedule.
  - D. Information on where to submit an application
  - E. Information on any deadlines for applying
  - F. Other relevant information
- II. In accordance with Attorney General Opinion 2002-069, November 21, 2001 the following are exceptions to posting vacancies:
  - A. There is no vacancy when two (2) teachers trade positions; and
  - B. Where a lateral transfer occurs and the positions are neither newly created nor supervisory or managerial in nature, and there has been no increase or decrease in salary.
- III. If a personnel vacancy occurs during the time when schools are in session, the vacancy notice shall be posted not less than seven (7) calendar days before the position is to be filled. All vacancies involving jobs which are supervisory, managerial, or otherwise newly created positions shall nevertheless require posting notices of at least fourteen (14) calendar days. If the vacancy is to be filled on a temporary emergency basis through an involuntary transfer within fifteen (15) days before or after the first day of school (AL Code § 16-24B-7), the notice must be posted at least five (5) working days.
- IV. Nothing in this policy shall prohibit the immediate employment or transfer of Lee County School System personnel needed to ensure the welfare and safety of students, personnel or others on a temporary emergency basis as provided by law.
- V. It shall be the duty of the Superintendent to ensure that all certified and non-certified employees satisfactorily meet all requirements of State Law and State Board of Education rules and regulations.

## CHAPTER 6.00 – HUMAN RESOURCES

- VI. The Superintendent shall establish and maintain a plan for actively recruiting promising personnel for employment by the Lee County School System. The recruitment program may include, but shall not be limited to, the following:
- A. Interview prospective employees prior to graduation at area colleges;
  - B. Advertise and/or disseminate information about job vacancies; and,
  - C. Review files obtained by college placement bureaus and the Alabama State Department of Education.

### REFERENCE(S):

**CODE OF ALABAMA**  
[16-8-9](#), [16-9-23](#), [16-9-24](#), [16-23-6](#), [16-24B-7](#),  
**LEGISLATIVE ACT 98-147**

### HISTORY:

**ADOPTED: NOVEMBER 16, 2010**  
**REVISED: \_\_\_\_\_**  
**FORMERLY: NEW**

## CHAPTER 6.00 – HUMAN RESOURCES

### JOB DESCRIPTIONS

6.13

- I. The Lee County Board of Education must approve a job description prior to the establishment of any new position.
- II. Each job description shall contain the minimal qualifications, required skills, essential performance responsibilities, physical requirements of the position and other information as deemed necessary.
- III. The Superintendent shall maintain comprehensive, up-to-date job descriptions for all Lee County School System positions and shall place all job descriptions in each school and on the School System website. It shall also be the responsibility of the Superintendent or his/her designee to familiarize the personnel with their duties and responsibilities as defined by the job description.

#### REFERENCE(S):

**CODE OF ALABAMA**  
[16-8-8 TO -10](#), [16-9-23](#), [16-9-24](#)

#### HISTORY:

**ADOPTED: DECEMBER 2002**  
**REVISED: NOVEMBER 16, 2010**  
**FORMERLY: GAA**

## CHAPTER 6.00 – HUMAN RESOURCES

### CONFLICTS OF INTEREST

6.14

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

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

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

#### REFERENCE(S):

**CODE OF ALABAMA**  
[16-9-13](#), [36-25-1](#), [36-25-2](#), [36-25-5](#), [36-25-8](#)

#### HISTORY:

**ADOPTED: DECEMBER 2002**  
**REVISED: NOVEMBER 16, 2010**  
**FORMERLY: GAI, GBRG**

## CHAPTER 6.00 – HUMAN RESOURCES

### GIFTS

6.14.1

- I. Staff members may, at their discretion, present gifts to groups of students on special occasions. Lee County School System staff members must exercise good taste and sound professional judgment when giving gifts to students.
- II. Lee County School System staff members shall not solicit or accept a gift, including money, from any source, when such a gift could be construed to be:
  - A. associated with the performance of school-related duties or activities;
  - B. a result of or a precondition to business transactions between the parties;
- III. Gifts of a nominal value on special occasions such as Valentine’s Day, birthday, etc., are excluded from this provision.
- IV. All gifts must comply with the current Alabama Ethics Law.

#### REFERENCE(S):

CODE OF ALABAMA  
[16-8-9](#), [36-25-1](#)

#### HISTORY:

ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GAI

## CHAPTER 6.00 – HUMAN RESOURCES

### USE OF SYSTEM-OWNED EQUIPMENT AND MATERIALS

6.14.2

All equipment and materials owned by or purchased in the name of the Lee County School System shall be used exclusively for educational purposes as defined by the Board. Employees are authorized to use such equipment and materials while performing assigned job-related duties at their respective work sites/classrooms during regular work hours.

#### Use of Equipment Away From School Work Sites/Classrooms

The use of School System-owned equipment away from work sites/classrooms shall be limited to items that are directly related to completing instructional/teaching-oriented work assignments or other work assignments assigned by supervisor.

#### Fixed Asset Equipment and Certain Electronic Equipment

Under no circumstances are School System employees authorized to take equipment shown on the Fixed Asset Inventory List or electronic equipment with a per unit cost of \$500.00 or more away from their work sites/classrooms without the prior written approval of their immediate supervisor/principal. When an employee is approved to use such equipment away from the work site/classroom, the equipment must be checked out by serial number or other appropriate identification and returned to the work site/classroom on a daily basis. However, when the schools are not in session, the principal may approve the use of such equipment away from the classroom/work site for longer periods of time.

#### Non-Fixed Asset Equipment and Certain Electronic Equipment

Employees may be authorized to take School System equipment not shown on the Fixed Asset Inventory List or electronic equipment with a per unit cost of \$500.00 or less away from their classrooms /work sites to complete school related tasks with the verbal approval of the principal.

#### Use of School System-Owned Equipment for Personal Gain

Under no circumstances shall an employee lend, rent, or lease School System-owned equipment or system-owned vehicle to a non-employee or use such equipment or vehicle for personal gain.

#### REFERENCE(S):

CODE OF ALABAMA  
[16-8-9](#), [36-25-5](#)

#### HISTORY:

ADOPTED: NOVEMBER 16, 2010  
REVISED: April 12, 2011



## CHAPTER 6.00 – HUMAN RESOURCES

### TUTORING FOR PAY BY CERTIFIED PERSONNEL

6.14.3

Lee County School System certified personnel shall not receive pay or its equivalent for out-of-school tutoring of students currently enrolled in their classes when the out-of-school tutoring is in subject areas taught the students during the regular school day. However, certified personnel may engage in out-of school tutoring of students in their classes when such tutoring is sponsored, organized, and paid for by the School System or other state-accredited educational institutions. Tutoring for any form of remuneration shall not be done during the regular school hours.

#### Use of School System Facilities, Equipment, Materials, or Supplies for Tutoring

Certified personnel shall not under any circumstances use School System consumable materials or supplies for private tutoring for personal gain. Use of facilities, materials, or supplies must be approved by the principal.

#### REFERENCE(S):

CODE OF ALABAMA  
[36-25-5](#)

#### HISTORY:

ADOPTED: NOVEMBER 16, 2010  
REVISED: \_\_\_\_\_  
FORMERLY: NEW

**USE OF SYSTEM – OWNED VEHICLES  
(excluding student transportation buses)**

**6.14.4**

All vehicles purchased by or otherwise owned by the Lee County Board of Education shall be used exclusively for educational purposes as defined by the Board and in accordance with the terms indicated herein.

Vehicle Assigned to Superintendent

Any vehicle assigned to the Superintendent is subject to this policy unless said policy is in conflict with any employment contract entered into by the Superintendent and Board.

Vehicles Assigned to Employees

Vehicles may be assigned to certain employees as directed by the Superintendent. In these situations, based upon the nature of the employee's duties, the employee may be required to take the vehicle home, i.e., use the vehicle for commuting. This determination will be based upon the specific nature of the employee's duties and could change for individual employees if said duties are amended to where no business purpose is served by requiring the employee to take the vehicle home. Impacted employees will be notified of this requirement upon being provided a vehicle and notified if there is a change in business use as defined by the Superintendent.

Personal Use

Vehicles assigned an employee are intended for business use only. Personal use is strictly prohibited, with the exception of commuting (for specific, designated employees) and de minimis personal use reasonably connected to a business use.

Taxation of Employees

The Board will account for the employee's use of the vehicle for commuting by including an appropriate amount (i.e., \$1.50 per one-way commute) in the employee's gross income. This treatment applies to a specific list of employees required to take their assigned vehicles home.

**REFERENCE(S):**

**HISTORY:**

**ADOPTED: DECEMBER 9, 2014**




---

*A Tradition of Excellence-A Vision for Tomorrow*

---

## MEMORANDUM

**To:** Selected Employees

**From:** Dr. Mac McCoy   
Superintendent

**Date:** September 15, 2015

**Re:** Employee Use of Board-Owned Vehicles

---

To ensure an effective instructional program, the School Board provides public vehicles for the transportation of materials, students, and school personnel. On December 9, 2014, the school board approved *Policy 6.14.4, Use of Board-Owned Vehicles*, to be effective immediately. The policy and the administrative regulations are attached for your records.

The following guidelines for the use of Board-owned vehicles by employees are established to govern individual use:

1. The Superintendent authorizes employees to use vehicles within the county for school use.
2. No vehicle may be taken out of the county without written authorization from the Superintendent. This authorization is given on the standard PD form for conference attendance, which is approved by the Assistant Superintendents who serve as the Superintendent's designees.
3. Vehicles are provided for selected employees who are on twenty-four (24) hour call and must respond to emergency situations.
4. The Superintendent shall require the following employees who are on twenty-four (24) hour call to respond to general school emergencies, building emergencies, or transportation emergencies to commute in a school vehicle to and from his/her home: Director, Transportation; Shop Manager/Foreman, Transportation; Maintenance, and Assistant Superintendent. Response after normal working hours at any time of the year, including nights and weekends, is expected.
5. The Superintendent may authorize members of the transportation and maintenance department or other department employees to use vehicles in

- emergency situations, such as hurricanes or possible snowstorms, in order to protect persons and county property from any type of danger or destruction.
6. Personal use of county vehicles is prohibited. School Board vehicles are to be used for official use only during the hours of operation and for evening school sponsored activities.
  7. Parking and moving violations are the responsibility of the driver of a School Board vehicle.
  8. All mechanical failures or equipment deficiencies shall be reported immediately to the Transportation Department.
  9. All accidents, involving any School Board vehicle must be reported immediately to the Transportation Department and the immediate supervisor of the driver. All information regarding persons in said accident shall be secured by the School Board driver. Examples of such information are names, addresses, social security numbers, insurance, phone numbers, etc. Additionally, names, addresses, and phone numbers for all witnesses shall be secured.

Enc.

**USE OF SYSTEM – OWNED VEHICLES**  
**(excluding student transportation buses)**

**6.14.4**

All vehicles purchased by or otherwise owned by the Lee County Board of Education shall be used exclusively for educational purposes as defined by the Board and in accordance with the terms indicated herein.

Vehicle Assigned to Superintendent

Any vehicle assigned to the Superintendent is subject to this policy unless said policy is in conflict with any employment contract entered into by the Superintendent and Board.

Vehicles Assigned to Employees

Vehicles may be assigned to certain employees as directed by the Superintendent. In these situations, based upon the nature of the employee's duties, the employee may be required to take the vehicle home, i.e., use the vehicle for commuting. This determination will be based upon the specific nature of the employee's duties and could change for individual employees if said duties are amended to where no business purpose is served by requiring the employee to take the vehicle home. Impacted employees will be notified of this requirement upon being provided a vehicle and notified if there is a change in business use as defined by the Superintendent.

Personal Use

Vehicles assigned an employee are intended for business use only. Personal use is strictly prohibited, with the exception of commuting (for specific, designated employees) and de minimis personal use reasonably connected to a business use.

Taxation of Employees

The Board will account for the employee's use of the vehicle for commuting by including an appropriate amount (i.e., \$1.50 per one-way commute) in the employee's gross income. This treatment applies to a specific list of employees required to take their assigned vehicles home.

**REFERENCE(S):**

**HISTORY:**

**ADOPTED: DECEMBER 9, 2014**

## CHAPTER 6.00 – HUMAN RESOURCES

### **Administrative Regulations for Use of System – Owned Vehicles (excluding student transportation buses)**

**6.14.4**

These regulations are intended to provide specific guidance on the use of board-owned vehicles in accordance with the above-titled policy. The term “vehicles” includes automobiles, trucks or other passenger vehicles necessary to carry out assigned tasks. This will include vehicles provided for driver’s education, maintenance, transportation or any vehicle assigned to personnel to carry out their required duties. Regulations may change to provide clarity to the impact of said policy or make revisions due to changes in system needs.

It is important to note that board owned vehicles are to be used for business purposes only, with only de minimis personal use allowed. In this context, de minimis use is considered to be personal use on the route to 1) a destination involving a legitimate business use or 2) commuting applicable to specific positions (defined below).

For specifically identified positions (attached), the employee will be required to take their assigned vehicle home. This has been determined to be the most efficient use of the vehicles provided to these positions in accomplishing their assigned tasks. These individuals should only use assigned vehicles for business use and de minimis personal use as defined above. These positions will be evaluated at least annually to determine if the vehicle usage is still in the best interest of the system.

#### **REFERENCE(S):**

#### **HISTORY:**

**ADOPTED: SEPTEMBER 8, 2015**

## CHAPTER 6.00 – HUMAN RESOURCES

### NEPOTISM

6.15

- I. Two or more family members may not work in the same administrative unit except by special permission of the Superintendent.
- II. Family members are defined as mother, father, son, daughter, brother, sister and spouse and in-laws of the same. This includes any other individual who by marriage assumes one of the relationships listed herein, such as step-father, step-mother, step-child, etc.
- III. All personnel employed as of the adoption date of this policy who are in violation of this provision are exempted from this policy.

#### REFERENCE(S):

CODE OF ALABAMA  
[16-1-30](#), [41-1-5](#)

#### HISTORY:

ADOPTED: NOVEMBER 16, 2010  
REVISED: \_\_\_\_\_  
FORMERLY: NEW

## CHAPTER 6.00 – HUMAN RESOURCES

### EMPLOYMENT REQUIREMENTS

6.16

Any person desiring employment, as defined by Policy 6.11, shall file a completed application on the form provided by the Superintendent.

#### I. Qualifications

A. Age - Must be at least twenty-one (21) years of age unless otherwise approved by the Superintendent.

B. General Requirements – Employees have a duty to perform their jobs responsibly and in a conscientious manner. In addition to any specific job requirements set forth in job descriptions or elsewhere, employees are expected to meet the following general performance and service standards:

1. Employees are required to be punctual and to attend work regularly.
2. Employees are required to perform the duties and responsibilities that are assigned to them by the Board, the Superintendent, or their supervisor(s). Such duties and assignments may extend beyond or outside the instructional day and may include off-campus functions, events, and activities. (See also Extra Duties and Staff Meetings Policy 6.18).
3. Employees are expected to treat all students, co-employees, visitors, and guests of the Board with respect. (See also Professional Conduct Policy and Prohibition Against Harassment Policy 6.40)
4. Employees are expected to demonstrate moderation, restraint, and civility in their dealings with others and, in general, to serve as appropriate role models for students in their behavior and demeanor.
5. Employees are required to obey all laws, ordinances, Board policies, supervisory directives, and are expected to follow the Alabama Educator Code of Ethics and other pertinent authority while carrying out duties for the Board. (See also Violation of Law Policy 6.30).
6. Employees whose duties include the instruction or supervision of students must provide effective supervision, discipline, organization, and instruction of the students.
7. Employees must complete and submit required reports accurately and in a timely fashion.
8. Employees must respect, protect, and exercise due care in the handling, use, and operation of Board property and equipment. (See also Use of System-Owned Equipment and Materials Policy 6.14.2)
9. Employees are required to report to work or to school functions in attire that is appropriate to their position and the nature of the function and that is in keeping with generally accepted standards of decorum and professionalism. Service and other employees who are issued uniforms shall wear uniforms when required.



## CHAPTER 6.00 – HUMAN RESOURCES

10. Employees are strictly prohibited from possessing, using, transferring, selling, or distributing alcoholic beverages while on the job or on school premises or off campus in connection with or affecting any school related activity. (See also Drug-free Workplace Policy 6.72).
  11. Employees are strictly prohibited from unauthorized manufacturing, possession, use, transfer, sale, or distribution of controlled substances while on the job or on school premises or off campus in connection with or affecting any school related activity. (See also Drug-free Workplace Policy 6.72).
- II. Certificate requirements - Each applicant for an instructional or a certified administrative position shall hold an Alabama Teacher's Certificate and all career/technical personnel shall meet the State Department of Education requirements and have the proper license to perform services.
- A. To be considered for a position, an applicant shall be properly qualified for that position in accordance with state law, regulations of the State Department of Education and the approved job description. If it appears that the applicant is eligible for proper certification, appointment may be made subject to the conditions set forth in the contract of employment.
  - B. Any person not holding a valid Teacher's Certificate at the time of employment shall be required, upon initial employment to make application to the State Department of Education for such a certificate, through the personnel office of the Lee County School System. When such certificate is received, it must be filed with the office of the Superintendent. If the State Department of Education declines to issue a certificate, the person's employment shall be terminated. Failure to file for such certificate, except for good cause as determined by the Superintendent, shall result in the termination of employment.
- III. Criminal background checks by means of fingerprinting for prospective and current employees who have unsupervised access to students shall be conducted consistent with requirements of law.
- IV. All potential employees of the School System shall verify their identity and employment status to the Superintendent. The Superintendent shall maintain a file on all of the School System's employees hired after November 6, 1986, proving that each employee has verified his or her identity, employment status, U.S. citizenship, or legal alien status to the Superintendent's satisfaction. Evidence to be used to verify identity, employment status, U.S. citizenship, or legal alien status should include at least two of the following documents, one of which contains a current photo of the employee: U.S. birth certificate, social security card, and a current driver's license; a state or military identification card; or one of the following: U.S. passport, certificate of U.S. citizenship, certificate of naturalization, unexpired foreign passport, or resident alien card.

## CHAPTER 6.00 – HUMAN RESOURCES

- V. The Lee County School System shall ensure that all aspects of the recruitment and selection process are job-related and are consistent with business necessity to ensure equal employment opportunity. Neither the system nor its agents shall engage in any discrimination with respect to employment in violation of any state or federal laws. Applicants shall be informed of the complaint procedure that may be used should they allege discrimination.

### REFERENCE(S):

CODE OF ALABAMA

16-22A-5, 16-22A-6, 16-23-1

NO CHILD LEFT BEHIND ACT OF 2001

### HISTORY:

ADOPTED: DECEMBER 2002

REVISED: NOVEMBER 16, 2010

2<sup>ND</sup> REVISION: JULY 16, 2013

FORMERLY: GAA

## CHAPTER 6.00 – HUMAN RESOURCES

### MEDICAL EXAMINATIONS

6.16.1

The Superintendent may require a physical, psychological, and/or psychiatric examination by a physician or counselor licensed in the state of Alabama when in the Superintendent's judgment such an examination is relevant to the teaching performance or employment status of a Lee County Board of Education employee. The Superintendent shall select the physician(s), psychologist(s), or psychiatrist(s) and the Board shall pay all costs incurred in the examination(s). The employee shall allow the report of the physician(s), psychologist(s), or psychiatrist(s) to be submitted to the Superintendent with a copy being forwarded to the employee.

Employees shall provide documentation of satisfactory medical examinations from licensed health professionals as required by state health department requirements to prevent the spread of communicable conditions.

#### REFERENCE(S):

**CODE OF ALABAMA**  
[16-1-18.1](#), [16-8-8](#), [16-22-3](#)

#### HISTORY:

**ADOPTED: DECEMBER 2002**  
**REVISED: NOVEMBER 16, 2010**  
**FORMERLY: GBRA, GCRA**

## CHAPTER 6.00 – HUMAN RESOURCES

### USE OF FEDERAL FUNDS FOR TEACHERS TO BECOME HIGHLY QUALIFIED

6.17

- I. The No Child Left Behind Act of 2001 requires that all public elementary, middle, and secondary teachers of core academic subjects meet the federal definition of “highly qualified” no later than the end of the 2005-2006 school year. It is a professional development priority to assist teachers to become “highly qualified.”
- II. Title I federal funds may be used to assist teachers in Title I schools to attain the “highly qualified” status. Funds must be used according to the specified priorities.
  - A. Priority 1 – Teachers in Title I funded programs
  - B. Priority 2 – Paraprofessionals in Title I funded programs
  - C. Priority 3 – Other teachers in core courses in Title I schools
- III. Title II funds (professional development) may be expended to assist teachers of core courses in non-Title I schools to become “highly qualified.”
- IV. A teacher who has satisfactorily completed coursework to meet the “highly qualified” status may submit receipt(s) and transcript(s) to the central office for reimbursement of tuition costs. Reimbursement is limited to those courses which enable a teacher to become “highly qualified” and is contingent on the availability of federal funds budgeted for this purpose.
- V. Federal funds which are designated to be used to assist teachers to become “highly qualified” may be used to reimburse teachers for the fee of the Praxis II test.

#### REFERENCE(S):

CODE OF ALABAMA  
[16-8-8](#), [16-23-2](#),  
NO CHILD LEFT BEHIND ACT OF 2001

#### HISTORY:

ADOPTED: NOVEMBER 16, 2010  
REVISED: \_\_\_\_\_  
FORMERLY: NEW

## CHAPTER 6.00 – HUMAN RESOURCES

### EXTRA DUTIES AND STAFF MEETINGS

6.18

Extra work-related duties associated with the school's curriculum may be assigned to and/or requested of certified personnel employed by the Lee County School System. When extra duties related to the curriculum are assigned to said personnel, the following provisions shall apply:

1. Extra duties shall not be assigned during regular school hours that require certified teaching personnel to be removed, on a continuing basis, from teaching responsibilities.
2. The Board requires that all duties assigned be reasonable and in support of accomplishing the overall educational objectives of the Board or school.
3. Extra duties that are assigned shall be made on a fair and equitable basis, taking into consideration the nature of the activity and the teacher involved.

The curriculum is defined as any activity that occurs in the name of the school (school plays, athletic contests, math team competition, social events, etc.).

An administrator and/or supervisor may call staff meetings when he/she feels such meetings are warranted. Attendance by employees may be required. Such compulsory attendance should be stated within the notice announcing the meeting. Meetings requiring employee attendance should be planned and announced at least two (2) days in advance when possible in order to allow employees to appropriately plan their individual schedules.

If a Lee County Board of Education employee deems his/her duty assignment to be unfair or inequitable, he/she may initiate a grievance in accordance with established Board policy.

#### REFERENCE(S):

CODE OF ALABAMA  
[16-8-8](#), [16-8-9](#)

#### HISTORY:

ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GBRE

## CHAPTER 6.00 – HUMAN RESOURCES

### SUBSTITUTE TEACHERS

6.20

- I. An approved list of Lee County School System substitute teachers shall be provided to the schools. The principal or his/her designee shall secure all substitute teachers from this approved list.
- II. Applicants who seek employment as substitute teachers shall meet the following minimum qualifications and provide the appropriate materials as required:
  - A. Be at least twenty-one (21) years of age unless otherwise approved by the Superintendent;
  - B. Hold a valid teacher's certificate or valid substitute teacher's license; and
  - C. Attend required substitute teacher training.
- III. The compensation for substitute teachers shall be for services rendered in accordance with the salary schedule adopted by the Lee County Board of Education.

#### REFERENCE(S):

CODE OF ALABAMA  
[16-23-2](#), [16-25-26](#), [16-8-8](#)

#### HISTORY:

ADOPTED: NOVEMBER 16, 2010  
REVISED: \_\_\_\_\_  
FORMERLY: NEW

## CHAPTER 6.00 – HUMAN RESOURCES

### CONTINUING SERVICE STATUS/TENURE

6.21

- I. Administrative and Supervisory Personnel - With the exception of contract principals, those Lee County School System employees covered by the Fair Dismissal law and those prevented from earning tenure based on state law are required to serve a probationary period of three (3) years following appointment to said administrative or supervisory position.

Administrators and supervisors covered by the Tenure Law who successfully complete the three (3) year probationary period shall attain tenure in accordance with Alabama law.

- II. Teaching Personnel - The probationary period shall be three (3) consecutive years of service as a teacher in the Lee County School System. Upon re-employment in the Lee County School System for the succeeding year the teacher shall attain continuing service status.
- III. Non-certified Personnel - The Lee County Board of Education shall grant non-probationary status to bus drivers, cafeteria workers, custodians, secretaries, clerical assistants, supervisors and all other persons not certified by the State Board of Education who are employed full time by the Board and who have successfully served a probationary term of thirty-six (36) months from the date of initial employment.

#### REFERENCE(S):

**CODE OF ALABAMA**  
[16-24-1](#), [16-24-2](#), [36-26-100 to -102](#)

#### HISTORY:

**ADOPTED: NOVEMBER 16, 2010**  
**REVISED: \_\_\_\_\_**  
**FORMERLY: NEW**

## CHAPTER 6.00 – HUMAN RESOURCES

### **VIOLATION OF LAW**

**6.30**

- I. Anyone known to be violating a local, state, and/or federal law on Lee County Board of Education property or at a school function will be subject to referral for prosecution to the appropriate law enforcement agency. The referral process will be subject to state statutes and Lee County Board of Education rules.
- II. Lee County School System employees in violation of this policy may be subject to termination or other disciplinary action.

#### **REFERENCE(S):**

**CODE OF ALABAMA**  
[16-1-24](#), [16-1-24.1](#), [16-8-9](#)

#### **HISTORY:**

**ADOPTED: DECEMBER 2002**  
**REVISED: NOVEMBER 16, 2010**  
**FORMERLY: GAM**



## CHAPTER 6.00: HUMAN RESOURCES

### POSSESSION OF DEADLY WEAPONS

6.30.1

Possession of a deadly weapon on Lee County School System property or on a school bus with the intention to do bodily harm is a Class C felony.

The Lee County Board of Education authorizes the Superintendent or designee to immediately and automatically suspend, terminate, or separate from service in accordance with Board policy any employee found in possession of a deadly weapon. A deadly weapon shall be defined as anything manifestly designed, made or adapted for the purpose of inflicting death or serious physical injury. Deadly weapons are not to be carried by any employee on school grounds, on school buses and/or at any school-sponsored event, during or after regular school hours.

Any Lee County School System employee determined to have brought to school or have in his/her possession a firearm defined in Section 921, Title 18 of the U.S. Code in a school building, on school grounds, or at other school-sponsored functions shall be subject to suspension, termination and/or separation from service in accordance with Board policy.

Parents/guardians and other persons are hereby notified that they are prohibited from bringing firearms or other weapons on school system property at any time.

Resource police officers and/or regular law enforcement members employed by the City or County by joint arrangement with the Lee County Board of Education or retained for services under contract exclusively by the Board are excluded from provisions of this policy.

#### REFERENCE(S):

CODE OF ALABAMA

[16-1-24.1](#)

#### HISTORY:

ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GAM

**PROPOSED  
CHAPTER 6.00: HUMAN RESOURCES**

**Self-Reporting Arrest or Conviction**

**6.30.2**

Duty to Report a Reportable Event - The Lee County Board of Education is committed to maintaining a safe and secure environment for all students and employees. To that end, all employees shall notify the Superintendent in writing of a reportable event under this policy within three (3) business days from the date of the occurrence of the event.

Definition of Reportable Event - For purposes of this policy a reportable event includes the following:

- a. Any misdemeanor or felony arrest of the employee, specifically including, but not limited to, arrests for driving under the influence (DUI) or driving while impaired (DWI);
- b. Any misdemeanor or felony conviction of the employee, specifically including, but not limited to a DUI or DWI; and
- c. With respect to any employee whose assigned duties include transporting students or driving vehicles or heavy equipment owned by Lee County Schools:
  - 1. conviction of the employee for traffic offenses and violations (not including parking tickets) for which points are or may be charged against the employee's drivers' license;
  - 2. issuance to the employee of a notice from the Alabama Department of Public Safety that the employee's driver's license or Commercial Driver's License (CDL) has been suspended or revoked.

Penalties for Violation – Any employee who fails to comply with the terms of this policy will be subject to appropriate discipline, up to and including termination. Nothing in this policy, however, shall be deemed to limit or restrict the Superintendent or Board of Education from proposing, considering or approving discipline deemed appropriate as a result of the occurrence of any reportable event, whether reported in accordance with this policy or not.

**REFERENCE(S):**

**CODE OF ALABAMA, 16-1-30(b)**

**HISTORY:**

**FIRST READING:** January 10, 2017

**ADOPTED:** February 16, 2017

**REVISED:** \_\_\_\_\_

**FORMERLY:** NEW

## CHAPTER 6.00 – HUMAN RESOURCES

### POLITICAL ACTIVITIES

6.32

- I. Lee County Board of Education employees shall not solicit support for any political candidate or issue during regular work hours.
- II. Assemblies, school classes, materials, and/or equipment shall not be used for partisan or political purposes.
- III. A Lee County Board of Education employee who offers himself/herself as a candidate for public office shall conduct his/her campaign so as not to interfere with his/her responsibilities.
  - A. Such candidate shall adhere strictly to Alabama laws governing political activity on the part of public officials and public employees.
  - B. A successful candidate for an office requiring a part-time responsibility shall report immediately to the Superintendent after the election and thereafter, when deemed necessary by the Superintendent or the Lee County Board of Education, to evaluate the compatibility of the dual responsibility and the amount of time the employee will be absent. Under no circumstances will a Lee County School System employee who has been elected to public office be allowed to perform duties related to the public office while performing his/her duties for the school system.

#### REFERENCE(S):

**CODE OF ALABAMA**  
[17-17-4 and -5](#), [36-26-38](#), [16-8-8 TO -9](#)

#### HISTORY:

**ADOPTED: NOVEMBER 16, 2010**  
**REVISED: \_\_\_\_\_**  
**FORMERLY: NEW**

## CHAPTER 6.00 – HUMAN RESOURCES

### PROFESSIONAL ORGANIZATIONS

6.33

Certified and non-certified personnel of the School System shall respect each other's rights to choose for themselves the professional organizations with which they affiliate. Membership in professional organizations shall be on a voluntary basis. Administrators of the School System or local schools shall not take punitive action against employees because of their membership in professional organizations, or because of their failure to affiliate with said organizations.

#### REFERENCE(S):

CODE OF ALABAMA  
[36-26-100 to -108](#)

#### HISTORY:

ADOPTED: NOVEMBER 16, 2010  
REVISED: \_\_\_\_\_  
FORMERLY: NEW

## CHAPTER 6.00 – HUMAN RESOURCES

### EMPLOYEE PROBLEM RESOLUTION PROCEDURE

6.41

The Lee County Board of Education is committed to the task of maintaining the highest possible level of professional relations among members of the staff of the school system and of maintaining good morale among employees. Problems, situations and complaints which may arise from time to time should be resolved at the lowest possible level that provides equitable and satisfactory solutions. The goal is to encourage the best possible relations among employees and to enhance morale. Persons who may become concerned in grievance matters are urged to work together constructively in a sincere effort to resolve their disagreements.

Whenever a Lee County School System employee believes that he/she has a complaint, every effort is to be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, employees can resort to the more formal procedures as provided herein.

#### Definitions

- I. Problems – A *problem* is a complaint by an employee based upon an alleged violation, misinterpretation or inequitable application of any published policy, rule or regulation of the school system. The term *problem* or complaint should not apply to any matter in which the method of review is prescribed by law. *Problems* are objections to a specific act or condition. Dismissals, terminations, transfers and any other procedures already established by law, as well as performance appraisals, including assessments, observations and evaluations, are not subject to the *problem resolution* procedures herein described.
- II. Employee – The term *employee* is considered to apply to anyone employed on a full time or part-time basis by the Lee County Board of Education, with the exception of the Superintendent.

## CHAPTER 6.00 – HUMAN RESOURCES

- III. Supervisor – This term refers to that individual assigned to direct the work efforts of a person or group of persons within an organizational element and who has both the authority over and responsibility for management in respect to the functions of a defined organizational element. In a school, the principal would be the supervisor unless the job description states otherwise.
  
- IV. Organizational Element – The term *organizational element* is any identifiable segment of the system that is clearly under the supervision of a single individual. This would include a school, a center and any support function.
  
- V. Representative – The term *representative* refers to any person chosen, if desired, by the aggrieved party to serve as the liaison supervisor.
  
- VI. Dismissals, termination, transfers and any other procedure already instituted by law, as well as performance appraisals, including assessments, observations and evaluations, are not subject to the *problem resolution* procedure herein described.
  
- VII. Complainant – The term *complainant* shall mean any employee or group of employees, directly affected by the alleged misinterpretation or violation, filing a *problem resolution request*.
  
- VIII. Employer – The term *employer* shall mean the Lee County Board of Education or its representatives.
  
- IX. Day – *The term day* shall mean a working day.

## CHAPTER 6.00 – HUMAN RESOURCES

- X. Time Limits – The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.
  
- XI. Released Time – The complaint procedure will normally be carried out during non-work time. If, however, the Board elects to carry out provisions during work time, the complainant shall lose no pay.
  
- XII. *Problem Resolution Procedure*
  - A. Informal Discussion – If an employee believes there is a basis for problem or complaint, he/she shall discuss the complaint with his/her immediate supervisor (except in cases of discrimination or harassment involving the supervisor, in which case the complainant shall report to the Equity Coordinator or other person designated by the Superintendent) within five (5) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which thirty (30) days will be allowed.
  
  - B. Level One – If the complainant is not satisfied with the informal resolution he/she may, within ten (10) days, file a formal complaint in writing and deliver it to his/her immediate supervisor or alternate. The supervisor or alternate shall communicate his/her answer in writing to the complainant. Class complaints involving more than one (1) supervisor and complaints involving an administrator above the building level may be filed by the complainant at level two.
  
  - C. Level Two – If the complainant is not satisfied with the resolution at level one he/she may, within ten (10) days of the answer, file a copy of the complaint with the Superintendent. The Superintendent shall indicate his/her disposition in writing to the complainant within thirty (30) days.

## CHAPTER 6.00 – HUMAN RESOURCES

- D. Board Appeal – If the complainant is not satisfied with the resolution by the Superintendent, he/she shall have the right to appeal the Superintendent’s decision to the Lee County Board of Education, provided request for placement on Board agenda is filed within ten (10) days.
  
- II. Confidentiality will be provided to the greatest extent possible to any employee, student or affected party who alleges discrimination or harassment.

### REFERENCE(S):

CODE OF ALABAMA

[16-8-8 TO -9](#), [16-9-23](#), [16-23-1](#),

TITLE VII OF CIVIL RIGHTS ACT OF 1964, TITLE IX OF  
EDUCATION AMENDMENTS OF 1972

### HISTORY:

ADOPTED: DECEMBER 2002

REVISED: NOVEMBER 16, 2010; OCTOBER 16, 2012

FORMERLY: GAE





## Resolution of Complaint Made Under the Board Policy 6.41 Employee Grievances

### Employee Confirmation

---

I, \_\_\_\_\_, hereby confirm that the complaint I made  
(Employee Name)

on \_\_\_\_\_, was resolved by the administration to my  
(Date)

satisfaction.

I understand that there will be no retaliation against me for making a complaint under these policies and that I am to immediately report to Dr. Michelle Washington, Director of Human Resources if any similar problems arise in the future.

**Employee's comments (if any):**

---

Employee Signature

Date

---

Witness Signature

## CHAPTER 6.00 – HUMAN RESOURCES

### DUAL EMPLOYMENT

6.43

It shall be the policy of the Lee County Board of Education to hire support employees in only one full time support position. This includes bus driver positions. Notwithstanding, the support employees who currently hold two jobs shall not be affected by this policy.

#### REFERENCE(S):

**CODE OF ALABAMA  
[16-8-8](#), FAIR LABOR STANDARDS ACT**

#### HISTORY:

**ADOPTED: NOVEMBER 16, 2010  
REVISED: \_\_\_\_\_  
FORMERLY: NEW**

## CHAPTER 6.00 – HUMAN RESOURCES

### SALARY SUPPLEMENTS

6.45

Pursuant to the Alabama Ethics Law, certificated personnel are permitted to receive salary supplements from local booster clubs or other approved organizations, but only in accordance with the following guidelines:

Teachers, coaches, band directors and other certificated employees of the Lee County Schools may receive a salary supplement paid by a booster club or other organization only if the employee has first entered an employment contract with the Board that expressly authorizes receipt of such supplements. Only officially recognized, school-affiliated booster clubs, or similar organizations as approved by the Superintendent, may provide salary supplements to employees of Lee County Schools under this policy.

At least thirty (30) days prior to the payment of any supplement, an organization must submit notice to the Superintendent of the organization's intent to pay a supplement and the amount of the proposed supplement. All supplements are subject to the Superintendent's approval based upon the criteria stated in this policy. For the supplement to be approved, the following determinations must be made: (1) that the organization proposing to pay the supplement is a qualified, school-affiliated organization as required under this provision; (2) that the employee is employed under a contract authorizing receipt of such supplements; (3) that the supplement does not exceed the limits set forth below; and (4) that the supplement is otherwise consistent with the law and Board policy and practice. Upon approval by the Superintendent, the supplement shall be forwarded to the central office for payment to the employee.

All supplements under this policy are subject to the following limitations. No school employee may receive supplement(s) from a booster club or other organization that, when added to the salary and other compensation paid to the employee by the Lee County Board of Education, would cause the employee to receive an amount equal to or in excess of the compensation received by the school principal for the contract year. Stated differently, total supplements received by a school employee during a contract year from booster clubs and/or other approved organizations shall be less than the difference between the total compensation paid to the school principal and the compensation paid to the employee by the Lee County Board of Education.

Neither this policy nor the employment contract permitting the employee to receive a supplement from a booster club or other organization should be construed as an agreement, promise, commitment, or guarantee by the Board regarding the payment of any such supplement. Salary supplements by booster clubs and other groups are paid from the funds of the organization(s) and solely at the discretion of the organization(s).

The Lee County Board of Education and its schools are in no way responsible, obligated, or liable for any such supplemental payment(s) to school employees.

Supplements paid hereunder shall not be construed as earnable compensation for purposes of determining contributions to the retirement system and shall not be counted in determining the average annual compensation of an employee for retirement purposes or for otherwise determining the retirement benefits to which an employee is entitled.

## CHAPTER 6.00 – HUMAN RESOURCES

REFERENCE(S):

CODE OF ALABAMA  
[16-8-8](#), [16-13A-1](#), [36-25-1](#)

HISTORY:

ADOPTED: NOVEMBER 16, 2010  
REVISED: \_\_\_\_\_  
FORMERLY: NEW

## CHAPTER 6.00 – HUMAN RESOURCES

### SUSPENSION, TERMINATION, SEPARATION

6.50

- I. The Lee County Board of Education may suspend or terminate employees who have earned tenure or non-probationary status or are principals serving under contract for the following reasons:
  - A. Immorality;
  - B. Incompetence;
  - C. Insubordination;
  - D. Neglect of duty;
  - E. Failure to perform duties in a satisfactory manner;
  - F. Justifiable decrease in the number of positions in the system (for contract principals, decrease must be due to decreased enrollment or funding); and
  - G. Other good, appropriate and just cause.
- II. Contract principals also may be terminated for
  - A. Conviction of a felony or a crime involving moral turpitude;
  - B. Failure to fulfill the duties and responsibilities imposed upon principals by Alabama code;
  - C. Failure to maintain his/her certificate in a current status; and,
  - D. Willful failure to comply with Lee County Board of Education policy.
- III. Notification to the Lee County School System employee of the proposed termination and his/her hearing rights will be governed by applicable state law.
- IV. The Superintendent has authority to temporarily suspend Lee County School System personnel when in his/her opinion, the circumstances necessitate immediate action. Such suspension shall be without loss of pay pending a hearing by the Board upon the charges filed by the Superintendent.
- V. The Lee County Board of Education may end its employment relationship with employees who have not earned tenure or non-probationary status by providing the appropriate notice required under state law or contract.
- VI. The Lee County Board of Education may end its employment with principals serving as non-probationary contract principals by providing a reason why their contract will not be renewed and notice as provided in state law. Probationary contract principals may not be provided a reason.

#### REFERENCE(S):

**CODE OF ALABAMA**  
[16-24-8](#), [16-24-12](#), [16-24-14](#)

#### HISTORY:

**ADOPTED: NOVEMBER 16, 2010**  
**REVISED: \_\_\_\_\_**  
**FORMERLY: NEW**

## CHAPTER 6.00 – HUMAN RESOURCES

### PERFORMANCE ASSESSMENT

6.60

- I. The Lee County Board of Education shall evaluate and assess the performance of the Superintendent per his/her contract and State Department of Education guidelines.
- II. The Board will use the state-approved personnel evaluation program for the evaluation of all certified personnel as required by the state.
  - A. The Superintendent will develop a plan for implementation of the evaluation program, consistent with state guidelines, that ensures all Lee County School System personnel serving as evaluators will undergo the required state training and be certified under the program.
  - B. Evaluation results shall be used to develop system and individual employee professional development plans.
- III. Other Personnel – The Superintendent shall develop or select personnel performance assessment systems for all other staff.

#### REFERENCE(S):

**CODE OF ALABAMA**  
[16-8-8](#), [16-8-9](#), [16-9-31](#), [36-26-101](#)

#### HISTORY:

**ADOPTED: JUNE 2003**  
**REVISED: NOVEMBER 16, 2010**  
**FORMERLY: GBI**

**CHAPTER 6.00 – HUMAN RESOURCES**

**HEALTH INSURANCE AND PORTABILITY ACCOUNTABILITY 6.62**

The Lee County Board of Education will abide by the terms of the Notice of Privacy Practices as required by the Privacy Regulations which were created as a result of the Health Insurance and Portability Accountability Act of 1996 (HIPAA). This will include appointing a privacy contact person and posting our current Notice in visible locations in our school and board of education offices.

**REFERENCE(S):** **CODE OF ALABAMA**  
**16-8-8,**  
**HEALTH INSURANCE AND PORTABILITY ACCOUNTABILITY ACT OF 1996**

**HISTORY:** **ADOPTED: NOVEMBER 16, 2010**  
**REVISION DATE(S): \_\_\_\_\_**  
**FORMERLY: NEW**

## CHAPTER 6.00 – HUMAN RESOURCES

### NOTIFICATION OF ABSENCE

6.70

- I. The principal or designee shall notify and submit the appropriate leave form to the Superintendent when he/she plans to be away from school for a half-day or longer. The principal shall designate a responsible member of the administrative or instructional staff to be in charge during his/her absence.
- II. A Lee County School System employee who is absent from duty for any reason shall notify the principal or his/her immediate supervisor as early as possible. Such notification shall be given in advance unless conditions beyond the control of the employee make such advance notification impossible.
- III. Any Lee County School System employee who is willfully absent from duty without leave may be subject to dismissal from employment and shall forfeit compensation for the time of the absence.

#### REFERENCE(S):

CODE OF ALABAMA  
[16-1-18.1](#), [16-1-30](#)

#### HISTORY:

ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GBRI, GCRI



## CHAPTER 6.00 – HUMAN RESOURCES

### ANNUAL LEAVE OF ABSENCE

6.70.1

- I. A leave of absence is permission granted by the Lee County Board of Education or allowed under its adopted policies for an employee to be absent from duty for a specified period of time with the right to return to employment upon the expiration of leave. Any absence of a member of the staff from duty shall be covered by leave duly authorized and granted. Leave shall be officially granted in advance and shall be used for the purposes set forth in the leave application. Leave for sickness or other emergencies may be deemed to be granted in advance if prompt report is made to the proper authority.
- II. Leave may be with or without pay as provided by law, regulations of the State Board of Education, and these rules. For any absence that is without pay, the deduction for each day of absence shall be determined by dividing the annual salary by the number of days/hours for the employment period.
- III. A leave shall not be granted to any Lee County School System employee to accept other employment unless the Superintendent determines that said employment will provide enhanced benefits to the Lee County School System. Accepting employment while on a leave of absence may cancel the leave. The person on leave may be notified that he/she must return to work with the Lee County Board of Education immediately, resign, or be terminated.
- IV. All requests for a leave of absence must be submitted to the Superintendent, in writing, with the additional approval and signature of the employee's direct supervisor. Requests must be received by the Superintendent at least one (1) week prior to a monthly Board meeting. Upon the recommendation of the Superintendent, the Board may grant a leave of absence. Limitations of the leave shall be specified in the action taken by the Board.
- V. A Lee County School System employee having leave for the year or for the remaining part thereof and who plans to return to duty the next school fiscal year shall send a copy of such notice to the administrative supervisor by May 1<sup>st</sup> of that fiscal year.
- VI. A leave of absence grants the employee the right to return to the system in a similar role, but does not guarantee the reappointment to the specific job held prior to the leave. Alabama teachers' tenure laws cover the specific aspects of leaves of absences and shall be followed in the Lee County School System.
- VII. A leave of absence is limited to one (1) year unless otherwise approved by the Lee County Board of Education upon recommendation of the Superintendent.

#### REFERENCE(S):

**CODE OF ALABAMA  
16-1-18.1, 16-8-25, 16-24-13**

#### HISTORY:

**ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GBRI, GCRI**

## CHAPTER 6.00 – HUMAN RESOURCES

### VACATION LEAVE

6.70.2

All twelve month employees shall earn vacation days at the rate of ten (10) per year beginning July 1 and ending June 30 of each year until a maximum of fifteen (15) days per year has been earned. After five (5) years of employment, one (1) additional vacation day shall be earned on every fifth anniversary of employment.

Vacation days may not be used before they are earned. Vacation time may not extend beyond the termination of an employee's contract. No compensation will be paid in lieu of vacation time upon the resignation or retirement of an employee.

Up to five (5) unused vacation leave days as of June 30 of a contract year may be rolled over but must be used by July 31 of the subsequent contract year or be forfeited.

All vacation leave dates must be approved in advance by principals/work site supervisors and the Superintendent.

#### REFERENCE(S):

CODE OF ALABAMA  
[16-8-8](#), [16-9-23](#)

#### HISTORY:

ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GBRI, GCRI

## CHAPTER 6.00 – HUMAN RESOURCES

### FAMILY AND MEDICAL LEAVE

6.70.3

- I. An eligible employee of the Lee County Board of Education shall be granted up to a total of twelve (12) workweeks of unpaid family and medical leave during any 12-month period for one or more of the following reasons:
  - A. for the birth and care of the newborn child of the employee;
  - B. for placement with the employee of a son or daughter for adoption or foster care;
  - C. to care for an immediate family member (spouse, child, or parent) with a serious health condition; or
  - D. to take medical leave when the employee is unable to work because of a serious health condition.
- II. An eligible employee means one employed with the school system for at least 12 months during which time the employee worked at least 1,250 hours.
- III. Spouses employed by the Lee County Board of Education are jointly entitled to a **combined** total of 12 workweeks of family leave for the birth and care of the newborn child, for placement of a child for adoption or foster care, and to care for a parent who has a serious health condition.
- IV. If FMLA is for birth and care or placement for adoption or foster care, use of intermittent leave is subject to the board's approval. Leave for birth and care, or placement for adoption or foster care must conclude within 12 months of the birth or placement.
- V. FMLA leave may be taken intermittently whenever medically necessary to care for a seriously ill family member, or because the employee is seriously ill and unable to work. When intermittent leave is needed to care for an immediate family member or the employee's own illness, and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the employer's operation.
- VI. **"Serious health condition"** means an illness, injury, impairment, of physical or mental condition that involves either:
  - A. any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, any period of incapacity or subsequent treatment in connection with such inpatient care; or
  - B. Continuing treatment by a health care provider which includes any period of incapacity (i.e., inability to work, attend school or perform other regular daily activities) due to:
    1. A health condition (including treatment therefore, or recovery there from) lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition that also includes
      - a. treatment two or more times by or under the supervision of a health care provider; or
      - b. one treatment by a health care provider with a continuing regimen of treatment; or
    2. Pregnancy or prenatal care. A visit to the health care provider is not necessary for each absence; or

## CHAPTER 6.00 – HUMAN RESOURCES

3. A chronic serious health condition which continues over an extended period of time, requires periodic visits to a health care provider, and may involve occasional episodes of incapacity (e.g., asthma, diabetes). A visit to a health care provider is not necessary for each absence; or
4. A permanent or long-term condition for which treatment may not be effective (e.g., Alzheimer's, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; or
5. Any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g., chemotherapy or radiation treatments for cancer).

### VII. "Health care provider" means:

- A. Doctors of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctors practice; or
- B. podiatrists, dentists, clinical psychologists, optometrists and chiropractors (limited to manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice, and performing within the scope of their practice, under state law; or
- C. nurse practitioners, nurse-midwives and clinical social workers authorized to practice, and performing within the scope of their practice, as defined under state law; or
- D. Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts; or
- E. Any health care provider recognized by the employer or the employer's group health plan benefits manager.

### VIII. Job Restoration

- A. Upon return from FMLA leave, an employee shall be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment.
- B. In addition, an employee's use of FMLA shall not result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave, nor be counted against the employee under a "no fault" attendance policy.
- C. Under specified and limited circumstances where restoration to employment will cause substantial and grievous economic injury to its operations, the board may refuse to reinstate certain highly-paid "key" employees after using FMLA leave during which health coverage was maintained. In order to do so, the board must:
  1. notify the employee of his/her status as a "key" employee in response to the employee's notice of intent to take FMLA leave;
  2. notify the employee as soon as the board decides it will deny job restoration, and explain the reasons for this decision;
  3. offer the employee a reasonable opportunity to return to work from FMLA leave after giving this notice; and
  4. make a final determination as to whether reinstatement will be denied at the end of the leave period if the employee then requests restoration.
- D. A "key" employee is a salaried eligible employee who is among the highest paid ten percent of employees of the board.

## CHAPTER 6.00 – HUMAN RESOURCES

- IX. Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable.
- X. Employees shall be required to provide medical certification supporting the need for leave due to a serious health condition affecting the employee or an immediate family member. Second or third medical opinions (at the employer's expense) and periodic recertification; and periodic reports during FLMA leave may be required regarding the employee's status and intent to return to work.
- XI. The Board will maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee has continued to work. Arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. In some instances, the employer may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

**REFERENCE(S):**

**FAMILY AND MEDICAL LEAVE ACT OF 1993**

**HISTORY:**

**ADOPTED: NOVEMBER 16, 2010**

**REVISED: \_\_\_\_\_**

**FORMERLY: NEW**

## CHAPTER 6.00 – HUMAN RESOURCES

### MILITARY FAMILY AND MEDICAL LEAVE

6.70.3.1

#### I. Military Caregiver Leave

- A. An eligible employee of the Lee County Board of Education shall be granted up to a total of 26 workweeks of unpaid military family and medical leave during any 12-month period to care for a spouse, son, daughter, parent, or next of kin of a covered service member with a serious injury or illness.
- B. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- C. An eligible employee means one employed with the school system for at least 12 months during which time the employee worked at least 1,250 hours.
- D. A serious injury or illness is one that was incurred by a service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating.
- E. The “single 12-month period” for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12-month period established by the Lee County Board of Education for other types of FMLA leave.
- F. An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the “single 12-month period.” Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered service member.

#### II. Qualifying Exigency Leave

- A. An eligible employee shall be granted up to a total of 12 workweeks of unpaid leave during the normal 12-month period established by the Lee County Board of Education for FMLA leave for qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter, or parent is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. Qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it does not extend to family members of military members in the Regular Armed Forces.
- B. Qualifying exigencies include:
  - 1. Issues arising from a covered military member’s short notice deployment (i.e. deployment on seven or less days of notice) for a period of seven days from the date of notification;
  - 2. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and

## CHAPTER 6.00 – HUMAN RESOURCES

informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;

3. Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
  4. Making or updating financial and legal arrangements to address a covered military member's absence;
  5. Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which rises from the active duty of call to active duty status of the covered military;
  6. Taking up to 5 days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment;
  7. Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status, and addressing issues arising from the death of a covered military member;
  8. Any other event that the employee and employer agree is a qualifying exigency.
- III. Spouses employed by the same employer are limited to a combined total of 26 workweeks in a "single 12-month period" if the leave is to care for a covered service member with a serious injury or illness, and for the birth and care of a new born child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition.
- IV. Military FMLA leave may be taken intermittently whenever medically necessary to care for a covered service member with a serious injury or illness. FMLA leave also may be taken intermittently for a qualifying exigency arising out of the active duty status or call to active duty of a covered military member. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the school system's operation.
- V. Appropriate and verifiable documentation of the qualifying exigency, military status, and relationships of the individual(s) seeking military FMLA leave may be requested.

### REFERENCE(S):

**NATIONAL DEFENSE AUTHORIZATION ACT 2008,  
PUBLIC LAW 110-181 AS AMENDED  
FAMILY AND MEDICAL LEAVE ACT OF 1993**

### HISTORY:

**ADOPTED: NOVEMBER 16, 2010  
REVISED: \_\_\_\_\_  
FORMERLY: NEW**

## CHAPTER 6.00 – HUMAN RESOURCES

### ON-THE-JOB INJURY

6.70.4

- I. Any full time employee or adult bus driver of the Lee County School System shall be entitled to on-the-job injury leave.
- II. An on-the-job injury is any accident or injury to the employee occurring during the performance of duties (or when directed or requested by the employer to be on the property of the employer), which prevents the employee from working or returning to his or her job.
- III. To be considered for on-the-job injury leave, the following conditions shall be met:
  - A. Within 24 hours after occurrence of the injury, the employee must make proper written notification of the injury to the Superintendent (or school principal or immediate supervisor, if applicable).
  - B. In the event the employee is clinically unable to report the injury, the injury may be reported by another person who is reasonably knowledgeable of the injury.
  - C. The Lee County Board of Education shall require medical certification from the employee's physician that the employee cannot return to work as a result of the injury.
  - D. The Superintendent may require a second opinion from another physician at the expense of the Board.
  - E. The Board shall require a statement from the physician that there is a reasonable expectation that the employee will be able to return to work.
- IV. If the Superintendent determines that the employee has been injured on the job and cannot return to work as a result of the injury, the employee's salary and benefits will continue up to ninety (90) working days consistent with the employee's injury and absence from work resulting from the injury.
- V. Sick leave days will not be deducted for the days the employee is paid for an absence approved for on-the-job injury pay.
- VI. The employee may file for reimbursement with the Alabama Board of Adjustment for unreimbursed medical expenses and costs incurred as a result of an on-the-job injury. Reimbursement to the employee shall be determined by the Alabama Board of Adjustment's policies, rules and regulations.

#### REFERENCE(S):

CODE OF ALABAMA  
[16-1-18.1](#)

#### HISTORY:

ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GAEA



## CHAPTER 6.00 – HUMAN RESOURCES

### LEGAL SERVICE - JURY DUTY LEAVE

6.70.5

- I. An employee of the Lee County Board of Education who is summoned as a member of a jury panel may be granted leave with pay. Any jury fees may be retained by the employee. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a juror.
- II. An employee who is subpoenaed as a witness, excluding personal litigation, may be granted temporary leave. Any witness fees may be retained by the employee. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a witness.

An employee court appearance in personal litigation requires the use of personal leave.

When a Lee County School System employee is subpoenaed in line of duty to represent the Board as a witness or defendant, he/she may retain any fees received from the court. In the event no fees are received from the court, he/she may be paid for meals, lodging, and travel expenses.

- III. Employees shall complete all required leave forms to document legal service or jury duty.

#### REFERENCE(S):

CODE OF ALABAMA  
[16-1-18.1](#), [16-13-231](#)  
LEGISLATIVE ACT 1977-759

#### HISTORY:

ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GBRI, GCRI

## CHAPTER 6.00 – HUMAN RESOURCES

### MILITARY LEAVE

6.70.6

Military Leave shall be granted to employees of the Lee County Board of Education in compliance with state laws, federal laws, and applicable court rulings. All employees are entitled to military leave when ordered to active duty for training as members of the Alabama National Guard or any component of the US Armed Forces. Employees who are required to attend annual training or special active duty for training shall not suffer any loss of salary during the first twenty (21) days of such absence in any calendar year. Employees who are ordered for such duty shall provide a copy of their orders to the Superintendent. Leave will be without loss of benefits.

In compliance with Act 92-430 that deals with the activation of service members of the Alabama National Guard and other military reserve units, employees of the Lee County Board of Education will be compensated for the difference in pay from active duty and their position with the system under Act 92-430 if the following occurs:

- 1) Activated employees requesting the difference in pay restoration of leave or continuation of health coverage on active duty are required to have the length of their Active duty determined by the Adjutant General
- 2) Activated employees must provide the Superintendent of Education with a set of Mobilization / Homeland Security orders or Military Records of Service (DD214) that reflects the length of duty. Copies of these orders and/or military records should be transmitted to headquarters as follows:  
The Office of the Adjutant General  
ATTN: ALSPDO  
PO Box 3711  
Montgomery, AL 36109-3711
- 3) The Adjutant General will determine the validity of the orders and certify to the Superintendent of Education that pay, leave or insurance is proper in accordance with Act 92-430.

#### REFERENCE(S):

CODE OF ALABAMA  
16-24-13, 31-2-13, LEGISLATIVE ACT 92-430

#### HISTORY:

ADOPTED: NOVEMBER 16, 2010  
REVISED: \_\_\_\_\_  
FORMERLY: NEW

## CHAPTER 6.00 – HUMAN RESOURCES

### PERSONAL LEAVE

6.70.7

Leave to conduct personal business or for personal emergencies shall be granted to Lee County Board of Education employees at the rate of five (5) days per school year. Part-time employees shall be entitled to personal leave at a rate commensurate with the time employed (i.e. half-time employees shall have 2.5 personal leave days allocated). The first two (2) days of personal leave are those granted by the Alabama State Department of Education; the additional three (3) days are granted by the Lee County Board of Education.

No deduction from pay shall be made for the first two (2) days of personal leave. The cost of a substitute (certified substitute for certified personnel; non-certified substitute for non-certified personnel) shall be deducted for each of the additional three (3) days used.

The first two (2) days used by an employee shall be the State-allocated days.

Personal leave must be taken in minimum increments of one-half day.

If possible, the employee shall notify the principal or immediate supervisor at least 24 hours prior to the absence for personal leave so that adequate plans can be made to cover assigned responsibilities. No employee, as a condition of receiving personal leave, may be compelled to divulge the reason for requesting personal leave.

No more than ten (10) percent of the faculty of a given school should be granted personal leave on any given day. Request for personal leave shall be approved by the principal on a "first-request" basis.

All unused personal leave days shall be converted to sick leave at the end of the employee's contract year except that certified employees may request reimbursement for unused State-allocated days by notifying the Business Office in writing of the request. Such reimbursement shall be the amount paid to substitute teachers.

#### REFERENCE(S):

**CODE OF ALABAMA**  
**16-1-18.1, 16-8-25 TO -26.1, 16-8-8, 16-9-26**  
**LEGISLATIVE ACTS 85-644, 95-314, 97-444**

#### HISTORY:

**ADOPTED: JANUARY 2010**  
**REVISED: NOVEMBER 16, 2010**  
**FORMERLY: GBRI**

## CHAPTER 6.00 – HUMAN RESOURCES

### PROFESSIONAL LEAVE AND LEAVE FOR TRAINING

**6.70.8**

- I. Professional Leave - Professional leave may be granted to personnel for participation in educational activities related to instructional improvement in the Lee County School System.
- II. Leave for Training – Leave for training shall be granted to support personnel to participate in activities that will enrich the Lee County School System’s program and improve skills or understandings of the employee.
- III. All professional leave and leave for training requests must be approved by the Superintendent of Education before utilization.

#### REFERENCE(S):

**CODE OF ALABAMA  
16-1-18.1, 16-13-23, 16-24-13**

#### HISTORY:

**ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GBRH**

## CHAPTER 6.00 – HUMAN RESOURCES

### SICK or BEREAVEMENT LEAVE

6.70.9

- I. Sick leave is defined as the absence from regular duty by an employee because of the following:
  - A. Personal illness or doctor's quarantine;
  - B. Incapacitating personal injury;
  - C. Death in the family of the employee (parent, spouse, child, sibling, parent-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece, grandchild, grandparent, uncle or aunt);
  - D. Where unusually strong personal ties exist because of an employee's having been supported or educated by a person of some relationship other than those listed, this relationship may be recognized for leave purposes. In such cases the employee concerned shall file with the supervisor a written statement of the circumstances which justify an exception to the general rule;
  - E. Attendance to an ill member of the immediate family (parent, spouse, child, sibling) of the employee, a person standing in loco parentis, or an individual with a close personal tie.
- II. Lee County School System employees shall be allowed to accumulate an unlimited number of sick leave days.
- III. A new employee may transfer unused earned sick leave from another Alabama school board, as permitted by law, upon certification by the previous employer.
- IV. If an employee is on sick leave for five (5) or more consecutive days, the employee shall provide his principal or immediate Supervisor with a statement signed by a doctor and submitted with payroll certifying to the illness or injury. If absences occur frequently or if the absences constitute a pattern or there is reason to question whether an absence complied with the above causes, the Superintendent or designee may require that the employee provide verification of the reason for the absence.
- V. See Policy 6.71 for Lee County School System Sick Leave Bank provisions.

#### REFERENCE(S):

**CODE OF ALABAMA  
16-1-18.1, 16-8-25, 16-13-231, 16-22-9**

#### HISTORY:

**ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GBRI, GCRI**

## CHAPTER 6.00 – HUMAN RESOURCES

### INTERMITTENT LEAVE

6.70.10

If medically necessary for a serious health condition of the employee or the employee's spouse, child, or parent, leave may be taken on an intermittent or reduced leave schedule subject to certain conditions which pertain to instructional employees (those whose principal responsibility is to teach or instruct students).

When instructional employees seek intermittent leave in connection with a family or personal illness and when such leave would constitute at least twenty (20) percent of the total number of working days in the period during which the leave would extend, the Board may require the employee to take leave in a block (not intermittently) for the entire period or to transfer to an available alternative position with the school system, that is equivalent in pay, for which the employee is qualified and which better accommodates the intermittent situation. If an employee requests partial days for intermittent leave, the Board may require that the leave increment be held to the smallest increment payroll recognizes.

#### Notification

Except where circumstances are such that reasonable advance planning is not possible, employees must provide the Superintendent at least thirty (30) days written notice of the date when leave is to begin. With respect to foreseeable family or employee illness, the employee shall make a reasonable effort to schedule treatment – including intermittent and reduced hour leave – so as not to disrupt unduly the operations of the Lee County School System.

#### Certification

The Board requires that a request for leave based on the serious health condition of the employee, the employee's son, daughter, spouse, or parent be supported by a certification issued by the appropriate health care provider. The certification shall state:

- A. The date the serious health condition began
- B. The probable duration of the condition
- C. The necessity for the employee's leave
- D. That the employee is unable to perform the employee's job functions

The Board reserves the right, at its own expense, to designate a second health care provider (other than a Lee County School System employee), to provide a second opinion. If the first and second opinion conflict, the Board can require, at its own expense, a third opinion by a health care provider approved by the Board and the employee. This opinion shall be binding. Upon the employee's return to work, the Board may require the employee to provide certification by the employee's health care provider that the employee is able to resume work.

#### Benefits

Benefits accrued by the employee before leave is taken will not be altered by the employee's absence under this policy. The employee is entitled to continuation of health benefits during the leave period under the same conditions these benefits would have been provided if no leave had been taken. If an employee fails to return to work after the leave period expires, the Board may recover the health benefits premiums paid by the employer for the employee's benefit during the leave period.

## CHAPTER 6.00 – HUMAN RESOURCES

### Restoration

Upon return, the employee is entitled to restoration to an equivalent position, with equivalent pay, benefits, and conditions of employment. The Board may deny position restoration to an employee whose salary is in the highest ten percent of the employees employed by the Board if such denial is necessary to prevent substantial and grievous economic injury to the Board's operations.

Because the end of the semester is a critical time for both teachers and students, the following conditions apply to requests from instructional employees seeking to return from leave within the last three weeks of the semester:

- A. If the employee begins any category of Family and Medical Leave five or more weeks prior to the end of the semester and the leave is for more than three weeks, the Lee County Board of Education may require the employee seeking to return within the last three weeks to wait until the next semester.
- B. If the employee begins any category of Family and Medical Leave except personal sick leave less than five weeks before the end of the semester and the period of leave is greater than two weeks, the Lee County Board of Education may require the employee seeking to return within the last two weeks to wait until the next semester.
- C. If the employee begins any category of Family and Medical Leave except personal sick leave three or fewer weeks before the end of the semester and the period of leave is greater than five working days, the Lee County Board of Education may require the employee to wait until the next semester.

When an instructional employee's leave falls within one of the three categories above, the required additional leave (for example, the last two weeks of the semester in Category A) is considered part of the available twelve-week unpaid leave period per year.

### Return to Work

Prior to returning to work following medical leave, an employee should submit a statement from his/her health care provider to the Superintendent certifying that he/she is able to perform the essential functions of his/her job without restrictions. A position description containing the essential functions can be obtained from the immediate supervisor or the personnel office. The health care provider should review the essential functions of the job and certify a release to return to work. An employee that is unable to return to work following leave due to medical limitations should discuss those limitations with the Superintendent and the employees Supervisor as soon as possible.

### **REFERENCE(S):**

**CODE OF ALABAMA  
16-9-15, 16-24-13**

### **HISTORY:**

**ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GBRI, GCRI**

## CHAPTER 6.00 – HUMAN RESOURCES

### MATERNITY LEAVE

6.70.11

An employee of the Lee County School System shall be eligible for maternity leave in accordance with the following provisions:

- I. Maternity leave shall be without pay, except that accumulated sick leave days and/or personal leave days may be utilized in accordance with law when pregnancy has been confirmed.
- II. Maternity leave normally shall not extend over a period of time exceeding twelve (12) calendar months. Requests for maternity leave, for periods exceeding twelve (12) months for extraordinary circumstances (extended illness, complications, etc.), will be considered by the Board.
- III. Maternity leave shall become effective under ordinary circumstances when (1) the employee requests and has such leave approved by the Board, and/or (2) the attending physician notifies the Board that it is in the best interest of the teacher to take such a leave.
- IV. Maternity leave ends, under ordinary circumstances, when (1) the employee requests to return to work, and/or (2) the attending physician determines the employee is able to return to work.
- V. Maternity leave shall not be counted as experience in the determination of placement on the salary schedule, except that an employee who has served at least ninety (90) days during that scholastic school year shall be placed on the salary schedule on the step she would have reached had she completed the full year.
- VI. An employee, on return from maternity leave, shall be restored to her former position. She shall maintain her tenure status and all accruable benefits, except that, days are not to be accrued for sick leave, personal leave, or annual leave while on maternity leave without pay.

#### REFERENCE(S):

**CODE OF ALABAMA  
16-8-25, 16-1-18.1**

#### HISTORY:

**ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GBRI**



## CHAPTER 6.00 – HUMAN RESOURCES

### ADMINISTRATIVE LEAVE

6.70.12

The purpose of this policy is to define when employees are eligible for, or may be placed on, a leave of absence for administrative reasons. The policy is broken into three (3) categories: emergency leave, Lee County Disaster Volunteer, and formal investigation/alleged misconduct or civil disorder.

Administrative leave (also referred to as “excused absence”) is an administratively authorized absence from duty without loss of pay or charge to leave. Administrative leave is a general leave status, initiated by the Superintendent, which is paid.

Examples of when an employee may be placed on other administrative leave include, but are not limited to: a natural disaster, an internal review or investigation, or for an investigation of an external event, such as an arrest.

#### A. Emergency Leave

Employees may be granted emergency leave by the Superintendent due to a natural disaster for a period of up to five (5) workdays. Additional days of leave may be approved by the Board upon a showing of substantial hardship or extraordinary circumstances.

#### B. Lee County Disaster Volunteer

Employees may be granted leave by the Superintendent to serve as a Lee County Disaster Volunteer for a period of up to five (5) workdays upon proof of time worked as a volunteer on verified and acceptable documentation on organization’s letterhead.

#### C. Formal Investigation/Allegation of Misconduct/Civil Disorder

In some circumstances, it may be necessary to remove an employee from the workplace pending the outcome of a personnel/HR investigation. A temporary reassignment or administrative leave/investigatory suspension may be appropriate as an interim measure for at least two reasons: (1) to allow the investigation to proceed without disruption of evidence, or (2) to preserve a safe, orderly, and professional work environment. The employee shall be in pay status at their current rate of pay. If, at the completion of the investigation, the Superintendent decides that suspension or termination is warranted, the employee will be notified in writing.

Employees who know in advance that they will be absent from work must notify the Board of the expected absence in accordance with procedures specified by the Superintendent or the Board. In the event of an emergency or incapacity that makes advance notice impractical, employees must notify the Board of their absence as early

## **CHAPTER 6.00 – HUMAN RESOURCES**

as possible. Except as otherwise provided or permitted, an employee who is absent from work without approved leave will be considered absent without leave in violation of Board policy and subject to appropriate disciplinary measures. The continuation of benefits during an approved absence is subject to the provisions of the particular benefit policy or plan.

### **REFERENCE(S):**

**CODE OF ALABAMA  
16-1-18.1, 16-8-25, 16-24-13**

### **HISTORY:**

**ADOPTED: March 12, 2019**

## CHAPTER 6.00 – HUMAN RESOURCES

### **SICK LEAVE BANK**

**6.71**

- I. The Lee County Board of Education, upon request of a minimum of ten percent (10%) of its full time professional personnel and full time support personnel, shall establish a sick leave bank for such personnel. The plan, if established, shall allow each employee to deposit into the bank an equal number of his/her earned sick leave, not to exceed five (5) days. These days shall be available for loan to any other participating employee whose sick leave has been exhausted.
- II. A Sick Leave Bank Committee composed of four (4) Lee County School System employees and one (1) representative of the Lee County Board of Education shall be established and selected as provided by law.
- III. The Sick Leave Bank Committee shall write the guidelines and procedures for the sick leave bank, including catastrophic leave provisions of law, for Board approval. All changes must be approved by a majority of the Sick Leave Bank committee.
- IV. All guidelines and procedures must be consistent with law.

#### **REFERENCE(S):**

**CODE OF ALABAMA  
16-1-18.1, 16-22-9**

#### **HISTORY:**

**ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GBRI, GCRI**

## CHAPTER 6.00 – HUMAN RESOURCES

### DRUG-FREE WORKPLACE

6.72

It is the policy of the Lee County Board of Education that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the Board's workplace is prohibited. Any employee violating this policy will be subject to disciplinary action, including termination of employment. The specifics of this policy are as follows:

- I. The Board does not differentiate between drug users and drug pushers or sellers. Any employee who gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the job or on or in Board property will be subject to disciplinary action, including termination of employment.
- II. The term "controlled substance" means any drug listed in 21 U.S.C., 812 and other federal regulations. Generally, these are drugs which have a high potential for abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine (including "crack"), and PCP. They also include "legal drugs" which are not prescribed by a licensed physician.
- III. Each employee is required by the Drug-Free Workplace Act of 1988 to inform the Superintendent within five (5) days after he/she is convicted for a violation of any federal or state criminal drug statute where such violation occurred on School Board property. A conviction means a finding of guilt (including a plea of *nolo contendere*) or the imposition of a sentence by a Judge or jury in any federal or state court.
- IV. If an employee is convicted of violating any criminal drug statute while in the workplace, he or she will be subject to disciplinary action, including termination of employment. Alternatively, the Board may require the employee to finish successfully a drug abuse program sponsored by an approved private or governmental institution.
- VI. As a condition of further employment on any federal government grant, the Act requires all employees to abide by this policy.

#### REFERENCE(S):

**CODE OF ALABAMA  
16-2-2, 16-3-11 to -12, 16-3-14, 16-26-1-3,  
DRUG FREE WORKPLACE ACT OF 1988**

#### HISTORY:

**ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GAM**

## CHAPTER 6.00 – HUMAN RESOURCES

### DRUG AND ALCOHOL TESTING

6.80

In accordance with the Federal Transportation Employee Testing Act of 1993, certain employees involved in the operating of Lee County School System owned vehicles on a regular basis are required to submit to drug and alcohol testing. The Board, in compliance with the Act, has adopted the following provisions:

- I. All employees of the School System, including substitutes, who are required to hold a Commercial Drivers License (CDL) as a precondition to employment or to continued employment, will be subject to drug and alcohol testing. Such employees will be prohibited from performing assigned duties while under the influence of any prohibited drug or alcohol. While employees are prohibited from having any alcohol present in their systems while on duty, a Blood Alcohol Count (BAC) of .04 will be accepted as a presumptive evidence of intoxication. An employee who tests between .01 and .039 BAC will be removed from job related functions until they test below .01 or until their next duty period, which must be at least 24 hours.
- II. The proper use of medication prescribed by a physician is not prohibited; however, the Board prohibits the misuse of prescribed (or over-the-counter) medications and requires all employees using drugs at the direction of a physician (or over-the-counter drugs) to notify the Board's Medical Review Officer (MRO), or the employee's supervisor where these drugs may affect their job performance, such as causing drowsiness.
- III. Employees who are required to hold a CDL as a precondition to employment or to continued employment who refuse or do not pass a drug or alcohol test will be recommended for termination or removed from consideration for employment.
- IV. Employees testing positive by urinalysis or alcohol/ breathalyzer test or requesting treatment may be referred to a mental health substance abuse counselor for an assessment of needs and possible referral for treatment. All such treatment shall be at the individual employee's expense.
- V. Drug and alcohol testing will include the following categories:
  - A. Pre-employment: (Post-Offer - This is to be interpreted as a conditional offer of employment.) Each person, after a conditional offer of employment has been made, will have to undergo a drug test before being employed in a position that requires the employee to hold the CDL.
  - B. Reasonable Cause Testing: Each employee that is required to hold the CDL as a precondition to employment or to continued employment will be subject to drug and alcohol testing based on reasonable cause as established by a supervisor through the use of objective evidence.
  - C. Post Accident: Any employee who is required to hold the CDL as a precondition to employment or to continued employment that is involved in a reportable accident will undergo drug and alcohol testing within two (2) hours following any accident.

## CHAPTER 6.00 – HUMAN RESOURCES

- D. Random Testing: All employees required to hold a CDL as a precondition to employment or to continued employment will undergo testing on a random basis. Random testing will be administered in a number equal to or greater than 50 percent (drug screening) and 25 percent (alcohol screening) of the CDL work force, without advanced notice, in the first 12 months of testing. There will be no maximum number of samples that any one employee will be required to provide during the testing period. Employees refusing to be tested may be suspended pending a recommendation for termination.
- E. Return to Duty Testing: Any employee who is required to hold a CDL as a precondition to employment or to continued employment and tests positive or refuses testing must pass a "Return to Duty Drug Test." In such instance, the Medical Review Officer must determine when and under what conditions the employee may return to duty. Any employee subject to "Return to Duty Drug Testing" will be subject to random and/or unannounced drug testing for sixty (60) months after return to duty. Follow-up tests for alcohol are unannounced and at least six (6) tests must be conducted in the first 12 months after an employee returns to duty.
- VI. The Medical Review Officer is designated by the Board.
- VII. Test results will not be released by the Board beyond the MRO without the individual's written authorization.
- VIII. Procedures for drug testing shall be distributed to all affected employees. Receipt of Lee County School System Drug Free Workplace regulations and procedures shall be acknowledged by employees on signed acknowledgement forms as required for initial and continued employment.

**REFERENCE(S):** **CODE OF ALABAMA 16-1-18.1,  
OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT OF 1993,  
DRUG FREE WORKPLACE ACT OF 1988.**

**HISTORY:** **ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GAM**

## CHAPTER 6.00 – HUMAN RESOURCES

### PERSONNEL RECORDS

6.82

The Lee County Board of Education shall require complete and current personnel records for each employee. All information contained in an employee's personnel file, except sensitive personnel records, are considered public records under Alabama's Sunshine Law.

- I. Each Lee County School System employee shall have a right to review her/his local school or central office personnel file during normal business hours. No anonymous letters or materials shall be placed in personnel files. Each employee may have included in his/her personnel file a written response to any material contained within the file.
- II. Any Lee County School System employee may request to review her/his personnel file at any time that is mutually agreeable with the Personnel Administrator and when the employee is not engaged in fulfilling employment-related duties. The Personnel Administrator or certified designee must be present during the review. A log shall be maintained documenting any such review.
- III. Copies of all materials to be placed in an employee's record which may tend to diminish the employee's professional or work status or reflect adversely on the employee's record of performance or character shall be provided to the employee.
- IV. Any anonymous complaint or materials received by a school official shall be immediately transmitted to the Superintendent. If the material is deemed worth of an investigation by the Superintendent, it may be investigated. The results of the investigation may be reduced to writing, signed by the superintendent, principal, or other designated official in charge of the complaint, dated, attached to the materials in question, and may be placed in the personnel file of the employee. Any anonymous complaint which is not investigated within thirty (30) calendar days of its receipt by the Superintendent shall not be retained, but shall be destroyed.
- V. The transfer of the personnel file or any parts, summation, or copies of the personnel file of the employee shall be effectuated upon the written request of the employee. The Lee County School System may transfer an employee's personnel file or copies or parts thereof to another employer or prospective employer.

#### REFERENCE(S):

**CODE OF ALABAMA**  
**16-8-8, 16-23-1 TO -13, 16-9-27, 16-8-23, 16-8-38**

#### HISTORY:

**ADOPTED: DECEMBER 2002**  
**REVISED: NOVEMBER 16, 2010**  
**FORMERLY: GAK**

## CHAPTER 6.00 – HUMAN RESOURCES

### EMPLOYEE SALARY SCHEDULES

6.83

- I. All regular personnel shall be paid in accordance with salary or hourly wage schedules as adopted by the Lee County Board of Education, provided the salary schedule for certified staff is no less than 100 percent of the State Minimum Salary Schedule.
  - A. Professional Educational Work Experience
    1. Professional educational work experience is full-time educational employment in:
      - a. A state or local public school;
      - b. A church-related/parochial school (grades P-12);
      - c. Alabama State Department of Education sponsored initiatives (e.g., Alabama Math, Science, and Technology Initiative-AMSTI);
      - d. State Departments of Education;
      - e. An educational association;
      - f. A college or university that was regionally accredited when the educational experience was earned;
      - g. An Alabama nonpublic school;
      - h. An Alabama charter school (grades P-12); **OR**
      - i. A nonpublic school or charter school outside of Alabama (grades P-12) that was accredited or approved by the State Department of Education where the school was geographically located when the educational experience was earned. The school **MUST SUBMIT** documentation of their accreditation or approval by that State Department of Education, during the school year(s) the experience was earned, with Supplement EXP.
    2. Professional educational work experience must be verified on Supplement EXP.
    3. Experience as a graduate assistant, intern, student teacher, or in positions such as aide, clerical worker, or substitute teacher **will not** be considered. Professional educational work experience while employed in increments of less than one semester (4.5 months) or less than 20 hours per week will not be calculated toward full-time experience.
  - B. Job-related experience for school nurses shall be credited for fulltime nursing experience with verified documentation from previous employers and notary seal.
  - C. Job-related experience for non-certified personnel shall not be credited in excess of ten (10) years for initial placement on the salary schedule with verified documentation from previous employers and notary seal.
- II. Any employee subject to the overtime provisions of the Fair Labor Standards Act of 1988, as amended, and who is required to work in excess of forty (40) hours in any work week, shall be compensated for the hours in excess of forty (40) at the rate of one and one-half (1½) times the regular rate of pay for the service performed.



## **CHAPTER 6.00 – HUMAN RESOURCES**

Any Lee County School System employee working beyond his/her designated total weekly hours without prior permission of the Superintendent through the principal or supervisor may be subject to disciplinary action.

### **REFERENCE(S):**

**CODE OF ALABAMA  
16-8-24, 16-23-1 TO -3  
LEGISLATIVE ACT 90-235  
FAIR LABOR STANDARDS ACT OF 1988 AS AMENDED**

### **HISTORY:**

**ADOPTED: DECEMBER 2002  
REVISED: JULY 10, 2018**

## CHAPTER 6.00 – HUMAN RESOURCES

### EMPLOYEE SALARY DEDUCTIONS

6.85

- I. The Lee County Board of Education will make salary deductions which are required by law, including federal income tax, state income tax, retirement, and other deductions in accordance with applicable laws and regulations.
- II. The Board may make certain other salary deductions, as permitted by law, when 35% of the employees properly request such deductions. The deductions shall be made from salaries earned in at least nine (9) different pay periods and shall be remitted to the appropriate recipient as specified by the employee within ten (10) days following each deduction.
  - A. Deductions made for membership dues and voluntary contributions shall be made if the organization for which salary deduction has been requested timely has provided to the Board all certifications and expenditure reports required by law and the requested deduction meets the criteria set out above. Determination of whether the organization meets the required membership threshold will be made based upon membership lists and forms provided by the respective organizations. Such membership lists will be corrected, updated, and returned to the organization no later than November 10 of each school year. Deductions will be based on the membership lists unless an employee revokes authorization for such deductions by providing written notice to the Board as provided by this policy.
  - B. Authorization for voluntary contributions may be revoked by providing a thirty (30) day written notice of revocation.
  - C. New authorization for payroll deductions may be added during open enrollment for that specific deduction.
  - D. Upon termination, amounts owed under the authorization of an employee shall be deducted from an employee's final pay.
  - E. When amounts have been correctly deducted and remitted by the Board, the Lee County Board of Education shall bear no further responsibility or liability for further transactions. The Board shall not be liable for any error while acting in good faith to make the subject deductions.

#### REFERENCE(S):

CODE OF ALABAMA  
[16-22-6](#)

#### HISTORY:

ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
JUNE 8, 2014  
FORMERLY: GAL

## CHAPTER 6.00 – HUMAN RESOURCES

### TRANSFERS

6.90

- I. Certified Employees - A transfer is reassignment from one position, school or grade to another. Transfers shall be without loss of status or violation of contract nor for political or personal reasons. Transfers are recommended by the Superintendent and approved by the Lee County Board of Education.
  - A. Non-tenured  

Non-tenured certified personnel can be transferred at any time during the school year.
  - B. Tenured
    1. Voluntary - Tenured certified personnel can be transferred voluntarily at any time during the school year.
    2. Involuntary - Tenured personnel must be notified prior to July 1 of any transfer for the succeeding school year.
  - C. Emergency Temporary Transfers - Within fifteen (15) days before or after the first day of the school year, a teacher who meets all qualifications, certification, grade level, or subject matter requirements may be transferred involuntarily on a temporary emergency basis, provided all of the following conditions are met:
    1. The Superintendent seeks volunteers by posting notice of the vacancy or vacancies in conspicuous locations at all school system sites for at least five (5) working days.
    2. If there are no volunteers, qualified probationary teachers are subject to transfer first.
    3. If there are no qualified probationary teachers, qualified teachers on continuing service status are subject to transfer in reverse order of their seniority with the Lee County School System. If more than one tenured teacher has equal seniority, the Board shall take into consideration qualifications, certification, and experience in the position, grade level, or subject matter.
    4. If a vacancy exists at the end of a school year at the former site for which the emergency transferred teacher is qualified, upon the request of the teacher, the teacher shall have a one-time right of first refusal to fill the vacancy at the former site, provided that the vacancy occurs within two (2) years of the transfer.
    5. Upon the request of the teacher, the teacher shall be given a one-time right of first refusal to return, at the beginning of the school year, to the position,

## CHAPTER 6.00 – HUMAN RESOURCES

grade, school, worksite, or subject area from which he or she was originally transferred to effect the emergency transfer, provided the vacancy occurs within two (2) years of the transfer.

6. Emergency transfers shall be effected without regard to the time for filing notice of appeal and hearing.
- D. Teachers will be given the required notice of their transfer and if necessary, a statement of their right to appeal.
- II. Support Personnel - Whether on probationary status or not, support workers may be transferred at any time based upon good and just cause and the needs of the Lee County School System provided the transfer is without loss of status. Such transfers are made upon the recommendation of the Superintendent and approval of the Board but cannot be for personal or political reasons.

Support personnel will be given the required notice of their transfer and a statement of their right to appeal.

### REFERENCE(S):

**CODE OF ALABAMA**  
**16-9-23, 16-12-16, 16-24-1, 16-24-5 TO -7**

### HISTORY:

**ADOPTED: DECEMBER 2002**  
**REVISED: NOVEMBER 16, 2010**  
**FORMERLY: GBM**

## CHAPTER 6.00 – HUMAN RESOURCES

### REDUCTION IN FORCE – CERTIFIED EMPLOYEES

6.91

In the event it becomes necessary to reduce the number of certified staff employed by the Lee County Board of Education due to a decrease in student enrollment, financial exigency, changes in curriculum, consolidations or reorganization, the following procedure shall be followed to determine staff members to be affected.

- I. Attrition by resignation, retirement or voluntary leaves of absence shall be the first method used to reduce the force.
- II. Based on the philosophy of maintaining the best educational program possible, the Lee County Board of Education, upon recommendation of the Superintendent, shall identify the grade level(s) and discipline area(s) from which staff members are to be reduced in force at respective times. For the purpose of reduction in force the following terms are defined:
  - A. Grade Level – Kindergarten, elementary grades 1-6, secondary grades 7-12, administration and supervision, special education, counseling and guidance, career/technical programs, and federal programs.
  - B. Discipline Area – Certificate endorsement area(s) and current major teaching or administration/supervisory assignment(s) within the Lee County School System.
- III. Following the identification of the grade level(s) and discipline area(s), the number of staff to be reduced from each area(s) will be determined by the Board, based on a recommendation by the Superintendent. All staff members within the identified area(s) will be rank ordered from the greatest amount of service time to the least amount of service time within the Lee County School System. The staff member(s) with the least amount of continuous service time (seniority), based on actual date of employment as reflected in the Lee County Board of Education minutes, shall be the first to be reduced in force. In the event two (2) or more staff members have the same amount of continuous service time with the Lee County School System based on Board minutes, the following additional criteria will be used to determine the order of reduction of force.
  - A. Degree(s) held by the staff member (the staff member with the lower degree to be reduced).
  - B. Total years of experience in education (the staff member with the least number of years experience to be reduced first).
- IV. In order for a staff member selected to be reduced in force by these procedures to displace a staff member in another discipline area with less service time, said staff member must be certified to handle the entire position of the employee they seek to displace. No tenured teacher will be reduced in force when a position is either vacant or occupied by a non-tenured teacher and for which the tenured teacher is certified. In no case shall a staff member from the central office work site be able to displace a staff member from the local school work site or vice versa.

## **CHAPTER 6.00 – HUMAN RESOURCES**

- V. The above procedure shall not violate any applicable court order.
- VI. The names of personnel reduced in force shall be placed in a Lee County School System employment pool. Said personnel shall be given the opportunity in reverse order of their layoff to fill the first comparable employment vacancies for which they are qualified up to one year after the effective date.
- VII. It is understood that reduction in force constitutes termination of employment and all benefits provided by the Lee County School System cease on the effective date.

### **REFERENCE(S):**

**CODE OF ALABAMA  
16-1-33, 16-24-5 through 16-24-10,  
36-26-100 to -108.**

### **HISTORY:**

**ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
April 12, 2011  
FORMERLY: GBKA**

## CHAPTER 6.00 – HUMAN RESOURCES

### REDUCTION IN FORCE – NON-CERTIFIED STAFF

6.91.1

In the event it becomes necessary to reduce the number of non-certified staff employed by the school district due to a decrease in student enrollment, financial exigency, changes in curriculum, consolidations or reorganization, the following procedure shall be followed to determine staff members to be affected.

- I. Attrition by resignation, retirement or voluntary leaves of absence shall be the first method used to reduce the force.
- II. Based on the philosophy of maintaining the best educational program possible, the Lee County Board of Education, upon recommendation of the Superintendent, shall identify the work area(s) and work site(s) from which staff members are to be reduced in force at respective times. For the purpose of reduction in force, the following terms are defined:
  - A. Work Areas – Custodians, child nutrition personnel, secretaries, bookkeepers, aides, non-certified resource personnel and nurses.
  - B. Work Sites – Central Office to include secretaries and bookkeepers. Local schools to include child nutrition personnel, custodians, secretaries/bookkeepers, non-certified resource personnel and aides.
- III. Following the identification of the work area(s) and work site(s), the number of staff to be reduced from each area(s) and site(s) will be determined by the Lee County Board of Education, based on a recommendation by the Superintendent. All staff members within the identified work area(s) and site(s) will be rank ordered from the greatest amount of service time to least amount of service time within the Lee County School System. The staff member(s) with the least amount of continuous service time (seniority), based on actual date of employment as reflected in the Board minutes, shall be the first to be reduced in force. In the event two or more staff members have the same amount of continuous service time with the school district based on Board minutes, the following additional criteria will be used to determine the order of reduction in force:
  - A. Formal education attained by the staff member (the staff member with the least amount of formal education to be released).
  - B. Total years of work related experience (the staff member with the least number of years experience to be reduced first).
- IV. The names of non-certified personnel reduced in force shall be placed in a Lee County School System employment pool. Said personnel shall be given the opportunity in reverse order of their layoff to fill the first comparable employment vacancies for which they are qualified up to one year after their reduction in force.
- V. It is understood that reduction in force constitutes termination of employment and all benefits provided by the school district cease on the effective date.

## **CHAPTER 6.00 – HUMAN RESOURCES**

### **REFERENCE(S):**

**CODE OF ALABAMA  
16-1-33, 16-24-5 through 16-24-10,  
36-26-100 to -108.**

### **HISTORY:**

**ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
APRIL 12, 2011  
FORMERLY: GCKA**



## CHAPTER 6.00 – HUMAN RESOURCES

### RETIREMENT

6.92

Any employee who plans to retire shall submit his/her resignation in writing to the Lee County Board of Education through the Superintendent and to the employee's immediate supervisor.

#### REFERENCE(S):

CODE OF ALABAMA

[16-25-1](#)

#### HISTORY:

ADOPTED: DECEMBER 2002  
REVISED: NOVEMBER 16, 2010  
FORMERLY: GBQ, GCQ

## CHAPTER 6.00 – HUMAN RESOURCES

### RESIGNATION

6.93

- I. Any administrative or instructional staff member who wishes to resign shall submit his or her resignation in writing addressed to the Lee County Board of Education. The letter of resignation shall state the reasons for the resignation and the desired effective date. No resignation shall become effective until accepted by the Lee County Board of Education. Any teacher resignation request submitted during the school term or within forty-five (45) days prior to the beginning of said term can only be accepted if mutually agreed upon.
- II. A non-instructional employee who wishes to resign shall submit his/her resignation in writing addressed to the Lee County Board of Education. Whenever possible, two (2) weeks notice shall be given. The letter of resignation shall state the reason for the resignation and the desired effective date. A resignation of an employee shall be sent to and countersigned by his/her immediate administrative supervisor. The resignation shall be submitted to the Lee County Board of Education at its next regular or special meeting. No resignation shall become effective until accepted by the Lee County Board of Education; the Lee County Board of Education may refuse to accept any resignation for cause.
- III. An employee who violates the terms of an employment agreement or written contract by leaving his/her position without first being released from the agreement or contract by the Lee County Board of Education and fails to complete and file the required records and reports, may have final compensation withheld.

#### REFERENCE(S):

**CODE OF ALABAMA**  
[16-24-11](#), [16-24-12](#)

#### HISTORY:

**ADOPTED: NOVEMBER 16, 2010**  
**REVISED: \_\_\_\_\_**  
**FORMERLY: NEW**