



NORTHWEST GEORGIA RESA
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NORTHWEST GEORGIA NETWORK FOR EDUCATIONAL AND THERAPEUTIC SUPPORT



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STAFF HANDBOOK 2020-2021

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INTRODUCTION

Welcome to the Northwest Georgia Network for Educational and Therapeutic Support! We are glad you have been selected and that you have chosen to serve students enrolled in the Network. We appreciate the desire, talent, and experience you bring to the Network. Each employee is to be a valued member of the Northwest Georgia Network for Educational and Therapeutic Support. As we encourage and support one another, we strengthen our efforts, both individually and collectively to provide appropriate, effective programs and services to the students and their families. The mission of the Northwest Georgia Network for Educational and Therapeutic Support is to provide comprehensive, regional special education services for students with severe emotional/behavioral disorders, ages five (5) through twenty-one (21). As a part of the public-school system the program offers a continuum of therapeutic/educational services to support these students within their communities. The program utilizes a collaborative approach, including parents, community service providers and educational professionals to empower students to become productive and contributing members of society.

PHILOSOPHY

The Northwest Georgia Network for Educational and Therapeutic Support believes in the inherent dignity, worth, and potential of each child. We believe that each child deserves acceptance and the opportunity to reach her or his potential.

Our goal for each appropriately identified child with serious emotional or behavioral disorders, is to improve her/his social functioning to the extent that he or she can be taught to think, communicate effectively, and regulate his or her own behavior within the public schools of Georgia. (Thus, the child becomes appropriate for academic instruction and successful interaction in a less restrictive environment in a public-school setting.) Through provision of a safe and supportive environment, researched based social skills program, individualized academic programs, modeling of appropriate social functioning, and active parental involvement, the child's complete development is strengthened. Northwest Georgia Network for Educational and Therapeutic Support seeks to provide a base of strong support from which the child may move back into her/his school community with assurance of reasonable success.

As educators, we look at each child today and see a vision of tomorrow's adult. We must be ever mindful that our words and actions will affect the future of the child and the society in which he or she will live. The staff of the Northwest Georgia Network for Educational and Therapeutic Support seeks to build a better future for our students by providing them with appropriate life skills to be used throughout life.

DISCLAIMER/NON-MODIFICATION CLAUSE

The Northwest Georgia Network for Educational and Therapeutic Support believes wholeheartedly in the contents of this employee handbook, but it is not intended to be and should not be relied upon to establish or convey any specific promises concerning benefits or continuation of employment.

This handbook has been prepared for the purpose of assisting you in better understanding your duties and responsibilities and helps enhance the reputation of the Northwest Georgia Network for Educational and Therapeutic Support.

You must understand that violations of Northwest Georgia Network for Educational and Therapeutic Support rules and policies of Northwest Georgia RESA outlined herein can result in disciplinary action, and that your acceptance of employment means you have accepted all provisions herein.

Both employment status and compensation of “at will” employees can be terminated with or without notice at any time at the option of the Northwest Georgia Network for Educational and Therapeutic Support, Northwest Georgia RESA Board of Control or you, notwithstanding any oral or written statements by any Northwest Georgia Network for Educational and Therapeutic Support or Northwest Georgia RESA representative or employee prior to or following the date of employment.

No Northwest Georgia Network for Educational and Therapeutic Support or Northwest Georgia RESA representative has authority to modify this statement. No Northwest Georgia Network for Educational and Therapeutic Support or Northwest Georgia RESA policies, procedures, customs and/or statements whether written or oral can change the status of the Northwest Georgia Network for Educational and Therapeutic Support or Northwest Georgia RESA as an at-will employer for classified personnel.

NON-DISCRIMINATION STATEMENT

The Northwest Georgia Network for Educational and Therapeutic Support will not discriminate in any of its educational programs or in the recruitment and selection of certified and non-certified personnel on the basis of age, race, gender, color, religion, disability or national origin or genetic information. No person shall be subjected to discrimination under any education program or activity of the Northwest Georgia Network for Educational and Therapeutic Support.

NORTHWEST GEORGIA RESA BOARD POLICIES

It shall be the responsibility of each person employed by the Northwest Georgia Network for Educational and Therapeutic Support to become familiar with the policies of Northwest Georgia RESA, our fiscal agent. Specifics relative to personnel are in the Northwest Georgia RESA policy manual located in each classroom operated by our program, the administrative offices of the Northwest Georgia Network for Educational and Therapeutic Support and Northwest Georgia RESA.

Northwest Georgia RESA's Title IX Coordinator:

Mr. Dexter Mills
3167 Cedartown Highway
Rome, GA 30161
Business Phone: (706) 295-6189

Northwest Georgia RESA's Section 504, ADA, Title VI and Title VII Coordinator

Mr. Dexter Mills
3167 Cedartown Highway
Rome, GA 30161
Business Phone: (706) 295- 6189

EMPLOYEE BENEFITS

Salary

Salary schedules provide increment increases based upon the employee's satisfactory job performance.

- A salary schedule for non-certified employees is based upon job classification.
- Salary schedules are reviewed and approved annually by the Northwest Georgia RESA Board of Control.

Pay Periods

Employees will be paid on a monthly basis, and a calendar of the scheduled pay dates will be provided at the beginning of the fiscal year. All salaries are subject to change in the event of the reduction of funds from the state or federal government.

Payroll Distribution

Payroll checks will be distributed via direct deposit to the bank of your choice.

Employees may make changes to direct deposit information through the Employee Self-Service Portal (ESS).

PAYROLL DEDUCTIONS – EMPLOYEE OPTIONS

MANDATORY DEDUCTIONS:

- **Teacher Retirement /Employee Retirement System**– Mandatory for all employees who are half time or more.
- **Federal Income Taxes**
- **Georgia Income Taxes**

EMPLOYEE OPTIONS:

Upon hire, qualifying events or open enrollment, employees are invited to enroll in or make changes in the optional benefits listed below. New employees (who work half time or more) are eligible for coverage after the first full month of employment. All premiums/contributions are paid by payroll deduction.

- **State Health Benefit Plan (SHBP)**
- Certificated and classified personnel may enroll in individual or family coverage from a selection of plans that best suit your needs.
- **Dental Insurance (Ameritas)**
- **Vision (Ameritas)**
- **Life Insurance (One America)**
- **Dependent Life Insurance (One America)**
- **Short-Term Disability Insurance (One America)**
- **Long-Term Disability Insurance (One America)**
- **Annuity Plans (Valic & Penn Serve)**
- **Legal Insurance (Hyatt Metlaw)**
- **Health Care Flexible Spending Account**

For more information contact Human Resources/Payroll at (706) 295-6189, Ext. 22.

If you need assistance regarding specific claims, benefits cards, etc. you may contact Campus Benefits at (866) 433-7661.

WORK DAY

Northwest Georgia Network for Educational and Therapeutic Support will maintain work hours of Monday through Friday from 7:30 a.m. until 4:30 p.m.

*Full time certified employees will work a minimum 8-hour day and/or 40 hours per week. Full-time non-certified employees will work a minimum 7 ½-hour day and/or 37 ½ hours per week. Non-certified staff may not work beyond 40 hours per week without prior approval from their supervisor and Human Resources. All hours must be documented on the electronic timesheet

Flexible work hours and reporting times may be permitted upon written approval of the Director.

*Variations in this work day schedule can be expected due to location of NWGNETS classrooms in local school systems and the arrival times of children. Employees are expected to follow the schedule of the designated school and to sign in and out as required by that school. Certificated employees may be required to attend PTA meetings, faculty meetings, parent-teacher conferences, in-service staff development workshops and other meetings as required by the school or NWGNETS.

In-service hours are from 8:00 a.m. until 3:30 p.m. unless you are notified of an adjusted time schedule. In-service days/Professional learning days will vary based on LEA's calendar.

Always refer to the Northwest Georgia RESA policy manual for guidance on these points. Additional information may be obtained from the NWGA RESA Policy manual.

LEAVE

Leave time will be recorded in ¼ day, 2-hour increments, or more. All leave request must be submitted through the Employee Self-Service Portal (ESS) and documented on the electronic timesheet.

Personal Leave

Three days of personal leave are provided to all personnel, except part-time and/or hourly contracts.

A 3-day notice is required to take personal leave.

Personal leave that is unused during the year will convert to sick leave.

No personal leave days may be taken on the following days unless approved by the Director: Pre-planning, Post-planning, the day before or after a holiday, critical days (first and last days of school for students, teacher in-service/workdays and days when a new student enters class).

Sick Leave

- Sick leave is provided to all personnel except, part-time and/or hourly contracts.
- Accrued at 1 ¼ days per month worked and may accumulate up to 60 days for use.
- All unused sick and personal leave, including days over the 60-day limit, may be applied toward retirement as defined on the Teacher's Retirement System website.
- Employees may transfer accrued sick leave up to 60 days between local units of administration and NWGNETS.

Procedure for Absences

Each employee **will** notify the respective area administrator as early as possible on the first day of absence due to illness. You must also notify your team member

- **It is the employee's responsibility to arrange for a substitute from the local school system's approved substitute teacher list.**
- **All out-post locations will follow procedures of the home school. All out-post employees must report absences to the area administrator.**
- **Rome Center employees will coordinate time off, first with Mrs. Wanda Barringer and if she is not available, you must get with area administrator or Director to find out the names of others that are available to substitute for the Rome Center.**
- **All employees should notify the substitute before 7:am if they will be absent from work for the day.**
- **When using a substitute, a Substitute Form must be fully completed and submitted to Human Resources/Payroll.**

Family Medical Leave

Family medical leave is available to eligible employees that have worked for the agency for at least one year, and for 1,250 hours over the previous 12 months. This leave is unpaid leave for certain family and medical reasons for up to a 60-day period, either all at once or intermittently, per rolling calendar, and works in conjunction with available sick leave, if applicable.

Reasons for Taking Leave:

- to care of the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son or daughter, or parent who has a serious health condition.
- for a serious health condition that makes the employee unable to perform the employee's job; or.
qualifying military-related circumstances (Contact Human Resources for more details)

Advance Notice and Medical Certification:

- The employee is required to provide advance leave notice, generally 30 days, and medical certification to support a request for leave because of a serious health condition, unless the employee does not have advanced notice.
- The employer may require second or third medical opinions (at the employer's expense).
- The employee is required to submit a fitness for duty report prior to returning to work.

Job Benefits and Protection:

- For the duration of Family Medical Leave, the agency will maintain the employee's health coverage by paying its portion of the group health benefit plan and the employee will be responsible for paying her/his portion.
- Upon return from Family Medical Leave, the employee will be returned to the same or similar position with equivalent pay and benefits.
- The use of Family Medical Leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Court Duty

- Employees will be released for court duty as a juror or a witness upon presentation of such court notice to the Director.
- Please refer to the RESA policy manual

Observance of Religious Holidays

- Employees are to submit leave requests to the Director.
- Please refer to the RESA policy manual.

Military Leave

- Employees will be released for required service upon presentation of a copy of written orders to the Director.
- Employee should submit a request for Family Medical Leave, as appropriate.
- Specifics regarding military leave are stated in the RESA policy manual.

Leave Without Pay

May be granted upon written approval of the Director.

WORKER'S COMPENSATION

An employee is required to notify the respective Area Administrator as soon as possible of any on-the-job injury. Notice is required regardless of the intent to seek immediate medical attention. Area Administrator must contact the Director and an accident report packet must be fully completed and faxed to the RESA payroll/benefits administrator within 24 hours of the accident or injury at tmcpherson@nwgaresa.com or (706)295-6099 (fax). Delay in reporting may result in loss of benefits. Please refer to the Worker's Compensation Law located on the agency bulletin board.

The employee should refer to the panel of physicians listed on the pink; Worker's Compensation poster provided by the employer. This should be posted in each classroom operated by the Northwest Georgia Network for Educational and Therapeutic Support.

TRAVEL REGULATIONS

- Reimbursement for actual and necessary expenses is calculated based on the most updated travel regulations and mileage reimbursement worksheet.
- Travel by the most direct route available considering the time factor.
- **No** transportation cost will be allowed between an individual's residence and her/his headquarters, even though official business is conducted between these two points.
- Out-of-district or out-of-state travel must have prior approval of the Director.

Employees are to use the sales tax-exempt form for lodging.

- Lodging costs are restricted by State travel regulations. Regulation booklet is in the Director's office. Exceptions must have written justification on the travel form.

Reimbursement for registration fees for approved professional activities require that a receipt be signed by the appropriate party and must be attached to the travel form. Personal, canceled checks **will not** be accepted.

- If the employer has paid an employee's registration fee for a conference and the employee does not attend the conference the employee is responsible for filing a cancellation two weeks prior to the conference or reimbursing the employer.

Cost of meals for overnight travel may be reimbursed if recorded on the travel form, using the following rates.

Meals may be charged at the following rates to include tips when charged as separate:

- Breakfast \$6.00
- Lunch \$7.00
- Dinner \$15.00
- Cost of breakfast may be reimbursed if departing prior to 6:30 a.m.
- Maximum daily allowance is \$28.00
- Rates can be found at <https://sao.georgia.gov/meals-allowances>

Travel expenses should be submitted for reimbursement and reconciliation with 10 days of the completion of the event or trip but no later than 45 calendar days. Travel expenses must be approved by the Director prior to submission for reimbursement.

IRS Regulations state the traveler must adequately account to the employer and submit travel expense reimbursement requests within 60 days of the end of the trip. If submitted after 60 days, such expenses, become taxable income to the traveler.

Employees are responsible for ensuring that expenses claimed in the travel expense report are proper, accurate, and incurred for official business.

JOB PERFORMANCE AND EVALUATIONS

- A written job description is maintained for each category of employee.
- Each employee's job performance is evaluated annually by the Director or Area Administrator.
- All teachers will be evaluated by using the TKES instrument Please view the online implementation manual at: <http://www.gadoe.org/School-Improvement/Teacher-and-Leader-Effectiveness/Documents/FY15%20TKES%20and%20LKES%20Documents/TKES%20Handbook%20-%20FINAL%205-30-14.pdf>

DRESS CODE

Employees of the Northwest Georgia Network for Educational and Therapeutic Support are expected to dress appropriately.

Inappropriate dress includes but is not limited to:

- Attire that detracts from the work environment.
- Beach – recreational attire.
- Flip flop shoes
- Attire with slogans, or
- Any attire which promotes impermissible substance and/or alcohol.

CONFIDENTIALITY

Personnel are expected to handle all conversations and correspondence with strictest confidence.

Employees have a professional, moral and legal responsibility to maintain confidentiality of student records and sensitive information. School records are confidential in nature and should be shared only with appropriate school personnel "having a need to know".

Events occurring at school that are sensitive in nature, such as student academic progress or student behavior, are to be treated as confidential and should be shared only with appropriate personnel "having a need to know". Parents have the right to know how their children are progressing and how they are disciplined at school; however, parents do not have the right to know how "the other child" was disciplined in any given situation.

Employee information will be released only upon written consent of the employee. The Director, without written consent may release employment status.

Confidentiality procedures shall be addressed relative to five (5) basic areas. Those areas are: (1) Access, (2) Hearing Rights, (3) Consent, (4) Safeguards and (5) Data Destruction.

1. Access

- a. NWGNETS, in conjunction with the local Educational Agency (LEA), will allow parents to inspect their student's records upon request. Single copies will be made for parents upon request without cost (duplicate copies of the same record may require a fee). NWGNETS will not deny access to data by parents through the use of physical limitations or geographic location barriers.
- b. Parents shall always have access to data on their student as long as the system has not been advised that said parent does not have authority for the student's care, custody or control under applicable state law governing guardianship, separation or divorce.
- c. The NWGNETS will keep an access list in each file of persons obtaining access to said file other than the parent and authorized employees of the NWGNETS and LEA (authorized employees will be listed on the locked file cabinet) the name of the person granted access, the date access was granted, and the purpose for which access was granted.
- d. Parents shall be permitted to examine only data pertaining to their student.

- e. Upon request, the NWGNETS will give parents a list of the types and locations of data collected, maintained, or used by the NWGNETS.
- f. Parents may have a representative for their choosing examine their student's records.
- g. Parents shall be given their student's data upon request.

2. Hearing Rights

Parents believing that data collected or maintained is inaccurate or misleading, or violates the privacy or rights of other students, may request that NWGNETS amend said data.

The NWGNETS, in conjunction with the LEA, shall decide whether to amend the data in accordance with the parent's request within a period of thirty (30) days.

If NWGNETS and LEA refuses to amend the data request, parents will be notified of their right to a hearing and provide an opportunity for said hearing in accordance with process and procedures provided through Georgia Annual Program Plan and the LEA's Comprehensive Plan.

If the result of the hearing is that said records are inaccurate, misleading or otherwise in violation of the privacy or rights of the student, records shall be amended in accordance with the findings of the hearing officer and notify the parents in writing of said amendment.

If the result of the hearing is in favor of the NWGNETS & LEA, the parents shall be notified of their right to place in their student's records a statement commenting on the data and stating their reasons for disagreeing with the information in the file.

Any explanation placed in the records shall become a permanent part of said records for as long as the records are maintained by the system.

The records shall not be shown to any person without the explanation being shown as well. The NWGNETS and LEA assures that all hearings shall be conducted in accordance with confidentiality procedures.

Consent

Every effort will be made to assure that parents:

- have been fully informed of all information in their native language.
- Understand and agree in writing to the release of information.
- Understand that the granting of their consent is strictly voluntary.

Signed parental consent shall be obtained before disclosure of data to anyone or in any manner other than the following:

- a. parents or eligible students
- b. school officials, including teachers within the NWGNETS service area or legally constituted cooperating agencies (which access has legitimate educational purposes)
- c. in connection with a student's application for or receipt of financial aid
- d. with the written approval of the LEA's Superintendent and NWGNETS Director, organizations conducting a study on behalf of an education agency to develop, validate or administer predictive tests, to administer student aid or to improve instruction

- e. accreditation agencies
- f. incompliance with a court order
- g. the Office of Civil Rights
- h. authorized state or federal representatives evaluating or auditing federally supported educational programs
- i. officials of other schools or school systems in which the student seeks or intends to enroll, upon condition of the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record

Safeguards

- a. The Director of the NWGNETS and Area Administrator assume responsibility for assuring the confidentiality of any personally identifiable data.
- b. All person collecting or using personally identifiable data shall receive instruction from the Administrative Team regarding policies and procedures for said use
- c. Access lists regarding personally identifiable data shall be posted on or adjacent to all locked file cabinets where such data is stored.
- d. Whenever educational records of a student are released, NWGNETS:
 - 1. shall maintain a record of those persons who have had access to said records and for what purpose access was granted (except for teachers and administrators of NWGNETS and the LEA)
 - 2. shall provide access to said records to parents or eligible student
 - 3. shall specify in writing that persons receiving such records shall not permit access by third parties without written consent of parents or eligible students
- e. Personally, identifiable date relative to special education placement may be transferred to another school system or participating agency which the student plans to attend. The parents or eligible student shall be informed and, if desired, receive a copy of all data transmitted.

Data Destruction

When data is no longer needed to provide educational services for the student, all personally identifiable data (i.e., name of student, student's parents, family members, and address of student, social security number or other characteristic) shall be destroyed as it relates to placement of the student's name, grade level, and year completed and may maintain without time limitation. Prior to destruction of data, reasonable efforts shall be made to notify parents of their right to be provided a copy of any data, which has been obtained.

DRUG-FREE WORKPLACE

The establishment of a clean, pleasant, supportive and safe work environment is one of the goals of the NWGNETS. To accomplish this goal, a drug-free workplace will be maintained.

A copy of the Drug-Free Workplace policy is included in this handbook. Each employee will sign a statement that he/she received a copy of this handbook and a copy of the Drug-Free Workplace policy.

The signed employee statement will be placed in the respective employee's personnel file.

All new employees shall sign a statement acknowledging receipt of the handbook and Drug-Free Workplace policy as a condition of employment.

SMOKE FREE ENVIRONMENT

The NWGNETS and all of its classrooms are smoke free environments. No smoking is allowed within any of the buildings or enclosed facilities. All NWGNETS employees must adhere to all local school system policies regarding the use of tobacco products. Failure to adhere to the local school system tobacco policy will result in disciplinary actions.

REPORTING CHILD ABUSE

In accordance with O.C.G.A. 19-7-5 educators are required to report suspected cases of child abuse/neglect to proper authorities. Staff may be held legally liable if suspected child abuse/neglect is not reported. If any child is suspected of being neglected or abused (physically, mentally, emotionally, or sexually), facts should be reported in writing to the Area Administrator and the building principal/designee. The principal or designee shall immediately report the suspected abuse as a referral by telephone to the Department of Family and Children Services. Written reports, if required by the LSS, regarding the child will be submitted by the principal to the Department of Family and Children Services within the time frame as required by the LSS.

School will cooperate to the fullest extent possible with the Department of Family and Children Services and law enforcement carrying out their duties and responsibilities under the Child Abuse Reporting Act, in allowing their personnel to interview students at school for the protection of the child and in the child's best interests.

In cases where the parent is not the alleged abuser, the child is a witness rather than a victim, or the referral comes from outside the school system, law enforcement or the Department of Family and Children Services will provide appropriate information to the principal or designee prior to the interview, including the purpose of the interview, whether the parents have been notified or reasons why the parents have not or should not be notified.

GRIEVANCE PROCEDURE

It is the intent of the NWGNETS Program administration to assist all personnel in establishing and maintaining an efficient, pleasant and supportive work environment.

If problems and/or concerns arise, personnel are encouraged to discuss these informally with their respective area administrator.

The formal chain of command is shown in the organizational chart and formal procedures are detailed in the RESA Board Policy Manual.

CHANGES IN EMPLOYMENT STATUS/PROCEDURES

- A letter of resignation or retirement developed and signed by the employee is required upon voluntary termination.
- Upon resignation, retirement or termination of employment the employee shall return cellular phone, keys, and/or equipment to the Director or her/his designee.
- If the employee fails to submit all property of NWGNETS/NWGA RESA, the value of the property will be deducted from their final pay.
- Changes in personal status at any time during employment, which may affect payroll, are to be reported to NWGA RESA Human Resources/Payroll Benefits Specialist as soon as the employee is aware of such changes. This includes changes in benefits.

SUPPLIES AND EQUIPMENT PURCHASES

- Requests for materials and supplies are to be placed on a requisition form and given to the Area Administrator for approval and signature.

In order to be reimbursed for a purchase, the teacher must receive prior approval from the Area Administrator or the Director.

Failure to follow the above procedures may result in the employee being personally responsible for payment.

Inventory

Property inventories of all items in each classroom will be completed during Fall and Spring of each school year. All inventory form must be completed in a timely manner.

Property inventory control forms may be obtained from the Rome office.

MISCELLANEOUS

RESA Board of Control

- From time to time, personnel may be required to contribute information, written or oral, to the Board of Control.
- Items, which are to be considered on the Board agenda, shall be submitted to the Director five days prior to the Board meeting.
- Meeting dates and times for the Board of Control for each current fiscal year is posted on the agency, website.

Conflicts of Interest

Potential conflicts of interest, defined as situations in which an employee benefits financially from her/his position or where financial interests inhibit the employee's ability to function effectively, are to be reported to the Director as soon as any situation becomes apparent.

Political Activity

NWGNETS employees shall not engage in partisan political activity under the name of NWGNETS and/or NWGA RESA.

O.C.G.A. 20-2-1000 Immunity from Civil Damages for Disciplining Students

- (a) As used in this Code Section, the term “educator” means any principal, school administrator, teacher, guidance counselor, paraprofessional, school bus driver, volunteer assisting teachers in the classroom, tribunal members, or certificated personnel.
- (b) No educator shall be liable for any civil damages for, or arising out of, any act or omission concerning relation to, or resulting from the discipline of any student or the reporting of any student for misconduct except for acts or omissions of willful or wanton misconduct.
- (c) If a judgment or finding is rendered in favor of a defendant educator in any action, complaint, disciplinary proceeding, or other administrative proceeding brought by a student, a parent or guardian, or any other person on behalf of a student and arising out of or resulting from the discipline of such student or if the complaint is found to be nonmeritorious, frivolous, or without just cause, all reasonable court costs, reasonable attorney’s fees, and reasonable expenses incurred by the defendant educator in defending such action or complaint shall be paid by the plaintiff. Any educator shall have a right to bring an action or a counterclaim against the plaintiff in any such action or proceeding for any damages suffered by the educator as a result of the actions of the student or the filing of any frivolous or nonmeritorious action, complaint or report. Nothing in this subsection shall be construed to apply to any educator filing a complaint as required by the rules, regulations, or code of ethics of the Professional Standards Commission; any child abuse reporting statute; any applicable local board of education rule, regulation, or policy; or any State Board of Education rule, regulation, or policy.
- (d) If any civil action is brought against any educator or any report of complaint is made or filed against any educator with the county or local board of education, the Department of Education, the Professional Standards Commission, or any other regulatory agency or tribunal by a student, a parent or guardian of a student, or any other person on behalf of such student, it shall be the duty of the county or local board of education employing such educator to provide counsel for the educator, if requested by the educator, unless such board of education determines, after an independent investigation of the report or complaint, that the act or omission of the educator constituted willful or wanton misconduct or constituted gross misconduct in violation of the express policies of the board of education. Neither testimony given in such independent investigation nor the results of any such independent investigation nor the results of any such independent investigation by the board of education shall be admissible in any other proceeding. The provision of counsel to such educator shall be for an educational purpose and any funds available to the board of education may be expended for such purpose. Any attorneys’ fees recovered pursuant to subsection of this Code Section attributable to the services furnished by any counsel provided to an educator by his or her employer shall be paid to the employer.

O.C.G.A. 20-2-1001 Immunity from Criminal Liability for Reporting/Disciplining Students

- (a) As used in this Code Section, the term “educator” means any principal, school administrator, teacher, guidance counselor, paraprofessional, school bus driver, volunteer assisting teachers in the classroom, tribunal members, or certificated professional personnel.
- (b) An educator shall be immune from criminal liability for any act or omission concerning, relating to, or resulting from the discipline of any student or the reporting of any student for misconduct, provided that the educator acted in good faith.

SEXUAL HARASSMENT

Sexual harassment is a violation of Federal and State Laws and a violation of Northwest Georgia RESA policy **GAEB**. All employees, students and representatives of the Northwest Georgia Educational Program and Northwest Georgia RESA are expressly prohibited from engaging in any form of sexual harassment.

Preventing sexual harassment is an important organizational goal. The obligation to prevent sexual harassment is imposed on all employees. All leadership personnel have an obligation to implement strategies that will prevent sexual harassment from occurring in both the NWGNETS and Northwest Georgia RESA. Additionally, the leadership of both agencies has an obligation to avoid and prevent conduct that might be perceived as sexual harassment and to encourage other employees to do the same. Each employee must be sensitive to her or his behavior and how others perceive the behavior. All employees need to be mindful that whether certain behavior constitutes sexual harassment often depends upon the perception of those affected by one's behavior.

When violations of the sexual harassment policy occur, appropriate disciplinary action, ranging from a warning to dismissal or recommendation for expulsion will be considered and initiated as appropriate. No reprisals or retaliation will be taken against individuals who file sexual harassment complaints or against individuals who participate in the investigation of such complaints. **Retaliation against individuals who have reported sexual harassment is prohibited.** Title VII of the Civil Rights Act of 1964, as amended, and Title IX of the Education amendments of 1972 expressly prohibit retaliation against individuals who have filed complaints of sexual harassment or individuals who have participated in the investigation of sexual harassment. Such retaliation is also a violation of Northwest Georgia RESA policy **GAEB** and shall be appropriately sanctioned independent of whether a complaint is substantiated.

The guidance in this section is of a general nature. It does not cover all situations that might arise. If you have questions about Northwest Georgia RESA's and the NWGNETS' prohibition against this illegal activity, potential violations or your obligation as an employee, you may refer to policy **GAEB**, which is located in each administrative offices of Northwest Georgia RESA, the NWGNETS and in each classroom operated by the NWGNETS.

Conduct which may constitute Sexual Harassment

- Unwelcome leering, staring, sexual flirtations or propositions.
- Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions.
- Unwelcome graphic verbal comments about an individual's body, or overly personal conversation.
- Unwelcome sexual jokes, stories, drawing pictures or gestures.
- Unwelcome spreading of sexual rumors.
- Unwelcome touching of an individual's body or clothes in a sexual way.
- Cornering or blocking of a sexual manner of normal movements.
- Displaying sexually suggestive objects in the educational or work environment.
- Massaging, fondling, touching a person's hair, body or clothing, hugging, kissing. Patting, stroking or exposing oneself.

What you can do if you are the target of unwelcome sexual attention or behavior:

- **RESPOND** to the problem. Make your feelings known and absolutely clear.
- **RECORD** the times, places and specifics of each incident, including other people who might have observed the incident or your reactions.
- **REPORT** continuing harassment in accordance with local policy and report the incident(s) to your supervisor. If the harasser is your supervisor, go to the person who is responsible for your supervisor's actions.
- **TAKE ACTION IF YOU OBSERVE SEXUAL HARASSMENT.**
Help the victim make her or his feelings known. Follow the local policy and support your co-workers and your students in assuring your classroom and school is harassment free.
- **DO YOUR PART IN THE WORKPLACE.**
Make sure you are not involved in any "inappropriate behavior".
Respect your co-worker's rights to their dignity and their jobs.
Don't jump to conclusions based on someone's dress, actions, or physical appearance.
Remember that "No" means "No".

What everyone needs to know about handling Sexual Harassment:

1. **Take the report seriously.** Assure the person that the complaint or problem is being taken seriously and that the agencies will respond promptly to the problem.
2. **Listen, sympathize, but do not judge.** Listen to what the person has to say, sympathize, but make no judgment or commitment regarding the allegations or how the investigation will be conducted. Do assure the person that the agency takes sexual harassment seriously and will not tolerate it.
3. **Don't delay.** If you are not the individual designated to process sexual harassment complaints, tell the complainant who is responsible and offer to help contact that person. If that person is not immediately available, tell the complainant you will follow through immediately after this interview. Then do it as soon as possible. Delays of even a few days can make investigations difficult or send a signal to the complainant that the agency is not taking the complaint or problem seriously.
4. **Respond to concerns.** If the complainant expresses or indicates fear, assure the person that the agency will do everything in its power to ensure confidentiality (**but make no promises**), prevent retaliation and stop further harassment. If you are the person designated to process complaints or investigate them, answer any questions about the complaint process that will not jeopardize the investigation. If you are not the appropriate person to process the complaint, assure the complainant that the appropriate person will answer her/his questions.
5. **Document.** Write a detailed summary of what the complainant told you, including your observations. Submit the information to the individual who will be processing the complaint.
6. **Follow up on the complaint.** Check the complainant the next day to ensure that he or she is getting the needed assistance.
7. **Avoid using "Dangerous Words",** such as "It's just teasing--- no big deal".

Position Statement

Acceptable Use of Internet/Network

Use of the Internet is a privilege, not a right. The NWGNETS recognizes that electronic media such as Internet and e-mail use offer a diverse and unique educational resource for students, teachers and other educational staff members. The use of this resource shall be used to promote educational excellence in our classrooms. **It shall be the duty and responsibility of the NWGNETS classroom teacher to monitor and supervise student use of the Internet/Network.** The use of the Internet/Network must be in support of education and research consistent with the educational objectives of the NWGNETS. **Transmission of any material in violation of federal law, state law, local school system policy, Northwest Georgia RESA policy or regulation is prohibited.** Electronic mail is not private and inappropriate or illegal messages will be reported to the appropriate authorities. NWGNETS will cooperate with local, state and federal officials in any investigation concerning or relating to any illegal activities conducted through the use of NWGNETS technology, as permitted by or in compliance with federal and state laws.

It is the user's responsibility to avoid initiating access to inappropriate material when using the Internet/Network. If inappropriate sites are accessed, it is the user's responsibility to give site locations to NWGNETS Administrator. The individual user **(teacher, paraprofessional, Intake coordinator, area administrator, psychologist or other NWGNETS personnel)** is ultimately responsible for the use of her/his individual computer and e-mail accounts and all activity that occurs thereon. The user shall take all reasonable and responsible precautions to prevent other users from gaining access to and using accounts. Users shall not share any account names and/or passwords, including e-mail, with other users or leave computer files (including but not limited to, electronic grade book files, personally identifiable and/or confidential information), e-mails, or electronic network sessions open or unattended. Users shall immediately inform appropriate supervisors and technology staff if a password change becomes necessary to ensure security due to a security breach or potential problem.

Unacceptable/Inappropriate Use

Specific examples of unacceptable/inappropriate uses include, **but are not limited to:**

1. Use of commercial activities for monetary gain (soliciting business, advertising, or engaging in any other selling activities in support of non-school related fund raising or private enterprises).
2. The use or viewing of profanity, vulgarities or other inappropriate language.
3. Transmitting unauthorized mass mailings or non-requested e-mail.
4. Creating, sending or forwarding chain letters.
5. Engaging in spamming
6. Creating or spreading computer viruses, worms or Trojan horses.
7. Destroying, altering or otherwise modifying technology, including but not limited to files, data or passwords.
8. Participating in other disruptive activities.
9. Infringing upon another person's copyrighted or trademarked material or plagiarizes materials that are displayed or performed on the Internet/Network or in e-mail.
10. Distributing or sending inappropriate material through pictures, text, forwards, attachments and other forms of information

CA-I

CHILD ABUSE REPORTING LAW O.C.G. Au Sec. 19-7-5

19-7-5 (2)

If a person is required to report abuse pursuant to this subsection because that person attends a child pursuant to such person's duties as a member of the staff of a hospital, **school**, social agency, or similar facility, that person notify the person in charge of the facility, or the designated delegate thereof, and the person so notified shall report or cause a report to be made in accordance with this Code section. **A staff member who makes a report to the person designated pursuant to this paragraph shall be deemed to have fully complied with this subsection.**

19-7-5 (2) (f)

Any person or persons. partnership, firm, corporation, association, hospital, or other entity participating in the making of a report or causing a report to be made to a child welfare agency providing protective services or to an appropriate police authority pursuant to this Code section or any other law or participating in any judicial proceeding or any other proceeding resulting therefrom shall in so doing be immune from any civil or criminal liability that might otherwise be incurred or imposed, provided such participation pursuant to this Code section or any other law is made in good faith. **Any person making a report, whether required by this Code section or not, shall be immune from liability as provided in this subsection.**

19-7-5 (2) (g)

Suspected child abuse which is required to be reported by any person pursuant to the Code section shall be reported notwithstanding that the reasonable cause to believe such abuse has occurred or is occurring is based in whole or in part upon any communication to that person which is made privileged or confidential by law.

19-7-5 (2) (h)

Any person or official required by subsection (c) of this Code section to report a suspected case of child abuse who knowingly and willfully fails to do so **shall be guilty of a misdemeanor**

Effective October 15, 2019

505- 6 -.01 THE CODE OF ETHICS FOR EDUCATORS

- (1) Introduction. The Code of Ethics for Educators defines the professional behavior of educators in Georgia and serves as a guide to ethical conduct. The Georgia Professional Standards Commission has adopted standards that represent the conduct generally accepted by the education profession. The code defines unethical conduct justifying disciplinary sanction and provides guidance for protecting the health, safety and general welfare of students and educators, and assuring the citizens of Georgia a degree of accountability within the education profession.
- (2) Definitions
 - (a) “Breach of contract” occurs when an educator fails to honor a signed contract for employment with a school/school system by resigning in a manner that does not meet the guidelines established by the Georgia Professional Standards Commission.
 - (b) “Certificate” refers to any teaching, service, or leadership certificate, license, or permit issued by authority of the Professional Standards Commission.
 - (c) “Child endangerment” occurs when an educator disregards a substantial and/or unjustifiable risk of bodily harm to the student.
 - (d) “Educator” is a teacher, school or school system administrator, or other education personnel who holds a certificate issued by the Professional Standards Commission and persons who have applied for but have not yet received a certificate. For the purposes of the Code of Ethics for Educators, “educator” also refers to paraprofessionals, aides, and substitute teachers.
 - (e) “Student” is any individual enrolled in the state’s public or private schools from preschool through grade 12 or any individual under the age of 18. For the purposes of the Code of Ethics for Educators, the enrollment period for a graduating student ends on August 31 of the school year of graduation.
 - (f) “Complaint” is any written and signed statement from a local board, the state board, or one or more individual residents of this state filed with the Professional Standards Commission alleging that an educator has breached one or more of the standards in the Code of Ethics for Educators. A “complaint” will be deemed a request to investigate.
 - (g) “Revocation” is the invalidation of any certificate held by the educator.
 - (h) “Denial” is the refusal to grant initial certification to an applicant for a certificate.
 - (i) “Suspension” is the temporary invalidation of any certificate for a period of time specified by the Professional Standards Commission.
 - (j) “Reprimand” admonishes the certificate holder for his or her conduct. The reprimand cautions that further unethical conduct will lead to a more severe action.
 - (k) “Warning” warns the certificate holder that his or her conduct is unethical. The warning cautions that further unethical conduct will lead to a more severe action.
 - (l) “Monitoring” is the quarterly appraisal of the educator’s conduct by the Professional Standards Commission through contact with the educator and his or her employer. As a

condition of monitoring, an educator may be required to submit a criminal background check (GCIC). The Commission specifies the length of the monitoring period.

- (m) “No Probable Cause” is a determination by the Professional Standards Commission that, after a preliminary investigation, either no further action need be taken, or no cause exists to recommend disciplinary action.

(3) Standards

(a) **Standard 1: Legal Compliance** - An educator shall abide by federal, state, and local laws and statutes. Unethical conduct includes but is not limited to the commission or conviction of a felony or of any crime involving moral turpitude; of any other criminal offense involving the manufacture, distribution, trafficking, sale, or possession of a controlled substance or marijuana as provided for in Chapter 13 of Title 16; or of any other sexual offense as provided for in Code Section 16-6-1 through 16-6-17, 16-6-20, 16-6-22.2, or 16-12-100; or any other laws applicable to the profession. As used herein, conviction includes a finding or verdict of guilty, or a plea of *nolo contendere*, regardless of whether an appeal of the conviction has been sought; a situation where first offender treatment without adjudication of guilt pursuant to the charge was granted; and a situation where an adjudication of guilt or sentence was otherwise withheld or not entered on the charge or the charge was otherwise disposed of in a similar manner in any jurisdiction.

(b) **Standard 2: Conduct with Students** - An educator shall always maintain a professional relationship with all students, both in and outside the classroom. Unethical conduct includes but is not limited to:

1. committing any act of child abuse, including physical and verbal abuse.
2. committing any act of cruelty to children or any act of child endangerment.
3. committing any sexual act with a student or soliciting such from a student.
4. engaging in or permitting harassment of or misconduct toward a student that would violate a state or federal law.
5. soliciting, encouraging, or consummating an inappropriate written, verbal, electronic, or physical relationship with a student.
6. furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student; or
7. failing to prevent the use of alcohol or illegal or unauthorized drugs by students under the educator’s supervision (including but not limited to at the educator’s residence or any other private setting).

(c) **Standard 3: Alcohol or Drugs** - An educator shall refrain from the use of alcohol or illegal or unauthorized drugs during the course of professional practice. Unethical conduct includes but is not limited to:

1. being on school or Local Unit of Administration (LUA)/school district premises or at a school or a LUA/school district-related activity while under the influence of, possessing, using, or consuming illegal or unauthorized drugs; and
2. being on school or LUA/school district premises or at a school-related activity involving students while under the influence of, possessing, or consuming alcohol. A school-related activity includes, but is not limited to, any activity sponsored by the school or school system (booster clubs, parent-teacher organizations, or any activity designed to enhance the school curriculum i.e. Foreign Language trips, etc.).

(i) For the purposes of this standard, an educator shall be considered “under the influence” if the educator exhibits one or more of the following indicators, including but not limited to: slurred speech, enlarged pupils, bloodshot eyes, general personality changes, lack of physical coordination, poor motor skills, memory problems, concentration problems, etc.

(d) Standard 4: **Honesty** - An educator shall exemplify honesty and integrity in the course of professional practice. Unethical conduct includes but is not limited to, falsifying, misrepresenting, or omitting:

1. professional qualifications, criminal history, college or staff development credit and/or degrees, academic award, and employment history.
2. information submitted to federal, state, local school districts and other governmental agencies.
3. information regarding the evaluation of students and/or personnel.
4. reasons for absences or leaves.
5. information submitted in the course of an official inquiry/investigation; and
6. information submitted in the course of professional practice.

(e) Standard 5: **Public Funds and Property** - An educator entrusted with public funds and property shall honor that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes but is not limited to:

1. misusing public or school-related funds.
2. failing to account for funds collected from students or parents.
3. submitting fraudulent requests or documentation for reimbursement of expenses or for pay (including fraudulent or purchased degrees, documents, or coursework).
4. co-mingling public or school-related funds with personal funds or checking accounts; and
5. using school or school district property without the approval of the local board of education/governing board or authorized designee.

(f) Standard 6: **Remunerative Conduct** - An educator shall maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation. Unethical conduct includes but is not limited to:

1. soliciting students or parents of students, or school or LUA/school district personnel, to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator unless approved by the local board of education/governing board or authorized designee;
2. accepting gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest.
3. tutoring students assigned to the educator for remuneration unless approved by the local board of education/governing board or authorized designee; and

4. coaching, instructing, promoting athletic camps, summer leagues, etc. that involves students in an educator's school system and from whom the educator receives remuneration unless approved by the local board of education/governing board or authorized designee. These types of activities must be in compliance with all rules and regulations of the Georgia High School Association.

(g) **Standard 7: Confidential Information** - An educator shall comply with state and federal laws and state school board policies relating to the confidentiality of student and personnel records, standardized test material and other information. Unethical conduct includes but is not limited to:

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

(h) **Standard 8: Required Reports** - An educator shall file reports of a breach of one or more of the standards in the Code of Ethics for Educators, child abuse (O.C.G.A. §19-7-5), or any other required report. Unethical conduct includes but is not limited to:

1. failure to report all requested information on documents required by the Commission when applying for or renewing any certificate with the Commission;
2. failure to make a required report of a violation of one or more standards of the Code of Ethics for educators of which they have personal knowledge as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner; and
3. failure to make a required report of any violation of state or federal law soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. These reports include but are not limited to: murder, voluntary manslaughter, aggravated assault, aggravated battery, kidnapping, any sexual offense, any sexual exploitation of a minor, any offense involving a controlled substance and any abuse of a child if an educator has reasonable cause to believe that a child has been abused.

(i) **Standard 9: Professional Conduct** - An educator shall demonstrate conduct that follows generally recognized professional standards and preserves the dignity and integrity of the education profession. Unethical conduct includes but is not limited to a resignation that would equate to a breach of contract; any conduct that impairs and/or diminishes the certificate holder's ability to function professionally in his or her employment position; or behavior or conduct that is detrimental to the health, welfare, discipline, or morals of students.

(j) **Standard 10: Testing** - An educator shall administer state-mandated assessments fairly and ethically. Unethical conduct includes but is not limited to:

1. committing any act that breaches Test Security; and
2. compromising the integrity of the assessment.

(4) Reporting

(a) Educators are required to report a breach of one or more of the Standards in the Code of Ethics for Educators as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. Educators should be aware of legal requirements and local policies and procedures for reporting unethical conduct.

Complaints filed with the Georgia Professional Standards Commission must be in writing and must be signed by the complainant (parent, educator, or other LUA/school district employee, etc.).

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

(5) Disciplinary Action

(a) The Georgia Professional Standards Commission is authorized to suspend, revoke, or deny certificates, to issue a reprimand or warning, or to monitor the educator's conduct and performance after an investigation is held and notice and opportunity for a hearing are provided to the certificate holder. Any of the following grounds shall be considered cause for disciplinary action against the educator:

1. unethical conduct as outlined in The Code of Ethics for Educators, Standards 1-10 (GaPSC Rule 505-6-.01).
2. disciplinary action against a certificate on grounds consistent with those specified in the Code of Ethics for Educators, Standards 1-10 (GaPSC Rule 505-6-.01).
3. order from a court of competent jurisdiction or a request from the Department of Human Resources that the certificate should be suspended or the application for certification should be denied for non-payment of child support (O.C.G.A. §19-6-28.1 and §19-11-9.3);
4. notification from the Georgia Higher Education Assistance Corporation that the educator is in default and not in satisfactory repayment status on a student loan guaranteed by the Georgia Higher Education Assistance Corporation (O.C.G.A. §20-3-295).
5. suspension or revocation of any professional license or certificate
6. violation of any other laws and rules applicable to the profession (O.C.G.A. §16-13-111); and
7. any other good and sufficient cause that renders an educator unfit for employment as an educator.

(b) An individual whose certificate has been revoked, denied, or suspended may not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher or, in any other position during the period of his or her revocation, suspension or denial for a violation of The Code of Ethics. The superintendent and the educator designated by the superintendent/Local Board of Education shall be responsible for assuring that an individual whose certificate has been revoked, denied, or suspended is not employed or serving in any capacity in their district. Both the superintendent and the superintendent's designee must hold GaPSC certification. Should the superintendent's certificate be revoked, suspended, or denied, the Board of Education

shall be responsible for assuring that the superintendent whose certificate has been revoked, suspended, or denied is not employed or serving in any capacity in their district.

Authority O.C.G.A. § 20-2-200; 20-2-981 through 20-2-984.5

SECTION G – PERSONNEL

Policies:

GAAA	Equal Opportunity Employment
GAD	Professional Learning Opportunities
GAE	Complaints and Grievances
GAE-E (1)	Employee Complaint Form
GAE E (2)	Complaint/Appeal Disposition Form
GAE-E (3)	Complaint Appeal Form
GAEB	Harassment
GAK	Personnel Records
GAK (1)	Criminal Background Check
GAL	Salary Deductions
GAM	Staff Rights and Responsibilities of Professional Employees
GAMA	Drug -Free Workplace
GAN	Tobacco -Free Agency
GANA	Communicable Diseases
GARH	Leaves and Absences
GBC	Professional Personnel Recruitment
GBD	Professional Personnel Hiring
GBI	Professional Personnel Evaluation
GBKA	Personnel Lay-Off
GBL	Professional Personnel Tenure
GBO	Professional Personnel Resignation
GBRB	Professional Personnel Time Schedules
GBRC	Professional personnel Work Loads
GBRR	Personnel Expenses
GBRGA	Professional Personnel Consulting
GBRIG	Family and Medical Leave Act
GBRK	Annual Leave
GCRD	Non-Certified Personnel Overtime Pay

BOARD POLICY

Descriptor Code: GAMA

Drug-Free Workplace

The Northwest Georgia RESA Board of Control declares that the manufacture, distribution, sale or possession of controlled substances, marijuana and other dangerous drugs in an unlawful manner or being at work under the influence of alcohol, controlled substances, marijuana or other dangerous drugs is a serious threat to the public health, safety and welfare. With this in mind, the Board of Control declares that its work force must be absolutely free of any person who would knowingly manufacture, distribute, sell or possess a controlled substance, marijuana or a dangerous drug in an unlawful manner. This prohibition specifically includes, but is not limited to, the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol in the employee's workplace. This prohibition also includes, but is not limited to, an employee being under the influence of alcohol or controlled substances while on duty.

Any employee who is convicted for the first time, under the laws of this state, the United States, or any other state, of any criminal offense involving the manufacture, distribution, sale or possession of a controlled substance, marijuana or a dangerous drug shall be subject to disciplinary action. At a minimum, such an employee shall be suspended for a period of not less than two months and shall be required to complete, at his or her own expense, a drug abuse treatment and education program licensed under Chapter 5 of Title 26 of the Official Code of Georgia and approved by the Board of Control. At a maximum, such an employee may be terminated from his employment with Northwest Georgia RESA. Any employee who is convicted for a second or subsequent time under the laws of this state, the United States, or any other state, of any criminal offense involving the manufacture, distribution, sale or possession of a controlled substance, marijuana or a dangerous drug shall be terminated from his or her employment and shall be ineligible for employment for a period of five years from the most recent date of conviction.

If, prior to an arrest for an offense involving a controlled substance, marijuana or a dangerous drug, an employee notifies the Northwest Georgia RESA Executive Director or designee that the employee illegally uses a controlled substance, marijuana or a dangerous drug and is receiving or agrees to receive treatment under a drug abuse treatment and education program licensed under Chapter 5 of Title 26 of the Official Code of Georgia and approved by the Board of Control, the employee shall be entitled to maintain his or her employment for up to one year as long as the employee follows the treatment plan. During this period, the employee shall not be separated from employment solely on the basis of the employee's drug dependence, but the employee's work activities may be restructured, if practicable, to protect persons or property. No statement made by an employee to the Executive Director or designee in order to comply with this code section shall be admissible in any civil, administrative or criminal

BOARD POLICY

Descriptor Code: GAMA

Drug-Free Workplace

proceeding as evidence against the public employee. The rights granted by this policy shall be available to an employee only once during a five year period and are intended to be and shall be interpreted as being the same as those minimum rights granted pursuant to the Georgia Drug-Free Work Force Act and any subsequent amendments thereof.

As a condition of employment, each employee must abide by the terms of this policy and must notify the Executive Director within five days after any arrest on any drug-related criminal charge and further notify the Executive Director within five days of any conviction of a drug-related offense. The Executive Director shall promptly notify the Board of Control of such arrests or convictions.

A copy of this policy shall be disseminated to all employees either directly or through employee handbooks or other publications.

The Board of Control shall not consider for employment any applicant who has been convicted for the first time of any drug offense as described above for a three month period from the date of conviction nor shall the Board of Control consider any applicant for employment who has been convicted for the second time of any drug offense as described above for a five year period from the most recent date of conviction.

For purposes of this policy, "conviction" refers to any final conviction in a court of competent jurisdiction, specifically including acceptance of a plea of guilty, nolo contendere, or any plea entered under the First Offenders Act of Georgia or any comparable state or federal legislation.

No certified employee or employee with a contract for a definite term shall be subject to suspension or termination pursuant to this policy except in compliance with the provisions of the Fair Dismissal Act of Georgia, Official Code of Georgia Annotated §§ 20-2-940 through 947. This policy is not intended and shall not be interpreted as prohibiting Northwest Georgia RESA from taking appropriate disciplinary action against any employee where there exists evidence that an employee uses, distributes or sells illegal drugs even though the employee has not been convicted of any criminal offense or where there exists evidence that an employee is under the influence of alcohol while on duty, except that Northwest Georgia RESA may not use the statement of any employee to the Executive Director requesting treatment as described in this policy.

RESA shall provide such staff development as required by state or federal law to inform employees of the dangers of drug abuse, the availability of employee assistance and drug counseling and treatment and the terms of this policy.

NORTHWEST GEORGIA RESA BOARD OF CONTROL

ADOPTED:

At-Will” Acknowledgement
FOR NON-CERTIFIED EMPLOYEES ONLY

My employment with the Northwest Georgia Network for Educational and Therapeutic Support is strictly an “at will” employment, terminable by either Northwest Georgia Network for Educational and Therapeutic Support or me at any time, at either party’s sole discretion, without notice. No Northwest Georgia Network for Educational and Therapeutic Support representative with the exception of the Northwest Georgia RESA Board of Control has authority to modify this policy. I understand that at no time may I rely on any policies, procedures, customs and/or statements, whether written or oral, to constitute a modification of this express condition of my employment.

 Print Name

 Employee Signature

 Date

Receipt of Employee Handbook
&
Drug-Free Workplace Policy

I have this day received my copy of the employee handbook. I have read and understand it. I recognize that all members of the administration are dedicated to ensuring that the policies are administered fairly and uniformly. However, I also understand and accept that this handbook is not a complete statement of the Northwest Georgia Network for Educational and Therapeutic Support and Northwest Georgia RESA’s policies and procedures, but is a summary guide only, and not meant to be a contract of employment between the agency and any of its employees. Moreover, changing circumstances may require modification to this handbook or the benefits it summarizes, and the Northwest Georgia Network for Educational and Therapeutic Support and Northwest Georgia RESA reserve the right to modify, delete or improve any of the benefits or policies at any time without notice.

 Print Name

 Employee Signature

 Date

(To be kept in the employee’s personnel file.)