



# **POLICY MANUAL**

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**NORTHWEST GEORGIA RESA POLICY MANUAL  
SECTION A - ORGANIZATION PLAN**

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## **Prologue**

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The employees of the Northwest Georgia Regional Educational Service Agency (RESA) and its affiliates are governed by the policies adopted by the Northwest Georgia RESA Board of Control and procedures implemented by the Agency. Employees are responsible for reading and familiarizing themselves with the Policies and Administrative Procedures which govern the Agency and its employees. Violations of these policies and procedures will constitute grounds for disciplinary action and/or dismissal.

## Regional Educational Service Agencies

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### GEORGIA BOARD OF EDUCATION RULE 160-5-1-.13 REGIONAL EDUCATIONAL SERVICE AGENCIES.

#### (1) Definitions.

(a) Board of Control- the governing body of the RESA, composed of the school superintendent from each member local educational agency (LEA), the president or highest administrator of each member postsecondary institution, and a local public or regional library director appointed by the director of the Office of Public Library Services of the Board of Regents of the University System of Georgia.

(b) Collaborative member - the president of each public postsecondary institution and the appointed director of a local public or regional library within each RESA geographic area.

(c) Network of RESAs - the organization that works collaboratively to develop and offer courses for certificate endorsement, approved programs, and other services.

(d) Regional Educational Service Agency (RESA) - an agency established to provide shared services to improve the effectiveness of educational programs and services of LEAs and to provide direct instructional programs to selected public school students.

(e) RESA service area - one of 16 service areas having the same boundaries as the 1972 districts approved by the State Planning and Community Affairs Policy Board, with the Chattahoochee-Flint and First District RESAs each serving two service areas. All LEAs, Department of Technical and Adult Educational institutions, and University System of Georgia institutions that are located in the designated geographical areas shall be members.

(f) Shared services member - the superintendent of each LEA within each RESA geographic area.

#### (2) Requirements.

##### (a) RESA Board of Control Duties.

1. The RESA Board of Control shall annually elect a chairperson and vice chairperson from among the shared services members.
2. Each RESA director shall annually recommend to the RESA Board of Control all RESA staff for employment and assignment.

3. As members of the Board of Control, collaborative members will meet a minimum of twice a year with the shared services members for the purpose of regional planning.

4. The Board of Control shall approve regional plans for improvement, determine progress, and submit an annual report in accordance with O.C.G.A. § 20- 2-272 (b) and (d).

5. The Board of Control may delegate to shared services members the authority to conduct monthly business of the shared services of RESA.

(b) Shared Services Member Duties.

1. Shared services members will meet monthly to conduct the business of the shared services of RESA.

2. Shared services members shall provide services to LEAs focused on standards including assistance with analysis and planning for improvement, support for implementation, high-quality professional learning opportunities, and quality assurance in accordance with O.C.G.A § 20-2-270.I (a) (1-7), as well as local standards.

(c) Qualifications of Professional Staff.

1. The RESA director shall hold a valid Georgia PAL-5 or L-5 or higher certificate in educational leadership.

2. RESA staff providing general instruction and curriculum assistance to LEA staff shall hold a valid Georgia PAL-5 or L-5 or higher certificate in educational leadership or a valid Georgia T-5 or higher certificate in the primary field in which employed.

(i) Additional curriculum personnel shall meet the same qualifications or hold an instructional supervision endorsement to a valid Georgia T-5 or higher certificate in the subject he or she supervises.

3. Teachers providing services directly to students shall have a valid teaching certificate in the area of service.

4. Special grant programs that name categories of qualified personnel who may deliver general instruction and curriculum assistance to LEA staff shall not be limited by qualification requirements as outlined in this rule.

(d) Goals, Objectives, and Performance Measures Reporting.

1. Each RESA shall submit annually to the department with a copy to the Education Coordinating Council beginning June 30, 2005, or as designated, a long-range regional plan for improvement for three consecutive fiscal years. The plan shall establish goals, specific objectives, and performance indicators to measure the educational efficiency and cost effectiveness of services to its member institutions according to state and locally approved standards. The plan shall include intended improvement objectives, aligned professional learning programs developed by the Network of RESAs, timetables for achieving such objectives, and the means by which performance in attaining such objectives will be assessed. Each plan must include the purposes and description of the services the RESA will provide to schools identified as low performing based on the indicators adopted under Georgia law and to other schools. It is vital that RESA services to schools meet local needs as well as be closely linked with the Department of Education's statewide system of intensive and sustained support and improvement. To this end, the RESA shall include in their annual regional plans for improvement a description of how the services they provide to schools identified as low performing will be coordinated with and made an integral part of the statewide system of intensive and sustained support and improvement.

2. Each RESA shall submit to the department by October, or as designated, an annual report which provides specific information on the actual outcomes resulting from RESA services and programs. The report shall describe how the outcomes were measured and assessed on performance in each area, including addressing the actual benefits, i.e., positive outcomes, resulting from the RESA's activities and the costs incurred to provide such services and programs.

(e) Funding.

1. Subject to appropriation of funds by the Georgia General Assembly, the State Board of Education shall grant funds to operate regional educational service areas as specified in O.C.G.A. § 20-2-274, or

2. Subject to appropriation of formula funds by the Georgia General Assembly, each RESA shall receive a base grant plus an amount that reflects the following for LEAs.

- (i) Number of LEAs
- (ii) Number of schools
- (iii) Student FTE
- (iv) Square Miles



3. Each RESA shall match with local RESA funds any state funds on an 80/20 state/local ratio.

4. The RESA Board of Control shall determine the method by which each LEAs share of local funds shall be assessed.

(i) LEAs shall be allowed to include all fees paid for RESA services as a pro rata share of their assessment for memberships. Authority O.C.G.A. § 20-2-270; 20-2-271; 20-2-271.1; 20-2-272; 20-2-273;10-2-274.

**Adopted: January 13, 2005**

**Effective: February 3, 2005**

**BOARD POLICY**

**Powers and Duties of the Board of Control**

**Descriptor Code: ABB**

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The Powers and Duties of Northwest Georgia RESA's Board of Control include, but are not limited to, the following:

- A. Elect from its membership a Chairperson, a Vice-Chairperson, and any other officers needed to function effectively.
- B. Appoint and enter into contract with an Executive Director who shall be the administrative and professional head of Northwest Georgia RESA.
- C. Determine the needs of the member systems served by Northwest Georgia RESA and establish priorities for meeting those needs.
- D. Determine the assessment made to member school systems each fiscal year.
- E. Approve the budget each fiscal year and submit it to the Georgia Department of Education.
- F. Develop procedures and policies necessary to achieve locally established procedures.
- G. Establish personnel qualifications, salary scales and work schedules in terms of locally established priorities.
- H. Employ personnel upon the recommendation of the Executive Director and approval of the Northwest Georgia RESA Board of Control.
- I. Annually evaluate the Executive Director.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**BOARD POLICY**

Emergency Closing

Descriptor Code: AFC

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In the event of inclement weather or other emergencies, information about Northwest Georgia RESA 's closing or alterations of work hours will be disseminated through area radio stations and be communicated via the Northwest Georgia RESA website and office phone messaging system.

- 1) The Northwest Georgia RESA office will be closed when the Floyd County Schools are closed due to inclement weather which prevents safe travel.
  
- 2) All missed days due to inclement weather will be made up unless the employee uses personal/annual/flex leave time.
  
- 3) Each employee is to use his/her judgment regarding safety conditions from home to Northwest Georgia RESA worksite.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

## **NORTHWEST GEORGIA RESA POLICY MANUAL**

### **SECTION B - BOARD OPERATIONS**

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Policies:

<a href="#">BBA</a>	<a href="#">Internal Organization - Officers</a>
<a href="#">BCBK</a>	<a href="#">Executive Sessions</a>
<a href="#">BCBK-E</a>	<a href="#">Affidavit of Closed Meeting or Executive Session</a>

**BOARD POLICY**

**Internal Organization - Officers**

**Descriptor Code: BBA**

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The Northwest Georgia RESA Board of Control shall elect annually by majority vote a Chairperson, Vice-Chairperson who shall preside in the absence of the Chairperson, and any other officers needed to function effectively. With the exception of the Secretary (Executive Director), all Northwest Georgia RESA Board of Control officers shall be elected annually to serve terms July 1 immediately following their election, or until their successors are elected.

The Chairperson shall preside at all Northwest Georgia RESA Board of Control meetings, appoint all committees, and assign special responsibilities to board members when necessary. The Chairperson shall sign on behalf of the Northwest Georgia RESA Board of Control, documents requiring such signature. The Chairperson also is authorized to sign checks in the absence of the Executive Director.

The Chairperson and the Vice-Chairperson may have other duties delegated to them by the Board of Control. When serving as presiding officer at any meeting of the Board of Control, the Chairperson or Vice-Chairperson shall have the privilege of participating in debate and voting.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**BOARD POLICY**

**Executive Sessions**

**Descriptor Code: BCBK**

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All meetings of the Northwest Georgia RESA Board of Control shall be open to the public. However, the Northwest Georgia RESA Board of Control may hold Executive Sessions in accordance with State law.

Citizens who are interested are welcome to attend all meetings of the Northwest Georgia RESA Board of Control.

Chairperson's Duty Following Executive Session

Georgia law requires that following any Executive Session, The Chairperson, or other presiding officer, execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting of the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception. The Chairperson, or other presiding officer, shall, at the conclusion of each meeting where at least a portion was closed, complete and sign the Northwest Georgia RESA Board of Control's approved exhibit, BCBK-E.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**EXHIBIT - AFFIDAVIT OF CLOSED MEETING OR EXECUTIVE SESSION**

**Descriptor Code: BCBK-E**

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NORTHWEST GEORGIA RESA  
AFFIDAVIT OF CLOSED MEETING  
OR EXECUTIVE SESSION

The undersigned chairperson or presiding officer, under oath, certifies that a meeting of the Northwest Georgia RESA Board of Control was held on \_\_\_\_\_. The Northwest Georgia RESA Board of Control closed its meeting as permitted by the Open Meetings Act of Georgia. The only matters considered or discussed during the closed portion or Executive Session of its meeting are checked below:

To discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of an employee; (O.C.G.A. § 50-14-3(6));

To consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought buy or to be brought against the Northwest Georgia RESA or an officer or employee or in which the officer or employee may be directly involved; (O.C.G.A. § 50-14-2);

To review an appeal from a Student Disciplinary Tribunal [Hearing Officer, Panel]; (O.C.G.A. § 20-2-757);

To consider a matter involving the disclosure of personally identifiable information from a student's educational records (20 USC 1232g.); or

To discuss the future acquisition of real estate (O.C.G.A. § 50-14-3(4)).

This \_\_\_\_\_ day of \_\_\_\_\_.

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Chairperson or Presiding Officer

Sworn to and Subscribed before me  
on the above indicated date:

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Notary Public, State of Georgia

Commission Expires: \_\_\_\_\_

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

## **NORTHWEST GEORGIA RESA POLICY MANUAL**

### **SECTION C - ADMINISTRATION**

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Policies:

<a href="#">CEB</a>	<a href="#">Duties of Executive Director</a>
<a href="#">CN</a>	<a href="#">Administrative Records</a>



## **BOARD POLICY**

### **Duties of the Executive Director**

**Descriptor Code: CEB**

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The Northwest Georgia RESA Executive Director shall:

- 1) Serve as Secretary to the Northwest Georgia RESA Board of Control.
- 2) Prepare an agenda for each Northwest Georgia RESA Board of Control meeting in cooperation with the Northwest Georgia RESA Board of Control Chairperson in conformity with board policy.
- 3) Comply with all legal and policy requirements relative to the posting of meeting notices and the preparation of the minutes.
- 4) Administer the Northwest Georgia RESA and all RESA programs in accordance with the laws of the state, rules and regulations of the Georgia State Board of Education, and the policies adopted by the Northwest Georgia RESA Board of Control.
- 5) Provide educational leadership to the Northwest Georgia RESA staff.
- 6) Keep abreast of current trends in education and recommend to the Northwest Georgia RESA Board of Control desirable courses of action.
- 7) Act as advisor to the Northwest Georgia RESA Board of Control in areas needing policy development or revision and assist in formulating policies by providing the Northwest Georgia RESA Board of Control with necessary data and information.
- 8) Administer Northwest Georgia RESA Board of Control policies, either personally or by assuring the implementation of policies and regulations, through delegation to appropriate staff.
- 9) Prepare a detailed annual Northwest Georgia RESA budget, interpret and present it to the Northwest Georgia RESA Board of Control for adoption.
- 10) Deposit and disburse all Northwest Georgia RESA funds and make monthly financial reports to the Northwest Georgia RESA Board of Control.
- 11) Direct the expenditures of the Northwest Georgia RESA funds, and those of any programs, within the adopted budget and maintain proper accounting for such funds subject to annual audit by the State Auditor.
- 12) Assist supervisors in the development, improvement, and evaluation of all Northwest Georgia RESA personnel.

**BOARD POLICY**

**Duties of the Executive Director**

**Descriptor Code: CEB**

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- 13) Recruit and recommend professionally qualified personnel for the Northwest Georgia RESA.
  - 14) Recruit and recommend clerical and other non-certified personnel.
  - 15) Develop, maintain and adjust, as needed, a file of job descriptions for all Northwest Georgia RESA personnel.
  - 16) Monitor and evaluate the services of all personnel.
  - 17) Prepare the annual calendar for review and adoption by the Northwest Georgia RESA Board of Control.
  - 18) Assist the Northwest Georgia RESA Board of Control in the continuous evaluation of Northwest Georgia RESA's programs and services.
  - 19) Carry out the responsibilities in the Executive Director's Job Description.
  - 20) In cases where action must be taken within the RESA unit where the Northwest Georgia RESA Board of Control has provided no guidelines for administrative action, the Executive Director shall have the power to act. His/her decisions shall be subject to review by action of the Northwest Georgia RESA Board of Control at its regular meeting. It shall be the duty of the Executive Director to inform the Board promptly of such action and of the need for the action.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**BOARD POLICY**

**Administrative Records**

**Descriptor Code: CN**

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Records Management

The intent of this policy is to meet the requirement of O.C.G.A. § 50- 8-99, The Georgia Records Act, as amended in 1981, and to more efficiently operate the Northwest Georgia RESA.

In carrying out this policy, the Northwest Georgia RESA Executive Director or designee shall plan, coordinate, implement, and manage such activities and procedures as may be necessary to comply with state and federal requirements regarding the retention, storage, retrieval, and destruction of records, including electronic documents and communications. Such procedures shall be followed on a consistent basis throughout all RESA programs/departments and shall provide for accurate and effective production of records and/or the prevention of routine destruction of records related to a legal claim that may be made against the Northwest Georgia RESA.

The Northwest Georgia RESA Executive Director shall designate a staff member who will coordinate and perform the responsibilities for implementing a Records Management Program as envisioned under this Act.

Retention of records will be based on the legal, fiscal, administrative, and historical needs of the record.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

## **NORTHWEST GEORGIA RESA POLICY MANUAL**

### **SECTION D - FISCAL MANAGEMENT**

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Policies:

DCK	Level of Budgetary Control
DFK	Gifts and Bequests
DIA	Accounting System
DIB	Financial Reports
DIC	Inventory
DO	Disposal Procedures

**BOARD POLICY**

**Level of Budgetary Control**

**Descriptor Code: DCK**

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The non appropriated annual budget shall be adopted at the legal level of budgetary control which is the aggregate level. Expenditures may not exceed the total appropriation at the aggregate level without the Northwest Georgia RESA Board of Control's approval.

The Northwest Georgia RESA Board of Control must approve, for management purposes, any changes between the appropriations by fund level. However, the Executive Director so authorized by the Northwest Georgia RESA Board of Control shall have the authority to transfer appropriations within function level.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**BOARD POLICY**  
**Federal Funds**

**Descriptor Code: DFC**

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The Northwest Georgia RESA ("RESA") shall take advantage of programs funded by the federal government as it deems appropriate and in the best interest of RESA and its shared services members.

The RESA Executive Director shall be authorized to submit grant applications for federal programs approved by the Board of Control and to establish and maintain a system for administering federal funds awarded to the RESA. The Executive Director, or his or her designee, shall develop procedures to ensure that the following requirements are met:

1. The financial management system establishes control over, and accountability for, all funds, property, and other assets acquired through federal funds. Safeguards are in place to assure that all assets are used solely for authorized purposes.
2. All program expenditures, including travel costs, are reviewed to ensure that federal funds are expended only for allowable activities and in accordance with applicable cost principles.
3. Procurement activities are conducted in compliance with federal procurement standards, including written rules covering conflict of interest for employees engaged in selection, award, and administration of contracts. No employee, officer, or agent of the RESA may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest.
4. Internal controls over federal funds awarded to the RESA are established and maintained in compliance with state and federal laws, regulations, and the terms and conditions of the federal award.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**BOARD POLICY**  
**Gifts and Bequests**

**Descriptor Code: DFK**

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The Northwest Georgia RESA Board of Control may accept on behalf of and for the agency any bequest or gift of money or property for a purpose deemed by the Northwest Georgia RESA Board of Control to be suitable, and to utilize such money or property so designated. All gifts or bequests become the property of the Northwest Georgia RESA Board of Control.

The Northwest Georgia RESA Executive Director shall use the criteria listed below in determining the acceptability of gifts and bequests.

To be acceptable, a gift:

1. Shall have a purpose consistent with those of the system;
2. Shall be offered by a donor acceptable to the Northwest Georgia RESA Board of Control;
3. Shall not add to staff load;
4. Shall not start a program which the Northwest Georgia RESA Board of Control would be unwilling to take over when gift funds are exhausted;
5. Shall not bring undesirable or hidden costs to the school system;
6. Shall place no restrictions on the school program;
7. Shall not be inappropriate or harmful to the best interest of students or employees;
8. Shall not imply endorsement of any business or product; and
9. Shall not conflict with any provision of the Northwest Georgia RESA Board of Control policy, code, or public law.

In accepting any donations other than cash to the programs of the system, the Northwest Georgia RESA Executive Director shall establish a valuation of the donation and may request from the donor a valuation or an accounting of actual costs incurred regarding the donation. The Northwest Georgia RESA Executive Director also may set valuation for donations to other programs as appropriate or required for accounting purposes.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**BOARD POLICY**

**Accounting System**

**Descriptor Code: DIA**

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The Executive Director shall establish a system of accounting for all funds processed through Northwest Georgia RESA. The method shall be one of generally accepted accounting principles. All financial records are subject to annual audit and shall reflect total receipts and disbursements properly reconciled with bank statements.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016



**BOARD POLICY**

**Financial Reports**

**Descriptor Code: DIB**

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Financial reports and statements shall be maintained by the Northwest Georgia RESA Executive Director in accordance with regulations prescribed by the Georgia State Board of Education. As prescribed by these regulations, separate accounting on various classifications of items provided for in the budget shall be maintained.

The Northwest Georgia RESA Executive Director shall present monthly financial statements, which show the receipt of funds, the source of funds, disbursements, and such other information as required by the Northwest Georgia RESA Board of Control and/or the Georgia State Board of Education.

For financial reporting purposes only, the Northwest Georgia RESA Board of Control has established the capitalization limit of tangible fixed assets at \$5,000.00. Capital Assets will be depreciated using the straight-line method of depreciation, based on a 5-year useful life.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**BOARD POLICY**

**Inventory**

**Descriptor Code: DIC**

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The Northwest Georgia RESA Board of Control requires that a current inventory of all Northwest Georgia RESA equipment be on file in the Northwest Georgia RESA office. The computerized inventory shall consist of federal, state, and local equipment; and the information maintained shall comply with federal and state requirements. Individual federal programs shall be responsible for maintaining their own inventories. The inventory shall be subject to the capitalization limit set forth in DIB unless otherwise denoted by law. A supplemental manual inventory may be maintained for items under the capitalization level.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**BOARD POLICY**

**Fraud Prevention**

**Descriptor Code: DIE**

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The Northwest Georgia RESA ("RESA") shall not tolerate fraud of any kind, and has an established system for the reporting of suspicious activities.

"Fraud" is defined as a false representation of a matter of fact, whether by words or by conduct, or by concealment of that which should have been disclosed, that is used for the purpose of misappropriating property and/or monetary funds from federal, state, or local grants and funds.

Employees and parties maintaining a business relationship with the RESA who suspect fraud, whether it pertains to federal, state, or local programs, should report their concerns to the Executive Director or his/her designee. If fraud is suspected by the Executive Director, such allegations should be reported to the Chair of the Board of Control.

All reports of suspected fraud shall be handled under the strictest confidentiality allowed under the law. Informants may remain anonymous as allowed by law but are encouraged to cooperate with investigators and to provide as much detail and evidence of the alleged fraudulent act as possible.

Any and all reports of suspicious activity and/or suspected fraud will be investigated. Results of an investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate need to know until results become subject to public disclosure in accordance with state and/or federal law.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**BOARD POLICY**

**Disposal Procedures**

**Descriptor Code: DO**

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The Northwest Georgia RESA Board of Control has the power to sell or dispose of unserviceable or 'surplus' property. This sale of real property shall be at public outcry after advertisement. Before any sale is made, the Northwest Georgia RESA Board of Control shall adopt a resolution declaring that the property is no longer necessary or convenient for agency, system/school purposes and specifying the terms and manner of the sale. The Northwest Georgia RESA Board of Control shall reserve the right to reject all bids and shall authorize the Northwest Georgia RESA Executive Director or designee to conduct the sale or consign the property for sale.

In the event no bid is received on an item at the public sale, the Northwest Georgia RESA Executive Director and appropriate staff shall be authorized to dispose of the item in a manner most beneficial to the agency, system/school.

Items purchased with Federal Funds must be disposed of according to the procedures prescribed by Georgia Department of Education. All proceeds must be deposited into the account from which the surplus items were originally purchased.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

## **NORTHWEST GEORGIA RESA POLICY MANUAL**

### **SECTION E - BUSINESS MANAGEMENT**

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Policies:

<a href="#">EBB</a>	<a href="#">Emergency Planning</a>
<a href="#">EGAA</a>	<a href="#">Workers Compensation Insurance</a>

**BOARD POLICY**

**Emergency Planning**

**Descriptor Code: EBB**

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The Northwest Georgia RESA Board of Control recognizes its responsibility to provide a safe and secure environment for all persons affiliated with the Agency: employees, students, and visitors who legitimately enter Northwest Georgia RESA facilities and/or participate in its programs.

The Northwest Georgia RESA Executive Director shall cause to be created written emergency plans to provide emergency preparedness and response instructions, information, and guidelines to NW GA RESA employees to protect the safety and wellbeing of students and staff at the time of an emergency.

Technology Emergency Response Plan

Northwest Georgia RESA shall utilize a committee to develop a Technology Emergency Response Plan to ensure that data can be retrieved and that technology operations can resume as soon as possible in the event of an emergency that halts normal day-to-day technical operations. The plan shall be maintained on file in the Northwest Georgia RESA office and shall be reviewed and revised annually.

Georgia Highlands Preparedness Plan

The Northwest Georgia RESA office is on the campus of Georgia Highlands College, 3167 Cedartown Highway, Rome, Georgia 30161. Because the office is owned/operated by Georgia Highlands College, Northwest Georgia RESA will follow the Preparedness Plan of Georgia Highlands College.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**BOARD POLICY**

**Worker's Compensation Insurance**

**Descriptor Code: EGAA**

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Northwest Georgia RESA provides Worker's Compensation coverage for all employees through a third-party carrier. The employee is not assessed for any part of the premium costs.

The following procedures must be followed when an employee is injured on the job:

- 1) The injured employee must report the injury to his/her Director/Coordinator immediately and complete the Worker's Compensation packet as soon as possible.
  
- 2) The employee must select a doctor from the Panel of Physicians as posted at his/her workstation.
  
- 3) The supervisor must notify the Northwest Georgia RESA Human Resources Manager within twenty-four (24) hours that the accident occurred whether or not treatment was obtained.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

## NORTHWEST GEORGIA RESA POLICY MANUAL

### SECTION G - PERSONNEL

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Policies:

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GAE-E(2)	Complaint/Appeal Disposition Form
GAE-E(3)	Complaint Appeal Form
GAEB	Harassment
GAK	Personnel Records
GAK(I)	Criminal Background Check
GAL	Salary Deductions
GAMA	Drug-Free Workplace
GAN	Tobacco-Free Agency
GANA	Communicable Diseases
GARH	Leaves and Absences
GBC	Professional Personnel Recruitment
GBD	Professional Personnel Hiring
GBKA	Personnel Lay-Off
GBO	Professional Personnel Resignation
GBRB	Professional Personnel Time Schedules
GBRF	Personnel Expenses
GBRIG	Family and Medical Leave Act
GCRD	Non-Certified Personnel Overtime Pay



## **BOARD POLICY**

### **Equal Opportunity Employment**

**Descriptor Code: GAAA**

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The RESA does not discriminate on the basis of race, color, national origin, religion, age, disability, or sex in its employment practices. It is the policy of the Board of Control to comply fully with the requirements of Title VI, Title VII, Title IX, Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act (ADA), the age Discrimination in Employment Act, (ADEA) and all accompanying regulations.

Any employee, applicant for employment, or other person who believes he or she has been discriminated against or harassed in violation of this policy must make a complaint in accordance with the procedures outlined below.

The Northwest Georgia RESA Executive Director shall be the coordinator for all civil rights and discrimination complaints.

#### Complaint Procedures:

Complaints made to the Northwest Georgia RESA regarding alleged discrimination or harassment based on race, color, or national origin in violation of Title VII; religion or sex in violation of Title IX; disability in violation of Section 504; or based on age will be processed in accordance with the following procedure:

- 1) Any employee, applicant for employment or other person with a complaint alleging a violation as described above shall promptly notify, in writing or orally, either the Northwest Georgia RESA Executive Director or the Director designated below for the system. If the complaint is oral, either the Northwest Georgia RESA Executive Director or Director to whom the complaint is told shall promptly prepare a memorandum or written statement of the complaint as made to him or her by the complainant and shall have the complainant read and sign the memorandum or state if it accurately reflects the complaint made. If the complaint is told to Northwest Georgia RESA Executive Director, he/she shall be responsible for notifying the appropriate Director of the complaint.

## **BOARD POLICY**

### **Equal Opportunity Employment**

**Descriptor Code: GAAA**

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2) The Northwest Georgia RESA Executive Director or Director shall have fifteen (15) days to gather all information relevant to the complaint, review the information, determine the facts relating to the complaint, review the action requested by the complainant, and attempt to resolve the complaint with the complainant and other persons involved. The Northwest Georgia RESA Executive Director or Director shall prepare a written response to the complaint detailing any action to be taken in response to the complaint and the time frame in which such action will be taken, and copies of the response shall be furnished to the complainant and the Director, Northwest Georgia Educational Program Director or the Northwest Georgia RESA Executive Director, whomever is appropriate.

3) If the complaint is not resolved at the conclusion of the fifteen (15) day period or if the complainant is not satisfied with the resolution of the complaint, the complainant shall have the right, within five (5) days of receiving a copy of the written response, to have the complaint referred to the Northwest Georgia RESA Executive Director.

4) The Northwest Georgia RESA Executive Director shall have fifteen (15) days to review the complaint and response of the Director or designee and attempt to resolve the complaint. The Northwest Georgia RESA Executive Director shall furnish to the complainant a written response setting forth either approval of the action recommended by the Director or the action to be taken by the system in response to the complaint in lieu of that recommended by the Director and the time frame in which such action shall be taken.

5) If the complainant is dissatisfied with the response of the Northwest Georgia RESA Executive Director, then the complainant shall have the right, within fifteen (15) days of the receipt of the written response of the Northwest Georgia RESA Executive Director, to have the complaint referred to the Northwest Georgia Board of Control. In order to have the Northwest Georgia RESA Board of Control review the Northwest Georgia RESA Executive Director's decision, the complainant must file with the Northwest Georgia RESA a written statement setting forth the reasons he or she disagrees with the response of the Northwest Georgia RESA Executive Director and the action the complainant is requesting the Northwest Georgia RESA to take. The Complainant shall also include in the written response a request that the complaint be referred to the Northwest Georgia RESA Board of Control.

## **BOARD POLICY**

### **Equal Opportunity Employment**

**Descriptor Code: GAAA**

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6) Within thirty (30) days of receipt of the written request of the complainant, the Northwest Georgia RESA Executive Director shall present the matter to the Northwest Georgia RESA Board of Control at its regular meeting or at a special meeting called for that purpose. The Northwest Georgia RESA Board of Control shall review the original complaint, the response of the Director or designee, the response of the Northwest Georgia RESA Executive Director, and the response of the complainant. In addition, the Northwest Georgia RESA Board of Control may, but is not required to, hear directly from any individuals with knowledge of any relevant facts relating to the complaint.

7) The Northwest Georgia RESA Board of Control will either uphold the recommendations of the Northwest Georgia RESA Executive Director or require the Northwest Georgia RESA to take some other action in response to the complaint. A copy of the action of the Northwest Georgia RESA Board of Control will be furnished to the complainant, either as a part of the minutes of the Northwest Georgia RESA Board of Control or as a separate written statement. The Northwest Georgia RESA Board of Control shall be the final reviewing authority within the system.

8) This policy is not intended to deprive any employee of any right he/she may have to file a grievance pursuant to any other policy of the Northwest Georgia RESA Board of Control, specifically policy GAE, designed to implement O.C.G.A 20-2-989-.5, where appropriate. This policy is not intended to provide an alternative process for resolving evaluation and employment disputes where there already exists a due process procedure mandated by state law or Georgia State Department of Education regulations, specifically including, but not limited to hearings conducted pursuant to the Fair Dismissal Act of Georgia. The complainant retains at all times the right to contact the Office of Civil Rights, the Equal Opportunity Commissions, or any other appropriate state or federal agency with regard to any allegations that the system has violated the statutes described above.

9) The Northwest Georgia RESA shall be responsible for distributing and disseminating information relevant to this policy and procedure to students, applicants for employment, and employees through appropriate procedures.

10) No reprisal shall occur as a result of reporting unlawful discrimination or harassment under this policy, and any attempt to retaliate against a complainant shall be disciplined as is appropriate.

11) The confidentiality of any individual making a complaint or report in accordance with this policy, to the extent it is reasonably possible, shall be protected, although the discovery of the truth and the elimination of unlawful harassment shall be the overriding consideration.

**BOARD POLICY**

**Equal Opportunity Employment**

**Descriptor Code: GAAA**

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12) The Northwest Georgia RESA shall be responsible for distributing and disseminating information relevant to this policy and procedure through appropriate procedures.

Inquiries concerning the application of the Perkins Act, Title VI, Title VII, Title IX, ADEA, or Section 504 and ADA to the policies and practices of the agency may be addressed to the Northwest Georgia RESA Executive Director listed below

Northwest Georgia RESA Executive Director  
3167 Cedartown Highway, SE  
Rome, GA 30161

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

## **BOARD POLICY**

### **Complaints and Grievances**

**Descriptor Code: GAE**

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1. Purpose: Informal Resolution Preferred.

It is the purpose of this policy to implement the provision of OCGA 20-2-989.5 et seq. In accordance with the foregoing, it is the policy of the Northwest Georgia RESA Board of Control that certificated personnel shall have the right to present and resolve complaint relating to certain matters affecting the employment relationship at the lowest organizational level possible.

2. Definitions:

a. "Complainant" means the certificated employee filing a complaint.

b. "Level One Administrator" means the principal of a school with respect to teachers and certificated personnel assigned to that school. With respect to the certificated Administrators supervised by the Northwest Georgia RESA Executive Director, the "Level One Administrator" shall be the supervisory certificated person responsible for evaluating the employee.

c. "Central Office Administrator" means the Northwest Georgia RESA Executive Director.

d. "Complaint" means any claim or grievance by a certificated employee of the Northwest Georgia RESA who is affected in his or her employment relationship by an alleged violation, misinterpretation, or misapplication of statutes, policies, rules, regulations, or written agreements of the RESA with which the RESA is required to comply.

3. Right to Make Complaint: Scope.

a. Scope - Unless excluded by paragraph (b) hereof, this complaint and grievance procedure is applicable to any claim which is filed pursuant to this policy by any professional employee certificated by the professional Standards Commission.

b. Exclusions -This procedure shall not apply to:

1. Performance rating contained in personnel evaluations conducted pursuant to Code Section 20-2-210; provided, however, that such exclusion shall not apply to procedural deficiencies on the part of RESA or school personnel in conducting the evaluation.

2. Professional development plans.

3. Job performance.

4. Termination, non-renewal of contract, demotion, suspension, or reprimand of any employee, as set forth in Code Section 20-2- 940.

## **BOARD POLICY**

### **Complaints and Grievances**

**Descriptor Code: GAE**

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5. The revocation, suspension, denial of certificates of any employee, as set forth in Code Section 20-2-1160 shall be barred from pursuing the same complaint under this policy.

c. A certificated employee who chooses to appeal under code Section 20-2-1160 shall be barred from pursuing the same complaint under the policy.

4. Hearing Rights: Evidence; Representation; Decision; Records.

a. Evidence -The complainant shall be entitled to an opportunity to be heard, to present relevant evidence, and to examine witnesses at each level, but the complainant may not present additional evidence at the Second and Third hearing levels unless notice of the Complainant's intention and the evidence to be presented are submitted in writing five (5) days prior to the hearing to the Administrator who will preside at such level, and in the case of the Northwest Georgia RESA Board of Control, the Northwest Georgia RESA Executive Director.

When hearing an appeal from a prior level, the Northwest Georgia RESA Board of Control shall hear and decide all appeals de novo (all evidence heard again).

b. Representation -The complainant and the administrator against whom the complaint is filed or whose decision is appealed shall be entitled to the presence of an individual, including an attorney, to assist in the presentation of the complaint and the response letter thereto, at the Northwest Georgia RESA Executive Director and the Northwest Georgia RESA Board of Control level. The presence of any individual other than the Complainant and the Administrator at Level One is prohibited, except witnesses who present testimony or documents. Nothing herein shall be interpreted as authorization or permitting collective bargaining by or on behalf of any employee or group of employees.

c. Hearing Officer -The Northwest Georgia RESA Board of Control may appoint a member of the State Bar to serve as law officer who shall rule on all issues of law and other objections, but such attorney shall not assist in the presentation of the case for either party.

d. Overall Hearing Time Schedules -The overall time frame from the initiation of the complaint until rendition of the decision by the Northwest Georgia RESA Board of Control and notification thereof to the complainant shall not exceed sixty (60) days.

## **BOARD POLICY**

### **Complaints and Grievances**

**Descriptor Code: GAE**

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e. Automatic Referral to Next Level - Any complaint not processed by the administrator or the local unit of administration within the time frame reported by this policy shall be forwarded to the next level for determination.

f. Records -Accurate records of the proceedings at each level shall be kept, the proceedings shall be recorded by mechanical means; all evidence shall be preserved and made available to the parties at all times; and all cost and fees shall be borne by the party incurring them unless otherwise agreed upon by the parties, except that the cost of preparing and preserving the record of the proceedings shall be borne by the Northwest Georgia RESA Board of Control; Provided, however, the cost of transcribing the transcript of evidence and proceedings before the Northwest Georgia RESA Board of Control shall be borne by the party requesting same, and all costs of the record on appeal to the superior courts and appellate courts shall be paid by the party required to do so by the laws relating thereto.

g. Decisions -Each decision shall be made in writing and dated and shall contain findings of fact and reason for the particular decision reached. The decision at each level shall be delivered to the complainant by a person designated by the Northwest Georgia RESA Executive Director, either (1) being hand delivered or (2) being deposited in the United States Mail, (certified mail, return receipt requested), or (3) sent by statutory overnight delivery.

h. Notice to the Complainant - Notice to the Complainant shall be deemed to have been made on the date of hand delivery, delivery to a statutory overnight delivery service, or deposit in the United States Mail by certified mail, return receipt requested to the address stated in the complaint or, if not contained in the complaint, to the last known address of the Complainant on file with the Northwest Georgia RESA Board of Control.

#### **5. First Level; Presentation; Time; Contents.**

The complaint shall be presented in writing to the Level One Administrator, within ten (10) calendar days after the most recent incident or other matter for which the complaint is filed. The complaint shall include the following:

a. The mailing address of the Complainant to which all notices and other documents may be mailed.

b. The intent of the Complainant to utilize this complaint procedure, clearly stated.

## **BOARD POLICY**

### **Complaints and Grievances**

**Descriptor Code: GAE**

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c. A reference or description of the statute, policy, rule contract provision, or regulation that is alleged to have been violated, misinterpreted, or misapplied.

d. A brief statement of the facts reasonably calculated to show how such statute, policy, rule, or regulation was violated or misapplied, and how it substantially affects the employment relationship of the complainant.

e. A statement of the relief desired.

6. First Level; Filing; Hearing; Decision.

The Northwest Georgia RESA Executive Director shall prepare forms for use in accordance with foregoing requirements.

The Level One Administrator shall record the date of filing on the complaint. The Administrator shall give notice to the Complainant of the time and place of the hearing, as provided in Section 4. The Level One Administrator shall conduct a hearing and render a decision thereon within ten (10) days of the filing of the complaint. The decision shall be dated, and a copy shall be sent to the Complainant as provided in Section 4.

7. Second Level; Appeal from First Level to Level Two Administrator.

Complainant dissatisfied with the decision of the first level shall be entitled to appeal to the Level Two Administrator or designee by filing written notice of appeal with the Office of the Northwest Georgia RESA Executive Director. The appeal must be filed within ten (10) calendar days after the date of the decision from Level One. The Level Two Administrator shall record the date of the filing on the appeal and shall notify the Complainant in writing of the time and place of the hearing in the same manner provided for notices under Section above. The Level Two Administrator shall obtain copies of all minutes, documents, and other records relating to the complaint and shall conduct a hearing and render a decision within ten (10) calendar days of the date of the filing of the appeal.

The hearing may be conducted by any designated representative of the Level Two Administrator who shall promptly submit recommendations and findings to the Level Two Administrator for final decision.



## **BOARD POLICY**

### **Complaints and Grievances**

**Descriptor Code: GAE**

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#### 8. Third Level; Appeal to Northwest Georgia RESA Board of Control.

A Complainant or Level One Administrator dissatisfied with the decision of the Level Two Administrator may appeal to the Northwest Georgia RESA Board of Control by filing written notice of appeal with the Office of the Northwest Georgia RESA Executive Director.

The appeal must be filed within ten (10) calendar days after the date of the decision. The Northwest Georgia RESA Executive Director shall record the date of filing on the appeal. The appeal shall be heard and determined by the Northwest Georgia RESA Board of Control within twenty (20) calendar days after the filing.

The Complainant and Administrators against whom the complaint is filed or whose decision is being appealed shall be entitled to appear before the Northwest Georgia RESA Board of Control, or any hearing officer designated by it, and be heard. The Northwest Georgia RESA Board of Control may direct that a pre-hearing conference be held prior to the hearing to identify issues and facilitate presentation.

Notice of the time and place of the hearing/pre-conference shall be given in the same manner as provided in Section above. The RESA Board of Control shall conduct a hearing and render its decision in writing within twenty (20) calendar days after the hearing, and perfect service thereof the Complainant and his or her attorney, all in accordance with Section 4.

#### 9. Appeals to State Board of Education

Appeals from the decision of the Northwest Georgia RESA Board of Control shall be governed by the State Board Rule BCAEA (Appeals and Hearings) and O.C.G.A. 20-2-1160

#### 10. Reprisal

A complainant shall not be subjected to any reprisal as a result of filing a complaint under this policy. Should any reprisal occur, the Complainant may refer the matter to the Professional Standards Commission.

#### 11. Repeals

All policies and parts of policies in conflict with this policy are hereby repealed.

#### 12. Collective Bargaining Disclaimer.

Nothing in this policy shall be construed to permit or foster collective bargaining.

Northwest Georgia RESA Board of Control Adopted: November 16, 2016
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**Northwest Georgia RESA Board of Control  
Employee Complaint Form (GAE-E(I))**

*General Information*

Name of Complainant: \_\_\_\_\_

Mailing Address:

\_\_\_\_\_  
\_\_\_\_\_

Home Phone Number: \_\_\_\_\_ Office Phone Number: \_\_\_\_\_

Title: \_\_\_\_\_

Department: \_\_\_\_\_

***Complaint Information***

**Statute, Policy, Rule, or Regulation Involved:**

Reference or description of statute, policy, rule, or regulation alleged or have been violated or misapplied:

**Facts as to Violation and Effect on Complainant:**

- a) Brief statement of allegations showing the violation or misapplication of the statute, policy, rule, or regulation:

GAE-E(I)

b) Statement as to how the alleged violation or misapplication substantially affects Complainant in the employment relationship:

**Statement of Relief Sought by Complainant:**

The undersigned employee hereby makes this complaint pursuant to the Policy GAE of the Northwest Georgia RESA Board of Control and shows that the facts stated above are true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
Employee's Signature

Received and Filed:

\_\_\_\_\_  
Administrator's Signature

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**Northwest Georgia RESA Board of Control  
Complaint/Appeal Disposition Form (GAE-E(2))**

Administrator who heard complaint/appeal

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Department: \_\_\_\_\_

Employee who initiated complaint

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Department: \_\_\_\_\_

1) What are the issues involved in this complaint?

2) Has a violation or misapplication of a statute, policy, rule, or regulation occurred?  
If so, which statute, policy, rule, or regulation?

3) Decision reached:

4) Basis for decision:

Dated: \_\_\_\_\_ Administrator: \_\_\_\_\_

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**Northwest Georgia RESA Board of Control  
Complaint Appeal Form (GAE-E(3))**

Individual filing appeal

Name: \_\_\_\_\_

Title of Position : \_\_\_\_\_

Department: \_\_\_\_\_

Date initial complaint was filed

1) I wish to appeal the decision of:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

2) Reason for appeal:

3) State relief sought:

Dated: \_\_\_\_\_ Employee: \_\_\_\_\_

Received and Filed: \_\_\_\_\_ Administrator: \_\_\_\_\_

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

## **BOARD POLICY**

### **Harassment**

**Descriptor Code: GAEB**

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It is the policy of Northwest Georgia RESA (RESA) to prohibit any act of harassment of employees by other employees based upon race, color, sex, national origin, religion, age, or disability at all times and during all occasions while at school, in the workplace, or at any school event or activity. Any such act by an employee shall result in prompt and appropriate discipline, including the possible termination of employment.

Sexual harassment may include conduct or speech which entails unwelcome sexual advances, request for sexual favors, taunts, threats, comments of a vulgar or demeaning nature, demands or physical contact which creates a hostile environment. There may be other speech or conduct which employees experience as inappropriate or illegal harassment which should also be reported; harassment can take many forms and it is not possible to foresee every aspect of the harassment forbidden by this policy.

Any employee, applicant, or applicant for employment, who believes he or she has been subjected to harassment or discrimination as prohibited by this policy should promptly report the same to the principal of their school or to the appropriate coordinator designated in policy GAAA, who will implement RESA's discriminatory complaints procedures as specified in that policy. Employees will not be subjected to retaliation for reporting such harassment or discrimination.

It is the duty of all employees to promptly report harassment forbidden by this policy. All supervisors will instruct their subordinates as to the content of this policy and, through appropriate professional learning activities, enlighten employees as to the varied forms or expression of prohibited harassment. The Executive Director shall ensure that employees are informed through handbooks, training materials, and verbally that such harassment is strictly forbidden, how it is to be reported, and the consequences for violating this policy.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**BOARD POLICY**

**Personnel Records**

**Descriptor Code: GAK**

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It is the policy of the Northwest Georgia RESA Board of Control that the provisions of the Open Records Act found in the Official Code of Georgia at Section 50-18-70 and the following sections shall be complied with by this agency: The Northwest Georgia RESA Executive Director or designee shall make every reasonable effort to respond to the provisions of any request for documents or other information covered by the Open Records Act within the time provided by the Act. The agency, as a matter of policy, should redact certain information from employees' personnel records before furnishing such documents in compliance with a request for records under the Open Records Act: the home address, home telephone number, Social Security number, insurance information, medical information, mother's birth name, day and month of birth, credit card or debit card numbers, bank account information, and financial data or information. The agency may furnish any of such confidential information to a third party under the Open Records Act upon consent of the affected employee.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

## **BOARD POLICY**

### **Criminal Background Check**

**Descriptor Code: GAK (1)**

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#### Fingerprint and Criminal Record Checks Prior to Employment

In order to be employed for the first time by the Northwest Georgia RESA Board of Control, an applicant must first submit to a fingerprint and criminal records check. Northwest Georgia RESA shall forward the prospective employee's fingerprints and appropriate requests to the Georgia Crime Information Center (GCIC) and Federal Bureau of Investigation System (FBIS) for a criminal record check under standards adopted by the State of Georgia. Such fingerprinting and criminal record check shall be required even though the applicant may already have undergone fingerprinting and criminal record checks by another RESA or school system in Georgia or elsewhere.

#### Continued Employment of Personnel

All certificated employees whose employment is renewed, shall have a criminal record check made upon any certificate renewal application to the Professional Standards Commission.

All non-certificated personnel, whose employment is continued, shall have a criminal record check made every five years.

#### Fees

The fingerprinting and record checks shall be initiated by the Northwest Georgia RESA Board of Control at the appropriate time, and the fee for such shall be paid by the applicant/employee.

#### Use and Handling of Criminal Record Information

Criminal record check information shall be used by the Northwest Georgia RESA, its officials and employees only for the purpose of determining whether to grant or continue regular employment and in any administrative or judicial proceeding calling such employment in question. Such information shall be stored, restricted, and disposed of in such manner as may be required by federal or state regulations.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016



**BOARD POLICY**

**Salary Deductions**

**Descriptor Code: GAL**

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Except for payroll deductions required by the state or federal government, all deductions made from salary shall be subject to Northwest Georgia RESA Board of Control approval and voluntary on the part of the individual employee. For all voluntary deductions, the employee shall complete a form authorizing the deduction and the specific amount.

All eligible employees must maintain membership in the Teachers Retirement System of Georgia while employed by the Northwest Georgia RESA Board of Control. Salary deductions shall be made for the employees for contributions to the Teachers Retirement System.

Garnishment

Salaries due officials or employees of the Northwest Georgia RESA Board of Control shall be subject to garnishments.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**BOARD POLICY**  
**Drug-Free Workplace**

**Descriptor Code: GAMA**

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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 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.

**BOARD POLICY**  
**Drug-Free Workplace**

**Descriptor Code: GAMA**

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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, drug counseling and treatment, and the terms of this policy.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

## **BOARD POLICY**

### **Tobacco - Free Agency**

**Descriptor Code: GAN**

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The Northwest Georgia RESA Board of Control recognizes the health hazards related to use of tobacco in any form.

Students served through a Northwest Georgia RESA program are subject to the policy of the local school district in which they are served. For students served in special education programs, disciplinary action shall be determined in accordance with the Individuals with Disabilities Education Act (IDEA), its implementing regulations, and special education rules of the Georgia Board of Education.

The philosophy of the Northwest Georgia RESA Board of Control is that smoking and other tobacco use presents a health concern which results in increased illnesses, increased maintenance for facilities and grounds, diminished time on task, and is addictive. All employees are prohibited from using tobacco products in any building or property owned or leased by RESA and at all times when directly supervising students.

Affirmative steps taken to educate students and employees and to create a tobacco-free environment are as follows:

1. To emphasize the health hazards of smoking and to promote education about these risks;
2. To establish non-smoking and non-use of any tobacco product as an agency norm;
3. To promote positive peer and adult role models who do not smoke;
4. To establish necessary rules and regulations to implement a tobacco-free and smoke-free environment in accordance with Georgia law; and,
5. To involve Northwest Georgia RESA Board of Control and Northwest Georgia RESA personnel actively in the practice of non-tobacco use.

#### A) Employees

Employees are prohibited from using or displaying tobacco products, including smokeless tobacco, while the employee is on duty at the assigned location during the normal workday or while on duty at any agency sponsored function. Normal workday shall be defined as the normal required working hours for the employee for each particular school site or school department location

Tobacco use, including smokeless tobacco products, is banned from all agency vehicles, and all Georgia Highland property.

**BOARD POLICY**  
**Tobacco - Free Agency**

**Descriptor Code: GAN**

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B) Supervision

The building and department supervisor for each school or department site shall be responsible for enforcing the tobacco-free environment. In order to ensure the Tobacco-Free Policy of the Northwest Georgia RESA Board of Control is implemented and effective, all departmental and building supervisors shall follow the guidelines outlined hereafter:

1. A copy of this policy shall be provided to each employee, including to new employees at their oral interview.
2. At the beginning of each fiscal year, appropriate signs advising of the tobacco-free environment shall be posted at each department site and in such form as approved by the Northwest Georgia RESA Board of Control or directed by the Northwest Georgia RESA Executive Director.
3. Individual employee violators of this policy shall be subject to discipline, up to and including termination of employment.

C) Visitors

Visitors or volunteers are prohibited from smoking or using tobacco or smokeless tobacco products while on Northwest Georgia RESA Board of Control property during the regular workday, under the same restrictions which apply to agency employees as to locations and times.

Visitors or volunteers working on Northwest Georgia RESA Board of Control property shall be orally reminded of Northwest Georgia RESA Board of Control policy upon the first violation. Visitors or volunteers, upon a second violation, shall be politely advised that their service will not be accepted as long as they are unwilling to adhere to the philosophy of a tobacco-free environment.

When advising visitors or volunteers on Northwest Georgia RESA Board of Control property of tobacco-free environment, supervisors should give all reminders in a tactful and courteous manner and explain the philosophy of the Northwest Georgia RESA Board of Control and Georgia Highlands' Tobacco-Free and Smoke-Free Campus Policy.

**BOARD POLICY**

**Tobacco - Free Agency**

**Descriptor Code: GAN**

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D) Education Program

In addition to continuing the activities for students on tobacco and drugs as mandated by State law, it shall be the philosophy of this Northwest Georgia RESA Board of Control to offer a tobacco education program for employees to educate them as to its hazards, as needed.

E) Agency Assistance

To further assist employees in their efforts to reduce tobacco use and to be educated about the dangers of tobacco, the following guidelines shall apply:

1) The Northwest Georgia RESA Executive Director or designee shall be responsible for coordinating the tobacco-free environment policy and all educational activities. Monitoring of the implementation and improvement of the plans and programs should be received and disseminated to the Northwest Georgia RESA Board of Control.

2) Employees and students shall be provided, periodically, information about hazards of tobacco use through posters, stuffers, brochures, lectures, and other similar methods.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

## **BOARD POLICY**

### **Communicable Diseases**

**Descriptor Code: GANA**

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No student shall be denied access to, nor shall an otherwise qualified individual be denied employment in the educational programs of Northwest Georgia RESA solely because he/she is infected with a communicable disease. The agency shall adopt routine procedures for handling blood and body fluids consistent with the Centers for Disease Control's Universal Precautions for Handling Blood and Body Fluids.

Definitions:

- 1) Communicable disease -a disease that can be directly or indirectly transmitted from one person to another.
- 2) HIV Infection -an infection in which the human immunodeficiency virus is present.

All employees shall be educated about HIV infection and other communicable diseases, including transmission, risk reduction, and universal precautions for handling blood and body fluids. As part of the educational program, abstinence from sexual relations shall be emphasized.

If Northwest Georgia RESA has reasonable cause to believe that a student or an employee has become infected with a communicable disease, the determination of a student's or employee's condition shall be based on reasonable medical judgment given the state of medical knowledge about:

- 1) The nature of the risk, i.e., how the disease is transmitted.
- 2) The duration of the risk, i.e., how long the carrier is infectious.
- 3) The severity of the risk, i.e., the degree of potential harm to third parties; and
- 4) The probability that the disease will be transmitted and will cause varying degrees of harm.

After consideration of the criteria set forth in the above paragraph, the agency shall allow an infected student or employee to remain in his/her education or employment setting unless he/she currently presents a significant risk of contagion as determined by the agency after consultation with the student's or employee's physician (at Northwest Georgia RESA's option). After a determination of the student's or employee's medical condition has been made using the criteria set forth above, the agency, after consultation with the student's or employee's physician, a public health official knowledgeable about the disease and/or the agency's physician (at Northwest Georgia RESA's option), shall determine whether reasonable accommodations will allow the student to perform in the classroom or the employee to meet the essential functions of the job. An accommodation is reasonable unless it imposes either an undue financial hardship or administrative burden on the agency.

**BOARD POLICY**

**Communicable Diseases**

**Descriptor Code: GANA**

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Notwithstanding the requirements for evaluation of a student or an employee who may be infected with a communicable disease set forth hereinabove, Northwest Georgia RESA may immediately remove a student or employee for a period of time not to exceed ten (10) calendar days from his or her educational or employment setting for the purpose of obtaining a reasonable medical judgment, as required above, as to whether the student or employee constitutes a significant risk of contagion to others.

The agency shall not deny an individual employment based solely upon the individual's infection with a communicable disease unless the agency, after consultation with the applicant's physician, a public health official knowledgeable about the disease, and/or the agency's physician (at Northwest Georgia RESA's option), determines that the communicable disease is of such nature or at a stage that the individual should not be in the agency setting.

The Northwest Georgia RESA shall not disclose medical information about a student or employee with HIV infection or other communicable disease without the consent of the student or employee or his/her parent or guardian, whichever is applicable, or only as required by this policy by law, or by court order.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016



## **BOARD POLICY**

### **Leaves and Absences**

**Descriptor Code: GARH**

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This policy shall apply to all employees of the Northwest Georgia RESA (RESA). All employees are required to follow the work calendar established by the Northwest Georgia RESA Board of Control and may take leave from work only in accordance with this policy or other leave policies enacted by the Board of Control. Unless otherwise provided by the Board of Control, Supervisors are not authorized to rearrange the work calendars of employees.

#### **ACCRUAL OF SICK LEAVE AND ABSENCE FOR MEDICAL AND RELATED REASONS**

##### **Sick Leave**

Sick leave is provided for all employees of Northwest Georgia RESA at the rate of one and one-quarter days per completed contract month. Three (3) of these days may be used for personal reason when submitted three (3) days prior to the desired date of leave and approved by the program Director/Coordinator and Northwest Georgia RESA Executive Director.

Professional employees returning to the Northwest Georgia RESA for a subsequent year will have added to their accumulated sick leave earned sick leave days (1.25 days per contract month) that are permitted for each professional employee up to a total of forty-five (45) days. The maximum amount of sick leave which may be used by a professional employee in the course of one year is dependent upon the employee's accumulated sick leave in addition to the current year's earnings, not to exceed sixty (60) days.

Adjustments in sick leave which must be made because of late employment, resignations, or terminations will be made at the rate of 1.25 days per school month.

An employee who is absent due to illness for three (3) consecutive days or more may be required to furnish the Northwest Georgia RESA Executive Director with a physician's statement certifying the illness upon return to work. If the Northwest Georgia RESA Executive Director requests a physician's verification of illness and one is not provided, then the Northwest Georgia RESA shall not pay for the sick days in the absence of such certification. No payment is made for accumulated sick leave upon termination.

Sick leave may be used for personal illness, physical disability under conditions set forth in O.C.G.A. § 20-2-852 (maternity leave), or for acute illness or death in the immediate family as well as the occasion of death within the family. "Immediate family" is defined as parents, husband, wife, children, sister, brother, grandparents, grandchildren, spouse's parents, or other close relatives living in the home. In case of death, family will be defined as those listed above plus sister-in-law and brother in law.

## **BOARD POLICY**

### **Leaves and Absences**

**Descriptor Code: GARH**

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Personnel injured by a physical assault while in the performance of duties shall not have the first seven sick leave days charged. Such personnel shall not be required to pay for a substitute or have pay reduced.

#### Transfer of Sick Leave Days

Any leave accumulated up to forty-five (45) days by a professional employee shall be transferred with such person when he or she changes employment from Northwest Georgia RESA to another RESA or a local Board of Education provided said person 's new position is covered. Such leave will be forfeited if said person withdraws from service for a period of twelve (12) consecutive months, although the forfeited leave may be regarded by returning to service for a period of two consecutive years.

The Northwest Georgia RESA Board of Control, as specified under Section 20-2- 850 of Georgia Statutes, will not transfer to any school district funds to finance the accumulated days earned by the professional employee.

#### Personal Leave

All employees of the Northwest Georgia RESA Board of Control may have three (3) days of personal leave. The three (3) days shall be deducted from earned sick leave days.

1. In order to obtain personal leave, it is necessary to submit a written request to the immediate supervisor three (3) days prior to the date the leave is desired. Personal leave will be approved by the immediate supervisor and forwarded to the Northwest Georgia RESA Executive Director for a final decision. Any request for personal leave immediately prior to or after a holiday will be examined carefully before approval is granted.

#### Professional Leave

Professional Leave is to be used for obtaining training or information for the specific use in programs or operations of Northwest Georgia RESA.

1. In order to obtain professional leave, it is necessary to submit a written professional leave request to the immediate supervisor or designee three (3) days prior to attending. The request must be approved by the Northwest Georgia RESA Executive Director. Professional Leave for non-certified employees is limited to three (3) days unless otherwise directed by the immediate supervisor and the Northwest Georgia RESA Executive Director.

## **BOARD POLICY**

### **Leaves and Absences**

**Descriptor Code: GARH**

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#### Observance of Religious Holidays

Employees may use personal leave for the observance of recognized religious holidays. If an employee desires to take leave for the observance of recognized religious holidays in excess of the days allowed for personal leave, the employee may take unpaid leave for such purposes provided that such leave is not excessive and does not interfere with fulfilling the obligation of his or her job.

#### Jury and Witness Leave

Each person employed by the Board of Control shall be allowed leave with pay for the purpose of serving as a juror in any court or when subpoenaed to testify in a case arising out of the individual's duties as a Northwest Georgia RESA employee. Jury and/or witness leave shall not be deducted from an individual's accumulated personal, professional, or sick leave. No employee utilizing jury and witness leave shall be required to pay the cost of employing a substitute to serve during his or her absence for such leave. Employees who serve on juries or who are subpoenaed for reasons arising out of their employment with Northwest Georgia RESA may keep the jury/witness pay they receive from the court.

#### Military Leave

All employees of the Board of Control are entitled to paid leave not to exceed eighteen days in any one federal fiscal year for the purpose of complying with ordered military leave duty with the armed forces of the United States or State of Georgia, including duty as a voluntary member of the National Guard or any reserve component of the United States or State of Georgia. In the event the Governor declares an emergency that results in the employee being ordered to military duty as a member of the National Guard, the employee shall be entitled to leave not exceeding 30 days in any one federal fiscal year. Employees who have military commitments shall inform the Executive Director or designee annually and shall cooperate to the extent possible in scheduling such leave so as to minimize the disruption in those employee's duties and the mission of the Board of Control.

#### Family & Medical Leave Act

To the extent that any provision in this policy conflicts with or is superseded by the Family and Medical Leave Act ("FMLA"), the regulations promulgated thereunder, or any other federal or state law, the provision of the FMLA, its regulations or other law, as may be, shall control.

## **BOARD POLICY**

### **Leaves and Absences**

**Descriptor Code: GARH**

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#### Paid Parental Leave

Northwest Georgia RESA shall make paid parental leave equally available to all eligible employees of Northwest Georgia RESA under the following terms:

1. An employee of Northwest Georgia RESA shall be eligible for paid parental leave for qualifying life events upon satisfying the following criteria:
  - a. The employee is classified as full-time by Northwest Georgia RESA and is eligible to participate in the TRS (Teacher Retirement System of Georgia) or the PSERS (Public School Employees Retirement System); and
  - b. The employee has six continuous months of employment with Northwest Georgia RESA, regardless of whether he or she is eligible for paid or unpaid leave under federal law. An employee paid on an hourly basis must have worked a minimum of 700 hours over the six-month period immediately preceding the requested paid parental leave date.
2. A qualifying life event means:
  - a. The birth of a child of an eligible employee.
  - b. The placement of a minor child for adoption with an eligible employee; or
  - c. The placement of a minor child for foster care with an eligible employee.
3. The maximum amount of paid parental leave that may be taken by an eligible employee during a rolling 12-month period is 120 hours, regardless of the number of qualifying life events that occur during such period.
  - a. The rolling 12-month period shall be measured backward from the date an eligible employee first uses parental leave.
  - b. Parental leave may be taken as needed and may be taken in increments of less than eight hours. The smallest increment of parental leave that may be taken is 2 hours.
  - c. Any unused paid parental leave that remains 12 months after the qualifying event shall not carry over for future use.
  - d. Unused paid parental leave shall have no cash value at any time of the eligible employee's separation from employment with Northwest Georgia RESA.
4. Paid parental leave under state law shall run concurrently with any leave provided under federal law.
5. Eligible employees requesting paid parental leave must submit the district's designated form to their supervisor at least 3 school days in advance of the requested leave start date, unless otherwise approved.

**BOARD POLICY**

**Leaves and Absences**

**Descriptor Code: GARH**

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6. The supervisor or designee shall develop paperwork needed to administer paid parental leave, which shall specify the documentation required to establish the existence of a qualifying life event.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

Revised: July 28, 2021

**BOARD POLICY**

**Professional Personnel Recruitment**

**Descriptor Code: GBC**

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The Northwest Georgia RESA Board of Control believes that a program of active recruitment of professional personnel is essential in attracting the most competent and qualified personnel.

In operating the most effective and efficient organization possible, the Northwest Georgia RESA Executive Director may recommend to the Board of Control the transfer or reassignment of personnel into positions that best meet the needs of the organization. Positions which are filled through transfers or lateral reassignments shall not be considered vacant within the meaning of this policy and shall not be subject to the announcement, advertisement, or any other provision of this policy.

It is the policy of Northwest Georgia RESA to offer equal opportunity for employment and advancement to all qualified individuals regardless of race, creed, color, national origin, sex, age, or disability and to conform to all applicable laws and regulations. This policy applies to all aspects of the employment relationship, including hiring, promotion, transfer, selection for training, wages demotion, and layoff or termination. This statement shall be included in all announcements of vacant positions. Written announcements will be posted on the Teach Georgia and Northwest Georgia RESA websites.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

## **BOARD POLICY**

### **Professional Personnel Hiring**

**Descriptor Code: GBD**

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All employees shall be employed by the Northwest Georgia RESA Board of Control only upon recommendation of the Executive Director. This recommendation will follow the completion of employment procedures established by the Executive Director and his/her staff to provide adequate screening of persons for employment.

It is the responsibility of the Executive Director, with the assistance of other administrators, to determine the personnel needs of the Northwest Georgia RESA to locate suitable candidates to recommend for employment.

The Northwest Georgia RESA Executive Director shall assure that all persons nominated for employment meet/maintain certification requirements and the qualifications established for the particular position.

All candidates shall be considered on the needs of the agency and on the basis of their merits and qualifications. Recruitment and selection procedures, including job announcements and the posting of vacancies, must not discriminate based on race, color, national origin, sex, age, religion, handicap, or disability.

### **Employee Assignment and Employee Transfer**

Each Northwest Georgia RESA employee is assigned to a position which meets the needs of the RESA, commensurate with the employee's training, certification, years of experience and other appropriate factors. The RESA reserves the right to reassign employees to other duties, positions, or locations within the RESA.

### **Nepotism**

**FAMILY MEMBER LIMITATIONS:** Under no circumstances will an employee be assigned to supervise the activities or evaluate the performance of someone in his/her immediate family.

For the purposes of this provision, the term "immediate family" is defined as:

- a. A spouse, child, sibling, parent, or the spouse of a child, sibling or parent;
- b. Any relative living in the household of the employee; or
- c. All step relatives as identified above.

NORTHWEST GEORGIA RESA BOARD OF CONTROL

REVISED: December 8, 2021

**BOARD POLICY**  
**Personnel Lay-Off**

**Descriptor Code: GBKA**

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1) Responsibilities and Prerogatives of the Northwest Georgia RESA Board of Control

One of the most important functions of the Northwest Georgia RESA Board of Control is to employ personnel and manage resources within the limitations defined by the funding sources. Consequently, it shall be the prerogative of the Northwest Georgia RESA Board of Control to abolish job positions, to reduce the length of the work year and salary of certified or non-certified personnel (hereinafter "to downgrade"), and/or to reduce the number of employees when seeking to cope effectively with program changes or financial exigency.

2) Reasons for Reduction in Force (Hereinafter "RIF")

The Northwest Georgia RESA Board of Control shall consider a reduction in the professional work force to include the abolition of job positions, the downgrading of an employee's position, and/or the reduction of the number of employees in response to the following:

a. A lack of funding of programs, personnel, or services provided by Northwest Georgia RESA.

b. A decrease in student enrollment in Northwest Georgia Educational Program which would necessitate a decrease in personnel or a discontinuation of programs.

c. A change in state or local curriculum, personnel, financial practices which would necessitate a change in or elimination of programs or services provided by Northwest Georgia RESA Georgia Learning Resources System (GLRS).

d. Any reasonable reorganization plan to achieve a more efficient system/organization.

e. A lack of funding for programs, personnel, or services provided by Northwest Georgia RESA.

3) Applicability of Policy

This RIF policy shall apply to all personnel employed by Northwest Georgia RESA. Nothing in this policy, however, shall be construed to extend to any employee substantive or procedural rights not required under state law. Specifically, nothing in this policy shall extend to professional personnel any expectation of re-employment or due process rights greater than are available under state law. This policy is not to be construed to mandate the promotion, transfer, or reassignment of an employee to another position with Northwest Georgia RESA, even though the employee who is to be terminated or non-renewed may be qualified or certified for a higher or other position.



#### 4) RIF Procedure

When the Northwest Georgia RESA Executive Director determines that a reduction in force is necessary, the Northwest Georgia RESA Executive Director shall prepare for presentation to the Northwest Georgia RESA Board of Control a plan for reduction in force (RIF). In RIF plan, the Northwest Georgia RESA Executive Director may: (1) determine the group(s) of employees which the RIF shall/will be applied, (2) select individuals or positions to be subject to the RIF, or (3) any combination of (1) and (2). The primary factor to be considered by the Executive Director in devising a RIF plan shall be the performance of the educator, one measure of which may be student academic performance; provided, however, that this provision shall not apply if the Board of Control eliminates an entire program. Other factors to be considered may include, but shall not be limited to, the professional expertise, effectiveness, professionalism, tenure status, level of certification, fields of certification, length of continuous service with the Board, number of successful years in public education, performance of extra responsibilities and performance of extracurricular responsibilities.

#### 5) Notice and Hearing Procedures

If the Northwest Georgia RESA Board of Control accepts the recommendation of the Northwest Georgia RESA Executive Director, the Northwest Georgia RESA Executive Director shall notify any employee affected by the application of the plan in a manner consistent with the provisions of Georgia Law and he or she shall have whatever rights the Fair Dismissal Act Provides for such employee.

When a termination or nonrenewal is to be based solely on O.C.G.A. § 20-2- 940(a)(6), the basis for the employment action will be the necessary reduction in staff and not the performance of the employee.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**BOARD POLICY**

**Professional Personnel Resignation**

**Descriptor Code: GBO**

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Any employee under contract with the Northwest Georgia RESA Board of Control, who wishes not to fulfill the terms of that contract, must request in writing that the Northwest Georgia RESA Board of Control release the employee from the contract.

The Northwest Georgia RESA Board of Control, if it deems the employee's reasons for not wishing to fulfill the terms of the contract sufficient, may release the employee from the contract.

If the Northwest Georgia RESA Board of Control does not release the employee from the contract, and if the employee refuses to fulfill the terms of the contract, the Northwest Georgia RESA Board of Control will seek to have the employee's teaching certificate revoked by the Georgia Professional Standards Commission.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**BOARD POLICY**

**Professional Personnel Time Schedules**

**Descriptor Code: GBRB**

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The minimum workday for employees shall be defined as eight (8) hours, and the minimum workweek shall be defined as forty (40) hours. The minimum workday shall entail the duties for which the base salary is paid, such as teaching, consulting, preparation, staff meetings, planning conferences, and related Northwest Georgia RESA activities.

Exempt employees, as per the Fair Labor Standards Act, are not entitled to overtime pay or compensatory time off for work done in excess of forty (40) hours per week. All professional positions, such as teachers, administrators, and Northwest Georgia RESA Directors/Coordinators are exempt positions.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

## **BOARD POLICY**

### **Personnel Expenses**

**Descriptor Code: GBRF**

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Travel is paid at the authorized state rate per mile. Meals and lodging are to be included when the employee travels outside the service area. Travel reimbursement for intrastate travel and interstate travel while performing professional duties will be handled in accordance with state regulations relative to travel for local school system personnel.

A Northwest Georgia RESA travel form shall be completed in accordance with procedures established by the Executive Director or designee.

All staff members traveling "out of the Northwest Georgia RESA district" will receive permission from the Northwest Georgia RESA Executive Director prior to incurring expenses. The Northwest Georgia RESA Board of Control shall pay travel expenses to personnel who are required to travel from their regular workstation to another in the performance of their duties.

Meals "in district" will not be paid unless included as part of a special meeting where personnel are representing Northwest Georgia RESA as assigned by the Northwest Georgia RESA Executive Director and approved.

Northwest Georgia RESA will follow state travel guidelines. A copy of these guidelines shall be furnished to each employee who is eligible for travel. The following statements provide clarification of the state travel guidelines:

- 1) The nearest distance to a location is the appropriate beginning point.
- 2) Travel from home to a location in the Rome area will be considered only for those miles which are above the mileage from home to office or office to home.
- 3) Travel on a non-workday to the office from home cannot be considered for travel reimbursement unless it is a meeting approved or called by the Northwest Georgia RESA Executive Director.
- 4) The distance to a location cannot be greater than what it would be from the office.
- 5) Travel which involves a direct line from home to office shall not be counted unless the distance involved is less.
- 6) Travel outside of the Northwest Georgia RESA area must receive prior approval from the Northwest Georgia RESA Executive Director.
- 7) Any variation from requirements of the state travel guidelines must be approved by the Executive Director.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

## **BOARD POLICY**

### **Family and Medical Leave Act**

**Descriptor Code: GBRIG**

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It is the purpose of this policy to set out in summary form the provisions of the Family and Medical Leave Act ("Act"). The Northwest Georgia RESA Board of Control ("Board") does not intend by this policy to create any additional rights to leave not provided by the Act; provided, however, the Board does wish to extend the rights of the Family and Medical Leave Act to certain employees who have worked at least 12 months for the Board. The Board does intend to elect certain options as the Act authorizes. Any portion of this policy inconsistent or contrary to the Act is unintentional and shall not be given effect. As to the interpretation of this policy, the Board's employees should look to the Act itself and its regulations.

#### **A. ELIGIBLE EMPLOYEES**

Employees of the Board who have been employed by the Board for at least 12 months immediately prior to requesting leave and who either (a) have worked at least 1250 hours during the previous 12 months or (b) are classified as full time employees in their position are eligible to take 12 weeks of unpaid leave under the Family and Medical Leave Act ("FMLA").

An employee may request leave for one or more of the following reasons:

1. Birth of a son or daughter and to care for the newborn child;
2. Adoption or foster placement of a son or daughter with the employee;
3. To care for the employee's spouse, son, daughter or parent, if that person has a serious health condition; and
4. Serious health condition of the employee that prevents the employee from performing his/her job functions.

In the event of the birth, adoption or foster placement of a son or daughter, all leave must be completed within twelve months after the birth, adoption or foster placement.

#### **B. DEFINITIONS**

"Instructional employee" means an employee whose principal function is to teach and instruct students in a class, a small group, or an individual setting.

"Parent" means a biological parent or one who acted in place of a parent when the employee was a child. The term "parent" does not include parent "in law."

"Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility or continuing treatment by a health care provider.

**BOARD POLICY**  
**Family and Medical Leave Act**

Descriptor Code: GBRIG

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"Son or daughter" means a biological, adopted or foster child, a stepchild, a legal ward, or a child for whom the employee acts as a parent. The son or daughter must be under age 18 or, if the son or daughter is age 18 or older, he/she must be incapable of self-care on a daily basis due to a mental or physical disability.

"Spouse" means a husband or wife.

**C. AMOUNT AND TYPE OF LEAVE TAKEN**

Except as provided below, an employee may take a total of 12 weeks leave during any twelve-month period. A "rolling year" shall be used to determine the twelve-month period during which the twelve weeks of leave entitlement may occur. That is, each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the 12 weeks that has not been used during the immediately preceding 12 months. See 29 C.F.R. § 825.200(b)(4).

If both spouses work for the Board and both are eligible for FMLA leave, they are authorized to take only a combined total of 12 weeks leave during any one 12 month period to care for a newborn or adopted child, a child placed with the employee for foster care, or a parent with a serious health condition. Both spouses are authorized to take leave to care for a spouse or child with a serious health condition for twelve (12) weeks.

The Board will require that any accumulated paid leave be substituted for all or a part of the otherwise unpaid FMLA leave.

Accrued personal leave or vacation leave shall be used for:

1. the birth and first-year care of a child; or
2. the adoption or foster parent placement of a child.

Accrued sick leave, personal leave or vacation leave shall be used for:

1. the serious illness of an employee's spouse, child, or parent; or
2. the employee's own illness.

## **BOARD POLICY**

### **Family and Medical Leave Act**

**Descriptor Code: GBRIG**

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#### **D. INTERMITTENT OR REDUCED LEAVE**

An employee is not permitted to take leave on an intermittent or reduced leave schedule unless it is medically necessary. The Board will require a certification, in the form described in Section G, to document the medical necessity of such intermittent leave.

#### **G. REQUIRED CERTIFICATION AND REPORTING**

The Board requires that a request for leave due to a serious health condition be supported by certification by the appropriate health care provider of the eligible employee or of the son, daughter, spouse, or parent of the employee on a form to be provided by the Board. This certification must include (1) the date on which the serious health condition commenced, (2) the probable duration of the condition, (3) if the purpose of the leave is to care for a son, daughter, spouse or parent ("family member"), a statement that the employee is needed to care for the family member and the estimated amount of time needed for such care, and (4) if the leave is due to the employee's own serious health condition, a statement that the employee is unable to perform his/her job functions. The employer may require that the eligible employee obtain subsequent recertification on a reasonable basis as requested by the Board.

The Board, at its own expense, may obtain the opinion of a second health care provider of the Board's choice, if the Board should choose to do so. If a conflict exists between the opinion in the certification and the second opinion, the Board may, at its own expense, obtain a third opinion from a health care provider upon which the Board and the employee jointly agree. Such a third opinion as to the necessity for the leave is binding on both the Board and the employee.

Upon an employee's return to work after leave for the employee's own serious health condition, the Board may require the employee to obtain certification from his/her health care provider that the employee is able to resume work.

The Board may require an employee on FMLA leave to report periodically to his/her principal or supervisor on the employee's status and intent to return to work.

#### **H. SPECIAL PROVISIONS**

When an instructional employee seeks intermittent leave or leave on a reduced schedule in connection with a family or personal illness that would constitute at least 20% of the total number of working days during which the leave would extend, the Board may require the employee to elect to take leave in a block (not intermittently) for the entire period or to transfer to an available alternative position within Northwest Georgia RESA that is equivalent in pay, for which the employee is qualified, and which better accommodates the intermittent situation.

**BOARD POLICY**

**Family and Medical Leave Act**

**Descriptor Code: GBRIG**

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If an instructional employee begins leave more than five weeks before the end of a semester, the Board may require the employee to continue taking leave until the end of the semester if:

- i. the leave will last at least three weeks; and
- ii. the employee would return to work during the three-week period before the end of the term.

If an instructional employee begins leave for a purpose other than the employee's own serious health condition during the five-week period before the end of the semester, the Board may require the employee to continue taking leave until the end of the semester if:

- i. the leave will last more than two weeks; and
- ii. the employee would return to work during the two-week period before the end of the term.

If an instructional employee begins leave for a purpose other than the employee's own serious health condition during the three-week period before the end of a semester, and the leave will last more than five working days, the Board may require the employee to continue taking leave until the end of the semester.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016



**BOARD POLICY**

**Non-Certified Personnel Overtime Pay**

**Descriptor Code: GCRD**

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In accordance with the Fair Labor Standards Act (FLSA), non-exempt personnel, as defined by the FLSA and its implementing regulations, on full-time status are eligible for overtime pay if they work for Northwest Georgia RESA beyond their regular forty (40) hour week. No overtime work will be performed without prior approval of the Northwest Georgia RESA Executive Director. Other provisions for overtime work are:

- 1) "Comp-time" may be given in lieu of overtime pay for Northwest Georgia RESA employees at a rate of not less than one and one-half (1.5) hours for each hour of overtime worked. All comp time must be documented, signed by the Northwest Georgia RESA Executive Director, and maintained in the Northwest Georgia RESA office.
- 2) Employees of the Northwest Georgia RESA Board of Control may be engaged to provide services to the Northwest Georgia RESA Board of Control on a "contracted basis".
- 3) All compensation, including contractual services, is subject to appropriate withholdings and reported on Form W-2 according to IRS regulations.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

## **NORTHWEST GEORGIA RESA POLICY MANUAL**

### **SECTION I-INSTRUCTIONAL PROGRAM**

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Policies:

[IFA](#)

[Materials](#)

**BOARD POLICY**

**Materials**

**Descriptor Code: IFA**

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All materials, books, equipment items, etc. developed or obtained by a Northwest Georgia RESA employee are the property of Northwest Georgia RESA. This includes items for use in a RESA classroom or program which were provided free to the employee by an outside source.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016

**NORTHWEST GEORGIA RESA POLICY MANUAL**

**SECTION J - INSTRUCTIONAL PROGRAM**

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Policies:

[JGF-2 Emergency Use of Restraint and Seclusion](#)

## **BOARD POLICY**

### **Emergency Use of Restraint and Seclusion**

**Descriptor Code: JGF-2**

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The Northwest Georgia RESA Board of Control shall require all programs within the organization to comply with State Board of Education Rule 160-5-1-.35 concerning "seclusion" and "restraint", as those terms are defined within the rule.

Northwest Georgia Network for Educational and Therapeutic Support (GNETS) Program does not use seclusion as an intervention as defined by State Board of Education Rule 160-5-1-.35. Northwest GNETS may utilize physical restraint in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques. The Board of Control recognizes that in determining when and how to implement this policy and any procedures related to it, educators will have to exercise their professional judgment and discretion. Therefore, the policy is not to be construed as imposing ministerial duties on individual employees. Further, it is not intended to interfere with the duties of law enforcement or emergency medical personnel.

#### Definition of Physical Restraint

Physical restraint is direct physical contact from an adult that prevents or significantly restricts a student's movement. The term physical restraint does not include prone restraint, mechanical restraint, or chemical restraint. Additionally, physical restraint does not include: providing limited physical contact and/or redirection to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing guidance to a location, or providing comfort.

#### Staff Training

The GNETS Program Director or designee(s) will annually identify staff that needs to be trained in the use of physical restraint. All staff members who work in a position that may require them to use physical restraint should receive training at least annually and as deemed necessary by the program director or designee(s). This training shall be provided as a part of a program which addresses a full continuum of positive behavioral intervention strategies as well as prevention and de-escalation techniques. Documentation of this training as well as a list of staff trained shall be maintained on file in each program's office.

**BOARD POLICY**

**Emergency Use of Restraint and Seclusion**

**Descriptor Code: JGF-2**

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Notice to Parents

The Northwest GNETS information on the Emergency Use of Restraint and Seclusion will be shared with parents annually. Additionally, each time physical restraint is used with a child the parent of that child will be notified in writing within a reasonable amount of time, not to exceed one school day from the use of restraint.

Northwest Georgia RESA Board of Control

Adopted: November 16, 2016