



**Gadsden City Schools**  
Board Policy Manual

## **Board Policy Manual**

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**Policy GAA: Goals and Objectives**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The Gadsden City Board of Education recognizes that a dynamic and efficient staff dedicated to education is necessary to maintain a constantly improving educational program. The Board is interested in its personnel as individuals, and it recognizes its responsibility for promoting the general welfare of the staff.

The Board will strive:

1. To recruit, select, and employ the best qualified personnel to staff the school system.
  2. To develop the quality of human relationships necessary to obtain maximum staff performance and satisfaction.
  3. To deploy the available personnel and insure that they are utilized as effectively as possible within budgetary constraints.
  4. To conduct an employee appraisal program that will contribute to the continuous improvement of staff performance.
  5. To develop and manage a staff compensation program sufficient to attract and retain qualified employees.
  6. To provide an in-service training program for all employees which will improve their rates of performance, retention, and promotion.
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**Policy GAAA: Equal Opportunity Employment**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

No person in the school district shall, on the basis of race, color, creed, religion, sex, age, disability, or national origin be denied the benefits of, or be subjected to discrimination in regard to employment, retention, promotion, transfer, or dismissal in any educational program or activity which is under the jurisdiction of the Board.

The following objective and subjective criteria shall be used in selecting new certificated personnel and in transferring, promoting, demoting, and dismissing certificated personnel:

**I. Objective Considerations**

**A. Instructional Personnel**

1. Type of certificate
2. Number of years of experience:
  - a. In the teaching profession
  - b. In the grade, subject, or position which he currently teaches or occupies, or for which he is applying
  - c. In the system
3. Degree or degrees held (transcript required)
4. Endorsement in subject area
5. Number of hours beyond degree
6. Number of hours of voluntary participation in in-service training, workshops, seminars, etc.
7. Related occupational experience

**B. Administrative Personnel**

In addition to the criteria listed in I above, the following criteria shall apply to the selection of administrative personnel:

1. Number of years of administrative experience:
  - a. In this district
  - b. In any other district
2. Classification of school in which experience was attained.

**II. Subjective Considerations**

- A. Past performance
- B. Ability
- C. Leadership and
- D. Personality

The Board shall establish procedures by which subjective criteria will be evaluated.

Ref: U.S. Const. amend. XIV, 1; 42 U.S.C. 20003-1 TO 17; 20 U.S.C. 1681, et. seq; 29 U.S.C. 794; 29 U.S.C. 621 et. seq., Singleton v. Jackson Municipal Separate School District, 419 F. 2d 1211 (5<sup>th</sup> Cir. 1969).

**Policy GAC: Staff Involvement in Decision Making**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

It is the policy of the Board to encourage employee participation in decision-making of policy development for the school system.

In the development of rules, regulations, and assignments for the operation of the school system, the Superintendent shall include as appropriate at the planning stage, representation of those employees who will be affected by such provisions.

The Gadsden City School System's professional staff shall be given full opportunity, and encouragement, to contribute in curriculum development and in the development of policies and regulations pertaining to the instructional program.

Each principal shall maintain channels for conferring with both the professional and support staff in establishing building policies and regulations.

The Superintendent shall develop with employees channels for the ready intercommunication of ideas and feelings regarding the operation of the schools, i.e., management and planning teams. He shall weigh with care all counsel given, especially that given by groups designated to represent large and well-informed segments of the staff, and shall inform the board of all such counsel in presenting recommendations for board action.

Ref: Ala. Code 16-11-18.

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**Policy GAD: Professional Development Opportunities**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1996 | **Last Revised Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

Opportunities for in-service education shall be provided for all personnel in the Gadsden City School System. It shall be the responsibility of the Superintendent of Education to initiate in-service programs for the improvement of the total instructional staff. Such programs should concentrate upon the development of teacher skills and techniques to increase efficiency in instruction.

Teachers will be given an opportunity to evaluate in-service programs.

The Gadsden City Board of Education recognizes its responsibility to provide encouragement and assistance for the professional growth and development of teachers and other employees.

To this end, the Board approves and supports the following:

1. Scheduling of faculty meetings to promote the involvement of all teachers in studying problems of mutual concerns, relating to the curriculum of personnel or other school policies.
2. System-wide, grade-level, subject matter, and departmental faculty meetings scheduled for purposes of curriculum and/or in-service development.
3. Participation of teachers in workshops and college courses for continued professional development.
4. Participation in the annual institutes as prescribed by state law for certification and employment purposes.

Ref: Alabama Code, 16-23-7, 16-23-9, 16-23-12.

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**Cross References**

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**Description**

[Professional Development Opportunities](#)

**Policy GAE: Complaints and Grievances**

Status: ADOPTED

Original Adopted Date: 07/10/2012 | Last Reviewed Date: 07/10/2012

Any employee of the Gadsden City Board of Education shall have the right to appeal the application of policies and administrative decisions affecting him or her. The employee shall be assured freedom from restraint, interference, coercion, discrimination, or reprisal in presenting his appeal with respect to a personal grievance.

Good morale is maintained by the sincere effort of all persons concerned to work toward constructive solutions to problems in an atmosphere of courtesy and cooperation. The purpose of this section is to secure at the lowest possible administrative level equitable solutions to problems which arise.

All grievances shall be handled expeditiously and in accordance with the following procedures.

Definitions

- A. "Grievance" is a claim or dispute concerning the interpretation, application, or claimed violation of **policies, rules and regulations, or administrative orders or procedures.**
- B. Employees covered by this procedure shall mean permanent employees of the Board.
- C. Immediate Supervisor is that employee possessing administrative authority to direct the activities of the grievant.
- D. **Days shall mean the actual working days of each employee.**

Procedure for Presentation of Grievance: It is desirable that employee problems be resolved at the earliest possible time and at the most immediate level of supervision. At any time during this procedure, the complainant is free to consult with his employee organization.

The time limits at any step of the grievance procedure may be adjusted by mutual consent of the parties concerned or by authorization of the Superintendent. The Superintendent may extend the time limitation not to exceed five (5) working days, **if no matter of time constraint exists.**

If mutually agreed upon by both parties to the grievance that any step listed below is not necessary to the presentation of the grievance, then the step(s) may be deleted from the process. Prior agreement is required.

No reprisals shall be taken against any person participating in or requesting grievance procedures by reasons of such participation. Should the grievance be filed by a principal or other administrator the procedure would commence at Level Two, **Step 2.** If filed by the Superintendent, it would begin at Level Two, **Step 3.**

A grievance may be withdrawn at any time and at any level; however, once withdrawn it may not be refiled by the same employee.

**NOTE: The following provisions shall apply at ALL steps of the grievance procedure.**

Failure of the aggrieved to appeal from one level to the next within the allotted time shall be deemed acceptance of the decision rendered at that level. **Failure on the part of the administration to schedule a hearing within the allotted time or to render a decision within the allotted time shall cause the grievance to be continued at the next level. Such continuance shall be at the discretion of the grievant, who must within five days give written notification of the continuance to the Superintendent.**

All sessions during grievance procedures shall be private hearings with only the appropriate parties involved being present. No news releases or public statements will be made until the grievance has been processed.

**PROCEDURES**

**LEVEL ONE – INFORMAL PROCEDURE:**

An employee who feels that he has a grievance should present the matter orally or in writing to his immediate supervisor or principal, whoever has the authority or responsibility to deal most effectively with the grievance. All grievances shall be filed within ten (10) days after they occurred or should have been known. The immediate supervisor shall reply to the employee orally or in writing within five (5) days following the date of submission. If the

problem is resolved or no further action is necessary, the matter is considered closed. If the timeline passes without a resolution, the grievant may move to the next step.

\*\*\*The employee may be represented by his employee organization at any of the meetings after the complainant has initiated the grievance and completed Level I above.

## **LEVEL TWO – FORMAL PROCEDURE:**

### **A. STEP 1 – PRINCIPAL/IMMEDIATE SUPERVISOR**

If, as a result of the level-one, informal procedure, the matter is not resolved to the satisfaction of the grievant, then within five (5) days following receipt of the supervisor's response (or the date on which such response was due), the grievant shall set forth his grievance in writing formally to the principal/immediate supervisor specifying:

- a. the nature of the grievance, specifying the policy, rule, regulation, administrative order or procedure in question
- b. the nature or extent of the injury, loss, or inconvenience
- c. the results of previous discussions, and dissatisfaction with decisions previously rendered
- d. a request for a face-to-face meeting, if desired by the grievant

The principal/immediate supervisor shall communicate his decision to the grievant in writing within five (5) days of the receipt of the written grievance. Such communication shall include the reason(s) for the decision.

### **B. STEP 2 – SUPERINTENDENT**

If the problem is unresolved after **Level Two, Step 1**, the complainant may within five (5) working days **after receipt of the principal/immediate supervisor's decision**, request in writing the supervisor or principal to arrange for a meeting with the Superintendent or his designee. Participants in this meeting would be in attendance as requested by the employee and/or administrator involved in Step 1.

This meeting **shall** be held within five (5) working days after receipt of the request. A written decision shall be made within ten (10) days from the date of the meeting and a copy delivered to all parties.

### **C. STEP 3 – BOARD OF EDUCATION**

If the decision of the Superintendent or his designee is unacceptable to either party, a written request for an appeal to the Board of Education must be submitted to the Superintendent of Education within five (5) working days following the receipt of the Superintendent's decision.

Either party to the grievance may appeal to the Board of Education. **The Superintendent shall arrange for a hearing before the Board. If time constraints are present, the Board shall schedule a hearing within ten (10) days after receipt of the appeal. If time constraints are not present, the hearing shall be placed on the agenda of the next scheduled Board meeting.** The decision by the Board shall be rendered within fifteen (15) days after the hearing. The decision reached by the Board shall be final.

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**Policy GAEA: Staff Protection**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The Gadsden City Board of Education will be vigorous in its protection of all employees from physical and/or psychological abuse.

Any employee who is threatened with harm is to notify his or her principal, the Superintendent or a member of the Board immediately, and steps are to be taken at once to protect the employee's safety.

Further, the Board shall defend any employee from claims for damages cause or alleged to have been caused in whole or in part by that employee while performing assigned duties as an employee of the Board acting within the line and scope of his or her employment, provided that the Board shall not be obligated to assume any costs or judgments held against the employee when such damages are proved to be due to the employee's willful negligence, violation of law, criminal act, or to acts not within the line and scope of the employee's employment, as determined by a court of law.

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**Policy GAEB: Teachers' Bill of Rights**

**Status:** ADOPTED

**Original Adopted Date:** 03/03/2026 | **Last Reviewed Date:** 03/03/2026

The Teachers' Bill of Rights requires teachers to have an approved classroom management plan and affords teachers the right to exclude disruptive students from their classrooms in limited circumstances if they follow that plan. The purpose of this policy is to outline the standards applicable to the development and approval of required classroom management plans; the standards applicable to the removal of a student from the classroom by a teacher; and the appeal process available to a teacher if a student is returned to the classroom by the principal in limited circumstances.

For purposes of this policy, the term principal also includes assistant principal, vice principal, or his or her designee.

**A. Classroom Management Plans:**

1. **Development of Classroom Management Plans:** To be eligible to use the exclusion procedures in "B," a teacher must develop a classroom management plan for his or her classroom that is age and developmentally appropriate for the grade(s) served. The classroom management plan must align with the Student Code of Conduct; local school or school system behavior management policies, plans, and procedures; and any Positive Behavioral Intervention Supports or other behavior management systems adopted by the local school or school system. To comply with these limitations, implementation of an approved classroom management plan may preclude student exclusion for instances of behavior listed in "B" below. The Superintendent or designee is authorized to develop model classroom management plans that a teacher may adopt or use for the development of his or her plan.
2. **Approval of Classroom Management Plans:** Each classroom management plan must be approved by the principal before the tenth day of instruction for students during each academic year. Principals are authorized to set a deadline for submission of classroom management plans by teachers that provides them with ample time to review and approve plans and seek revisions. Principals shall review submitted plans promptly and approve them if they meet the standards outlined above. If the principal does not approve a teacher's initial classroom plan, the teacher must either submit a revised plan within two school days or opt to use a model plan if one is available. If the teacher's revised plan is not approved, the principal is authorized to require the teacher to use a model plan or another approved plan. Plans submitted or approved outside the stated timeframes may be valid if otherwise properly submitted and approved.

**B. Exclusion of Student from Classroom by Teacher:** A teacher may exclude any student from his or her classroom due to their behavior under this policy if:

- The student has:
  - Engaged in disorderly conduct, which is defined as any conduct that intentionally disrupts, disturbs, or interferes with the teaching of students or disturbs the peace, order, or discipline at any school;
  - Behaved in a manner that obstructs the teaching or learning process of others in the classroom;
  - Threatened, abused, intimidated, or attempted to intimidate an education employee or another student;
  - Willfully disobeyed an education employee; or
  - Used abusive or profane language directed at an education employee.
- The referring teacher followed his or her approved classroom management plan before excluding the student from the classroom; and
- The referring teacher completes any required referral form and submits it to the principal or his or her designee when the student is excluded and referred to the school administration.

Nothing in this policy shall prohibit teachers from otherwise disciplining students as they deem appropriate and

consistent with local policies, procedures, and state law.

**C. Principal Review and Decision:** The Superintendent shall develop guidance and procedures for principals to handle instances of student exclusion pursuant to this policy and consistent with Alabama law.

**D. Appeal:** An appeal may be filed by a teacher if (1) a principal refuses to allow a student to be excluded from the classroom under this policy, or (2) a teacher believes the principal has prematurely ended the exclusion of a student from the classroom under this policy.

The appeal process available under this policy may not be invoked to challenge or seek review or reconsideration of disciplinary or placement decisions if:

- The decision to not exclude a student from the classroom or to return a student to the classroom results from a decision reached at the end of a school disciplinary hearing required by the Code of Student Conduct or state or federal law;
- A 504 or IEP team or another legally authorized person or entity determines that a student with a disability has the right to remain in or return to the classroom under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990; or
- The student is otherwise legally entitled to remain in or return to the classroom.

1. **Filing of Appeal:** The teacher must complete and submit the approved appeal form to the Superintendent within one (1) school day of the principal's refusal to exclude the student from the classroom or the return of the student to the teacher's classroom. The appeal form must be completed in full and signed by the teacher.
2. **Status of Student During Appeal:** During the pendency of any appeal, the decision of the principal regarding the placement of the student, if any, will remain in effect. This placement may include the student remaining in the appealing teacher's classroom until the appeal decision has been reached.
3. **Administrative Review:** Upon receipt of a timely appeal, the Superintendent or designee shall start an investigation of the appeal. The investigation may include interviews of the teacher, the principal, and/or witnesses; obtaining or reviewing written statements, classroom management plans, or other pertinent documents; holding administrative conferences, and any other lawful action deemed necessary to reach a just disposition of the appeal at the discretion of the investigator.

Upon completion of the investigation, the Superintendent or designee shall prepare a written recommendation regarding the issues raised in the appeal. If the recommendation is made by the Superintendent's designee, the Superintendent may adopt, reject, or modify the recommendation based on his or her review of the evidence. If the recommendation includes disciplinary action that entitles a student to a disciplinary hearing and/or manifestation determination and it has not been held, the disciplinary action will be treated as a recommendation subject to the outcome of the hearing or manifestation determination process.

The written recommendation of the Superintendent should be made and mailed or transmitted to the teacher within fifteen (15) days of the date on which the appeal is filed, unless more time is reasonably needed based on the particular circumstances of the appeal, as determined by the Superintendent. Should the Superintendent need such additional time to issue a written decision, the teacher shall be notified of same in writing and advised of when the decision will be issued.

**4. Appeal to Board of Education:** A teacher dissatisfied with the decision of the Superintendent or designee may appeal the decision to the Board of Education by filing a written notice of appeal with the Superintendent within

three (3) school days of receipt of the Superintendent's written decision.

The Superintendent shall transmit to Board Members for their review a copy of the written appeal, the decision, and all statements, recommendations, documents, recordings, transcripts, or other written or tangible evidence filed, submitted, or considered at any stage of the administrative review process.

Not later than fifteen (15) days following receipt of the notice of appeal by the Superintendent, the Board shall meet to consider the appeal. After consideration of the appeal and administrative record, the Board may, by majority vote:

- a. Affirm the decision of the Superintendent;
- b. Reverse the Superintendent's decision; or
- c. Defer final action until a Board hearing is held on the appeal.

**5. Hearing Process:** If a hearing is requested by a majority of the Board, the hearing shall be set within fifteen (15) calendar days, unless more time is reasonably needed based on the particular circumstances of the appeal, as determined by the Superintendent or Board President. Written notice of the hearing date shall be given to the person who filed the appeal. The hearing shall be closed to the public.

The appropriate hearing procedures shall be determined by the Board. A final Board decision on the appeal shall be issued within five (5) calendar days after the hearing ends. The Board shall give written notice of its final decision to the teacher who filed the appeal.

**6. Board's Decision:** The Board's decision will be final, and the Superintendent will take steps to implement the decision, provided, however, that if the Board votes for disciplinary action that entitles a student to a disciplinary hearing and/or manifestation determination and it has not been held, the disciplinary action will be treated as a recommendation subject to the outcome of the hearing or manifestation determination process.

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**Policy GAG: Staff Conflict of Interest**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

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

Employees shall not engage in any other employment or in any private business during the hours required to fulfill assigned educational duties.

The Board also prohibits employees from engaging in political activity which significantly interferes with or substantially disrupts the educational process in the school district.

Assemblies, school classes and materials and equipment shall not be used for partisan, political purposes.

Ref: Ala. Code 16-89, 36-25-1 (9), 36-25-2 (a), (b), (d), 36-25-5 (a), 36-25-6, 35-25-8, 16-11-9, 16-12-3 (a), 16-12-15, 16-24-8.

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**Policy GAH: Staff Community Relations**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

Public relations shall be a continuing responsibility of all school personnel. The principal shall provide leadership for the public relations program for his school in the local community. The Superintendent should release all official statements pertaining to the school system.

Employees have a professional obligation to work with parents in interpreting the program. The effectiveness of the school is indicated by the nature of these conferences with parents, which can be the strongest forces at work in building public confidence and in promoting the teaching profession.

Confidential information should be held in trust and the Code of Ethics of the teaching profession should be relied upon for proper guidance.

The employee should exercise his rights as a citizen by taking a stand on controversial issues, but only after careful evaluation of the facts and with discretion to time and place.

Employees are encouraged to work for the betterment of the community through participation in civic affairs.

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**Cross References**

**Description**

GAM

[Staff Rights and Responsibilities](#)

KD

[Staff-Community Relations](#)

**Policy GAI: Solicitations**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The Board prohibits any employee of the school district from directly or indirectly reaping personal profit or reward from the sale or purchase of goods or services to employees and students in the school district or to parents of such students.

Employees are further prohibited from directly or indirectly furnishing or supplying a list or lists or roster of names and addresses of employees and students in the school district or parents of students to persons, firms, corporations, associations or organizations or to the salesman of any such entities who are engaged directly or indirectly in the business of selling school supplies or school-related articles, equipment or items.

**Solicitation of Staff Members**

Solicitation of contributions or business from employees by outside agents shall not be permitted except by permission of the Superintendent of Education.

No salesmen shall be permitted to entire classrooms while classes are in session for the purpose of soliciting business from teachers.

The Gadsden City Board of Education believes firmly that assuring an ongoing, progressive instructional program at every grade level is a major responsibility. Achieving this goal mandates that teachers, principals, and other school officials be as free as possible of any interference. This shall include any solicitation efforts which detract from classroom instruction.

Visitations relative to annual contracts, equipment sales and similar areas shall be coordinated by principals. These shall not interfere with regular instructional duties of respective personnel.

**Promotion of Commercial Products**

Except as authorized by the Superintendent of Education, no teacher or other certificated employee shall:

- A. Permit any commercial advertising to be announced, distributed or otherwise promoted in or through the schools or allow ticket sales and other fund raising activities by outside agencies.
- B. Permit the solicitation or collection of subscriptions or contributions from pupils or their parents in our through the schools.
- C. Furnish the names or addresses of teachers, pupils or parents other than for school purposes.
- D. Endorse a product for personal gain.
- E. Sell instructional materials, reference books, or school supplies during instructional time.

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**Cross References**

JK  
KDC

**Description**

[Solicitations](#)  
[Solicitations](#)

**Policy GAK: Personnel Records**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

The Board shall require complete and current personnel records on all employees.

All materials in the employee's file, including all records, information, data, or materials pertaining to an employee kept by the Superintendent or other employee of the school board in any form or retrieval system, shall be available upon request of the employee for inspection during working hours provided the employee does not neglect employment related duties. An employee, or any person designated in writing by the employee, may review all of the contents of his personnel record and receive copies of any documents contained in the file. A representative of the employee may accompany him during the personnel file review. Such review will be only in the presence of the Superintendent or his designee. The employee may answer or object in writing to any material in his file and the answer or objection shall be attached to the appropriate material.

Material that is derogatory to an employee's conduct, service, character, or personality shall not be placed in the file unless a copy of all such materials has been provided to the employee.

Any anonymous complaint or material received by a school official shall be immediately transmitted to the Superintendent. An employee will be advised of such anonymous material. If the material is deemed worthy of an investigation by the Superintendent, it may be investigated. The results of the investigation shall be reduced to writing, signed by the Superintendent, principal, or other designated official in charge of the complaint, dated, attached to the material in question, and placed in the personnel file of the employee. Any anonymous complaint which is not investigated within 30 calendar days of its receipt by the Superintendent shall not be retained, but shall be destroyed.

It shall be the duty of employees to furnish the personnel office with teaching certificates, health examination reports, transcripts, verification of degrees and similar data. It shall be the responsibility of the Superintendent of Education and his staff to maintain and update records on all employees.

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**Policy GAL: Salary Deductions**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The Board will make salary deductions which are required by law, including federal income tax, state income tax, retirement, etc., in accordance with applicable laws and regulations.

The Board may make certain other salary deductions when employees or groups of employees properly request such deductions. The deductions shall be made from salaries earned in twelve different pay periods and shall be remitted to the appropriate recipient as specified by the employees within 10 days following each deductions.

Deductions made for employee organizations shall be made based upon membership lists and forms provided by the respective organizations. These lists shall be corrected, updated and returned to the respective organizations not later than November 10 of each school year. Deductions shall be made from the membership lists unless an employee revokes authorization for such deductions by providing written notice of revocation in accordance with state statute.

Except in cases mandated by state or federal regulation, new authorization for payroll deductions may be added per year.

Upon termination, amounts owed under the authorization of an employee shall be deducted from an employee's final pay due.

When amounts have been correctly deducted and remitted by the board, the Board 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.

Ref: Ala. Code, 16-22-6.

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**Policy GAM: Staff Rights and Responsibilities**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

The Gadsden City Board of Education recognizes that each employee has the same civil and constitutional rights as any other citizen. Such rights shall be respected at all times but shall be restricted if their exercise materially interferes with the educational process.

Ref: U.S. Const. amend. I, U.S. Const. amend XIV, 1; Curtis Publishing Company v. Butts, Associated Press v. Walker, 375 S. Ct. 573 (1964); Time, Inc. v. Hill, 375 S. Ct. 378, (1964); Pickering v. Board of Education, 391 U.S. 563, (1968); Givhan v. Western Line Consolidation School, 99 S. Ct. 693 (1979); Keyishian v. Board of Regents, 385 U.S. 589 (1967); Board of Regents of State Colleges v. Roth, 408 U.S. 564 (1972); Perry v. Sindermann, 408 U.S. 593 (1972); Ala. Code 16-4-9, 16-8-10, 16-11-18; Garcetti v. Ceballos, 547 U.S. 410 (2006).

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**Cross References**

GAH

**Description**

[Staff Community Relations](#)

**Policy GAMA: Possession of Firearms**

**Status:** ADOPTED

**Original Adopted Date:** 03/05/2002 | **Last Reviewed Date:** 03/05/2002

The Board of Education prohibits all persons, staff members, and visitors from bringing or possession of firearms on school property and at school sponsored activities. School property is defined as schools, school campuses, school board owned grounds and buildings and vehicles.

Failure on the part of school board personnel to comply with this policy will result in discipline, including but not limited to possible verbal or written reprimand, suspension, or dismissal from employment. Also, law enforcement authorities will be involved.

Authorized law enforcement personnel are expressly exempted from this prohibition.

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**Policy GAN: Health and Communicable Diseases**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

Gadsden City Schools shall strive to protect the safety and health of children and youth in our care, as well as their families, our employees, and the general public. Staff members shall cooperate with public health authorities to promote these goals.

The evidence is overwhelming that the risk of transmitting human immuno- deficiency virus (HIV) is extremely low in school settings when current guidelines are followed. The presence of a person living with HIV infection or diagnosed with acquired immunodeficiency syndrome (AIDS) poses no significant risk to others in school, day care, or school athletic settings.

### **School Attendance**

A student with HIV infection has the same right to attend school and receive services as any other student, and will be subject to the same rules and policies. HIV infection shall not factor into decisions concerning class assignments, privileges, or participation in any school-sponsored activity.

School authorities will determine the educational placement of a student known to be infected with HIV on a case-by-case basis by following established policies and procedures for students with chronic health problems or students with disabilities. Decision makers must consult with the student's physician and parent or guardian; respect the student's and family's privacy rights; and reassess the placement if there is a change in the student's need for accommodations or services.

School staff members will always strive to maintain a respectful school climate and not allow physical or verbal harassment of any individual or group by another individual or group. This includes taunts directed against a person living with HIV infection, a person perceived as having HIV infection, or a person associated with someone with HIV infection.

### **Employment**

The Gadsden City Schools does not discriminate on the basis of HIV infection or association with another person with HIV infection, in accordance with the Americans with Disabilities Act of 1990. An employee with HIV infection is welcome to continue working as long as he or she is able to perform the essential functions of the position, with reasonable accommodation if necessary.

### **Privacy**

Pupils or staff members are not required to disclose HIV infection status to anyone in the education system. HIV antibody testing is not required for any purpose.

Every employee has a duty to treat as highly confidential any knowledge or speculation concerning the HIV status of a student or other staff member. Violation of medical privacy is cause for disciplinary action, criminal prosecution, and/or personal liability for a civil suit.

No information regarding a person's HIV status will be divulged to any individual or organization without a court order or the informed, written, signed, and dated consent of the person with HIV infection (or the parent or guardian of a legal minor). The written consent must specify the name of the recipient of the information and the purpose for disclosure.

All health records, notes, and other documents that reference a person's HIV status will be kept under lock and key. Access to these confidential records is limited to those named in written permission from the person (or parent or guardian) and to emergency medical personnel. Information regarding HIV status will not be added to a student's permanent educational or health record without written consent.

### **Infection Control**

All employees are required to consistently follow infection control guidelines in all settings and at all times, including playgrounds and school buses. Schools will operate according to the standards promulgated by the U.S.

Occupational Health and Safety Administration for the prevention of blood-borne infections. Equipment and supplies needed to apply the infection control guidelines will be maintained and kept reasonably accessible. The supervisor shall implement the precautions and investigate, correct, and report on instances of lapse.

A school staff member is expected to alert a person responsible for health and safety if a student's health condition or behavior presents a reasonable risk of transmitting any infection.

If a situation occurs at school in which a person might have been exposed to an infectious agent, such as an instance of blood-to-blood contact, school authorities shall counsel that person (or, if a minor, alert a parent or guardian) to seek appropriate medical evaluation.

### **HIV and Athletics**

The privilege of participating in physical education classes, athletic programs, competitive sports, and recess is not conditional on a person's HIV status. School authorities will make reasonable accommodations to allow students living with HIV infection to participate in school-sponsored physical activities.

All employees must consistently adhere to infection control guidelines in locker rooms and all play and athletic settings. Rulebooks will reflect these guidelines. First aid kits must be on hand at every athletic event.

All physical education teachers and athletic program staff will complete an approved first aid and injury prevention course that includes implementation of infection control guidelines. Student orientation about safety on the playing field will include guidelines for avoiding HIV infection.

### **HIV Prevention Education**

The goals of HIV prevention education are to promote healthful living and discourage the behaviors that put people at risk of acquiring HIV. The educational program will:

- be taught at every level, Kindergarten through grade twelve;
- use methods demonstrated by sound research to be effective;
- be consistent with community standards;
- follow content guidelines prepared by the Centers for Disease Control and Prevention (CDC);
- be appropriate to students' developmental levels, behaviors, and cultural backgrounds;
- build knowledge and skills from year to year;
- stress the benefits of abstinence from sexual activity, alcohol, and other drug use;
- include accurate information on reducing risk of HIV infection;
- address students' own concerns;
- include means for evaluation;
- be an integral part of a coordinated school health program;
- be taught by well-prepared instructors with adequate support; and
- involve parents and families as partners in education.

Parents and guardians will have convenient opportunities to preview all HIV prevention curricula and materials. School staff members shall assist parents or guardians who ask for help in discussing HIV infection with their children. If a parent or guardian submits a written request to a Principal that a child not receive instruction in specific HIV prevention topics at school, and assures that the topics will be discussed at home or elsewhere, the child shall be excused without penalty.

The education system will endeavor to cooperate with HIV prevention efforts in the community that address out-of-school youth and youth in situations that put them at high risk of acquiring HIV.

### **Related Services**

Students will have access to voluntary, confidential, age and developmentally appropriate counseling about matters related to HIV infection. School administrators will maintain confidential linkage and referral mechanisms to facilitate voluntary student access to appropriate HIV counseling and testing programs, and to other HIV-related services as needed. Public information about resources in the community will be kept available for voluntary student use.

### **Staff Development**

All school staff members will participate in a planned HIV education program that conveys factual and current information; provides guidance on infection control procedures; informs about current law and state, district, and school policies concerning HIV; assists staff to maintain productive parent and community relations; and includes annual review sessions. Certain employees will also receive additional specialized training as appropriate to their positions and responsibilities.

**General Provisions**

On an annual basis, school administrators will notify students, their family members, and school personnel about current policies concerning HIV infection, and provide convenient opportunities to discuss them. Information will be provided in major primary languages of students' families.

This policy is effective immediately upon adoption. In accordance with the established policy review process or at least every three years, the superintendent shall report on the accuracy, relevance, and effectiveness of this policy and, when appropriate, provide recommendations for improving and/or updating the policy.

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**Cross References**

JGFI

**Description**

[Health and Communicable Diseases](#)

**Policy GBA: Compensation Guides and Contracts**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Revised Date:** 06/08/2021 | **Last Reviewed Date:** 06/08/2021

The Board shall approve a calendar for each school year which shall provide for a minimum of 180 teaching days. The seven additional days of the 187-day contract year shall be scheduled by the Superintendent and the Board of Education as necessitated by external forces which impinge upon the operation of the schools.

All certificated personnel employed by the Gadsden City Board of Education shall meet the state of Alabama certification requirement and must be recommended by the Superintendent of Education to be approved for hire by the board of Education.

The Superintendent of Education shall prepare a salary schedule for all personnel employed in the Gadsden City School System and this board shall adopt a salary schedule and supplemental schedule in accordance with the Alabama Education Code and State Board of Education policy. Salaries shall be paid in twelve (12) equal payments. Such schedules shall be available for review in all schools.

### **EMPLOYEE SALARY SCHEDULE EXPERIENCE**

All Regular personnel shall be paid in accordance with salary or hourly wage schedules as adopted by the Gadsden City Schools 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 documented employment in:

- a. A state or local public school;
- b. Alabama State Department of Education sponsored initiatives(e.g., Alabama Math, Science, and Technology Initiative - AMSTI);
- c. State Department of Education;
- d. An Alabama nonpublic or charter school (Grades P-12)
- e. A college or university that was regionally accredited when the educational experience was earned; OR
- f. A nonpublic or charter school (Grades P-12) outside of Alabama. The School must have been 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 the State Department of Education during the school year(s) the experience was earned, with Supplement EXP.

2. Professional education 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 or less than 20 hours per week will not be calculated toward full-time experience.

Ref: State Board of Education Policy, 9-26-75; Ala. Code, 16-11-9, 16-11-17, 16-12-16, 16-13-51, 16-13-195, 16-13-145.

**Policy GBAB: Compensation for Highest Degree**

**Status:** ADOPTED

**Original Adopted Date:** 01/09/1996 | **Last Revised Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

It is the policy of the Gadsden City Board of Education that certificated employees be paid on the salary schedule consistent with the highest degree recognized by the State Superintendent of Education held by the employee regardless of current position.

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**Policy GBB: Positions**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

The Board will employ specialized personnel such as counselors, librarians, school nurses, psychometrists, social workers, and others, as funds are available. Such personnel shall assist teachers and may not in any way interfere with the classroom instructional program.

Teachers shall refer students with special problems to the appropriate person. Following evaluation of the student's problems, an appointment will be made with the teacher at which time the recommendations to the teacher regarding the manner of dealing with the student's problem will be given.

Teachers shall be able to refer problems to all specialized personnel whenever necessary.

The Gadsden City Board of Education directs that generalized position descriptions be prepared for all certificated personnel including, but not limited to job titles, essential functions, major responsibilities, and lines of authority applicable to respective positions.

All position descriptions shall be broad enough to satisfy statutory requirements, board policies and specific needs of local schools. Certificated personnel shall be a representative voice in design and development of related job descriptions.

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**Policy GBBA: Qualifications and Duties**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Revised Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

It shall be the responsibility of each certificated employee to secure and provide the Board of Education with a copy of a valid Alabama teacher's certificate and a transcript of college credits.

Employees are responsible for notifying the Board of Education of any change in certificate status which may affect their employability or position on the salary schedule. If an employee receives a higher degree during the school year, the salary increase shall become effective on the date recognized by the State Superintendent of Education.

The Board of Education reserves the right to make any adjustment in salary based upon accurate and updated certificate or degree information.

It shall be the policy of the City Board of Education to encourage participation of teachers in the discussion and consideration of all problems relating to the effective operation of the public schools. Teacher consultation may be through discussion in general meetings or by appointment of management and planning teams to provide advisory-type input relative to matters that may affect and relate to the total instructional program. It must be kept in mind, however, that the final responsibility for the determination of educational policy is, by law, placed on the Board of Education.

The Board, in accordance with statute, shall authorize the Superintendent to set personnel duties. Local school principals shall work cooperatively with the Superintendent in this area. Duties of personnel within which specific adaptations may be made include:

1. Teachers and all other personnel in the public schools shall be directly responsible to the principal of the school to which they are assigned.
2. The assignment of specific duties to teachers in individual schools shall be the responsibility of the principal of the school.
3. The principal of the school shall assign extra-curricular duties, i.e., homeroom, etc., to teachers on the basis of administrative needs of the school, workload of the teacher, and special abilities or talents of the teacher; interests of the teacher shall be considered by the principal in the assignment of extra-curricular duties. The principal shall make extra-duty assignments as equitably as possible.
4. Employees should familiarize themselves with all policies and regulations of the Gadsden City Board of Education and of the local school and shall be responsible for observing and enforcing such rules and school regulations.
5. Certificated employees shall be responsible for:
  - a. Educational advancement and growth of students under their supervision.
  - b. Development of good character and desirable attitudes among students;
  - c. Proper protections and care of textbooks, equipment, supplies and other school properties; and
  - d. Maintenance of discipline and good order in the classroom and elsewhere throughout the school buildings and grounds.
6. Teachers may be required to submit appropriate lesson plans, identifying objectives and goals of instruction, and outlining plans and procedures they expect to follow for the respective instructional periods.
7. Teachers shall attend all meetings called by the superintendent or principal and are expected to be

punctual in attending such meetings, conferences, and in keeping all school related appointments.

8. Teachers shall maintain complete class records of each student's attendance and achievement and all other such records as are required by the individual school or school district.
9. Unless specifically authorized by the superintendent or principal, teachers shall not permit commercial advertisements to be distributed in the classroom, not permit sales, contributions or collection of fund by unauthorized persons.
10. Teachers shall arrive on the campus and be in their classroom by designated times each day. Normal departure time will, depending on school-related requirements, be fifteen minutes after school is dismissed. Administrators should be present a minimum of 30 minutes after school is dismissed in the afternoon. Individual school situations may necessitate an alteration in this schedule.
11. All teachers shall cooperate with other teachers in the school so that the school may achieve its schoolwide objectives and goals.
12. Teachers have a professional obligation to work with parents in interpreting the school program and shall make every effort to develop understanding and public confidence in the school's program.
13. Teachers shall follow the Code of Ethics for Teachers in their relationships with other professional personnel, students and the general public. (See NEA and AEA Code of Ethics)

Ref: Ala. Code, 16-11-9; 16-12-33; 16-23-1 through 16-23-13; 16-23A-1 through 16-23A-4; 12-24-1 through 26-24-13; Policy adoption basis, February 7, 1978.

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**Policy GBBAE: Code of Ethics of the Education Profession**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

**Preamble**

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and nurture of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

**Principle I**

**Commitment to the Student**

The educator strives to help each student realize his or her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator—

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the students to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, or family, social, or cultural background, or sexual orientation, unfairly:
  - a. Exclude any student from participation in any program;
  - b. Deny benefits to any student;
  - c. Grant any advantage to any student.
7. Shall not use professional relationships with students for private advantage.
8. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose or is required by law.

**Principle II**

**Commitment to the Profession**

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions which attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator—

1. Shall not in an application for a professional position deliberately make a false statement or fail to

disclose a material fact related to competency and qualifications.

2. Shall not misrepresent his/her professional qualifications.
  3. Shall not assist entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.
  4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
  5. Shall not assist a non-educator in the unauthorized practice of teaching.
  6. Shall not disclose information about colleagues obtained in the course of professional services unless disclosure serves a compelling professional purpose or is required by law.
  7. Shall not knowingly make false or malicious statements about a colleague.
  8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions.
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**Policy GBC: Recruitment**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

**General Policy**

An outstanding educational program in this school system is dependent upon the employment and retention of the best qualified certificated personnel. This will be accomplished by giving careful consideration to qualifications and by providing attractive salary schedules, adequate facilities, and good working conditions. When vacancies occur, first considerations will be given to qualified staff within the school system. These following procedures shall apply in the recruitment of new personnel:

1. The Board encourages men and women to enter the profession of education in this community and to make it their career. Currently employed certificated personnel share a common responsibility for supporting this position.
  2. Factors which influence selection of certificated personnel are as follows:
    - a. Training and certification
    - b. Professional competence
    - c. Personality and compatibility
    - d. Suitability for the position
    - e. Professional attitude
  3. The Board follows the practice of employing certificated personnel without regard to race, creed, sex, religion, national origin, or otherwise discriminatory rationale.
  4. All certificated personnel selected for employment must be approved by the Superintendent and recommended to the Board for election.
  5. Job vacancies for all positions shall be posted in accordance with established policy.
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**Policy GBCA: Job Vacancy Announcements**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Revised Date:** 07/02/2024 | **Last Reviewed Date:** 07/02/2024

The Gadsden City Board of Education shall, whenever a vacancy occurs, cause to be posted on the district website a notice of such vacancy with the minimum educational and personal requirements for the position. The Board shall endeavor to see that such notices are made easily accessible to all current and prospective employees, especially during times when schools are not in session. Postings shall be posted 7 or 14 days, in accordance with Alabama State Code before being filled. All persons interested in a posted position may notify the appropriate contact from the posting to request an interview within the specified time. The Board subscribes to the philosophy of promoting personnel from within the system.

Persons who desire a transfer within the system shall notify the Superintendent in writing. This notification need not be dependent upon a job vacancy. When such a vacancy occurs, the Superintendent will give first consideration to this request for transfer.

Before any new position is established, the Superintendent will present the position for Board approval.

Qualified people within the local system who have demonstrated their ability to perform successfully in their present position will have first consideration for positions that demand more responsibility.

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**Policy GBD: Hiring or Filling Vacancies**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

New applicants shall be required to submit applications upon forms prepared and furnished by the Gadsden City Board of Education. Current employees wishing to transfer to a vacant position shall notify the Superintendent of their interest in writing according to policy. In choosing from among applicants, the Board shall be mindful of the following criteria:

1. Proper certification and training
2. Years of experience in the Gadsden City Schools
3. Years of experience in public education
4. Data gained from interviews with the applicant
5. Academic record
6. Recommendations from supervisors, principals, and other certificated personnel who interviewed the applicant

Collection of employment data and interviews shall be the responsibility of the Superintendent of Education or his designee. The Board of Education shall not initially employ or transfer personnel to other positions except upon the written recommendation of the Superintendent.

The Board of Education shall only promote probationary principals to contract principals upon the written recommendation of the Superintendent.

The Superintendent shall make every attempt to consult with principals concerning the needs of the students in the various schools. The Superintendent will consult with principals concerning these needs after a schedule has been made for the incoming year with said schedule based upon student registration.

It is the legal responsibility of the Superintendent to make written recommendations to the Board for initial employment, promotion, demotion, and discharge of personnel. He will also receive letters of resignation from resigning employees.

Ref: Ala. Code, 16-12-16, 16-12-19, 16-11-9, 16-13-143; Title VII of Civil Rights Act of 1964 as amended in 1972, 42 U.S.C. 2000e-2000e-15; Board adherence to E.E.O.C. Guidelines relative to Title IX of Education Amendments of 1972 while recognizing also Romeo Community Schools v. HEW, 45 U.S.L.W. 2509 (D.C. Mich1, 1977); Equal Pay Provisions of Fair Labor Standards Act. Guthrie v. Taylor, 279 N.C. 703, 185 S.E. 2d 185 S.E. 2d 193 (1971); Chance v. Board of Examiners Board of Education of City of New York, 330 F. Supp. (SD. NY. 1971); affirmed Separate School District 325 F. Supp. 560 (N.D. Mississippi, 1971), affirmed 461 F. 2d 276 (5<sup>th</sup> Cir., 1972); Baker v. Columbus Municipal Separate School District, 329 F. Supp. 706 (N.D. Mississippi, 1971), affirmed 462 F. 1112 (5<sup>th</sup> Cir., 1972); Watson County School Board of Nansemond County, U.S.L.W. 2449 (U.S., March 5, 1974); Teacher Accountability Act.

**Policy GBE: Assignment**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The basic consideration in the assignment of certificated personnel is the enhancement of the instructional program. The appropriateness of the assignment will have a significant impact on the morale of the professional staff and the effectiveness of the total education program.

It is the policy of this Board that instructional personnel be assigned on the basis of their qualifications, the needs of the district, and their expressed desires. When it is not possible to meet all three conditions, personnel shall be assigned first, in accordance with the needs of the Gadsden City School System second, where the administration feels the employee is most qualified to serve; third, as to expressed preference of employees. The seniority of the employee in the district will be considered.

Ref: Ala. Code, 16-12-16; 16-24-1 through 16-24-38.

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**Policy GBF: Certificated Personnel Orientation**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The Board recognizes the importance of an organized systemwide orientation program each school year for all teachers new to the school district, and directs the administration to plan and implement an orientation program in accordance with legal and other requirements.

Ref: Ala. Code, 16-12-3 (a), 16-12-15, 16-23-7.

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**Policy GBG: Probation**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

The probationary period for a teacher shall be three consecutive years of service as a teacher in the school district. If a notice of non-renewal is not received by the teacher before the last work day of their third year, tenure is acquired.

The probationary period for a contract principal shall be three consecutive years of service in like position in the school district. During the probationary period, evaluations, as specified by the Alabama State Department of Education and the Teacher Accountability Act, shall be conducted for contract principals.

Ref: Ala. Code, 16-24-2; Teacher Accountability Act; Students First Act.

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**Policy GBH: Supervision**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The Gadsden City Board of Education is vested with the general administration and supervision of the school district. Actual supervision, administration, and maintenance of the district are delegated to the Superintendent as the executive officer of the Board.

Ref: Ala. Code, 16-11-2, 16-12-4, 16-11-9, 16-12-11, 16-12-15.

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**Policy GBHA: Supervision by Relatives**

**Status:** ADOPTED

**Original Adopted Date:** 11/07/1995 | **Last Reviewed Date:** 11/07/1995

No employee shall be hired, transferred, or placed in a position of employment where that person will be supervised by his or her spouse, mother, father, or sibling. Any employee who is subject to this policy due to some action subsequent to his or her employment, such as marriage, shall be transferred. Either or both of the employees shall be transferred as the Superintendent shall recommend and the Board shall approve.

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**Policy GBHB: Mandatory Drug Testing of Bus Drivers**

**Status:** ADOPTED

**Original Adopted Date:** 12/05/1995 | **Last Reviewed Date:** 12/05/1995

In accordance with the Omnibus Transportation Employee Testing Act of 1991, all Board employees engaged in activities covered by the Act shall be subject to mandatory anti-drug and alcohol testing requirements and testing procedures as set out in regulations promulgated from time to time by the Department of Transportation. No Board employee shall be allowed to participate in any activity described in the Act when in violations of any such regulations or which fail tests required under the Act.

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**Cross References**

GCHA

**Description**

[Mandatory Drug Testing of Bus Drivers](#)

**Policy GBI: Certified Employee Evaluation and Professional Development Plan**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

**Non-tenured Employees**

Each non-tenured employee will be evaluated annually according to the guidelines of the Educate Alabama Evaluation System. This evaluation will be used for professional development only.

Each employee will be evaluated twice annually using the local evaluation instrument. (Classroom observations carried out under the Educate Alabama Evaluation System will be sufficient to complete the local evaluation instrument. No additional classroom observations will be necessary.)

Additional observations may be scheduled if the evaluator feels these are warranted.

**Tenured, Certified Employees**

All tenured, certified employees currently included in the Educate Alabama Evaluation System will complete a full cycle evaluation every three years. The state evaluation will be for professional development purposes only.

During the same year of the full cycle each tenured employee will be evaluated under the local evaluation plan. Only one local evaluation instrument will be required. No additional classroom observations will be necessary.

During the two years in which the full cycle is not required tenured employees will complete only the required Professional Learning Plan.

All certified employees not currently covered by Educate Alabama will continue to be evaluated utilizing the current local evaluation system which includes two annual evaluations for a non-tenured employee and one annual evaluation for a tenured employee.

Additional observations may be scheduled if the evaluator feels these are warranted.

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**Policy GBJ: Promotion**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

The Board of Education shall, whenever a vacancy occurs, cause to be posted at all work sites in the district a notice of such vacancy. Notices shall include, but not be limited to, job description and title, required qualifications, salary schedule or amount, application submission information, application deadlines, and other relevant information. All persons interested in the position may notify the Board in writing of their interest and attach thereto personal biographical information giving their qualifications for the position. All position vacancies shall be filled solely on the basis of merit.

Before any new position is established or promotion made, the Superintendent will present the position for Board approval.

Qualified people within the local system who have demonstrated their ability to perform successfully in their present position will have first consideration for positions that demand more responsibility.

Ref: 16-11-16, 16-23-1.

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**Policy GBK: Suspension**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The Board may suspend or dismiss any person in its employment for the following reasons: (1) immorality; (2) incompetence; (3) insubordination; (4) willful neglect of duty, or (5) when the interests of the school district so dictate.

The Superintendent has authority to temporarily suspend school personnel when, in his 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.

Charges shall be stated in writing as required by law and the employee so charged shall be given an opportunity to be fully and impartially heard by the Board following not less than ten days' written notice. Notice of the charges against him and the opportunity for a hearing shall be served upon the employee by registered mail within five days of the presentation of the charges to the Board. The hearing may be held at the next regular meeting of the Board or at a special meeting called for that purpose.

Personnel who are subsequently dismissed as a result of a hearing for cancellation of an employment contract after having been suspended shall not receive compensation for the period of such suspension.

Ref: Ala. Code 16-11-17, 16-12-16, 16-24-9, 16-4-8, Robinson v. Brown, 238 So. 2d 291 (1976).

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**Policy GBKA: Reduction In Force Certified and Other Professional Personnel**

**Status:** ADOPTED

**Original Adopted Date:** 02/01/2011 | **Last Reviewed Date:** 02/01/2011

**SCOPE AND DEFINITION.** This policy shall apply to reduction-in-force (layoffs). As used herein, the term "layoff" means an unavoidable reduction in the workforce beyond normal attrition due to decreased enrollment or shortage of revenues. The term "layoff" does not include and the provisions of this policy do not apply to decisions to terminate or not to extend the appointment of occasional, temporary, or "at will" employees, or to decisions not to extend or renew the employment of employees upon the expiration of annual or other specified terms of employment.

**CRITERIA FOR IMPLEMENTING LAYOFFS.** Layoffs may be implemented if the Board determines that financial circumstances and/or enrollment data require such action in order to maintain effective provision of educational services. The elimination of positions and layoff of employees shall be based upon consideration of all other specified terms of employment.

- a. The Board's determination of its educational needs, requirements, and priorities;
- b. Current data and projected trends in revenue collections and/or enrollment;
- c. The comparative abilities of persons currently holding positions subject to elimination to meet the needs and requirements of the school system as determined by such considerations as education, training, and experience; quality of job performance; special skills and aptitudes; possession of necessary and appropriate licensure and/or certification; and proficiency in performing varying tasks, responsibilities, and functions (versatility);
- d. Other factors being equal, comparative length of employees' service in the position and with the Board;
- e. The extent to which cost savings or other appropriate administrative objectives can be realized by taking into consideration voluntary retirements, resignations, transfers and other normal attrition in the workforc
- f. Any nondiscrimination requirements that may be imposed by state or federal law and any procedural or substantive requirements that may be imposed by state or federal law, including any statement or specification of the reasons or grounds for the layoff if and to the extent required by the Alabama Teacher Tenure Law or the Alabama Fair Dismissal Act.

**RECALL.** Tenured instructors who have been laid off under the terms of this policy will be given priority in filling instructors' positions which are restored after their elimination, provided that:

- a. The nature of the position and qualifications therefore have not materially changed;
- b. The laid-off instructor remains properly qualified, licensed, and certified; and
- c. The laid-off instructor confirms in writing his or her availability for and interest in reemployment to the Board's Director of Certificated Personnel within thirty days of receipt of notice of layoff from the Board.

The recall provisions of this policy apply only to tenured instructors, and to no other class of employee. Selection of employees for recall will be based on the criteria applied to layoffs where there are more employees eligible for recall than positions available to fill. When layoffs occur over a period of time, the Board will take relative length of separation from service into consideration in assigning recall priority, other factors being equal. In no case will any right to be recalled to employment extend beyond one year from the effective date of the instructor's layoff. Recalled instructors will be credited with tenure, years of service, and the pay and benefit status which they enjoyed on the effective date of their layoff. No pay, benefits, status, or additional rights will accrue or be credited to the recalled instructor for the time he or she was not employed.

**NOTICE.** Notification of layoff and recall shall be by United States certified or registered mail, hand delivery, or such other means as are permitted for notification of proposed contract cancellation by the Alabama Teacher Tenure Law. Upon receipt of notification of recall, a laid-off employee shall have fourteen (14) days from the receipt of said notice within which to respond affirmatively to the notice of recall in accordance with such specific directions or instructions as may be contained therein. Any laid-off instructor who does not so respond or who otherwise declines an offer of reemployment by the Board will be deemed to have waived any right to be recalled under the terms of this policy.

**Policy GBL: Tenure**

**Status:** ADOPTED

**Original Adopted Date:** 09/13/2011 | **Last Reviewed Date:** 09/13/2011

The Gadsden City Board of Education will adhere to the current State Tenure Law. A copy of this law will be kept on file and made available to teachers in each school.

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**Policy GBM: Transfer**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

The basic consideration in assignment of certificated personnel, within the Gadsden City School District, whether initial assignment or as the result of voluntary or involuntary transfer shall be the well-being of the instructional program of this school district and its member schools. The Board is fully cognizant that appropriateness of assignments will have a significant impact on the morale of the professional staff and a concomitant effect on the total instructional program.

**Voluntary**

Voluntary transfers of certified staff shall be made in accordance with the Students First Act. Personnel shall be assigned on the basis of their qualifications, the needs of the school district's instructional program, and their expressed desires. Therefore, if the employee requesting a transfer possesses the qualifications needed for the desired position, and a vacancy exists, the request for voluntary transfer will be carefully considered and reviewed on a nondiscriminatory basis.

Personnel who desire a transfer within the system shall notify the Superintendent in writing. This notification need not be dependent upon a job vacancy. When such a vacancy occurs, the Superintendent will give first consideration to this request for transfer.

The consideration of any request for transfer shall be in accordance with the criteria outlined above. All other factors being equal, first consideration will be given to the employee having the most years of service in the Gadsden City School System.

To promote continuity of learning experiences throughout the school district, the Superintendent of Education shall prepare procedures governing certificated staff transfers which are consistent with the following:

1. Unless critical need exists, voluntary transfer of certificated personnel shall be implemented only at the following time intervals:
  - a. Between the time of final dismissal of schools for one year and the opening dates of the following school year
  - b. At the beginning of a semester
  - c. At the beginning of a grading period
2. All requests concerning voluntary transfer shall be submitted to the Superintendent of Education or his designee in written form according to established policy.

**Involuntary**

Involuntary transfers of certified staff shall be made in accordance with the Students First Act.

Ref: Students First Act (2011).

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**Policy GBN: Separation**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

The Board may cancel the employment contract of any employee only in accordance with Chapter 24 of Title 16 of the Code of Alabama. Cancellation of an employment contract of a teacher on continuing service status may be made for incompetence, insubordination, neglect of duty, immorality, failure to perform duties in a satisfactory manner, justifiable decrease in the number of teaching positions, or any good and just cause, but cancellation may not be made for political or personal reasons.

Ref: Ala. Code 16-4-8, 16-8-8, 16-11-2, 16-11-17, 16-12-16, 16-24-8, 16-24-9, 16-24-10, 16-24-12.

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**Policy GBO: Resignation**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

The Board prohibits any certificated employee, whether on continuing service status or not, from canceling his contract for a period of 30 calendar days prior to the beginning of such school term, unless such cancellation is mutually agreed upon. Any employee shall be permitted to cancel his contract at any other time by giving five days' written notice to the Board. Any such employee canceling his contract in any other manner than herein provided shall be deemed guilty of unprofessional conduct, and the State Superintendent by authority of Section 16-24-11, Code of Alabama, is authorized to revoke or suspend the certificate of the employee.

Ref: Ala. Code 16-24-11, 16-24-12, Students First Act (2011).

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**Policy GBP: Reemployment**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Revised Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

Any teacher or other certificated employee in the Gadsden City School District shall be deemed offered reemployment for the succeeding school year unless the Gadsden City Board of Education shall cause notice in writing to be given said teacher or other certificated employee in accordance with the Students First Act.

The Gadsden City Board of Education shall not cancel the contract of any teacher in continuing service status, nor cause notice of non-employment to be given to any teacher, whether in continuing service status or not, except by a vote of a majority of its members evidenced by the minute entries of the Board made prior to the time or at the time of any such action.

Ref: Ala. Code 16-24-12; Strickland v. Berger, Ala. 336 So. 2d 9 (1976). Foster v. Blount County Board of Education, Ala. 340 So. 2d (1976); Lattimore v. Board of Education, 266 Ala. 588, 98 So. 2d 420 (1957); Board of Regents of State Colleges v. Roth, 408 U.S. 564, 92 St. Ct. 2701, 33 L.Ed. 2d 548 (1972); Perry v. Sindermann, 408 U.S. 593, 92 S.Ct. 2694, 33 L.Ed. 2d 570 (1972).

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**Policy GBQ: Retirement**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

All employees employed for twenty or more hours per week shall participate in Teacher Retirement System of Alabama. The Board of Education shall keep necessary records required by the Alabama Retirement System and shall deduct and submit to the State Retirement System withholdings as may be required by law.

There is no mandatory retirement age for Board employees.

Ref: Personnel Policies – Gadsden City Schools; Ala. Code, 16-25-1 through 16-25-28.

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**Policy GBRA: Tutoring For Pay By Certified Personnel**

**Status:** ADOPTED

**Original Adopted Date:** 11/02/2021 | **Last Reviewed Date:** 11/02/2021

Gadsden City 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 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, non-consumable materials or supplies must be approved by the principal.

ref. Code of Alabama 36-25-5, 1-1-16, 16-25-1 to 7

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**Policy GBRB: Time Schedules**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

Each teacher is to report to work at least 15 minutes prior to the opening of school. Teachers shall remain at the school for at least 15 minutes after the close of school each day. This schedule may vary for employees who have been assigned duties by their supervisor that require an adjustment in this schedule.

Each teacher shall be provided a minimum of thirty minutes each day free of instructional or supervisory responsibilities.

Administrative personnel shall report to work at least 30 minutes prior to the opening of school and remain at the school at least 30 minutes after the close of school each day. Individual school situations may necessitate alterations in this schedule.

Ref: Ala. Code 16-1-1.

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**Policy GBRC: Work Load**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Revised Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

The Board acknowledges that a teacher's primary responsibility is to teach. The Board agrees to make every effort to reduce non-teaching duties such as collecting money, keeping records, and performing other non-teacher duties. The Board will exert every effort as funds are available to employ teacher aides to keep records, supervise halls, cafeterias, study halls, and buildings and grounds.

- a. Extra duty assignments such as class sponsor, drama club, yearbook, school newspaper may be assigned provided, however, a teacher may not be required to accept more than one such assignment. All due considerations will be given to volunteers to these positions.
- b. No teacher may be required to act as a policeman in supervising any extra-curricular activities which involve non-students.
- c. Teacher units will be assigned to schools based upon student enrollment among the various elementary, middle, and high schools in accordance with the number of state allocated units, and the number of additional teacher units in the amount determined by the Board each year. Additional teacher units above the state allocation will be determined on current monies available and determined as soon as possible when information becomes available.
- d. When possible, teacher daily preparation for different courses will be limited to two in middle and high schools.
- e. Each principal shall notify the Superintendent immediately in writing the name of any teacher in his or her school who does not teach a full workload.
- f. The assignment of teacher units to schools in the Gadsden City System will be governed by the following regulations:

All schools are to begin a process of pre-registering students as early as possible in the spring for the following year. This process should include a provision where students are given sufficient information about the availability of courses to be offered and through the counseling department are advised in their course selection in terms of their stated career objectives.

This process should include consultation with teachers, counselors, school administrator, and individual parents. Once this process has been completed, the process of teacher assignment can begin.

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**Policy GBRD: Staff Meetings**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

An administrator and/or supervisor may call staff meetings when he feels such meetings are warranted. Attendance by employees may be required.

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

Except in emergency situations, the following guidelines shall be followed in relation to staff meetings.

1. Staff meetings are limited to a maximum of four (4) days per month.
  2. Staff meetings shall begin no later than fifteen minutes after the student dismissal time and shall be limited to thirty minutes duration.
  3. Monday shall be reserved for building staff meetings. Unless unavoidable circumstances demand otherwise, meetings shall not be called on Friday or on any day immediately preceding a holiday.
  4. Notice of the meeting, including an agenda if possible for any meeting, shall be given to the employees involved at least two (2) days prior to meetings.
  5. Employees shall have the opportunity to place items on the agenda.
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**Policy GBRE: Extra Duty**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

Employees may be assigned extra duties and responsibilities by their supervisor, the Superintendent, or his designee. The Board requires that all duties assigned be reasonable and in support of accomplishing the overall educational objectives of the Board.

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**Policy GBRF: Expenses**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The Gadsden City Board of Education authorizes the reimbursement of certificated personnel for travel expenses incurred as a requirement of their jobs. Reimbursement may be made for travel which is at the request of, or has received prior approval from, the Superintendent and said employee's immediate supervisor. Such reimbursement shall not exceed travel and actual expenses or per diem as authorized for the Board. Prior approval for all travel shall be obtained before any travel expenses can be incurred.

Ref: Ala. Code 16-13-3, 16-11-9, 16-12-3 (a).

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**Cross References**

DJD

**Description**

[Expense Reimbursements](#)

**Policy GBRG: Non-school Employment**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

School personnel must accept as their primary responsibility and obligation their assignment as made by the Board of Education. Any other employment must not in any manner interfere with the efficiency or effectiveness of the teacher's school assignment. Whenever the Board, Superintendent, or their designees have reason to believe that outside employment may be interfering with the employee's ability to do his job, the employee may be asked to present information to insure that outside employment has not made him less effective. Failure of the employee to present such evidence may result in the Board's requiring that outside employment be terminated. When the employee is requested to present the facts relating to his outside employment, he will be permitted due process and representation as provided in the grievance procedures in presenting his case before the Board or its designees.

Employees shall in no way utilize school time, facilities, or associations to promote outside interests.

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**Policy GBRH: Professional Leaves and Absences**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The Superintendent may authorize professional leave without loss of pay for attendance of personnel at various regional, state, and national instructional meetings. In general, professional leave will be granted on the basis of identified instructional objectives in accordance with the professional employee's assignment. Professional leave should be requested in writing at least ten (10) days in advance.

**Sabbaticals**

Sabbatical leave may be granted by the Board for an extended period of time, without pay, and shall apply in cases where no other type leave is available. The Board may grant leave of absence without it interfering with continuing service status (tenure) for up to one full year. One additional year may be granted upon recommendation of the Superintendent and approval of the Board. Upon return the employee shall be reassigned in accordance with legal statutes.

Ref: Ala. Code, 16-24-13.

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**Policy GBRI: Personal Leaves and Absences**

**Status:** ADOPTED

**Original Adopted Date:** 05/05/2009 | **Last Reviewed Date:** 05/05/2009

**Leaves of Absence**

The Board may grant leaves of absence to tenured employees for a period of one year for justifiable reasons which may be extended at the Board's discretion to a second year without loss of continuing service status. Such leaves shall be without pay. An employee for whom a leave of absence is approved may return to the school district in a comparable position and salary to that held at the time leave was granted.

An employee wishing to return from a full year's leave should notify the Superintendent of his intended date of return in writing thirty (30) days prior to the end of the school year.

**Personal Leave**

Employees of the Gadsden City Schools shall receive up to five (5) days of personal leave annually. For the first two (2) days, the Board shall provide a substitute for the employee, whenever necessary, without cost to the employee. For subsequent days, if taken, the cost of a substitute shall be deducted from the employee's regular salary, except in the following situations:

- a. Employees with ten (10) years experience\* shall receive one additional paid personal leave day (total of three paid days).
- b. Employees with fifteen (15) years of experience\* shall receive two additional paid personal leave days (total of four paid days).
- c. Employees with twenty (20) years experience\* shall receive three additional paid personal leave days (total of five paid days).

\*For the purposes of this policy, an employee's total experience shall include all time spent in the Gadsden City Schools and up to a maximum of ten (10) years experience in other public school systems.

Employees who qualify for additional paid personal leave days under this policy, but who do not use all of the days to which they are entitled during the year, may choose between the following options:

1. They may choose to be reimbursed by the Board at the end of the year for any such days, which remain unused; this reimbursement for each day shall be equal to the daily rate of pay for a substitute.
2. The employee may choose to convert any such days which remain unused into sick leave days; such converted days will be added to the employee's accumulated total of sick leave days.

Requests for personal leave shall be directed to the principal and should be in writing and in advance of the selected date whenever possible. The principal shall grant such requests on a first-come, first-served basis, provided that no more than ten percent (10%) of the school's staff shall be granted personal leave on the same date. This restriction may be waived under extenuating circumstances with the approval of the Superintendent of Education.

**Legal Leave**

A Board employee who is required to serve on a jury or appear as a witness in court in school related matters shall receive the regular pay to which he is entitled, in addition to any monies he receives for jury duty.

**Sick Leave**

Sick leave is defined as the absence from regular duty by a certificated employee because of the following:

- A. Personal illness;
- B. Bodily injury which incapacitates the employee;
- C. Death in the immediate family of the employee (husband, wife, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, nephew, niece, granddaughter, grandson, grandfather, grandmother, uncle, and aunt);

- D. Where unusually strong personal ties exist because of an employee having been supported or educated by a person of some relationship other than those listed, this relationship may be recognized for leave purposes. In such cases the employee concerned shall file with the Board a written statement of the circumstances which justify an exception to the general rule;
- E. Attendance to an ill member of the immediate family (husband, wife, father, mother, son, daughter, brother, sister) of the employee, or a person standing in loco parentis.

Certified personnel may accumulate sick leave at the rate of one (1) day per month of employment up to the maximum allowed by state law and State Department of Education regulations. In no cases shall sick leave be used until it has been earned, except as may otherwise be provided by policies governing sick leave banks.

Upon proper verification of the previous employing board of education, non-certificated personnel employed by the Board may transfer the maximum number of cumulative sick leave from another Alabama school district.

### **Family Medical Leave of Absence**

#### **Employee Eligibility**

To be eligible for FMLA an employee must:

- have exhausted all available sick leave;
- have worked for the Gadsden City Board of Education (GCBOE) for a total of 12 months;
- have worked at least 1,250 hours over the previous 12 months.

#### **Leave Entitlement**

GCBOE may grant an eligible employee up to a total of 12 work weeks of **unpaid** leave during a 12-month period for one or more of the following reasons:

- birth of an employee's child or to care for the newborn;
- adoption of a child by the employee or placement of a child with the employee for foster care;
- care of a spouse, child, or parent having a serious health condition;
- for medical leave when employee is unable to work due to a serious health condition;
- for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or called to active duty status as a member of the National Guard or Reserves in support of a contingency operation. (Military Family Leave Entitlement effective January 16, 2009)

#### **Notice and Certification**

- Employee must apply for a family medical leave of absence by completing a *Leave of Absence Request Form*;
- Employees seeking to use FMLA leave are required to submit the request to the Superintendent thirty (30) days prior to commencement of leave when the need is foreseeable and such notice is practicable;
- Requests for leave due to a serious health condition affecting the employee or a covered family member should be accompanied by certification from a health care provider; periodic recertification may also be required.

#### **Travel**

Whenever a member of the employee's immediate family becomes ill or whenever death occurs in the family, the employee shall be allowed sick leave in sufficient quantity to permit the employee to travel to and from the place of residence of the ill or deceased member of the family, provided the employee has accumulated sufficient sick leave to cover the travel time.

Each employee shall be given a written accounting of his accumulated leave days in September of each school year if he so requests.

Employees may accumulate sick leave at the rate of one (1) day per month for the months employed. In no cases shall sick leave be used until it has been earned, except as may otherwise be provided by policies governing sick leave banks.

Upon proper verification of the previous employing board, persons employed by the Board may transfer cumulative sick leave from another Alabama school district.

### **Military Leave**

An employee who is called to military duty will provide his/her military orders to the superintendent or his/her designee as soon as practicable. Such leave shall be extended until the beginning of the school year following the release of the employee from military service. Upon return, the employee shall be assigned to a position comparable to his previously held position. Teacher tenure shall be calculated giving prior service credit. In the event that an employee belongs to the National Guard or military reserves and the unit is activated for an emergency, the same rights will be provided for the employee.

### **Maternity/Special Leave**

Maternity Leave shall be granted in accordance with legal mandates. Upon the recommendation of the Superintendent, the Board may grant a maternity leave of up to eight weeks without pay. Special leave of eight weeks may also be granted for extraordinary cause. Such leaves may be extended at the discretion of the Superintendent of Education.

### **Extended Sick Leave**

Employees who will be using more than ten (10) consecutive sick days should inform their immediate supervisor in writing of the extended absence noting the expected date of return. The employee should also provide appropriate supporting physician documentation for the extended absence. In this way, arrangements can be made for a suitable extended substitute where needed.

### **Sick Leave Bank**

The Sick Leave Bank provides the means for the loan of days for voluntary participating members after their accumulated sick leave days have been exhausted. These voluntary participants are also provided access to the catastrophic leave provided through state law. The five member Sick Leave Bank Committee administers the program in cooperation with the district office.

- Committee Member 1: Annually Elected Certified Personnel
- Committee Member 2: Annually Elected Certified Personnel
- Committee Member 3: Annually Elected Certified Personnel
- Committee Member 4: Annually Elected Support Personnel
- Committee Member 5: Annually Appointed by Superintendent

Specific operational guidelines are maintained by the Sick Leave Bank Committee. These guidelines are available for review on the district website and through the personnel office.

Ref: Code of Alabama 1975, Section 16-22-9.

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**Policy GBRJ: Substitute Teachers**

**Status:** ADOPTED

**Original Adopted Date:** 11/07/2000 | **Last Reviewed Date:** 11/07/2000

The Board shall approve a list of qualified individuals to serve as substitute teachers within the school district. The Superintendent shall prepare the list, assuring that all those listed are properly qualified.

A person may qualify as a substitute teacher in two ways:

- Have a minimum of two (2) years of college
- (a) Have a high school diploma
- (b) Have two letters of recommendation from administrators in our system
- (c) complete six (6) hours of training at the Board of Education either through school board personnel or video-taped programs

Principals or their designated representatives shall call substitute teachers from the approved list in case of absence of a regular teacher. It shall be the responsibility of the principal and the regular teacher to ensure that the substitute teacher has the necessary instructions and materials to teach effectively, including textbooks, lesson plans, class rolls, schedules, and an outline of local school procedures. The substitute teacher shall provide the regular teacher with a brief report of the day's activities. Substitute teachers shall be paid at a rate set by the Board.

In instances where it is known that the regular teacher is likely to be absent for an extended period of time, a substitute teacher may be put on an extended substitute agreement for the length of the absence of the teacher. When substitute teachers are placed on an extended substitute agreement, the rate of pay shall be in accordance with the Board's approved salary schedule for substitute teachers in this category.

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**Cross References**

IKH

IKI

**Description**

[Substitute Teaching](#)

[Lesson Plans](#)

**Policy GBRK: Holidays - Vacation**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

The Board, upon recommendation from the Superintendent may add additional holidays during times school is closed for spring and Christmas vacation or as is appropriate throughout the school year.

Teachers will be given the same days off as students for Thanksgiving, spring, and Christmas holidays.

Vacations will be allowed for all twelve-month employees. All twelve-month employees earn vacation days at a rate of one day per month beginning August 1 of the contract year and extending through May 31. An additional one-half day per month for this ten-month period will be earned after serving five years as a twelve-month employee in the Gadsden City School System. Persons may not be approved for vacation days not yet accumulated.

Except for unusual circumstances approved by the Superintendent, vacation days should not be taken while school is in session. With approval of the Superintendent, non-instructional employees may carry unused vacation days over into the next school year. Vacation shall be scheduled with due consideration of the employee's preference.

Vacation time may not exceed beyond the termination of an employee's contract. Any holiday occurring during the vacation period will not be considered a day of vacation time. No compensation will be paid in lieu of vacation time upon termination of employee's contract. One-half month or more will be considered a full month in computing vacation time. No credit will be given for less than one-half month.

Ref: Ala. Code 16-12-21.

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**Cross References**

CGPH

**Description**

[Holidays - Vacations](#)

**Policy GBRL: Smoking and Tobacco Use Prohibited**

**Status:** ADOPTED

**Original Adopted Date:** 12/05/1995 | **Last Reviewed Date:** 12/05/1995

Smoking and other uses of tobacco products are prohibited at all times by all persons on school property. No student or board employee will be permitted to use tobacco products while representing the school in any extra curricular activity. Students violating this policy are subject to suspension by the school Principal or expulsion as recommended by the Superintendent. Board employees are subject to discipline, termination, or cancellation of contract as recommended by the Superintendent. Other persons violating this policy are subject to immediate removal from school board property.

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**Cross References**

JGFJ

**Description**

[Smoking and Tobacco Use Prohibited](#)

**Policy GBRM: Drug-Free Workplace**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

Drug abuse and use at the workplace are subjects of immediate concern in our society. These problems are extremely complex and ones for which there are no easy solutions. From a safety perspective, the users of drugs may impair the well-being of all employees, the public at large, and result in damage to school property. Therefore, it is the policy of the Gadsden City Board of Education that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the school workplace is prohibited. Any employee violating this policy will be subject to discipline up to and including termination. The specifics of this policy are as follows:

1. The Gadsden City Board of Education 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 school premises will be subject to discipline up to and including termination.
  2. The term "controlled substance" means any drug listed in 21 U.S.C. Section 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, PCP, and "crack". They also include "legal drugs" which are not prescribed by a licensed physician.
  3. Each employee is required by law to inform the Superintendent within five (5) days after he or she is convicted for violation of any federal or state criminal drug statute where such violation occurred on the school premises. 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.
  4. The Superintendent must notify the U.S. government agency with which an applicable contract has been made within ten (10) days after receiving notice from the employee or otherwise receives actual notice of such a conviction.
  5. If an employee is convicted of violating any criminal drug statute while on the workplace, he or she will be subject to discipline up to and including termination. Alternatively, the Board may require the employee to successfully finish a drug abuse program sponsored by an approved private or governmental institution.
  6. As a condition of further employment on any federal government contract, the law requires all employees to abide by this policy.
  7. All disciplinary actions under this policy including terminations and/or contract cancellations shall be in accordance with current laws and procedures.
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**Policy GBRN: Unannounced Drug Detection Visits**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

It is the policy of the Gadsden City Board of Education that law enforcement agencies are permitted to make periodic unannounced visits to any school in the system for the purpose of detecting the presence of illegal drugs. A law enforcement agency making such unannounced visits shall report directly to the Principal or, in the absence of the Principal, to the person left in charge who shall immediately notify the Superintendent's office and proceed with the detection. Drug detection dogs may not sniff directly on persons.

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**Cross References**

GCRJ

JGFK

**Description**

[Unannounced Drug Detection Visits](#)

[Unannounced Drug Detection Visits](#)

**Policy GBRO: Employee Drug Testing**

**Status:** ADOPTED

**Original Adopted Date:** 10/01/2019 | **Last Reviewed Date:** 10/01/2019

The Gadsden City Board of Education declares that the manufacture, distribution, sale or possession of alcohol, drug paraphernalia, controlled substances and other illegal drugs in an unlawful manner or being at work under the influence of alcohol, controlled substances, or other illegal drugs, is a serious threat to the safety and well-being of students and staff. The Board understands that Board employees must not manufacture, distribute, dispense, possess, or use a controlled substance, illegal drug, or alcohol in the employee's workplace, in any Board vehicle or in an employee vehicle on Board property or being used during the performance of their job duties.

## **TESTING**

All employees may be required to submit to drug and/or alcohol screening whenever a supervisor observes circumstances which provide reasonable suspicion an employee is under the influence of controlled substances, illegal drugs, and/or alcohol. The reasonable suspicion determination must be based on specific, prudent, and articulable observations concerning the appearance, behavior, speech, or body odors of the employee. The employee's supervisor will notify the Director of Human Resources and/or the Director of School Operations once a determination has been made that an employee could be in violation of the Drug/Alcohol policy. The Director(s) will then initiate the steps necessary to collect specimens in coordination with a certified medical laboratory. The Director(s) will also be present during the collection process to ensure that a proper chain of custody is maintained.

Employees involved in a vehicle accident while performing their job duties are also subject to testing under this policy.

Gadsden City Schools shall bear the cost of all initial testing, including the initial screen and confirmation testing. Should an employee have a confirmed positive test result and elect to have a re-test pursuant to the testing procedures, then the cost of such shall be the responsibility of the employee, and should be conducted within 24 hours of the initial test.

## **DISCIPLINE**

Violations of the Drug/Alcohol policy, including testing positive, will subject the employee to discipline, up to and including termination. Refusal to cooperate with any required testing or in any test investigation will result in discipline up to and including termination, as appropriate under applicable State and Federal laws. In some cases, dependent upon the severity of the situation, substance abuse counseling and/or treatment services may be required or offered as an option through the districts Employee Assistance Program (EAP).

## **SEARCHES**

If a supervisor has reasonable suspicion that an employee has violated the Drug/Alcohol policy, he or she may inspect Board owned and personal vehicles, lockers, work areas, desks, purses, or other belongings which an employee brings on the School Board's property. It will also include areas where school related activities are conducted. All searches will be coordinated with the Director of Human Resources and/or the Director of School Operations. The School Board will release any illegal or controlled drugs, and/or paraphernalia to law enforcement authorities.

## **OFF-DUTY CONDUCT**

Off-duty use and/or possession of controlled substances, illegal drugs, and/or alcohol abuse which results in impaired work performance, including, but not limited to, absenteeism, tardiness, poor work product, or harm to the Gadsden City School system's image or relationship with its stakeholders, is prohibited, and can result in disciplinary action up to and including termination.

## **RETURN TO WORK**

No employee may be returned to regular duties after rehabilitative services or testing positive unless released for duty by the school system's Medical Resource Officer (MRO). Prior to returning to work, the employee must have a negative drug or alcohol test. The cost of the clearing drug/alcohol test is the responsibility of the employee. A returning employee will be on probation for a predetermined amount of time. During this period, the employee will be subject to aftercare and random testing as set forth in a written Probation Agreement.

## **CONVICTIONS**

Any employee convicted of any criminal drug statute involving the manufacture, distribution, and/or possession of a controlled substance and/or an illegal drug(s) shall, within 5 working days after receiving notice of conviction, provide notification of the conviction to the Superintendent.

## **NOTIFICATION OF PRESCRIPTION OR OTHER LEGAL MEDICATION AFFECTING WORK**

In order to avoid creating safety issues and violating the Drug/Alcohol Policy, employees must inform their supervisor or the Director of Human Resources when they are legally taking medication which may affect their ability to perform their required job duties. Employees will not perform their duties while taking prescribed drugs that are adversely affecting their ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in a container labeled by a licensed pharmacist or be prepared to produce the container if asked.

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**Policy GBV: Sexual Harassment**

**Status:** ADOPTED

**Original Adopted Date:** 08/05/1997 | **Last Reviewed Date:** 08/05/1997

**PURPOSE:**

The purpose of this Policy is to establish a strong commitment to prohibit and prevent unlawful harassment in employment, to define unlawful harassment, and to set forth a procedure for investigating and resolving internal complaints of unlawful harassment.

**POLICY:**

Harassment of an applicant or employee by a supervisor, management employee, or co-worker on the basis of race, religion, sex, national origin, ancestry, disability, medical condition, marital status, age, or sexual orientation will not be tolerated.

This Policy applies to all terms and conditions of employment, including, but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, compensation, and training.

Disciplinary action up to and including termination will be instituted for behavior described in the definition of harassment set forth below.

Any retaliation against a person for filing a harassment charge or making a harassment complaint is prohibited. Employees found to be retaliating against another employee shall be subject to disciplinary action up to and including termination.

**DEFINITION:**

Harassment includes, but is not limited to:

Speech, such as epithets, derogatory comments or slurs, and lewd propositioning on the basis of race, sex, religion, national origin, ancestry, disability, medical condition, marital status, age, or sexual orientation. This might include inappropriate sex-oriented comments on appearance, including dress or physical features, or race-oriented stories and jokes.

Physical acts, such as assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement when directed at an individual on the basis of race, sex, religion, national origin, ancestry, disability, medical condition, marital status, age, or sexual orientation. This includes pinching, grabbing, patting, propositioning, leering, or making explicit or implied job threats or promises in return for submission to physical acts.

Visual insults, such as derogatory posters, cartoons, or drawings related to race, sex, religion, national origin, ancestry, disability, medical condition, marital status, age, or sexual orientation.

Unwanted sexual advances, requests for sexual favors and other acts of a sexual nature, where submission is made a term or condition of employment, where submission to or rejection of the conduct is used as the basis for employment decisions, or where the conduct is intended to or actually does unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive working environment.

**COMPLAINT PROCEDURE:**

(A) An employee or job applicant who believes he or she has been harassed may make a complaint orally or in writing with any of the following:

1. Immediate supervisor;
2. Any supervisor or manager within or outside of the department;
3. Department head;
4. Director of Personnel (or Affirmative Action Officer).

(B) Any supervisor or department head who receives a harassment complaint should notify the Personnel Director (or Affirmative Action Officer) immediately.

(C) Upon receiving notification of a harassment complaint, the Director of Personnel (or Affirmative Action Officer) shall:

1. Authorize and supervise the investigation of the complaint and/or investigate the complaint. The investigation will include interviews with: 1) the complainant; 2) the accused harasser, and 3) any other persons the Director of Personnel (or Affirmative Action Officer) has reason to believe have relevant knowledge concerning the complaint. This may include victims of similar conduct.
2. Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment giving consideration to all factual information, the totality of the circumstances, including the nature of the verbal, physical, visual, or sexual conduct, and the context in which the alleged incidents occurred.
3. Report the results of the investigation and the determination as to whether harassment occurred to appropriate persons, including the complainant, the alleged harasser, the supervisor, and the department head. If discipline is imposed, the discipline will not be communicated to the complainant.
4. If the harassment occurred, take and/or recommend to the appointing authority prompt and effective remedial action against the harasser. The action will be commensurate with the severity of the offense.
5. Take reasonable steps to protect the complainant from further harassment.
6. Take reasonable steps to protect the complainant from retaliation as a result of communicating the complaint.
7. If appropriate, take action to remedy the victim's loss, if any, which resulted from the harassment.

**DISSEMINATION OF POLICY:**

All employees, supervisors and managers shall receive a copy of this Policy when they are hired and annually thereafter.

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**Policy GCA: Compensation Guidelines for Support Personnel**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The Superintendent shall prepare or cause to be prepared salary or hourly wage schedules for all support personnel employed by the school district. The salary and hourly wage schedules shall be presented to the Board for review and approval.

All salaries shall be based upon objectively determined criteria. In all aspects of support personnel management, the following shall be observed:

“No person shall be denied employment, be excluded from participation in, be denied the benefits of, or subjected to discrimination in a program or activity on the basis of sex, race, religion, belief, national origin, or ethnic group.”

Any support personnel who feel aggrieved concerning the above shall have a right to have their allegation reviewed.

Ref: Alabama Code 16-11-9, 16-11-17, 16-12-16, Title VII of Civil rights Act of 1964 as amended; Title XI of Education Amendments of 1972, see citations under GAAA.

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**Cross References**

EGA

**Description**

[Staff Insurance Program](#)

**Policy GCD: Hiring Non-Certificated Personnel**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The Gadsden City Board of Education is the legal hiring authority for the school system. The Board will hire support personnel based upon the written recommendation of the Superintendent. In all cases, the school district shall seek to employ the best qualified applicant for each position without regard to religion, race, creed, color, sex, or national origin.

The Board desires that local administration have a voice in the selection process.

Ref: Board policy February 7, 1978 as adopted.

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**Policy GCE: Assignment**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

Support personnel may be assigned to job responsibilities by the Superintendent or his designee, by the school principal, or other appropriate administrator. Such assignments will be made in an attempt to accomplish the objectives of the Board. No reassignment (transfer) of duties may be made for political or personal reasons.

Ref: Alabama Code 16-12-16, 36-26-107.

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**Policy GCG: Probation**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

Support personnel who are employed full-time are required to serve a probationary period of three consecutive full years of employment. Employment must begin prior to October 1 for a year to count toward non-probationary status. If notice of non-renewal is not received by June 15 (June 30 during quadrennium) following the third consecutive full year, the employee is deemed non-probationary. (See policy GCL).

Ref: Students First Act.

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**Cross References**

GCL

**Description**

[Non Probationary Status](#)

**Policy GCH: Supervision**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The Superintendent is ultimately responsible for the supervision of all persons employed by the Board. The Superintendent may delegate authority for supervising selected employees to others within the district.

Authority for supervision shall be delegated to the lowest level of management possible.

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**Policy GCHA: Mandatory Drug Testing of Bus Drivers**

**Status:** ADOPTED

**Original Adopted Date:** 12/05/1995 | **Last Reviewed Date:** 12/05/1995

In accordance with the Omnibus Transportation Employee Testing Act of 1991, all Board employees engaged in activities covered by the Act shall be subject to mandatory anti-drug and alcohol testing requirements and testing procedures as set out in regulations promulgated from time to time by the Department of Transportation. No Board employee shall be allowed to participate in any activity described in the Act when in violations of any such regulations or which fail tests required under the Act.

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**Cross References**

GBHB

**Description**

[Mandatory Drug Testing of Bus Drivers](#)

**Policy GCI: Evaluation**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

The Board shall establish and maintain a continuous program for the evaluation of the performance of support personnel of the school system. This evaluation program shall have the following objectives:

1. To identify both the job-related strengths and weaknesses of the employee being evaluated;
2. To identify strategies for improving the work-related skills of the employee;
3. To make continued employment contingent upon removal of identified deficiencies;

The Board recognizes that no employee can be effectively and equitably evaluated until the following criteria are met:

1. Responsibilities or performance standards are identified within written position descriptions,
2. Processes and instruments to be used during evaluation are explained to all employees in advance of evaluation, and
3. Multiple observations of performance are used as a basis for evaluation.

The Board will afford each employee an opportunity to review the results of each evaluation. The employee will be provided an opportunity to offer a written response to each evaluation and that response shall be included within that employee's personnel file.

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**Policy GCJ: Promotion**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

Support employees will be considered for promotion based upon job performance as documented by evaluation reports. No person can be promoted until a vacancy and/or need exists for an employee in a higher level employment position.

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**Policy GCKA: Reduction in Force - Classified and Other Non-Certified Personnel**

**Status:** ADOPTED

**Original Adopted Date:** 02/01/2011 | **Last Reviewed Date:** 02/01/2011

**SCOPE AND DEFINITION.** This policy shall apply to reduction-in-force (layoffs). As used herein, the term “layoff” means an unavoidable reduction in the workforce beyond normal attrition due to decreased enrollment or shortage of revenues. The term “layoff” does not include and the provisions of this policy do not apply to decisions to terminate or not to extend the appointment of occasional, temporary, or “at will” employees, or to decisions not to extend or renew the employment of employees upon the expiration of annual or other specified terms of employment.

**CRITERIA FOR IMPLEMENTING LAYOFFS.** Layoffs may be implemented if the Board determines that financial circumstances and/or enrollment data require such action in order to maintain effective provision of educational services. The elimination of positions and layoff of employees shall be based upon consideration of all the following criteria, as applicable to the circumstances:

- a. The Board's determination of its educational needs, requirements, and priorities;
- b. Current data and projected trends in revenue collections and/or enrollment;
- c. The comparative abilities of persons currently holding positions subject to elimination to meet the needs and requirements of the school system as determined by such considerations as education, training, and experience; quality of job performance; special skills and aptitudes; and proficiency in performing varying tasks, responsibilities, and functions (versatility);
- d. Other factors being equal, comparative length of employees' service in the position and with the Board;
- e. The extent to which cost savings or other appropriate administrative objectives can be realized by taking into consideration voluntary retirements, resignations, transfers, and other normal attrition in the workforce.
- f. Any nondiscrimination requirements that may be imposed by state or federal law and any procedural or substantive requirements that may be imposed by state or federal law, including any statement or specification of the reasons or grounds for the layoff if and to the extent required by the Alabama Fair Dismissal Act.

**RECALL.** Employees who have been laid off under the terms of this policy will be given priority in filling the position which is restored after their elimination, provided that:

- a. The nature of the position and qualifications therefore have not materially changed;
- b. The laid-off employee remains properly qualified; and
- c. The laid-off employee confirms in writing his or her availability for and interest in reemployment to the Board's Personnel Director within thirty days of receipt of notice of layoff from the Board.

Selection of employees for recall will be based on the criteria applied to layoffs where there are more employees eligible for recall than positions available to fill. When layoffs occur over a period of time, the Board will take relative length of separation from service into consideration in assigning recall priority, other factors being equal. In no case will any right to be recalled to employment extend beyond one year from the effective date of the employee's layoff. No pay, benefits, status, or additional rights will accrue or be credited to the recalled employee for the time he or she was not employed.

**NOTICE.** Notification of layoff and recall shall be by United States certified or registered mail, hand delivery, or such other means as are permitted for notification of proposed contract cancellation by the Alabama Fair Dismissal Act. Upon receipt of notification of recall, a laid-off employee shall have fourteen (14) days from the receipt of said notice within which to respond affirmatively to the notice of recall in accordance with such specific directions or instructions as may be contained therein. Any laid-off employee who does not so respond or who otherwise declines an offer of reemployment by the Board will be deemed to have waived any right to be recalled under the terms of this policy.

**Policy GCL: Non Probationary Status**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

The Board shall grant non-probationary status to all 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 three consecutive full years. Employment must begin prior to October 1 for a year to count toward non-probationary status. Full-time employees include employees whose duties require working twenty or more hours in each normal working week of the school term. Substitute teachers and other substitute employees are not covered by this policy. The Board may remove an employee during the employee's probationary period by furnishing the employee written notification in compliance with state law. Pay will continue fifteen (15) days from the date of notification. It shall be the responsibility of the employee to assure currency of an employee's address.

If notice of non-renewal is not received by June 15 (June 30 during quadrennium) following the third consecutive full year, the employee is deemed non-probationary. Termination of an employee on a non-probationary status shall only be undertaken for the reasons and in accordance with the procedures outlined in state statutes.

During the probationary period of employment each employee to whom this policy applies will be evaluated.

Ref: Alabama Code 36-26-100 to 36-26-104, Students First Act.

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**Cross References**

GCG

**Description**

[Probation](#)

**Policy GCM: Transfer**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Revised Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

Support personnel may request a transfer to another position by submitting a request for transfer to the immediate supervisor. Decisions relative to transfer request will be made based upon the most effective strategies for accomplishing the objectives of the Board.

The Board, upon recommendation of the Superintendent, may transfer a support employee based upon good and just cause needs of the district and in accordance with the Students First Act. Transfers will not be made for political or personal reasons.

Ref: Alabama Code 36-26-107, Students First Act.

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**Policy GCN: Separation**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

Probationary support employees may be terminated any time the employee's supervisor, the Superintendent and the Board deem it to be in the best interest of the district. A fifteen-day (15) written notice of termination will be given to probationary support employees and pay shall continue to be received fifteen (15) days after notification.

Non-probationary support employees may only be terminated according to provisions authorized within state statutes.

A support employee who wishes to terminate his services with the Board shall at least two weeks prior to date of termination notify his immediate supervisor in writing who shall notify in writing the Superintendent or his designated representative.

All required records and reports shall be completed and duly filed and all School District property appropriately accounted for before final checks will be paid to personnel separating from the school district.

The Superintendent must provide the Board a written recommendation for termination and the Board will accept or reject the recommendation.

Ref: Alabama Code 36-26-101, 36-26-102, 16-12-16, Students First Act.

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**Policy GCQ: Retirement**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

Qualified non-certificated employees who work an average of twenty hours weekly must participate in the state retirement system.

No employee will be forced to retire based upon age alone.

Ref: Alabama Code 16-25-1 (4), 29 U.S.C. 623, 29 U.S.C. 631 (a).

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**Policy GCRB: Time Schedules**

**Status:** ADOPTED

**Original Adopted Date:** 08/04/1992 | **Last Reviewed Date:** 08/04/1992

Each non-hourly support employee is to report to work at least 15 minutes prior to the opening of school and remain at the school for at least 15 minutes after the close of school each day. This may vary for employees who have been assigned duties by their supervisor that require an adjustment of their schedule. Such an adjustment should not require additional time to be added to the work schedule.

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**Policy GCRD: Overtime Pay**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The Board will comply with the Fair Labor Standards Act relative to minimum hourly wages and overtime pay for support employees.

The Board may under an agreement with an employee covered by the provisions of the Fair Labor Standards Act award compensatory time instead of overtime pay. Such agreement or understanding relative to compensatory time must be reached with the affected employee before performance of any work subject to overtime pay or compensatory time.

Ref: 29 U.S.C. 301 et seq., Garcia v. San Antonio Metropolitan Transit Authority, 469 U.S. 528, 83 L. Ed. 2d 1016 (1983).

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**Policy GCRG: Leaves and Absences**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

**Support Personnel**

**Leaves of Absence**

The Board may grant leaves of absence to tenured employees for a period of one year for justifiable reasons which may be extended at the Board's discretion to a second year without loss of continuing service status. Such leaves shall be without pay. An employee for whom a leave of absence is approved may return to the school district in a comparable position and salary to that held at the time leave was granted.

An employee wishing to return from a full year's leave should notify the Superintendent of his intended date of return in writing thirty (30) days prior to the end of the school year.

**Personal Leave**

Employees of the Gadsden City Schools shall receive up to five (5) days of personal leave annually. For the first two (2) days, the Board shall provide a substitute for the employee, whenever necessary, without cost to the employee. For subsequent days, if taken, the cost of a substitute shall be deducted from the employee's regular salary, except in the following situations:

- a. employees with ten (10) years experience\* shall receive one additional paid personal leave day (total of three paid days).
- b. employees with fifteen (15) years of experience\* shall receive two additional paid personal leave days (total of four paid days).
- c. Employees with twenty (20) years experience\* shall receive three additional paid personal leave days (total of five paid days).

\*For the purposes of this policy, an employee's total experience shall include all time spent in the Gadsden City Schools and up to a maximum of ten (10) years experience in other public school systems.

Employees who qualify for additional paid personal leave days under this policy, but who do not use all of the days to which they are entitled during the year, may choose between the following options:

1. They may choose to be reimbursed by the Board at the end of the year for any such days, which remain unused; this reimbursement for each day shall be equal to the daily rate of pay for a substitute.
2. The employee may choose to convert any such days which remain unused into sick leave days; such converted days will be added to the employee's accumulated total of sick leave days up to the maximum allowed under state law.

Requests for personal leave shall be directed to the principal and should be in writing and in advance of the selected date whenever possible. The principal shall grant such requests on a first-come, first-served basis, provided that no more than ten percent (10%) of the school's staff shall be granted personal leave on the same date. This restriction may be waived under extenuating circumstances with the approval of the Superintendent of Education.

**Legal Leave**

A Board employee who is required to serve on a jury or appear as a witness in court in school related matters shall receive the regular pay to which he is entitled, in addition to any monies he receives for jury duty.

**Sick Leave**

Sick leave is defined as the absence from regular duty by a support employee because of the following:

- A. Personal illness;
- B. Bodily injury which incapacitates the employee;
- C. Death in the immediate family of the employee (husband, wife, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, nephew, niece, granddaughter, grandson,

grandfather, grandmother, uncle, and aunt);

- D. Where unusually strong personal ties exist because of an employee having been supported or educated by a person of some relationship other than those listed, this relationship may be recognized for leave purposes. In such cases the teacher concerned shall file with the Board of Education a written statement of the circumstances which justify an exception to the general rule;
- E. Attendance to an ill member of the immediate family (husband, wife, father, mother, son, daughter, brother, sister) of the employee, or a person standing in loco parentis.

Support personnel may accumulate sick leave at the rate of one (1) day per month of employment up to the maximum allowed by state law and State Department of Education regulations. In no cases shall sick leave be used until it has been earned, except as may otherwise be provided by policies governing sick leave banks.

Upon proper verification of the previous employing board of education, non-certificated personnel employed by the Board may transfer the maximum number of cumulative sick leave from another Alabama school district.

### **Family Medical Leave of Absence**

#### **Employee Eligibility**

To be eligible for FMLA an employee must:

- have exhausted all available sick leave;
- have worked for the Gadsden City Board of Education (GCBOE) for a total of 12 months;
- have worked at least 1,250 hours over the previous 12 months.

#### **Leave Entitlement**

GCBOE may grant an eligible employee up to a total of 12 work weeks of **unpaid** leave during a 12-month period for one or more of the following reasons:

- birth of an employee's child or to care for the newborn;
- adoption of a child by the employee or placement of a child with the employee for foster care;
- care of a spouse, child, or parent having a serious health condition;
- for medical leave when employee is unable to work due to a serious health condition;
- for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or called to active duty status as a member of the National Guard or Reserves in support of a contingency operation. (Military Family Leave Entitlement effective January 16, 2009)

#### **Notice and Certification**

- Employee must apply for a family medical leave of absence by completing a *Leave of Absence Request Form*;
- Employees seeking to use FMLA leave are required to submit the request to the Superintendent thirty (30) days prior to commencement of leave when the need is foreseeable and such notice is practicable;
- Requests for leave due to a serious health condition affecting the employee or a covered family member should be accompanied by certification from a health care provider; periodic recertification may also be required.

Ref: Family and Medical Leave Act of 1993 (FMLA)

#### **Travel**

Whenever a member of the employee's immediate family becomes ill or whenever death occurs in the family, the employee shall be allowed sick leave in sufficient quantity to permit the employee to travel to and from the place of residence of the ill or deceased member of the family, provided the employee has accumulated sufficient sick leave to cover the travel time.

Each employee shall be given a written accounting of his accumulated leave days in September of each school year if he so requests.

Employees may accumulate sick leave at the rate of one (1) day per month for the months employed. In no cases shall sick leave be used until it has been earned, except as may otherwise be provided by policies governing sick

leave banks.

Upon proper verification of the previous employing board, persons employed by the Board may transfer cumulative sick leave from another Alabama school district.

### **Military Leave**

An employee who is called to military duty will provide his/her military orders to the superintendent or his/her designee as soon as practicable. Such leave shall be extended until the beginning of the school year following the release of the employee from military service. Upon return, the employee shall be assigned to a position comparable to his previously held position. Teacher tenure shall be calculated giving prior service credit. In the event that an employee belongs to the National Guard or military reserves and the unit is activated for an emergency, the same rights will be provided for the employee.

### **Maternity/Special Leave**

Maternity Leave shall be granted in accordance with legal mandates. Upon the recommendation of the Superintendent, the Board may grant a maternity leave of up to eight weeks without pay. Special leave of eight weeks may also be granted for extraordinary cause. Such leaves may be extended at the discretion of the Superintendent of Education.

### **Extended Sick Leave**

Employees who will be using more than ten (10) consecutive sick days should inform their immediate supervisor in writing of the extended absence noting the expected date of return. The employee should also provide appropriate supporting physician documentation for the extended absence. In this way, arrangements can be made for a suitable extended substitute where needed.

### **Sick Leave Bank**

The Sick Leave Bank provides the means for the loan of days for voluntary participating members after their accumulated sick leave days have been exhausted. These voluntary participants are also provided access to the catastrophic leave provided through state law. The five member Sick Leave Bank Committee administers the program in cooperation with the district office.

Committee Member 1: Annually Elected Certified Personnel

Committee Member 2: Annually Elected Certified Personnel

Committee Member 3: Annually Elected Certified Personnel

Committee Member 4: Annually Elected Support Personnel

Committee Member 5: Annually Appointed by Superintendent

Specific operational guidelines are maintained by the Sick Leave Bank Committee. These guidelines are available for review on the district website and through the personnel office.

Ref: Code of Alabama 1975, Section 16-22-9.

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**Policy GCRJ: Unannounced Drug Detection Visits**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/2012 | **Last Reviewed Date:** 07/10/2012

It is the policy of the Gadsden City Board of Education that law enforcement agencies are permitted to make periodic unannounced visits to any school in the system for the purpose of detecting the presence of illegal drugs. Drug detection dogs may not sniff directly on persons. A law enforcement agency making such unannounced visits shall report directly to the Principal or, in the absence of the Principal, to the person left in charge who shall immediately notify the Superintendent's office and proceed with the detection.

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**Cross References**

**Description**

GBRN

[Unannounced Drug Detection Visits](#)

JGFK

[Unannounced Drug Detection Visits](#)

**Policy GDE: Paraprofessional: Teacher-Aides**

**Status:** ADOPTED

**Original Adopted Date:** 07/10/1990 | **Last Reviewed Date:** 07/10/1990

Teacher aides employed by the Board shall be assigned to the various schools in specific areas to aid the professional staff. At no times are such aides to be utilized for tasks other than those specified by the Superintendent and approved by the Gadsden City Board of Education.

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