

**Hoover City Schools**

**Procedure Manual**  
**for**  
**Personnel Policies**



**HOOVER  
CITY SCHOOLS**

2020 – 2021

# TABLE OF CONTENTS

Work Schedules and Time Clock	3
Professional Certification	4
Substitutes	4
Employee Conflicts of Interest/Employment Outside HCS	5
Employee Gifts	5
Evaluation Procedures	5
Work Verification	5
Employee Absences – Frontline Procedures	6
On-the-Job Injury Leave	6
Personal Leave	7
Vacation Leave	7
Professional Leave	7
Other Leave	8
Military Leave	8
Court Leave	8
Organizational Leave	9
Administrative Internship/Student Teaching Leaves	9
Inclement Weather Guidelines	10
Leave of Absence	10
Drug and Alcohol Testing	14
Equal Employment Opportunity	14
Personnel Grievance Procedure	14
Americans with Disabilities Act Complaints	17
Coaching – Misconduct	17
Transfer Requests	17
End of Year Employment Information	18

## INTRODUCTION

On July 13, 2009, the Hoover City Schools Board of Education adopted a revised policy manual. The Hoover City Schools Policy Manual reflects updated federal and state laws by which to operate a public school system in the state of Alabama. Any changes in policy require board approval and *Meet and Confer* guidelines established by the state.

The Hoover City Board of Education *Procedure Manual for Personnel Policies* addresses procedures that are referenced in the policy manual. These procedures are subject to change based on policy revisions, employee law updates, and recommendations from the Superintendent. The purpose of this manual is to provide clarification on appropriate personnel procedures that address a variety of Human Resources or Payroll/Benefits issues. All forms associated with Human Resources or Payroll/Benefits information can be found online at [www.hoovercityschools.net](http://www.hoovercityschools.net) or work location. In compliance with the U.S. Department of Homeland Security and Social Security Administration, Hoover City Schools participates in E-Verify as specified under federal law.

Personnel related questions can be addressed to the Department of Human Resources. Paycheck or benefits' coverage inquiries can be addressed to the Payroll/Benefits Department. To contact either department, call 439-1000.

### **EQUAL EMPLOYMENT OPPORTUNITY Board Policy 5.14**

The Board is an equal opportunity employer. Personnel actions and decisions will be made without regard to factors or considerations prohibited by federal or state law (as such laws may from time to time be amended), including but not limited to race, gender, gender identity, age, disability, national origin, citizenship, religious preference, pregnancy, genetic information, political affiliation, military service, sexual orientation, or other non-merit based factors. Subject to the limitations set forth in 4.6.2, the general complaint (grievance) policy (4.6.1) may be used to present any complaint alleging unlawful discrimination or harassment. Inquiries regarding compliance and complaint procedures can be directed to:

**Mary Veal, Equal Opportunity Employment Coordinator**  
Hoover City Schools  
2810 Metropolitan Way  
Hoover, AL 35243  
(205) 439-1000

# PERSONNEL PROCEDURES

## WORK SCHEDULES AND TIME CLOCK PROCEDURES 5.1.2

*Work Schedules (Teachers)* – Supervisory and instructional duties of teachers commence fifteen (15) minutes prior to the instructional day and conclude fifteen (15) minutes after the departure of students. Except as may otherwise be provided by the Board or required, the instructional day for teachers is seven and a half (7.5) hours. Assignments and duties may extend beyond the instructional day and may include off-campus functions, events, and activities; conferences and meetings with parents; supervision of student arrival and departure; and preparation for the following instructional day. Teachers will be provided a minimum of thirty (30) minutes free of instructional and supervisory responsibilities each instructional day.

*Work Schedules (Support Personnel)* – The Superintendent is authorized to establish work schedules, including minimum work times, for support personnel. Work schedules are subject to change anytime during the year based on building level needs, such as revisions to summer work hours or adjusting schedules for school sponsored events.

Employees must utilize the Frontline payroll time and attendance system to certify their attendance. Non-exempt employees must clock in and out for lunch a minimum of 30 minutes/day, unless the supervisor and employee mutually agree to a working lunch for special circumstances. Failure to comply with time clock procedures could result in disciplinary action. Employees have an opportunity to review and certify time entries each week. If the entries are incorrect, the inaccuracy has to be reported immediately. Deviating from a designated work schedule is prohibited unless approved by a supervisor in advance. Clocking in and out for another employee is strictly prohibited. Failure to adhere to time clock procedures may result in disciplinary action, up to and including termination.

For further questions regarding overtime and compensatory time for non-exempt employees, please refer to the *Hoover City Schools Wage & Hour Manual* posted on the district website. The Payroll & Benefits Department may assist with additional questions.

## **PROFESSIONAL CERTIFICATION AND PROCEDURES 5.1.2**

In addition to requirements established by the Alabama State Board of Education and the pertinent job description, professional employees must hold a degree from an accredited college or university and hold a current, valid, and properly endorsed Alabama Teacher's Certificate. A teacher who has completed the certification process but has not received the certificate may be employed on tentative or temporary compensation pending verification of certification from the State Department of Education. Upon receipt of such verification, appropriate adjustments will be made to the teacher's salary. If a teacher earns a higher degree from a regionally accredited institution that merits increased compensation under the approved salary schedule, any salary increase will become effective based on when the degree was commenced. Official transcripts must be submitted to Human Resources for verification.

To continue a valid renewable certificate with an expiration date of June 30<sup>th</sup>:

- Requirements must be met by June 30 of the year of certificate expiration
- All documentation **including fees** must be received in the Teacher Certification Office of the Alabama Department of Education **no later than June 30 of the year of expiration**
- Instructional Leader/Administrative certificate renewal must meet PLU requirements whether an employee is serving in a teaching or administrative position, and include the applicable PLU's approved by ACLD; five PLU's are required for administrative renewal

## **SUBSTITUTES 5.1.2**

Substitute teachers are required to follow policies/procedures outlined in the *Hoover City Schools' Handbook for Substitute Teachers*. Upon completion of reading the policies/procedures for substitute teaching in Hoover City Schools, each substitute must sign the **Substitute Agreement Form and Confidentiality Notice** prior to being recommended for hire. Substitutes are employed on an annual or temporary basis, and all such positions will expire on or before the end of the school year. Substitutes will be notified by Human Resources after the school year ends to initiate the renewal process. Participation in mandatory substitute training sessions may be required for continued substitute employment. Principals may request the removal of a substitute for nondiscriminatory purposes. A substitute who receives three requests for removal may not be allowed to continue in this position with Hoover City Schools. Under Affordable Care Act regulations, substitutes cannot be employed in another position within the district and working hours for substitutes may be restricted. Supply teachers and long term substitutes (substitutes hired for three weeks or longer) are recommended by the building administrator. When possible, core academic supply teachers and long term substitutes should hold Alabama teaching certification. After 15 consecutive working days, long term substitutes will be paid at the bachelors' level, step 0 rate when subbing for a teacher. If you are substituting in an aide position, the long term sub rate will be paid at the daily rate of an aide, step 0, whether you are certified or non-certified. **In the event a substitute performs two long term sub appointments**

close together, the second appointment has to begin 7 calendar days from the end of the first one to maintain the long term sub rate at bachelor's level, step 0.

## **EMPLOYEE CONFLICTS OF INTEREST 5.6**

Employees may only engage in outside employment under the following provisions:

- Employees will not engage in outside business activities or render any service for another employer during such time as duties and responsibilities have been assigned by the Board;
- Employees will not accept outside employment that would interfere with or impair the ability of the employee to perform duties effectively;
- Employees may not accept work that could compromise the employee's independent judgment in the exercise of duties for the Board;
- Employees may not use or disclose confidential or personally identifiable information acquired through Board employment for their personal gain or benefit of a third party;
- Employees shall not receive pay or other compensation for private tutoring of students enrolled in classes they teach. If they tutor other students in the school district not enrolled in their classes, written notice of such activity must be given to the building principal.

Bus drivers/CDL personnel must submit to random drug testing as required by law, and engagement in outside employment cannot interfere with drug testing procedures. Failure to comply with this policy could result in further disciplinary action.

## **EMPLOYEE GIFTS 5.7**

Employees may accept gifts from students or other members of the public if the gifts are in accordance with the Alabama Ethics law and other pertinent state laws.

## **EVALUATIONS 5.8**

Certified employees (other than contract principals) will be evaluated in accordance with the Hoover City Schools evaluation instrument or evaluation program approved by the Alabama State Department of Education. Contract principals will be evaluated in accordance with rules, regulations, and requirements promulgated by the State Department of Education. Non-certified employees will be evaluated with criteria established by the Superintendent. All employees will be evaluated the first three years of employment, and every three years thereafter at a minimum. Anyone may be placed on evaluation any given year as recommended by the administrator/supervisor.

## **WORK VERIFICATION PROCEDURES**

Official verification of prior work experience submitted for review to determine placement on the salary schedule must be received within six (6) months of an employee's hire date in order to have this experience paid retroactive from the start date. It is the employee's responsibility to obtain work experience from prior employers and verify it has been submitted to Hoover City

Schools. The Department of Human Resources will notify employees of any work experience received. Employees should compare their salary schedule placement, including years of experience, with their paystub. In the event an employee has documentation of attempts to verify work experience from other employers that were unsuccessful, the six (6) months deadline may be modified depending on the circumstances. Official verification of prior work experience submitted for review to determine placement on the salary schedule that is received after six (6) months from the employee's hire date will be effective the date verification is received in the Human Resources Department. Classified/support personnel may receive one for one years of work experience earned in Hoover City Schools or another school system if duties are substantially similar to the new position. Credit for work experience OUTSIDE of Hoover City Schools or another school system with substantially similar duties may be granted credit with a cap of ten (10) years. A minimum of 20 hours/week is required to receive any credit for part-time work experience. For questions related to work experience credit in the Operations and Maintenance Department, please contact the Department of Human Resources.

### **EMPLOYEE ABSENCES– FRONTLINE PROCEDURES**

All employees are required to enter absences in Frontline. It is the employee's responsibility to register an absence when he/she will not be reporting to work or notify the building administrator/supervisor of the absence in a timely manner. Additional questions can be directed to your local bookkeeper.

### **ON-THE-JOB INJURY LEAVE PROCEDURES 5.10.4**

On-the-job injury is defined as any accident or injury to the employee occurring during the performance of duties for the employer, which prevents the employee from working or returning to his/her job. This does not include a serious medical situation or degenerative condition that occurs while working on the job (i.e. heart attack, stroke, arthritis, etc.). The following regulations, procedures and rights are established pertaining to employees who are injured while on the job:

1. Notify your immediate supervisor within 24 hours after the injury occurred. If clinically unable to make notification, another person reasonable knowledgeable of the incident may make notification of the injury. A Hoover City Schools ***Employee Injury Report*** must be completed for all employee injuries and signed by the employee and his/her supervisor. The report must be submitted to the Finance Department for documentation.
2. If medical attention is required due to an injury, the Board requires a ***Physician Certification Form*** to certify the employee's injury would not allow the employee to return to work within five days of filing the On-the-Job Injury Report, unless hospitalization or special circumstances exist and the supervisor is notified. This form must be submitted to your supervisor when completed. Upon determination that an employee has been injured on the job and cannot return to work as a result of the injury, sick days shall be reinstated for a period of up to ninety working days. If an employee is eligible for leave under the Family Medical Leave Act (FMLA), FMLA will run concurrently with days missed associated with the injury. Verify your supervisor submits a written request to reinstate sick days as On-the-Job Injury to the Director of Human Resources (maximum of 90 days for OTJI sick day reimbursement). Recertification may be required for intermittent absences. The

*Employee Injury Report* and *Physician Certification Form* can be obtained from the Human Resources website, principal or school nurse.

3. If out of pocket medical expenses are incurred due to an injury, employees of the Hoover Board of Education have the right to file a claim to the State Board of Adjustment requesting reimbursement. **This claim must be submitted no later than one year from the date of injury due to the statute of limitations.** If ongoing treatments are necessary beyond the first year, employees must file a claim each year seeking reimbursement. Hoover City Schools is not affiliated with the State Board of Adjustment, therefore, **IT IS THE EMPLOYEE'S RESPONSIBILITY TO FILE A CLAIM.** To review the *Rules of the Alabama Board of Adjustment* and obtain claim forms, go to: [www.bdadj.alabama.gov](http://www.bdadj.alabama.gov)

### **PERSONAL LEAVE 5.10.5**

Personal leave must be requested in accordance with Hoover City Schools' Board Policy. It may not be taken immediately before or after a school holiday, or in the first or last ten days of a school term unless approved by the immediate supervisor. Fulltime employees are eligible for two paid personal leave days during one scholastic year. Employees have three additional personal leave days available which result in being charged \$80/day (certified) or \$61/day (classified). Approval from an immediate supervisor is required for the additional three days to avoid disruption in school operations. Unused personal days automatically roll into sick days at the end of the payroll year.

### **VACATION 5.10.6**

Vacation leave is only applicable to fulltime 12 month employees. Vacations must be scheduled and approved by the employee's supervisor. For the first year of employment, employees that receive 10 vacation days will earn 1 day/month. Employees who receive 15 vacation days will earn 1.5 vacation days/month. Any employee hired on or after May 1<sup>st</sup>, will not receive any vacation or personal days until the beginning of the payroll year which is July 1<sup>st</sup>. After the first year of employment, 12 month employees will receive vacation days in advance on July 1<sup>st</sup> for the upcoming year. These days must be used from July 1<sup>st</sup> of the current year to December 31<sup>st</sup> of the following year (total of 18 months). Vacation time not utilized during this time will be forfeited. An employee will be paid for any unused days that have been earned at their current daily rate of pay. If an employee used more than their earned days at the time of termination, their final paycheck will be reduced by the number of unearned vacation days at their current rate of pay.

### **PROFESSIONAL LEAVE 5.10.7**

District administrators are authorized to grant professional leave with pay to Board employees to engage in educational activities which, in the judgment of the administrator, serve the needs and interests of the school system. This could include participation in a workshop either as an attendee or presenter, or involvement in district professional growth planning or implementation. All professional leave must be approved by the appropriate administrator, not to exceed five (5) days per academic year. Any such leave exceeding five days in a scholastic year must be approved by the Superintendent or designee.



A professional leave form must be completed and approved by the appropriate administrator in order to be paid. If an employee is to receive a stipend for attending a professional growth activity, he/she must sign documentation with the legal name recognized in all payroll/benefits information.

### **OTHER LEAVE**

An Other Leave Form should be completed when professional duties such as sponsoring and/or coaching responsibilities require teams or clubs to be away from school, or the coach/sponsor must participate in informational meetings pertinent to their responsibilities. Other Leave also covers participation in activities, meetings, or events as representative of Hoover City Schools that does not involve professional development.

### **MILITARY LEAVE 5.10.8**

The most common military leave taken by LEA employees is for training in the Alabama National Guard and the Reserves of the Armed Forces (Federal military leave).

For Federal Military Leave, employees of local boards of education are provided time away from work, at full pay, for no more than 168 hours (usually equivalent to 21 days) per calendar year. State law prohibits the board from paying the employee full pay for days exceeding 21 days of federal military leave per year.

For state military leave, employees of local boards of education are provided time away from work, at full pay, for no more than 168 hours (usually equivalent to 21 days) at any one time.

An employee may receive full pay for state and federal military leave in the same year.

Military leave is available to all eligible employees in accordance with state and federal law under the Family and Medical Leave Act. Eligible employees whose spouse, son, daughter, or parent is on covered active duty status may use their 12 week leave entitlement to address certain qualifying exigencies. These may include attending certain military events, arranging for alternative childcare, addressing financial and legal arrangements, attending counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a 12 month period.

### **COURT LEAVE 5.10.9**

Permanent and full-time employees are entitled to regular compensation while performing jury duty or when the employee is summoned under subpoena or other legal requirement (for job-related reasons) to testify at trial in a court of law or in administrative proceedings constituted under the statutory authority of the agency conducting the proceeding. Paid leave is not authorized for employees who are subpoenaed for personal reasons, or to meet with attorneys, to

attend depositions, or to otherwise prepare for legal proceedings unless the presence of the employee is requested or required by the Board.

An employee must submit the summons for jury duty prior to the date to appear for this service. This will suffice for the first day of jury duty. If services are required for more than one day, a copy of the jury certificate that an employee receives from the court at the completion of their jury service must be submitted. These documents must be given to the payroll bookkeeper at the employee's work location. Failure to provide this documentation will result in utilizing the employee's accumulated personal, vacation, or compensatory days to cover the absence.

### **ORGANIZATIONAL LEAVE 5.10.10**

The employee organization representing the largest number of employees in the school district as determined by the list of members on file as of September 15<sup>th</sup> of each year will be provided one (1) day of organizational leave day for every twenty-five (25) members for each scholastic year. The organization will submit to the Payroll Department the names of members who are entitled to utilize the organizational leave on behalf of the organization and only personnel whose names appear on the list will be approved for organizational leave. Personnel who desire to utilize organizational leave shall submit notice of their proposed absence ten (10) working days in advance of the requested leave date, unless extenuating circumstances exist.

Failure to submit an Organizational Leave Request Form to the Human Resources Director will result in a dock of pay.

### **ADMINISTRATIVE INTERNSHIP/STUDENT TEACHING PROCEDURES**

The following plan is designed to accommodate Hoover City personnel seeking master's level administrative certification who must meet the state requirement of ten (10) consecutive days of internship experience in a college or university leadership program which has a formal partnership with the Hoover City School district. At the current time, this includes **the University of Alabama at Birmingham, Samford University, and the University of Montevallo.**

1. Hoover City Schools will cover the cost for five (5) days of professional development leave time for the employee that will be taken for five consecutive days of internship experience during the regular school year when teachers and students are at school. The employee should submit a professional leave form, state "Leadership internship experience related to (*name of university*), being supervised by (*name of mentor*)." The Principal must approve the Professional Leave Form prior to submitting it to the Payroll Department.
2. The other five (5) days of internship experience should be planned for school holidays or during the summer when the school office is open but students are not present if possible, unless the college/university requires the internship to take place when school is in session. It is the goal of the school district that teachers participating in an internship will not be out of their classroom when students are present for more than five days. Hoover City Schools has confirmed that this arrangement is acceptable with all of its formal partnership institutions.

Employees requesting a leave of absence to complete **STUDENT TEACHING/INTERN** requirements to further their education, may take unpaid leave for the amount of time the university/college certifies is necessary. A letter from the university and employee should be submitted to the Human Resources Department for board approval. The employee will be required to cover any benefits' premiums during this time and should contact the Payroll and Benefits Department for estimates.

### **INCLEMENT WEATHER GUIDELINES**

Principals/Site Supervisors may choose to allow staff an early departure or late arrival time in collaboration with the Assistant Superintendent of Administration. Site Supervisors will determine how missed time is documented and processed for payroll purposes. If a staff member chooses to not report to work due to inclement weather, personal, vacation, comp or being docked a day's pay will be utilized.

### **LEAVE OF ABSENCE PROCEDURES 5.10 and 5.11**

***Use of Accumulated Paid Leave*** - If an employee has available sick, personal, compensatory, or vacation leave, the employee must utilize those forms of leave before borrowing from the sick bank or before taking unpaid leave. Employees may borrow up to twelve (12) sick bank days.

***Medical Leave*** - If an employee is absent **10 or more consecutive days**, a request in writing must be submitted to the principal/supervisor with the beginning and ending dates of anticipated leave. A physician's statement/medical certification must be attached to the letter requesting the leave of absence. The principal/supervisor will send a Personnel Recommendation Form to the Department of Human Resources who presents leave requests to the Superintendent for board approval. If a medical leave extension is needed beyond 12 weeks, the employee must acquire updated medical certification and submit a letter requesting an extension of leave. Additional leave must be approved by the Superintendent and Board, but is not guaranteed. Benefits will be discontinued after 12 weeks of leave under the Family Medical Leave Act, UNLESS benefits accrued by the employee are available such as sick days or catastrophic donations.

***Family Medical Leave Act (FMLA) Eligibility*** - If an employee has worked a minimum of 1,250 hours during the 12 months prior to the start of the leave, he/she may be entitled to 12 weeks of leave for reasons specified under FMLA. For applicable reasons, definition of serious health conditions, and medical certification requirements, please refer to section 5.10 in the Hoover City Schools Policy Manual. *Hoover City Schools' policy requires an employee who has available sick leave, vacation leave, or other applicable paid leave, to utilize those forms of leave before taking unpaid leave. In that instance, the paid leave and FMLA leave will run concurrently from the first absence as long as the need for such leave results from one or more of the qualifying reasons under FMLA.*

*The U.S. Department of Labor (Form WH-380-E) allows an employer to request certification from a health care provider for an employee or family member's serious health condition under FMLA regulations. The health care provider may be asked to provide medical facts to approve leave including items listed below:*

- Approximate date condition commenced
- Probable duration of condition
- Was patient admitted for an overnight stay in a hospital, hospice, or residential medical care facility and dates of admission?
- Was medication other than over-the-counter medication prescribed?
- Was the patient referred to other health care providers for evaluation or treatment?
- Is the medical condition pregnancy?
- After employer submits the employee's job title and essential job functions, will the employee be unable to perform any of the job functions listed due to medical condition? If so, which job functions apply?
- Amount of time needed for recovery, follow-up visits, adjusted work schedule recommendations, etc.
- A description of other relevant medical facts, if any, related to the condition for which the employee seeks leave (i.e. symptoms, diagnosis, or regimen of continuing treatment such as the use of specialized equipment)

*FMLA certification forms can be found on the district website under the Department of Human Resources, as well as Employee Rights and Responsibilities under FMLA.*

***FMLA Intermittent Medical or Reduced Work Schedule Leave*** is available for individuals with certain medical conditions that may not require an employee to be absent 10 consecutive days or longer, but frequent absences may result from a serious health condition. Intermittent leave should be scheduled to the extent practicable so as not to unduly disrupt the operations of the Board. Intermittent leave may be further limited for teachers in accordance with federal law. This leave permits employers to temporarily transfer employees needing such leave to alternate positions that better accommodate leave or a reduced schedule if applicable. The employee is required to give the employer notice of the foreseeable intermittent leave at least 30 days before the leave is to begin and must be certified by a Physician with the proper FMLA form. If an employee is prescribed light duty or a reduced work schedule from the physician that cannot be accommodated by the school district, Hoover City Schools determines whether the employee can return under those restrictions.

To apply for ***Catastrophic Leave***, an employee must be a member of the Sick Bank and the letter requesting a leave of absence must specify "catastrophic leave." Upon a determination of eligibility, employees will receive approval in writing. Employees may request donated days from Alabama public school employees to cover absences. Employees who did not elect to enroll in the Sick Bank at the beginning of employment may enroll in the Sick Bank during the open enrollment period for annual benefits and be actively working (not on a leave of absence). If an employee is receiving catastrophic leave for more than 120 days, the employee must file for a long term disability claim (benefit provided by Hoover City Schools). If approved for the long term disability benefit, the employee may choose to remain on catastrophic leave or receive long term disability benefits through the end of first year when catastrophic leave expires. For

additional information regarding catastrophic illness procedures, please visit the district website under the Payroll & Benefits Department for further instructions.

***Catastrophic Leave for Maternity Leave Requests*** - If an employee does not have accumulated sick leave to cover the amount of time the physician certifies the employee will not be able to perform regular job duties, and is a member of the sick bank, a request in writing for catastrophic leave must be submitted to the Department of Human Resources to cover the amount of time the physician states the employee must remain off work for recovery only. Catastrophic donations cannot be applied past the amount of time the physician states is needed for personal recovery. For example, normal deliveries may require a mother to remain off work for 6 – 8 weeks. If the employee is eligible for FMLA, she may take up to 12 weeks of leave, but catastrophic donations only apply to the 6 – 8 weeks the physician certifies is required. The remainder of the leave is unpaid. Catastrophic donations can be applied past this amount of time if the pediatrician certifies there are medical issues that require additional time from the caregiver, or the mother is experiencing post-delivery complications that represent a serious health condition defined under FMLA.

***Maternity/Paternity Leaves*** - Maternity/Paternity leave requests must be made in writing to the principal/supervisor at least 60 days before the beginning of leave or delivery due date. These requests must be accompanied by a physician's form that may be obtained from your school office, district website, or Department of Human Resources. Up to 12 weeks of unpaid maternity/paternity leave under the Family Medical Leave Act (FMLA) is available if an employee meets eligibility under the regulations of the law, which is working a minimum of 1,250 hours during the previous 12 months. If an employee has available sick leave, vacation leave, or other applicable paid leave, the employee must utilize those forms of leave before taking unpaid leave under FMLA. The paid leave and FMLA leave will run concurrently from the first absence. Sick leave may only be utilized during the time the physician states the employee should not return to work for personal recovery, as stated in the previous paragraph (regarding catastrophic donations). If 12 weeks of FMLA is approved, the remainder of leave would be unpaid. Employees who are not eligible for FMLA, can request maternity leave for the amount of time the physician states the employee needs for personal recovery only. If an employee chooses to not return after FMLA leave is exhausted, a letter of resignation must be submitted to the Human Resources Department as other leave is not available. Regarding paternity leave, Hoover City Schools will allow three weeks (15 working days) to be paid leave if the employee has accumulated enough sick, personal, or vacation days to cover the absences.

***Spouses Employed by the Hoover City Board of Education Requesting Maternity and Paternity Leave*** - Under the FMLA, a combined total of twelve (12) weeks of unpaid leave (or applicable paid leave described previously) for a husband and wife employed by the same board of education is allowed.

***Other Relevant Information Concerning Medical and Maternity/Paternity Leaves under FMLA Leave and End of Academic Term Rules*** - An employee may be required to take leave through the end of an academic term, or semester, when the following circumstances exist:

- If the leave exceeds 5 weeks before the end of the semester and the employee would return within 3 weeks of the term end
- If the leave is less than 5 weeks before the end of the term and the leave is more than 2 weeks with the employee returning within 2 weeks of the term end; or
- If the leave is less than 3 weeks before the end of the term and is longer than 5 working days

***One Year Leave of Absence*** - Full-time, tenured employees may request a leave of absence without pay, for one entire academic year (August through May which may not include portions of two separate academic years), for the birth and first year care of a newborn child or adoption of a child. Other reasons for requesting a year's leave of absence are for study, personal improvement, travel, sabbatical, family obligations, wellness or illness. Certain provisions apply that are listed under policy 5.10.11 (a-e) and the request must be submitted no less than 60 days in advance to hire a temporary replacement. This leave would not count towards experience in the determination of placement on the salary schedule, nor is the employee guaranteed their original position upon returning and is subject to a transfer or reassignment for which they are certified. Tenure status will be retained. Benefits will be extended if the employee has available leave under FMLA or catastrophic leave. Contact the Payroll/Benefits Department for additional questions.

***Leaves Extending Beyond One Year or After All Paid Leave is Exhausted*** - If a medical condition continues to exist after extending medical leaves covered under FMLA, the employee is unable to perform the job duties and responsibilities designated in the job description, and all paid leave has been exhausted, the employee must contemplate separation of employment. A resignation and/or filing for long term disability should be considered. Questions regarding how to apply for disability should be directed to the Payroll/Benefits Department at 439-1000.

***Return to Work Release*** – The board may require an employee who has taken leave due to employee's own serious medical condition to provide the healthcare provider's certification to return to duty. If a 9 month employee was on a leave of absence at the end of the scholastic year, a return to duty release may be required upon returning if the physician certification is inconclusive regarding a return date. Bus drivers are required to submit an Alabama State Department of Education *Physical Examination Report* every two years to continue employment.

***Abuse of Sick Leave*** – Abuse of sick leave may subject an employee to disciplinary action, including possible loss of pay or a recommendation to terminate employment. The Superintendent in conjunction with the Director of Human Resources, may request physician certification for excessive absences.

## **DRUG AND ALCOHOL TESTING PROCEDURES 5.18**

The Board will conduct employee drug and alcohol testing for employees in safety sensitive positions as required by and in accordance with federal law, or in the event there is reasonable suspicion that an employee is under the influence of drugs/alcohol that effect job performance. Any employee may be subject to reasonable suspicion drug testing, as well as follow up drug testing, in accordance with board policy. Failure to comply with drug testing may result in further disciplinary action including, but not limited to termination. Non-compliance with a certified Substance Abuse Professional (SAP) Evaluator or Employee Assistance Program (EAP) referral may also result in further disciplinary action.

Random drug testing will be required for all employees holding a Commercial Drivers License (CDL) or who occupy a safety sensitive position as designated by the Board. In compliance with the Federal Motor Carrier Safety Administration regulations and U.S. Department of Transportation, all transportation personnel will be randomly drug tested as designated by the Superintendent. In addition, any Operations/Maintenance personnel who occupy safety sensitive positions will also be subject to random drug testing. If an employee holding a CDL tests positive during a random drug screening, he/she will be subject to immediate administrative leave pending board approval of termination or enrollment and treatment in a U.S. Department of Transportation professionally certified Substance Abuse Professional (SAP). If termination is not recommended by the Superintendent based on information provided by the Medical Review Officer, the employee must meet all requirements specified by federal law and the SAP Evaluator to be eligible to return to duty and will be responsible for covering the cost of the SAP evaluation, recommended treatment, and any follow up testing.

## **EQUAL EMPLOYMENT OPPORTUNITY 5.14 and 5.15**

Hoover City Schools is an equal opportunity employer. Personnel actions will not be made without regard to factors or considerations prohibited by federal or state law (as such laws may from time to time be amended), including but not limited to race, gender, age, disability, national origin, citizenship, and religious preference. Subject to the limitations set forth in 4.6.2, the general complaint policy may be used present any complaint alleging unlawful discrimination or harassment. Hoover City Schools strongly advocates that all employees should be treated fairly and consistently in a work environment free from discrimination. Sexual harassment, as defined by law, is a form of unlawful discrimination and will not be tolerated. An employee has certain rights in reporting such action. Procedures to report sexual harassment are outlined in policy 5.15.

## **PERSONNEL GRIEVANCE PROCEDURE 4.6**

The following information addresses the grievance procedure for employees of the Hoover City Schools Board of Education. Policy 4.6.6 addresses public complaints that should be directed to the Assistant Superintendent of Administration.

Any employee may present to the Board a concern, complaint, grievance, or request for corrective action regarding any aspect of school system operations. Before requesting corrective

action from the Superintendent or Board, requests should be presented to the employee, supervisor, or administrator at the lowest administrative level who has the authority and ability to address the problem or to implement the requested action. The general complaint/grievance policy and any procedures adopted that relate to sexual harassment, review of personnel matters under the Students First Act, due process hearings provided under the Individuals with Disabilities Education Act or special factual or legal circumstances, may follow other reporting and resolution procedures as outlined under federal and state laws or Board policy. In such instances, the specific statutory, regulatory, or policy-based process should be applicable.

The general complaint/grievance procedures that are authorized under the terms of this policy may not be invoked for the purpose of challenging or seeking review or reconsideration of adverse personnel decisions that have received final Board approval. A grievance may be based on an alleged misapplication of Board policies, regulations, or procedures, but may not be used to challenge the Board's exercise of its discretion to adopt, approve, modify, or repeal a policy or procedure. Grievances may not be used to bypass statutory mandated prerequisites to approval of board action, including, but not limited to, the recommendation of the Superintendent.

The following grievance procedure is adopted under the authority of Board policy 4.6:

#### **I. LEVEL ONE**

A. Grievance Filing Requirements: The grievance process shall be initiated by filing an approved grievance report form with the Superintendent within 30 days of the act or decision that is the basis for the grievance. The Superintendent may, but is not required to accept late-filed grievances in order to avoid hardship or injustice, or for other good cause at his/her discretion. The grievant may also agree at any time to extend any otherwise applicable timeline. The approved form is located at [www.hoovercityschools.net](http://www.hoovercityschools.net) under the Department of Human Resources, and must be signed by the grievant to include the following information:

1. A complete description of the grievance, including policy, procedure, or work rule allegedly violated or misapplied, if any, and all facts supporting the complaint;
2. The date(s) of the act, omission, or decision on which the grievance is based;
3. The names of the employee(s), supervisor(s), administrator(s), or other decision-makers who are responsible for the act, omission, or decision on which the grievance is based;
4. The names of any potential witnesses who can provide additional information regarding the grievance;
5. The specific correction action sought by the grievant;



6. A statement describing the grievant's efforts to resolve the complaint informally or a statement explaining the reason(s) such efforts were not initiated or pursued; and

7. Copies of any relevant documentation or evidence in the possession of the grievant.

B. Administrative Investigation and Determination: The Superintendent may assume direct responsibility for reviewing and responding to the grievance or may assign that responsibility to a designated administrator. In either case, the Superintendent's response to the grievance may include informal complaint resolution, formal investigation, or both.

1. Informal Complaint Resolution: Prior to filing a formal grievance, the employee is expected to have made reasonable efforts to resolve the complaint or problem underlying the grievance informally through discussion or other communication with the employee's immediate supervisor or other persons whose actions or decisions led to the filing of the grievance. Informal complaint resolution will not be required if efforts would not be practical or reasonable under the circumstances. If the Superintendent or Superintendent's designee determine that further efforts at informal resolution should be attempted, the formal grievance process may be temporarily suspended for that purpose for up to 30 days.

2. Formal Investigation: Should the Superintendent or designee conclude that reasonable efforts at informal complaint resolution have not succeeded or would not be appropriate under the circumstances, the Superintendent or designee shall initiate a formal investigation of the grievance. The investigation may include interviews of witnesses, written statements, depositions, administrative conferences or hearings, or any lawful action that is deemed necessary to reach a just disposition of the grievance at the discretion of the investigator. Upon completion of the investigation, the Superintendent or designee shall prepare a written decision on the grievance. If a recommended decision is made by the Superintendent's designee, the Superintendent may adopt, reject, or modify the decision based on his/her review of the evidence.

3. Notification of the Superintendent's Decision: The written decision of the Superintendent should be made and mailed or transmitted to the grievant within 60 calendar days of the date on which the grievance was filed, unless reasonable additional time is needed based on the particular circumstances of the grievance or investigation, as determined by the Superintendent. Should the Superintendent need such additional time to issue a written decision, the grievant shall be notified of same in writing and advised of when the decision will be issued.

## II. LEVEL TWO

### A. Appeal of Superintendent's Decision:

1. Initiating the Appeal: A grievant who is dissatisfied with the decision of the Superintendent may appeal the decision to the Board of Education by filing a written notice of appeal within 15 calendar days of receipt of the Superintendent's written decision.

2. Transmittal of Grievance Record: Upon receipt of the notice of appeal, the Superintendent shall transmit to Board members for their review a copy of the written grievance, the Superintendent's decision letter, the notice of appeal, and all statements, recommendations, documents, recordings, transcripts, or other written or tangible evidence filed, submitted or considered at any stage of the grievance process.

B. Board Consideration of Appeal: Not later than 60 days following receipt of the notice of appeal by the Superintendent, the grievance appeal shall be placed on the Board meeting agenda for consideration. Upon consideration of the grievance appeal and record, the Board may, by majority vote:

1. Affirm the decision of the Superintendent;
2. Reverse the Superintendent's decision, and the Superintendent's recommendation is required by law to grant the requested relief, request that the Superintendent make a recommendation which could effectuate the Board's decision; or
3. Defer final action until an evidentiary hearing is held on the grievance. The decision of the Superintendent shall be final unless an action reversing or modifying the Superintendent's decision is approved by majority vote of the Board.

C. Hearing Process: If a hearing is requested by a majority of the Board, the hearing shall be set within 30 calendar days. Written notice of the hearing date shall be provided to the grievant. The grievant shall have the right to representation at his/her own expense. The appropriate hearing procedures shall be determined by the Board. The grievance hearing shall be open to the public unless the Board opts to enter executive session using the procedures dictated by the Open Meetings Act. A final Board decision on the grievance shall be issued within 5 calendar days after the hearing is closed. The Board shall give the grievant written notice of its final decision.

## **AMERICANS WITH DISABILITIES COMPLAINT PROCEDURES 4.6.5**

Persons who believe that they have been discriminated against on the basis of disability in the provision of services, activities, programs, or benefits covered by the Title II of the Americans with Disabilities Act may file a written complaint with the Director of Human Resources. The process and appeal procedure is outlined in policy 4.6.5 (a – e). The ADA Complaint Form can be obtained from the Department of Human Resources or online from the Hoover City Schools' district website at: [www.hoovercityschools.net](http://www.hoovercityschools.net)

## **COACHING – MISCONDUCT**

In the event an employee/coach is fined for Alabama High School Athletic Association violations, he/she will be responsible for paying all fees. Please refer to the Alabama High School Athletic Association Handbook for additional information.

## **TRANSFER REQUEST PROCEDURES**

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

An employee requesting an internal transfer must submit a notice of interest and resume to the principal/supervisor where a vacancy exists. Completing an online application through Teach In Alabama may be required.

## **END OF YEAR EMPLOYMENT INFORMATION**

***Employment Renewal/Termination*** – During the first two years of employment, all non-tenured teachers (excluding One Year Only and End of Year Only Appointments) will be rehired unless given notice by the superintendent before June 15th. However, in the tenure year notice will be given by the last working day for teachers to report to duty. Certified employees must be hired by October 1<sup>st</sup> of a scholastic year to be counted towards acquisition of tenure.

Probationary classified employees may be terminated at the discretion of the employer upon written recommendation of the superintendent and majority vote of the board. A written notice of termination to the classified employee may occur at any time on or before June 15<sup>th</sup>. After the employee's third consecutive, complete school year of employment, non-probationary status will be issued. Classified employees must be hired by October 1<sup>st</sup> of a scholastic year to be counted towards acquisition of non-probationary status. The employee will receive 15 days' notice before ending pay and benefits. Non-probationary status is no longer granted based on original hire date or 36 months of cumulative service. If any certified or classified employee leaves employment with Hoover City Schools, tenure/non-probationary status starts over.

If an employee is hired as a ***One Year Only Appointment*** or ***End of Year Only Appointment***, his/her employment will automatically expire at the end of the academic school year. Future employment options must be directed to the principal/departmental supervisor. These finite appointments may or may not be counted towards tenure/non-probationary status depending on funding and other employment circumstances relevant to the position. Seek additional clarification from the Department of Human Resources or supervisor/principal.

**Resignations** - Teachers must notify the board 30 calendar days in advance of the next scholastic year of the decision to not return. During the scholastic year, teacher resignations require a thirty (30) day written notice to Hoover City Schools. Failure to provide proper notice is considered unprofessional conduct and the State Superintendent of Education may revoke or suspend a teacher's certificate.

**Retirement** - If considering retirement at the end of the current school year, an employee must contact the Teacher Retirement System (TRS) to verify eligibility. The employee must contact the Payroll/Benefits Department to complete necessary paperwork by the deadlines specified by TRS in order to avoid missing a paycheck. A letter indicating the decision to retire/resign must be submitted to the principal/departamental supervisor and Human Resources Department. NEW hires appointed after January 1, 2013, will be ineligible to collect retirement pensions until age 62 (Senate Bill 388). For clarification on Tier 1 and Tier 2 employees, please visit the Retirement Systems of Alabama website at: [www.rsa-al.gov](http://www.rsa-al.gov)

**One Year Leave of Absence Requests** - If a tenured employee would like to request a leave of absence for the following full academic year, he/she must submit a written request to the principal no less than sixty (60) calendar days before the first teacher working day of the next school year. Provisions outlined in Hoover City Schools Policy 5.10.11 address this request.

**Transfer Requests** –All requests for transfers will be carefully considered and reviewed in accordance with Board policies concerning prohibited discrimination practices. The principal with the vacancy must make a recommendation to the superintendent for the proposed transfer.

**Benefits** – If an employee (excluding 12 month personnel) resigns at the end of the scholastic year and has worked the full contracted school year, PEEHIP benefits will continue through August 31<sup>st</sup>. ***If an employee is hired after the school year started, resigns or is terminated, contact the Payroll & Benefits Department to determine when benefits will cease and determine if any summer allocations apply.*** Employees will receive COBRA notifications from an entity representing Hoover City Schools. COBRA notification will come directly from them for medical insurance or supplemental plans.

**Mandatory Attendance for Upcoming Teacher Institute Day** – As defined in Alabama Code 16-23-8 and 16-23-9, any person employed in a teaching, supervisory, or administrative capacity shall attend Teacher Institute for the upcoming school year. If reasons exist that require these employees to miss Institute, the designated form must be submitted to your principal or supervisor for approval who then submits the request to the Superintendent for final approval.

