



**"COMMITTED TO
HIGH PERFORMANCE"
Growing Our Future**

**.... through professional
development**



•Presented by:

Wendy Edwards, Personnel Review Officer

Michael Houze, Personnel Review Officer

Teresa Reese, Personnel Review Officer

Claire Starkey, Personnel Review Officer

Agenda

- ❑ *Familiarize participants with who we are and the services offered by the Division of Equity and Compliance, and
- ❑ *Provide important information regarding the following areas:
 - ❑ -Ethical Behavior, including Corporal Punishment and the Use of Physical Force
 - ❑ -Attendance and Punctuality
 - ❑ -Requests for Accommodations on the Basis of a Medical Impairment
 - ❑ -Grievance processes

DIVISION OF EQUITY AND COMPLIANCE

https://www.clayton.k12.ga.us/departments/equity_and_compliance

Our Role...

The Equity and Compliance (E & C) Division plays an integral role in the District's "Commitment to High Performance". It is our goal to provide professional, high quality service throughout the Clayton County Public Schools regarding the various legal, ethical and compliance issues that impact the District. To that end, the division has primary responsibility for these major areas:

- * Management of the legal compliance and legal affairs matters for the District
- * Administration of the District's Risk Management programs and procedures
- * Direction of the District's investigation processes and protocols
- * Facilitation of the District's policy preparation process
- * Organization of the Open Records request process
- * Coordination of the Reasonable Accommodations process under the ADA and Section 504
- * Monitoring of the District's Title IX efforts

DIVISION OF EQUITY AND COMPLIANCE

STAFF

Damaris Garrett

Director

Darlene Ford-Dowling

Administrative Assistant II (to the Director)

Latasha Lowe

Legal Compliance Officer

Leslie Harris

Planning Analyst (Risk Management)

Stephanie Cosby

Administrative Assistant (to Legal Compliance and Risk Management)

Wendy Edwards

Personnel Review Officer

Michael Houze

Personnel Review Officer

Teresa Reese

Personnel Review Officer

Claire Starkey

Personnel Review Officer

Margaret Sealock

Records Management Specialist (Open Records)

Ethical Behavior





Code of Ethics for Educators

Georgia Professional Standards Commission



- *Standard 1: Legal Compliance*
- *Standard 2: Conduct with Students*
- *Standard 3: Alcohol or Drugs*
- *Standard 4: Honesty*
- *Standard 5: Public Funds and Property*
- *Standard 6: Remunerative Conduct*
- *Standard 7: Confidential Information*
- *Standard 8: Required Reports*
- *Standard 9: Professional Conduct*
- *Standard 10: Testing*

Clayton County Public Schools

Policy: GBU/GCU – Professional Personnel Ethics

- An effective school system requires employees of integrity, high ideals and expectations, and sensitivity to other individuals in the school environment. Employees must take personal responsibility for understanding the system's ethical standards and applying them in daily activities. All employees are expected to:
 1. Make decisions based on what is best for students in all cases;
 2. Maintain honest, equitable, professional relationships with students, parents, and other staff members;
 3. Observe local, state and federal laws, policies, rules and regulations;
 4. Demonstrate knowledge of research and competence in state-of-the-art practices in the employee's field of expertise;
 5. Maintain confidentiality of privileged information;
 6. Support cooperation between the school and the community;
 7. Avoid conflicts of interest;
 8. Avoid giving and receiving improper gifts;
 9. Refrain from using school contacts and privileges to promote partisan politics, sectarian religious views, or propaganda of any kind;
 10. Safeguard school property, equipment, and materials;
 11. Implement Board policies in a spirit of good faith; and
 12. Comply with appropriate professional ethical standards.



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Policy: GBU-R(1) – Social Media

- Social media is a useful tool for effectively communicating with stakeholders about the work of the district. This policy applies to all social media activities by **ALL** district employees, including but not limited to the use of blogs, forums, social networking sites and any other web-based communications on publicly available sites. Social media activities related to the work of the district are encouraged to take place in a classroom or district office setting so long as such activities do not detract from the employee's effectiveness or other job duties.



Clayton County Public Schools

Policy: JGI – Child Abuse or Neglect (Mandated Reporting)

- Georgia law § 19-7-5(a) mandates reports of suspected child abuse by school employees.
- **All District employees and volunteers are mandatory reporters under the law.**
- **It is strongly recommended that you report instances immediately, but you must do so within 24 hours of the situation being brought to your attention.**

Corporal Punishment?



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Policy: JD – Student Discipline

- Under **NO** circumstance is corporal punishment to be administered. Corporal punishment is not allowed in Clayton County Public Schools. Corporal punishment includes hitting, pushing, grabbing a student or using any other physical force in response to student misbehavior.

Clayton County Public Schools

Application of Reasonable Force

- It is recognized that physical force may be necessary to restrain a person or to prevent injury. When such force is used, it should be applied without anger and as a restraint rather than retaliation. **Staff who find it necessary to use physical force with students are to immediately provide a complete written report of the details to the principal/supervisor.**

Clayton County Public Schools

Excessive Force:

- Excessive force is physical contact that is not used as a defense measure to protect person or property. Such force is applied in anger and continues after the direct threat of harm is no longer imminent. Use of excessive force will also be considered to have occurred when an individual continues to make physical advances toward an aggressor even after the aggressor has been restrained or calmed. Whether an act is considered to be excessive will depend on the threat of danger under the particular circumstances and an appropriate justification for the individual's reaction.

Clayton County Public Schools

Factors to be considered in determining whether an individual has used excessive force are:


- whether the physical contact was consistent with the amount of force needed to subdue an aggressor given the aggressor's age, size, and physical condition;
- the seriousness of the misconduct;
- motive for administering discipline;
- the nature and severity of the punishment;
- the action(s) or behavior(s) of the student; and
- the availability of less severe, but equally effective means of discipline.
-

Grossly excessive use of physical force would be that which would be shocking to the conscience and which might be accompanied by physical pain and injury.

Corporal Punishment Behavior Grid

Precipitating Student Behavior	Subsequent Staff Behavior
Student cursed teacher	Use profanity towards student
Student struck another student	Encouraged or told students to hit or attack student as a form of discipline
Student was disrespectful	Grabbed and/or choked student
Student refused to follow teacher's instructions	Threw student against the wall
Student refused to follow teacher's instructions	Made student hold set of books on head

Harassment

A person wearing a white button-down shirt and a dark jacket is holding a small white rectangular sign. The sign has the text "Harrassment in the work place will not be tolerated!" written on it. The background is dark and out of focus.

Harrassment in the
work place
will not be
tolerated!

Clayton County Public Schools

Policy: GAEB – Harassment

- It is the policy of this school district to prohibit any act of harassment of employees or others based upon race, creed, sex, gender, national origin, ancestry, religion, age or disability, genetic information, or service in uniformed services at all times and during all occasions while at school, in the workplace or at any school event or activity. Any such reported act of harassment may result in discipline, including the possible termination of employment or other appropriate discipline of the employee.



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Sexual Harassment

- Sexual harassment may include conduct or speech which entails unwelcome sexual advances, requests for sexual favors, taunts, threats, comments of a vulgar or demeaning nature, demands or physical contact which creates a hostile environment for an employee.
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- 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 staff development, enlighten employees as to the varied forms or expression of prohibited harassment.



Clayton County Public Schools

Policy: GAK-(1) – Criminal Background Check

- If, during the course of employment, an employee is convicted of a misdemeanor or felony the employee shall notify the Division of Equity and Compliance within three (3) business days of such conviction. An employee shall also provide such notification to the Division of Equity and Compliance within three (3) business days of any resolution involving the employee being given the First Offender status, pre-trial diversion, nolo contendere or any other negotiated pleading. Clayton County Public Schools retains the right to request documentation including an official court disposition(s) of any criminal infraction, misdemeanor, felony and or ordinance.



Clayton County Public Schools

Policy: GAMA – Drug and Alcohol Free Workplace

- The Clayton County Board of Education 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 or illegal/unlawful 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.
- As a condition of employment, each employee must abide by the terms of this policy and must notify your immediate supervisor within three (3) business days after any arrest on any drug-related criminal charge and further notify immediate supervisor within three (3) business days of any conviction, plea of nolo contendere, or a plea under the First Offender Act of the State of Georgia or any similar state or federal law of a drug-related offense.
- The Board prohibits the use, possession, distribution, or sale of alcohol on school property or at school events and violation of this policy is subject to discipline which could include termination.
-

Staff Dress Code

I wrote down the appropriate clothing items that you have been wearing to work recently.



your  cards
someecards.com



Clayton County Public Schools

Policy: GBRL-R(1) – Employee Dress Code

- Any employee whose attire or dress is not professional in the opinion of the building administrator shall be directed to conform to this policy. An employee who is inappropriately dressed, in the opinion of the principal/supervisor, may be sent home and required to return to work in acceptable attire. The employee shall not be paid for time away from work.

Appropriate dress includes, but is not limited to:

- Business suits/coordinated pant-suits
- Collared shirts with and without ties
- Skirts less than three inches above the knee
- Dresses
- Slacks

Clayton County Public Schools

Policy: GBRL-R(1) – Employee Dress Code

Unacceptable dress includes:

- Shorts (except for physical education)
- Jeans, including overalls, of any color (acceptable only for special projects or activities or related to specific job assignments)
- Hats/headwraps
- Immodest dress such as dress which is too short (more than three inches above the knees) or tight or otherwise revealing
- Oversized tee shirts and undershirts
- Leggings/spandex
- Tank tops
- See-through clothing
- Sundress without a jacket
- Clothing that exposes the midriff
- Extremely low-cut dresses and blouses
- Exercise sweat suit
- Flip-Flops
- Other attire as deemed inappropriate by the building administrator

Politics and School Property

**“politics
is more
difficult
than
physics”**

Albert Einstein



Clayton County Public Schools

Policy: GAHB – Staff Political Activities

- * No employee shall participate in any political activity during duty hours, including duty hours which may be in addition to the normal work day (see specific exceptions in policy).
- * No school system facilities, equipment, or supplies shall be used by anyone for political purposes. This rule shall apply both during and beyond the formal day, including nights, weekends, vacations, and holidays. This rule does not apply to individuals or groups that are granted permission to use certain facilities under the limited public forum policy. (See exceptions).
- * No one, including candidates, shall be permitted to campaign or distribute campaign materials on any school system property. (See exceptions). There will be no exceptions for PTA meetings.
- * Employees shall not attempt to use their position or authority to exert political pressure on behalf of or against candidates for elected office.
- In the event an employee wishes to become a candidate for public office, the employee may be granted a leave of absence without pay, not to exceed one year, for the purpose of campaigning for that office. If the employee chooses not to take a leave of absence, all provisions of this policy shall be binding on the employee.

Clayton County Public Schools

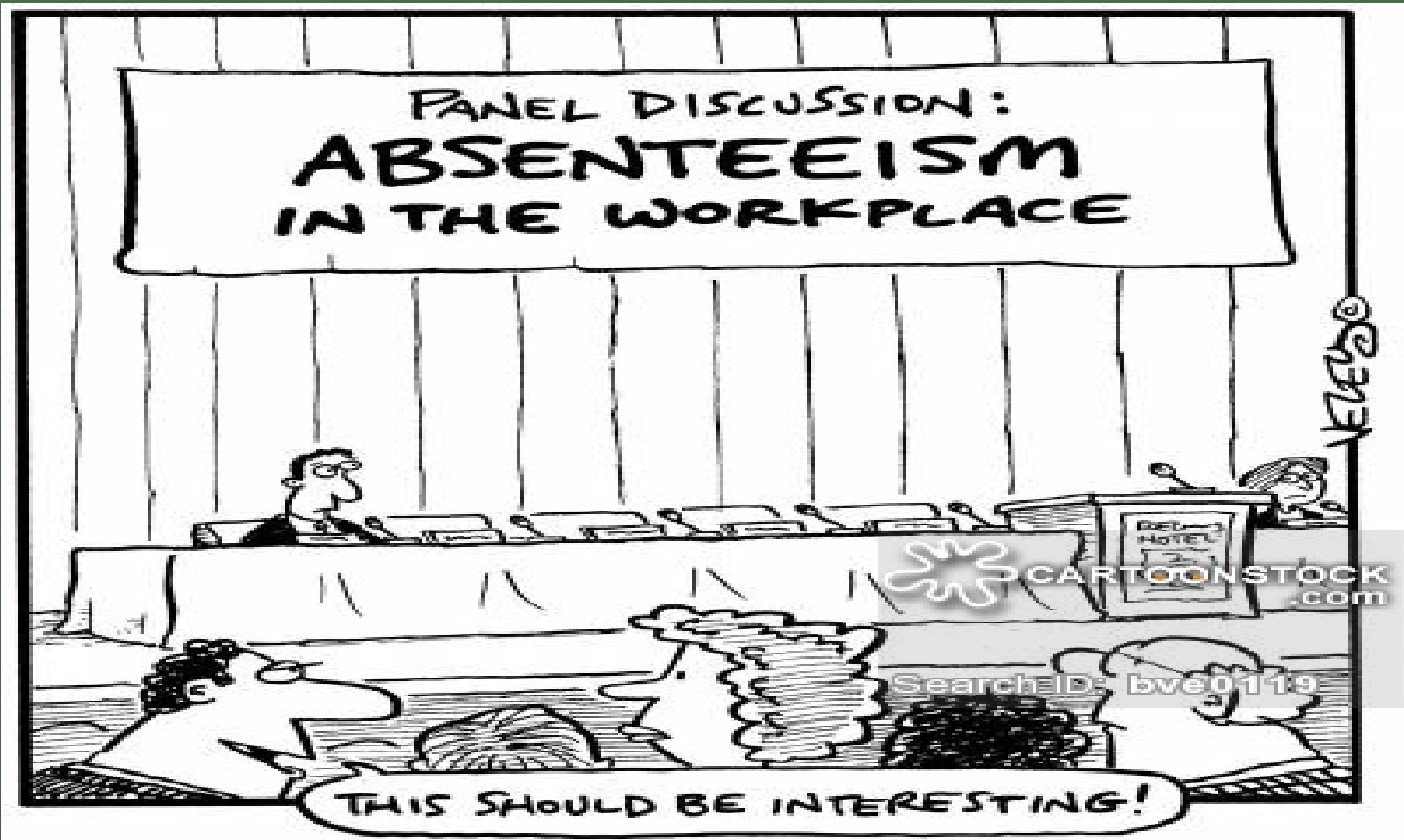
Other Restrictions on School Property



* Unless specifically authorized or exempted by **law**, persons may not possess, carry or have within their control any **weapon** or explosive compound of any kind as defined by **Georgia Law O.C.G.A. 16-11-127.1** while on school property or school buses, within school safety zones, or attending a school function.

* Board policy GAN prohibits the use of tobacco, including smokeless tobacco, by faculty, staff members, other employees of the school system, students, volunteers, and visitors on school property or at school-sponsored activities. This includes employees supervising all school sponsored activities at any time.

Attendance and Punctuality



Clayton County Public Schools

Policy: GARH – Employee Leaves and Absences

Sick Leave

- *The term "sick leave" shall be used to cover personal illness and illness or death in the immediate family of the employee. The Clayton County School System interprets "immediate family" to mean: spouse, father, mother, brother, sister, child, grandparent of the employee, or a relative living in the residence of the employee at the time of their death.
- *The administration may require an employee to obtain a physician's certificate at any time when deemed necessary. In **all** cases, on the sixth (6) consecutive work day documentation shall be required for any illness.
- *Policy GBRIB-R(1) states, "The employee must notify the principal/supervisor as far in advance as possible of the need to use sick leave. In the case of anticipated or foreseeable absence (i.e. scheduled surgery, childbirth, etc.), notice should be given at least 30 days in advance.

Clayton County Public Schools

Policy: GARH – Employee Leaves and Absences, cont'd.

• PERSONAL LEAVE

- Employees may use up to a maximum of three days per school year ... if prior approval is given by the Superintendent or his designee. Requests for personal leave must be in writing and at least one week in advance of the date requested. However, in emergency cases advance notice may be waived.
- Personal leave will not be granted for the day immediately prior to or after school holidays. Additionally, personal leave will not be granted during the first three days or last three days of the school term.
- Personal leave for hardship or emergency situations should be supported by evidence of the hardship or emergency.
- In the interest of effective school system operation, the principal or department supervisor is granted the authority to restrict personal leave on any given day.



Clayton County Public Schools

Policy: GBR-R(1) – Professional Personnel Working Conditions

ATTENDANCE AND PUNCTUALITY

- -Anticipated absences shall be scheduled at least one day in advance.
- -Notice of these absences shall be made by the employee to the department head/supervisor.
- -Employees shall not be able to change absences to an exempt leave category after the absence has occurred (i.e. – use of annual or personal leave after an unscheduled absence).
- -Absences for any critical day shall require prior approval by the department head/supervisor.

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Policy: GBR-R(1) – Professional Personnel Working Conditions, cont'd.

- **JOB ABANDONMENT** - An employee who fails to report to work or contact the worksite for three (3) or more consecutive workdays without approval and/or proper notification will be considered to have abandoned his/her position and the District will move forward with the appropriate action. In any instance of less than three days, the employee shall present sufficient written justification and attach to the justification appropriate documentation supporting the reason(s) for the absence and failure to contact or their position may still be declared abandoned. **NOTE: an employee may still be coded as leave without pay even if the District does not move to terminate their employment.**

Request for Accommodations

It is...	It is not....
<p>A requirement under Federal law for persons who are disabled under the Americans with Disabilities Act (ADA). An individual with a disability within the meaning of the ADA and Section 504 is someone who: (1) has a physical or mental impairment that substantially limits a major life activity; (2) has a record of an impairment; or (3) is regarded as having an impairment (usually through myth, fear or stereotype).</p>	<p>A ticket to an automatic transfer.</p>
<p>A way to accommodate a medical impairment to ensure that the employee is able to perform the essential functions of a job. The essential functions of a job are the fundamental job duties of a position that a disabled employee holds or hopes to hold.</p>	<p>A promotion, or a way to circumvent the promotional procedures.</p>
<p>A procedure that is reviewed annually.</p>	<p>A way to get out of job duties. If a job duty is removed from the person making the request as a form of a reasonable accommodation, then that person may receive another duty that he or she can perform despite his or her medical condition.</p>
<p>A process which takes ten days or more to complete once all the necessary documentation has been received from the employee's primary physician.</p>	<p>A way to specialize a job description/work environment to an employee's personal satisfaction.</p>
	<p>An opportunity for supervisors to take a "Hands Off" approach while the request is being reviewed by the Division of Equity and Compliance. Some modifications can be made at the workplace without the Division of Equity and Compliance ever getting involved.</p>

Grievances





Clayton County Public Schools

Policy GAE(2) & (3) – Complaints and Grievances

Purpose

- It is the policy of the Clayton County Board of Education that all certified employees shall have the right to present and resolve complaints relating to certain matters affecting the employment relationship at the lowest organizational level possible. The Clayton County Board of Education encourages all employees to resolve their complaints informally in a spirit of collegiality where possible. This policy is available where such efforts do not succeed or, where for any other reason, the employee desires to pursue this procedure.



Clayton County Public Schools

Policy GAE (2) & (3) – cont'd.

- The complaint shall be filed in writing with the Superintendent's office within ten (10) calendar days from the occurrence of the most recent alleged incident or other matter on which the complaint is filed.
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Exclusions in conjunction with applicable laws:

1. The performance ratings contained in personnel evaluations and professional development [learning] plans and job performance; however, this limitation shall not apply to procedural deficiencies on the part of Clayton County School District.
2. The termination, non renewal, demotion, suspension, transfer or reprimand
3. The revocation, suspension, or denial of certification
4. A matter that has already been presented directly to the Board of Education

Equity and Compliance Quick Reference Guide

Questions Regarding...	Do this....
Allegations of employee wrongdoing involving a violation of a policy, regulation, ethical standard.	Consult with the Division of Equity and Compliance for technical assistance and/or appropriate action.
Allegation of discrimination on the basis of race, color, religion, sex, national origin, age, disability, veteran status, marital status, sexual orientation, involving students and staff.	Consult with the Division of Equity and Compliance for technical assistance and/or appropriate action.
Grievance Process	Consult with the Division Equity and Compliance for technical assistance.
Employee workplace modifications due to a non-work related medical impairment	Consult with the Division of Equity and Compliance to initiate Request for Accommodations process
Work-related injuries or unemployment insurance claims	Consult with the Division of Equity and Compliance/Risk Management for assistance
Security Concerns	Consult CSO/SRO or Clayton County Public Schools Police (678-479-2650)
Leave Requests (FMLA, Medical Leave, etc.)	Consult Employee Benefits
Employee Assistance Program	Consult Employee Benefits
Fraud Prevention	Contact the Division of Equity and Compliance in writing. Complaints may be submitted via e-mail at fraudcomplaints@clayton.k12.ga.us
Open Records Requests	Requests may be submitted via e-mail at openrecordsrequests@clayton.k12.ga.us .

Questions? Need More Information?

Feel free to contact us.



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